

# 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 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](http://www.garda.ie)

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

## Re: Freedom of Information Request FOI-000425-2016 Request Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submission to An Garda Síochána dated and received on the 23<sup>rd</sup> November 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:

- 1) A full list of allowances members of An Garda Síochána can claim for in addition to their normal salary for the years 2014, 2015 and to-date in 2016 eg Footwear allowance, Custody Sergeant Allowance etc
- 2) The number of allowances that were awarded in the years 2014, 2015 and to-date in 2016 and the value of each allowance is worth eg Footwear allowance is worth €5 per week per member etc
- 3) Could you indicate what ranks of the force are allowed to apply for each allowance.

I wish to inform you that I have decided to refuse your request on the 14<sup>th</sup> December 2016.

The purpose of this letter is to explain that decision.

### 1. Findings, particulars and reasons for decisions to deny access

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

Section 15(1)(d) of the Freedom of Information Act states that:

*'A head to whom an FOI request is made may refuse to grant the request where -  
(d) The information is already in the public domain'*

Part 1 and Part 3 of your request sought "A full list of allowances members of An Garda Síochána can claim for in addition to their normal salary..." and "Could you indicate what ranks of the force are allowed to apply for each allowance". I am refusing the release of these records in view of the fact that this information has been previously published and is available on the Department of Justice website. The information may be accessed by following the link below:

<http://www.justice.ie/en/JELR/Garda%20Pay%20and%20Allowances%20wef%201-1-2010.xls/Files/Garda%20Pay%20and%20Allowances%20wef%201-1-2010.xls>

Part 2 of your request sought the 'number of allowances that were awarded in the years 2014, 2015 and to-date in 2016 and the value of each allowance is worth eg Footwear allowance is worth €5 per week per member etc'.

The Finance Directorate has been contacted in respect of this part of your request and has advised that it is not possible to extract a report in the format you are requesting regarding the number of allowances that were awarded in the years 2014, 2015 and to date in 2016. The value of each allowance payable is available is outlined in the link provided above.

I am refusing Part 2 of your request on the basis that the financial records that you have sought do not exist and it is not possible to extract a report in the format you are requesting. 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,**

## **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 **F01-000425-2016**.

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](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,

 SUPERINTENDENT  
HELEN DEELY  
FREEDOM OF INFORMATION OFFICER

15<sup>th</sup> December 2016