

# An Garda Síochána

Oifig Saoráil Faisnéise  
An Garda Síochána  
Teach áth Luimnigh  
Lárionad Gnó Udáras Forbartha Tionscail  
Baile Sheáin  
An Uaimh  
Contae na Mí  
C15 DR90



Freedom of Information Office  
An Garda Síochána  
Athlumney House  
IDA Business Park  
Johnstown  
Navan  
Co Meath  
C15 DR90

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website: [www.garda.ie](http://www.garda.ie)

Bí linn/Join us  

Riomh-phoist/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000248-2016 Request Refused

Dear

I refer to your request, dated and received on 6<sup>th</sup> July 2016 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. Records that relate to the functions and management of the organisation are restricted.

Your request sought:

*“A breakdown of payments made to companies for translation services between the dates 1/1/13 - 31/12/15.*

*I have previously been provided with an overall amount for 2013, 2014 and 2015 respectively however, I have not received the details of the companies involved.”*

I wish to inform you that I have decided to **refuse** your request on the 19<sup>th</sup> July 2016.

### 1. Findings, particulars and reasons for decision

The purpose of this letter is to explain my decision. The sections of the FOI Act which can apply to deny access to documents are known as its exemption provisions.

The Finance Section of An Garda Síochána was contacted to identify the records concerning payments made to companies relating to translation services. An expenditure report from the Financial Management System was generated for translation services from a unique subhead between 1<sup>st</sup> January 2013 and 31<sup>st</sup> December 2015. As you have outlined in your request, you have previously been provided with overall payments relating to translation services for the time-frame indicated and FOI-000219-2016 has reference.

I am refusing to provide 'A breakdown of payments made to companies for translation services between the dates 1/1/13 - 31/12/15' under section 32(1)(a)(i), (ii), (iii) and (ix) of the FOI Act as follows:

### **Section 32 – Law enforcement and public safety**

Sections 32(1)(a)(i), 32(1)(a)(ii), 32(1)(a)(iii) and 32(1)(a)(ix) (Law enforcement and public safety) is applicable to the information you have requested. The release of such information could prejudice or impair the investigation of offences by An Garda Síochána in accordance with section 32 of the FOI Act, as shown below. The functions of An Garda Síochána are, in the main, directed towards the prevention, detection and investigation of criminal activities. It is not in the public interest to impair or prejudice Garda functions by releasing information under the FOI Act which could reasonably be expected to harm an investigation, put at risk public safety or be detrimental to the investigative process. For example, it is reasonable to expect that the persons/companies supplying certain operational related services to An Garda Síochána should receive due consideration for their safety and that of their premises and are not unnecessarily placed in situations where they could be subjected to harm in any way. There are certain circumstances when assistance is provided to An Garda Síochána relating to criminal investigations where the translation services of individuals or private companies are required. It is reasonable to expect that the identification of the amount of money paid to private individuals/companies who provide such services in these circumstances could be subjected to intimidation or other harmful methods in an attempt to negatively impact a criminal investigation. An Garda Síochána must ensure the investigative process, enforcement of law or lawful methods to protect public safety are not impaired or prejudiced in any way by the release of information into the public domain.

As a result of these genuine and reasonable concerns the release of certain records are excluded under section 32 of the FOI Act.

### **Section 32 – Law enforcement and public safety**

*32.(1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—*

*(a) prejudice or impair -*

- (i) the prevention, detection or investigation of offences, the apprehension or prosecution of offenders or the effectiveness of lawful methods, systems, plans or procedures employed for the purposes of the matters aforesaid,*
- (ii) the enforcement of, compliance with or administration of any law,*
- (iii) lawful methods, systems, plans or procedures for ensuring the safety of the public and the safety or security of persons and property,*
- (ix) the security of a building or other structure or a vehicle, ship, boat or aircraft, or*

I am of the opinion, that I have satisfied the public interest in this matter by supplying summary details of expenditure as granted in your previous request.

However, I can advise you that the details of published tenders in relation to framework agreements for the provision of translation services (both current and expired) to An Garda Síochána is already in the public domain and available on the etenders website at the following URL:

<https://irl.eu-supply.com/ctm/supplier/publictenders>

## 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-000248-2016**.

Freedom of Information Office,  
An Garda Síochána,  
Athlumney House,  
IDA Business Park,  
Johnstown,  
Navan,  
Co. Meath  
C15 DR90

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:** Garda Síochána Finance Section Public Bank Account  
**Account Number:** 10026896  
**Sort Code:** 900017  
**IBAN:** IE86B0F190001710026896  
**BIC:** BOFIE2D

**You must ensure that your FOI reference number 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](http://www.garda.ie).

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

Should you have any questions or concerns regarding the above, please contact me by telephone at (046) 9036350.

Yours sincerely,

  
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**HELEN DEELY**  
**FREEDOM OF INFORMATION OFFICER**

20<sup>th</sup> JULY 2016