

# An Garda Síochána

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

Teileafón/Tel: (046) 9036350

Bí linn/Join us  



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

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

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

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## Re: Freedom of Information Request FOI-000135-2016 Request Refusal

Dear

I refer to the Freedom of Information Act 2014 (FOI Act) and your submission to this body, dated 3<sup>rd</sup> April 2016 and received on 4<sup>th</sup> April 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 sought:

- The total amount of money paid out in compensation to members of the public for items missing from custody stores across the country in 2015 and the first two months of 2016;
- The total amount of money paid out in compensation to members of the public for items missing from Waterford Garda Station's custody store in 2015 and the first two months of 2016;
- The value of each of these individual compensation payments for Waterford Garda Station.
- The details of the missing items for Waterford Garda Station.

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

The purpose of this letter is to explain that decision.

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

To provide an analysis and breakdown in relation to Parts 1, 2 & 3 of your request would prove voluminous and by reason of the nature and volume of the records involved would cause a disruption to the working of a number of functional sections of An Garda Síochána, therefore I am refusing this element of your request under Section 15(1)(c) of the FOI Act wherein it states:

## ***“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—

- (c) *in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned,”*

I am refusing Part 4 of your request as it falls outside of the scope of the FOI Act insofar as it pertains to An Garda Síochána. The ‘*details of the missing items for Waterford Garda Station*’ are not administrative records that relate to human resources, finance or procurement. 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*”.

However, we have determined that the records you are seeking may be held by another FOI body on the basis that payments made in respect of compensation claims are made directly by the State Claims Agency to the claimant. Therefore, they are most closely related to the subject matter of the records and are the most appropriate body, having regard to the details of your request.

The State Claims Agency is managed by the National Treasury Management Agency (NTMA) and can be contacted at:

Freedom of Information Unit,  
National Treasury Management Agency,  
Treasury Building,  
Grand Canal Street Lower,  
Dublin 2.  
Phone: 01 238 5050  
E-mail: [foi@ntma.ie](mailto:foi@ntma.ie)

## **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 **F01-000135-2016**.

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,

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

29<sup>th</sup> April 2016