

An Garda Síochána

Oifig Saorála Fáisnéise,
An Garda Síochána, Teach áth Luimnigh,
Lárionad Gnó Udáras Forbartha Tionscail,
Baile Sheáin , An Uaimh,
Contae na Mí.
C15 ND62



Freedom of Information Office,
An Garda Síochána, Athlumney House,
IDA Business Park,
Johnstown, Navan,
Co Meath.
C15 ND62

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website:

www.garda.ie



Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000071-2021 Request Part-Granted

Dear

I refer to your request, dated 16th February, 2021 and received on 17th February, 2021 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána.

Part 1(n) of Schedule 1 of the FOI Act states that An Garda Síochána is listed as a partially included agency "insofar as it relates to administrative records relating to human resources, or finance or procurement matters". Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

Your request sought:

- *Under the FOI Act 2014, I am seeking the following:*
 - 1) *Staff numbers for the above mentioned GNDI unit including those involved full time as well as regional diversity officers with specifications regarding roles.*
 - 2) *The annual cost of the Unit since its inception with a breakdown as detailed as possible regarding cost to taxpayer.*
 - 3) *The number of hate crime incidents as well as 'non-crime hate incidents' recorded on the PULSE system since recordings began.*
 - 4) *Any internal guidelines or handbooks issued to Gardai regarding hate speech/crime incidents their recording and handling thereof.*
 - 5) *Transcript of any correspondence or liaisons the unit has had with the NGO Irish Network Against Racism (INAR Ireland)*

6) *A list of all third party non-governmental organisations/anti-racist charities the unit has consulted with relation to hate crime/speech implementation as well as day to day operations.*

I wish to inform you that I have decided to part-grant your request on 5th March 2021.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Upon receipt, your request was forwarded to the relevant sections of An Garda Síochána where searches were conducted in respect of same.

In relation to part 1 of your request this office has been advised that there are 3 full-time staff members attached to the Garda National Diversity and Integration Unit (GNDIU), 2 Sergeants and 1 Clerical Officer. However it is to be noted that the staffing levels at the GNDIU has never exceed 4 members of staff.

Garda Diversity Officers are divisional resources, primarily (though not exclusively) attached to Community Policing Units throughout the country. They do not form part of the Garda National Diversity and Integration Unit, nor are they full time in the role of Diversity Officer. There are Garda members and Sergeants who receive additional training in the area of diversity and cultural awareness and deal with minority and diverse communities, as required during the course of their normal duties. Currently there are 281 Garda members/Sergeants who have the Diversity Officer portfolio.

The GNDIU has been in existence since 2000. An Garda Síochána have been subject to the FOI Act since 21st April 2008 therefore any records created prior to this date are excluded from the provisions of the Act, insofar as An Garda Síochána is concerned, as per section 2 under “*effective date*”. The interpretation of “*effective date*” is shown below.

- (a) *in the case of an entity that immediately prior to enactment of this Act, was not a public body within the meaning of the Act of 1997, but is a public body within the meaning of this Act, 21 April 2008, unless provision is made to the contrary by order under section 6;*

Furthermore I am refusing to provide the cost associated with the GNDIU from 2008 to-date as this would cause substantial and unreasonable interference with and significantly disrupt the workload of the GNDIU by reason of volume of the records involved. I am therefore refusing to provide this information to you in accordance with Section 15 (1)(c).

Refusal on administrative grounds to grant FOI requests:

Section 15(1)(c) of the FOI Act 2014 states;

15. (1) *A head to whom an FOI request is made may refuse to grant the request where—*

- (c) *in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned,*

The information sought by you in parts 3, 4, 5 and 6 of your request pertain to the core functions of An Garda Síochána, that is, operational policing matters, as opposed to matters relating to human resources, or finance or procurement. I am therefore refusing this information as it falls outside the scope of the FOI Act insofar as it pertains to Part 1(n) of Schedule 1 of the FOI Act as stated above.

2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **FOI-000071-2021**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Navan, Co. Meath, C15 ND62.

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8.

Payment can be made by electronic means, using the following details:

Account Name: An Garda Síochána Imprest Account

Account Number: 30000302

Sort Code: 951599

IBAN: IE28DABA95159930000302

BIC: DABAIE2D

You must ensure that your FOI reference number FOI-000071-2021 is included in the payment details.


You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at www.garda.ie

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you wish to discuss the above, please contact the FOI Office by telephone at (046) 9036350.

Yours sincerely,



PAUL BASSETT
FREEDOM OF INFORMATION OFFICER

5 MARCH, 2021