

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-000281-2022 Request Part Granted

Dear

I refer to your request, dated and received on 21st July, 2022 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:

- 1. The amount of compensation issued to serving members in both districts (Longford & Granard) for personal injury awards and personal injury costs under the Garda Compensation Act in both districts during the same period.*
- 2. The amount similarly paid out under the Occupational Injuries Scheme and under the banner of civil compensation involving garda vehicles and other compensation injuries.*

I wish to inform you that I have decided to part grant your request on the 18th August, 2022.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Details of your request were forwarded to the relevant sections of An Garda Síochána where searches were conducted in respect of same.

I am refusing to provide records in relation to personal injury awards and personal injury costs under the Garda Compensation Act in both districts as I believe that as your request is specific to 2 districts only the individuals involved would become easily identifiable beyond their family and friends and it would be considered a breach of the confidentiality upon which the information is being held by the Garda Organisation. The release of information with regard to such a small number of members may allow for a person to become more identifiable and possibly named in the public domain. Therefore I am refusing release same in accordance with 37 (1) of the FOI Act which states;

Section 37 - Personal Information

37 (1) *Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual).*

Personal information is defined at Section 2 of the FOI Act and includes the following:

Section 2 – Interpretation

1. (1) *In this Act—*

“personal information” means information about an identifiable individual that, either—

- (a) would, in the ordinary course of events, be known only to the individual or members of the family, or friends, of the individual, or*
- (b) is held by an FOI body on the understanding that it would be treated by that body as confidential,*

There is a Public Interest Test applicable to Section 37 of the FOI Act.

Public Interest Test

As per Section 37 of the FOI Act I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent,
- The public interest in members of the public exercising their rights under the FOI Act,
- That there is more than just a transitory interest by the public in this information,
- The right to privacy is outweighed by the needs of the public.

In considering the public interest factors which favour withholding the records I have taken account of the following:

- Allowing a public body to hold personal information without undue access by members of the public,
- The public interest is not best served by releasing these records,
- That the Organisation can conduct its business in a confidential manner,
- That there is a reasonable and implied expectation by employees that sensitive personal information will remain confidential,
- That there is no overriding public interest that outweighs the individual's right to privacy.

A public interest test was carried out when considering the release of records. I decided that the public interest in preserving the personal information and the reasonable expectation that information can be maintained in a confidential manner by An Garda Síochána.

In addition I can advise that compensation paid out under the civil compensation involving garda vehicles and other compensation injuries are not coded to a district or a division but is coded to all one cost centre therefore it is not possible to provide records for part 2 of your request and therefore I am refusing this part of your request in accordance with Section 15 (1)(a) of the FOI Act. Section 15 (1)(a) of the FOI Act, 2014 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
(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,*

However I can provide the total payments for Granard & Longford under the Occupational Injuries Scheme from 1 June, 2019 to 22 July, 2022 was €10,942.18.

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-000281-2022**.

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-000281-2022) 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,



PAUL BASSETT
FREEDOM OF INFORMATION OFFICER


18 AUGUST, 2022.