

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

Bí linn/Join us  

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000089-2016

Request Refusal

Dear

I refer to the Freedom of Information Act 2014 (FOI Act) and your submission to this body dated and received on the 26th February 2016 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 is shown below:

"The amount spent by the Gardaí in overtime concerning the security operation around the funeral of the late David Byrne (over the numbers of days that the operation was in operation)

The top five overtime payments to Gardaí and their rank who participated in the operation.

The amount spent by the Gardaí in overtime concerning the security operation around the funeral of the late Eddie Hutch (over the number of days that the operations was in place).

The top five overtime payments to Gardaí and their rank who participated in the operation.

The total amount spend by the Garda in overtime in response to the murders of David Byrne and Eddie Hutch (inclusive of the operations connected to the funerals of the two men)"

I wish to inform you that your request has been refused.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

I am refusing your request on the basis that the financial records that you have sought do not exist. There is no individual Cost Code (an identifiable financial number where costs for a specific event/occurrence are recorded) assigned to the policing of the funerals of either Mr David Byrne or Mr Eddie Hutch. These types of occurrences are included in the routine costs of policing while carrying out the functions of An Garda Síochána under section 7 of the Garda Síochána Act 2005.

Therefore it is not possible to extract the information you seek from financial records held by An Garda Síochána as the records do not exist. Section 15(1)(a) of the FOI Act is applicable in this situation.

Section 15(1)(a) of the FOI Act 2014 is as follows:

Refusal on administrative grounds to grant FOI requests

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,

I am refusing your request under section 15(1)(a) 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 **F01-000089-2015**.

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: BOFIIE2D

Your 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.

15th March 2016