

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

Re: Freedom of Information Request FOI-000440-2017 Request Part-Granted

Dear

I refer to your request, dated and received on the 11th October 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 sought:

'The overtime budget allocation to An Garda Síochána for the years 2012, 2013, 2014, 2015, 2016 and 2017; Of the years in questions the amount of that budget has been spent in each of those years'

I wish to inform you that I have decided to part-grant your request on the 3rd November 2017

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Details of your request were forwarded to the Finance Directorate within An Garda Síochána who conducted a search of their records.

The first part of your request sought '*The overtime budget allocation to An Garda Síochána for the years 2012, 2013, 2014, 2015, 2016 and 2017*'. An Garda Síochána receives an annual

1

allocation for overtime through the Estimates process. On Budget Day the *Estimates for Public Services* are published.

These include high level detail by Government Departments and certain agencies (there are approximately 40 individual Votes which make up the Estimates). The *Estimates* will set out the amount planned to be spent in each Vote in the next year with a comparison to the *Estimates* in the current year.

Two months later the '*Revised Estimates for Public Services*' is published which is a more detailed version of the *Estimates*. It includes more information on the spending within individual programmes and a comparison with the projected level of spending of the current year (i.e. as its published in December before the end of the year, the final actual amount spent is still slightly uncertain). The *Revised Estimates* also include some output, context and impact indicators which give details on what the expenditure is going on, and some indication of the possible impact the expenditure is having.

The *Estimates* cover voted expenditure (hence the individual *Estimates* for Government Departments are known as Votes). Voted expenditure is voted upon annually by the Dáil. Non-voted expenditure is based on legislation already passed by the Oireachtas.

Individual departmental/agency *Revised Estimates* are considered by the relevant Dáil select committee before being voted on by the Dáil. The Dáil may only approve or reject a motion to grant money. Any *Supplementary Estimates* for additional expenditure made after the Dáil has voted on the *Revised Estimates* must be referred to the relevant select committee for consideration and then voted upon in the Dáil. At the end of the year, the *Revised Estimates* and any *Supplementary Estimates* are collected together into an *Appropriation Bill* which, when passed, gives statutory effect to the *Estimates*.

In this regard, the table below outlines the original allocation for overtime to An Garda Síochána for each of the years specified in your request.

Department of Public Expenditure and Reform (DPER) Allocation					
2012	2013	2014	2015	2016	2017
€'000	€'000	€'000	€'000	€'000	€'000
€41,200	€42,600	€36,000	€55,765	€91,500	€88,511

Further information in relation to the Budget process is available on the Houses of the Oireachtas website which you may access by following the attached link:

[https://www.oireachtas.ie/parliament/media/housesoftheoireachtas/libraryresearch/lrsnotes/LRSNoteBudget process and documents 140422.pdf](https://www.oireachtas.ie/parliament/media/housesoftheoireachtas/libraryresearch/lrsnotes/LRSNoteBudget%20process%20and%20documents%20140422.pdf)

The second part of your request sought '*the amount of that budget has been spent in each of those years*'. I am refusing the release of this information in accordance with Section 15(1)(d) of the FOI Act which 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
(d) the information is already in the public domain.*

The overtime reports for years 2012 to June 2017 are published on the Garda website and may be accessed by following the attached link:

<http://garda.ie/Controller.aspx?Page=20933&Lang=1>

The nature of Garda work and the requirement that the Garda authorities respond, in some cases at short notice, to immediate policing demands means that there is a necessity to incur overtime expenses to ensure effective policing. Accordingly, there will always be a need for a certain level of overtime to allow An Garda Síochána flexibility when responding to circumstances that require additional resources for specific operations. These additional resources will have to be over and above those available from Gardaí on rostered duty thus ensuring the continuation of normal policing duties unabated.

In addition, a number of police led operations, in various years, required the deployment of extra resources on overtime. This includes the implementation of anti-crime and anti-burglary initiatives such as Operation Anvil and Operation Thor and the ongoing operation(s) to tackle organised crime in the DMR. Similarly, non-crime related events and events organised by interest groups within the general public can require overtime to police effectively as additional Gardaí may need to be deployed to ensure public safety.

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-000440-2017**.

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-000440-2017) 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

6th NOVEMBER, 2017