

An Garda Síochána

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



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

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-000092-2016 Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submissions to An Garda Síochána dated 29th February 2016 and received on 29th February 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 resource,s 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:

Total expenditure on Operation Mizen by An Garda Síochána since its inception.

The 10 days on which the biggest expenditure was made on Operation Mizen since its inception.

The 5 counties in which the biggest expenditure has been made on Operation Mizen, including the amount spent in each of these five counties.’

I, Helen Deely, Superintendent wish to inform you that your request has been **refused**.

The purpose of this letter is to explain that decision.

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

An Garda Síochána has a role in ensuring peaceful protests can take place, and also in preventing injury and protecting life. Our objective with any such operation is to ensure the safety of the public. An Garda Síochána respect people's right to peaceful protest and will facilitate same. Gardaí attend protests to facilitate free movement of traffic and to prevent any breaches of the peace. Preservation of the peace means that people's right to protest has to be balanced against the constitutional right to execute your daily activities and freedom of movement. Gardaí would urge those involved in protests not to block public thoroughfares or interfere with traffic flow. Ideally both can occur side by side.

Operation Mizen was established to provide an appropriate and co-ordinated policing response to maintain public order and ensure the safety of all involved in protests against water charges and austerity, which have become prevalent in recent years. While recognising the right of peaceful assembly and protest, safety concerns emerged about the coordinated and organised behaviour of a small cohort at some protests who engaged in aggressive and violent actions against elected representatives, other public figures, Irish Water workers, Gardaí and the public in general.

The Financial Management System within An Garda Síochána was queried to identify if the records could be extracted to provide an answer to your request. It has been determined that these specific financial records do not exist.

Members of An Garda Síochána are typically rostered for multiple duties and criminal investigations. The cost of manpower associated with these duties are not analysed nor captured separately on the Financial Management System.

A unique project code does not exist in respect of operational duties referred to in your request. In the absence of such a project code it is not possible to identify the costs.

In accordance with the requirements of Section 15(1)(a) of the Freedom of Information Act 2014, I am satisfied that all reasonable steps have been taken to identify and locate the requested records.

Your request is therefore refused under Section 15(1)(a) of the Act which states:

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 **F01-000092-2016**.

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

16TH MARCH 2016