

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

Mr. Ruairi Cotter,
Irish Sun

Re: Freedom of Information Request FOI-000304-2017 Request Refused

Dear Mr. Cotter,

I refer to your request, dated and received on the 5th July 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:

A breakdown of how much money was spent on armed garda checkpoints in Dublin in 2015, 2016 and so far in 2017?

And if it's possible to ask how many armed checkpoints have been set up in the same three years?

I advise that the FOI Act does not confer a general right of access to information; rather it confers a right of access to records. Therefore, your request for information has been treated as a request for access to records containing the information you seek.

I have now made a final decision to refuse your request on the 21st July 2017. The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Details of your request were provided to the Finance Section within An Garda Síochána who conducted a search for records relating to your request.

The Financial Management System (FMS) was queried to identify if the records could be extracted to provide an answer to Part 1 of your request. There is no Activity Based Costing System in place in the FMS of An Garda Síochána hence it is not possible to provide a costing on armed checkpoints. 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 by activity on the Financial Management System.

Furthermore, a unique activity code does not exist in respect of the operational duties referred to in your request. In the absence of such a 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.

Part 1 of 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,

In relation to the Part 2 of your request, I advise that An Garda Síochána became subject to Freedom of Information under the FOI Act, 2014. Under Part 1 of Schedule 1 of the FOI Act a number of agencies were defined as “*partially included*” and An Garda Síochána is listed as one of them at Part 1(n).

The FOI Act specifically states that An Garda Síochána is subject to the Act in relation to “*administrative records relating to human resources, finance or procurement matters*” only.

The term “administrative records” is understood to mean records relating to the processes of running and managing a business or organisation. As a result the FOI Act excludes operational policing business as opposed to the defined administrative processes of An Garda Síochána.

The records you are requesting in the second part of your request relates to operational policing matters and does not meet the criteria of administrative records as defined in the Act. Therefore Part 2 of your request must be refused.

During 2016 the Government approved funding to maintain the necessary policing response to tackle gangland and associated crime and for the establishment of a dedicated Armed Support Unit for the Dublin Metropolitan Region. The Department of Justice and Equality may be in a position to assist with further details.

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 **FOI-000304-2017**.

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 FOI-000304-2017 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

2nd **JULY 2017**