

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 DR 90

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website: www.garda.ie

Bí linn/Join us  

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000176-2016 Request Partially Granted

Dear

I refer to the Freedom of Information Act 2014 (FOI Act) and your submission to this body, dated and received on 10th May 2016. This request was transferred to An Garda Síochána by the Information Unit at the Department of Justice and Equality on the 10th May 2016.

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:

*'I wish to make a request under the Freedom of Information act. The application is for all records relating to repairs made on garda vehicles.
Specifically I am looking for the amount spent annually on repairing garda vehicles for the last ten years; how many cars have gotten repairs annually in the same period and what are the most prevalent problems that vehicles need repairs for.'*

I wish to inform you that I have made a final decision to partially grant your request on today's date.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision to deny access

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

The Garda fleet comprises of some 2,600 vehicles. The operational nature and demands on these vehicles warrant regular servicing and repair, as necessary. To this end, An Garda Síochána has contracted with the Ford Motor Company for the servicing and repair of all Garda vehicles (except motorcycles) through their nationwide authorised dealer network. All vehicles are serviced and maintained according to manufacturer's recommendations.

A unique financial sub-head does not exist in respect of repairs to the Garda fleet. In the absence of such a sub-head it is not possible to identify the exact costs as outlined in your request. In accordance with the requirements of section 15(1)(a) of the FOI Act, I am satisfied that all reasonable steps have been taken to identify and locate the specific records requested in relation to your request. As the records concerned do not exist I must therefore refuse your request on this basis.

Refusal on administrative grounds to grant FOI requests

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

- (a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,*

However, a financial sub-head does exist in relation to costs associated with Fleet Maintenance. I am providing the table below as an alternative source of information. The figures below outline annual expenditure in relation to the repair, service and maintenance of the Garda Fleet:

Fleet Maintenance		
2008	€	6,545,050
2009	€	8,267,876
2010	€	11,452,094
2011	€	9,927,886
2012	€	9,063,131
2013	€	11,041,720
2014	€	9,538,215
2015	€	9,747,847
2016 (Jan-Apr)	€	2,492,048

The above table outlines figures from 1st January 2008 – 30th April 2016 inclusive.

The maintenance costs of the Garda Fleet, as detailed in the above table, fluctuated from 2008. The maintenance regime for Official Garda Vehicles was formalised and improved by protocol which required that all vehicles were maintained to the highest standards using only manufacturer's work instructions and approved parts. An inspection regime was also adopted to confirm the condition of vehicles and to highlight the necessity to replace worn or damaged parts before they failed. The servicing requirement was also improved which required vehicles to be serviced at the necessary odometer interval or annually, whichever came first. In the absence of replacements, the lifespan of vehicles was also increased from 160,000kms to a total of 300,000kms. This extension necessitated the replacement of all safety related parts at 160,000kms.

Figures for 2006 and 2007 as requested are not provided. Any records created prior to 21st April 2008 are excluded from the provisions of the FOI 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;

Further information in relation to the Garda Fleet is available on the Garda website (including details as provided in table above from 2010-2014 inclusive) at the following URL which may be of further interest to you: <http://garda.ie/Controller.aspx?Page=15985&Lang=1>

I am refusing the following part of your request ‘*how many cars have gotten repairs annually in the same period and what are the most prevalent problems that vehicles need repairs for.*’ as it falls outside the scope of the Freedom of Information Act 2014 insofar as it pertains to An Garda Síochána in that the records sought by you are not an administrative record relating to human resources, finance or procurement as per Part 1(n) of Schedule 1 of the FOI Act.

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 **F01-000176-2016**.

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: BOFIIIE2D

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.

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,

 SUPERINTENDENT
HELEN DEELY
FREEDOM OF INFORMATION OFFICER

26th May 2016