

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-000244-2018 Request Refused

Dear

I refer to your request, dated and received on 21st June, 2018 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:

All records related to the establishment of a Garda Insurance Fraud Unit since July 2017

I wish to inform you that I have decided to refuse your request on 18th July, 2018.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

I wish to advise you that there is currently no ‘*Garda Insurance Fraud Unit*’ in existence.

Please note that Section 6(2)(a) of the FOI Act provides that an entity specified in Schedule 1, Part 1 of the Act shall, subject to the provisions of that Part, be a public body for the purposes of the FOI Act. Schedule 1, Part 1 contains details of bodies that are partially included for the purposes of the FOI Act and also details of the certain specified records that are excluded. If

1

the records sought come within the description of the exclusions of Part 1, then the FOI Act does not apply and no right of access exists.

Part 1(n) of Schedule 1 of the FOI Act provides that An Garda Síochána is not a public body for the purposes of the FOI Act other than in relation to administrative records relating to human resources, or finance or procurement matters.

The term “administrative records” is understood to mean records relating to the processes of running and managing a business or organisation.

A search was conducted in the relevant areas of An Garda Síochána to identify any records in relation to your request. As a result of this search, it has been established that administrative records relating to human resources, finance or procurement matters relevant to your request do not exist.

I am therefore refusing your request wherein you seek ‘*All records related to the establishment of a Garda Insurance Fraud Unit since July 2017*’ on administrative grounds pursuant to Section 15(1)(a) of the FOI 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 accordance with the requirements of Section 15(1)(a) of the FOI Act, I am satisfied that all reasonable steps have been taken to identify and locate the requested administrative records.

However, as you may already be aware, a report entitled ‘*COST OF INSURANCE WORKING GROUP Report on the Cost of Employer and Public Liability Insurance January 2018*’ is available on the Department of Finance website at the following URL which may be of assistance:

<https://www.finance.gov.ie/wp-content/uploads/2018/01/180125-Report-on-the-Cost-of-Employer-and-Public-Liability-Insurance.pdf>

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-000244-2018**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, 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: IE86BOFI90001710026896
BIC: BOFIIE2D

You must ensure that your FOI reference number FOI-000244-2018 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**
SHARON KENNEDY
FREEDOM OF INFORMATION OFFICER

18 **JULY, 2018**