

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

Ms. Elaine Keogh

Re: Freedom of Information Request FOI-000287-2017 Request Refused

Dear Ms. Keogh,

I refer to your request dated 28th June 2017 and received on 29th June 2017 which you have made under the Freedom of Information Act 2014 (FOI Act) 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 is shown below:

All information in relation to funds paid by An Garda Síochána to GRA representatives at all levels from 2006 and 2016.

Please break the response down by Garda Division and by calendar year.

Please identify the purpose of the payments e.g. expenses from district headquarters to Phibsboro Tower, please also identify the method of payment e.g. cheque or EFT.

I wish to inform you that I have decided to refuse your request on the 13th July 2017.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision.

The Garda organisation is only subject to the provisions of the FOI Act 2014 and was not subject to the provisions of the FOI Act of 1997. As a result the start date for the provision of records, excluding personal records, as set out in Section 2(1) of the FOI Act for An Garda Síochána is 21st April 2008. This date is known as the effective date which is outlined below:

“effective date” means:

- (c) *in the case of an entity that immediately prior to enactment of this Act, was not a public body within the meaning of the Act of 1997, but is a public body within the meaning of this Act, 21 April 2008, unless provision is made to the contrary by under Section 6;*

Therefore, records sought for information prior to 21st April 2008 will not be released.

In accordance with the Garda Code, GRA Representatives may only receive payment of travelling expenses at reduced motor travel rate for attending Central Executive Meetings. This is the only payment liable to be paid from public funds. A search of the Financial Management System was requested in order to identify possible records that could be relevant to your FOI request. During that process, it was identified that the records for payments to GRA representatives are not recorded centrally but rather recorded at Garda District level throughout the 6 Garda Regions. There would be a significant amount of time and effort, using Garda resources required to collate all of these records and cross reference them with the dates of all Central Executive Meetings dating back to 2008 and to identify the GRA representatives at the time in order to provide the amount of travel expenses paid.

The extraction of the relevant records across the Garda Organisation for travelling expenses incurred for attendance of GRA Representatives to Central Executive Meetings would incur significant time and costs and by reason of the nature of the records and the detailed examination of such records, a substantial and unreasonable disruption to the administrative functions of the Garda Organisation will ensue. Consequently I am refusing your request under the provisions of section 15 (1)(C) of the FOI Act- *Refusal on administrative grounds to grant FOI requests*. Section 15 (1)(C) is shown below.

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,*

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 **F01-000287-2017**.

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: 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.

17th JULY 2017