

# 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](http://www.garda.ie)

Ríomh-phoist/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000077-2021 Request Part-Grant

*Dear*

I refer to your request, dated and received on 23<sup>rd</sup> February, 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:

*In accordance with Section 12 of the Freedom of Information Act, I request access to records which are non-personal and which I believe are held by An Garda Síochána.*

*I request the following records relating to drug driving:*

- (i) *The number of drug driving tests that have been administered on drivers nationwide, broken down by county, since the introduction of drug-driving devices in April 2017, up to and including the date of this request.*
- (ii) *The number of positive drug driving tests nationwide, broken down by county, since the introduction of drug-driving devices in April, up to the date of this request.*
- (iii) *The number of members of An Garda Síochána in total that are stationed in Clare, and the number of those members that are trained in the use of drug driving device equipment in Clare.*

I wish to inform you that I have decided to part-grant your request on 12<sup>th</sup> March 2021.

The purpose of this letter is to explain my decision.

### **1. Findings, particulars and reasons for decision**

I am to advise you that I am refusing the records sought by you in parts (i) and (ii) of your request as it pertains 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 these parts of your request as they fall outside the scope of the FOI Act insofar as it pertains to Part 1(n) of Schedule 1.

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.

HR records refer to personal records of staff working within An Garda Síochána. They also relate to statistical information in respect of the organisation, e.g. sick leave, discipline, retirements, etc. Financial records relate to the financial expenditure of the organisation and procurement records relate to the contracting of services and the tendering process associated with same.

In addition I am refusing the part of your request where you seek *"The number of members of An Garda Síochána in total that are stationed in Clare"* in accordance with section 15(1)(d) of the FOI Act as the information is already in the public domain.

Section 15(1)(d) of the FOI Act 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 information sought by you is published on the Garda website [www.garda.ie](http://www.garda.ie) and may be accessed by following the link attached below:

<https://www.garda.ie/en/about-us/our-departments/human-resources-and-people-development/garda-hr-directorate/>

In respect of the part of your request where you sought *"the number of those members that are trained in the use of drug driving device equipment in Clare"* records with the Continuous Professional Development Unit, Clare Division indicate that 176 Garda personnel were trained in 2017 in the use of the Drug Drager device. Since then the Divisional Roads Policing Unit provided instruction for approximately 62 further Garda personnel with 'on the job training'. 22 Probationers have come to the Division since 2017 who are already trained as they receive training during Phase 1 in the Garda College.

Therefore there are 198 personnel formally trained in the Drug Drager device with a further 62 personnel trained 'on the job' by RPU.



## 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-000077-2021**.

**Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, 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-000077-2021 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](http://www.garda.ie)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you wish to discuss the above, please contact the FOI Office by telephone at (046) 9036350.

Yours sincerely,



ASSISTANT PRINCIPAL

**PAUL BASSETT**

**FREEDOM OF INFORMATION OFFICER**



**12<sup>th</sup> MARCH, 2021.**