

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-000226-2023 Request Part-Granted

Dear

I refer to your request, dated and received on 19th June, 2023 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:

This request is being made under the Freedom of Information Act and relates to the human resources section within An Garda Síochána.

I respectfully request a breakdown of the number of discipline cases instituted against members of Garda rank in each Garda Division for the years 2019 and 2022 only.

It is only the number of such cases in each division that is required separately. Nothing that identifies any individual is requested.

Please include regulations 10, 14 and 24 of the Garda Síochána Act 2005 as they relate to discipline cases.

1. Findings, particulars and reasons for decision

Upon receipt, your request was forwarded to the relevant sections of An Garda Síochána Síochaná where searches were conducted in respect of same. Your request originally sought records in respect of Regulation 24 cases, however I have processed your request on the basis that this part of the request should have referred to Regulation 23.

Part 1 of your request is seeking the “*number of discipline cases instituted against members of Garda rank for the years 2019 and 2022 only*” The tables below detail these records.

Year	Description	Number
2019	Regulation 14	158
2022	Regulation 14	120
2019	Regulation 23	61
2022	Regulation 23	69

I am refusing the parts of your request that seek records in relation to a breakdown of records by Division as we have been advised that the divisions to which the members in question are attached are not attainable from the GEMS or RAPID data recording system. A manual trawl through each individual file would be required to supply records in relation to this aspect of your request. It should also be noted that members records reflected on GEMS or RAPID reflect the current rank and station of the members rather than the members rank and station at the time of the incident subject of investigation and accordingly any return would require an unreasonable search and analysis of each individual file.

As a result, I am refusing to provide records broken down by the Rank and Division members were attached to when the discipline occurred. This volume of work would cause a substantial and unreasonable interference with and significantly disrupt the workload of office involved. I am therefore applying the provisions of Section 15(1)(c) of the Act to this part of your request.

In addition I wish to advise that Members of An Garda Síochána are subject to the Garda Síochána (Discipline) Regulations, 2007. As per the Regulations, minor disciplinary matters are locally addressed by way of Regulation 10. Such records are retained locally and are not held centrally therefore this office would have to contact each Chief Superintendent in every Division and this volume of work would cause a substantial and unreasonable interference with and significantly disrupt the workload of each Division involved. Consequently I am refusing this aspect of your request pursuant with Section 15 (1)(c) of the FOI act.

Section 15(1)(c) 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—
- (c) in the opinion of the head, granting the request would, by reason of the number or nature of the records concerned or the nature of the information concerned, require the retrieval and examination of such number of records or an examination of such kind of the records concerned as to cause a substantial and unreasonable interference with or disruption of work (including disruption of work in a particular functional area) of the FOI body concerned,

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-000226-2023**.

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-000226-2023 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

28 JUNE, 2023.