

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

Ríomh-phoist:/Email: foi@garda.ie

**Ms. Sarah Burns,
The Irish Times**

Re: Freedom of Information Request FOI-000177-2017 Request Refused

Dear Ms. Burns,

I refer to your request, dated 15th April 2017 and received on 18th April 2017 which you have made under the Freedom of Information Act (FOI) 2014 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 sought:

I wish to make a request under the Freedom of Information Act regarding drugs testing in the Garda force.

The application is for:

- *The number of such tests carried out in 2014, 2015 and 2016, and a break down by division;*
- *The number of such tests that were positive;*
- *The number of such tests that were random, and the number scheduled;*
- *The outcome arising from positive tests in relation to disciplinary proceedings*

I have now made a final decision to refuse your request on 3rd May 2017.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Details of your request were forwarded to the Human Resource Management Section within An Garda Síochána who conducted a search of their records relating to your request.

I have been advised that the records you have sought are not recorded by the Human Resource Management Section or the Office of the Chief Medical Officer within An Garda Síochána and therefore are not available.

Therefore, I must refuse your request pursuant to section 15(1)(a) of the FOI Act which states:

Refusal on administrative grounds to grant FOI request

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,*

The introduction to drugs and alcohol testing programme is not yet complete. It will, when implemented involve random testing of Garda Members and there is a consultation process ongoing involving the Garda associations.

2. Rights 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 **FOI-000177-2017**.

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: IE86BoF190001710026896
BIC: BOFIE2D

You must ensure that your FOI reference number (**FOI-000177-2017**) 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

10TH MAY, 2017