

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 ND62



Freedom of Information Office,
An Garda Síochána, Athlumney House,
IDA Business Park,
Johnstown, Navan,
Co Meath.
C15 ND62

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-000001-2022 Request Part Granted

Dear

I refer to your request, dated and received on 29th December, 2021 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:

I wish to make a Freedom of Information request under the Freedom of Information Act 2014.

I wish to know the total costs, which can be made available to me under Schedule 1 Part 1 (n) of the FOI Act 2014, associated with members of the Garda Síochána who issued fines to people who did not wear face masks.

Specifically I only want fines that were issued in the DMR (for public transport purposes where the location on the fine was within the DMR)(but this FOI request encompasses public transport and any incident to happen within the DMR).

Date Range: Since the legislation on fines (What I presume to be the €80 fine) was introduced in 2020 up to the 31st of December 2021.

Any additional information as regards the non wearing of face masks and how it was dealt with only after the 1st 3 warnings were given (when it became a criminal remit).

I wish to inform you that I have decided to part grant your request on 26th January, 2022.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

On receipt, your request was forwarded to the relevant Sections of An Garda Síochána. They have advised us that the total fines issued within the DMR for the non-wearing of face coverings related to public transport vehicles within the requested timeframe was 20 (up to December 31st 2021) with a total amount paid of €320 as of 14th January 2022. Fines, which go unpaid within the required timeframe, are sent to the Courts Service for summons and a court date.

I am refusing the part of your request where you sought “*Any additional information as regards the non wearing of face masks and how it was dealt with only after the 1st 3 warnings were given (when it became a criminal remit)*” in accordance with Part 1(n) of Schedule 1 of the FOI Act which is outlined above. The records that you seek pertain to the core functions of An Garda Síochána, that is, operational policing matters, as opposed to matters relating to human resources, or finance or procurement.

I am therefore refusing this part of your request as it falls outside the scope of the FOI Act insofar as the records do not meet the criteria of administrative records as defined in the Act.

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-000001-2022**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, Johnstown, Navan, Co. Meath C15 ND62.

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: An Garda Síochána Imprest Account

Account Number: 30000302

Sort Code: 951599

IBAN: IE28DABA95159930000302

BIC: DABAIE2D

You must ensure that your FOI reference number (FOI-000001-2022) 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 the FOI Office by telephone at (046) 9036350.

Yours sincerely,



ASSISTANT PRINCIPAL

PAUL BASSETT

FREEDOM OF INFORMATION OFFICER

26 JANUARY, 2022.