

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

Bí linn/Join us  

Láithreán Gréasain/Website: www.garda.ie

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000286-2016

Dear

I refer to the Freedom of Information Act 2014 and your submission to An Garda Síochána dated and received on 28th July 2016.

Part 1(n) of Schedule 1 of the Freedom of Information Act 2014 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 number of occasions in each of the past five years when officers used the wrong fuel to refill Garda vehicles.

‘What were the subsequent costs of servicing the vehicles?’

I wish to inform you that I have decided to refuse your request on the 12th August 2016.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision.

In relation to part 1 of your request wherein you are seeking “*The number of occasions in each of the past five years when officers used the wrong fuel to refill Garda vehicles*”, I am to advise you that Part 1(n) of Schedule 1 of the Freedom of Information Act 2014 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. After reviewing your request, I have decided that this is not within the scope of the Freedom of Information Act 2014 insofar as An Garda Síochána is concerned as and as a result no information will be provided to you on this matter.

Your request further sought information on ‘*What were the subsequent costs of servicing the vehicles?*’

Following a search of files held in the Transport Section, it has been determined that this information is not available and therefore I am refusing your request under Section 15(1)(a) of the Freedom of Information Act 2014, which states:

*“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”.*

Information in relation to the subsequent costs of servicing vehicles “when officers used the wrong fuel to refill Garda vehicles” is in scope insofar as it relates to administrative records relating to finance. However, as previously advised, a search of these records was conducted with Transport Section and it was determined that these records do not exist in that damage to official vehicles is not recorded by specific categories. All incidents involving damage to official vehicles are reported on Form MT15 which records duty as patrol/traffic/detective and other. It is not possible to specify what incident caused damage to vehicles as such damage would be recorded under general repair and cannot be specifically identified.

I am in a position to advise you however, that restrictors are included in all tender specifications from 2010 for Garda vehicles and this issue has not arisen from this date.

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 **F01-000286-2016**.

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.

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 AUGUST, 2016