

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-000126-2020 Request Part-Granted

Dear

I refer to your request, dated 6th March, 2020 and received on 9th March, 2020 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 total number of firearms and guns purchased in the years 2015, 2016, 2017, 2018 and 2019*
- 2. The total cost of firearms and guns purchased in the years 2015, 2016, 2017, 2018 and 2019*
- 3. A list of the makes and models of guns and firearms purchased in the years 2015, 2016, 2017, 2018 and 2019*
- 4. The number of each make and model purchased and the total amount spent on each make and model in the years 2015, 2016, 2017, 2018 and 2019*

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5. *A list of the suppliers from whom the guns and firearms were purchased and the amount paid to each supplier in the years 2015, 2016, 2017, 2018 and 2019*

In this regard, I have decided to part-grant your request on the 2nd April 2020.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

On receipt of your request, a search was conducted in the Finance Directorate of An Garda Síochána in respect of same.

The Sections of the Freedom of Information Act 2014 which deny access to information are known as exemptions.

I am to advise that I am refusing the parts 1,3, 4 and 5 of your request pursuant to sections 32(1)(a)(i) and 32(1)(a)(ii) of the Freedom of Information Act 2014, as I am of the opinion that this information can be reasonably expected, if used inappropriately, to prejudice or impair the Garda Organisation operational capabilities. Section 32 of the FOI Act states:

Law enforcement and public safety

32. (1) *A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—*

(a) prejudice or impair—

- (i) prevention, detection or investigation of offences, the apprehension or prosecution of offenders or the effectiveness of lawful methods, systems, plans or procedures employed for the purposes of the matter aforesaid*
- (ii) the enforcement of compliance with or administration of any law*

The details sought by you in your request, fundamentally, seeks to identify the operational capabilities of An Garda Síochána with regard to firearms and tactical equipment throughout the Garda Organisation. An Garda Síochána has unique functions, as set out in the Garda Síochána Act 2005, of which one is "*protecting the Security of the State*". I am of the opinion that nothing should jeopardise, impair or prejudice the ability of An Garda Síochána to carry out that function to its fullest capability.

The data sought, if released, would specifically identify the quantity of firearms and tactical equipment available to An Garda Síochána, thereby allowing for criminal elements in society to proactively develop and/or acquire countermeasures to negate the possible effect an armed Garda response may have in any given situation. This, in turn, would diminish effectiveness of the lawful methods employed by An Garda Síochána to prevent and detect offences and apprehend offenders as set out in section 32(1)(a)(i) of the Freedom of Information Act 2014.

Similarly, providing a breakdown of these figures would identify to the general public the response capability of An Garda Síochána. The release of this detailed and specific information creates a risk to individual Gardaí who may be issued with a firearm or tactical equipment. The criminal element in society will be able to assess the possible armed response

capabilities of Gardaí. It is therefore reasonable to expect that it would impair and prejudice the Organisation's capability to enforce the Law as set out in section 32(1)(b)(ii) of the Freedom of Information Act 2014.

I am conscious of the fact that information released under the Freedom of Information Act is, in essence, a release to the public at large. It is my opinion that the release of this information into the public domain via a Freedom of Information request is an unnecessary risk to the law enforcement procedures employed throughout the State and to individual Gardaí, both armed and unarmed.

It is reasonable to believe that this information, merged with other Garda information, readily available in the public domain, could result in an overall picture being developed with regard to the allocation of firearms throughout the Organisation. This would be of benefit to criminal organisations and individual criminals alike.

Furthermore, the provision of information which could result in a security risk cannot be provided for operational and security reasons. I believe that access to records containing the make and model of purchases as well as a list of suppliers from whom the guns and firearms were purchased could possibly identify firearm suppliers to the organization thus creating a significant risk for said suppliers, their employees and families. The release of the identity of the suppliers could therefore present an unnecessary and potentially harmful risk to them.

It is for these reasons that this part of your request is also refused under the provisions of Section 32(1)(b) of the FOI Act as follows:

*32(1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to –
(b) endanger the life or safety of any person*

In relation to part 2 of your request, I wish to advise you that I am refusing to release the records for the years 2015 and 2016 in accordance with Section 15(1)(d) which 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 was the subject of a previous FOI request and the decision letter has been published on the Freedom of Information decision log on the Garda website (FOI-000126-2017) and may be accessed by following the attached link:

<https://www.garda.ie/en/information-centre/freedom-of-information/decision-log/finance-%E2%80%93-general/finance-general-decision-logs-2019.html>

The table below provides the expenditure on Firearms for the years 2017, 2018 and 2019.

2017	2018	2019
€1,748,246	€1,762,813	€ 1,593,246

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-000126-2020**.

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: Garda Síochána Finance Section Public Bank Account
Account Number: 10026896
Sort Code: 900017
IBAN: IE86BOFI90001710026896
BIC: BOFIE2D

You must ensure that your FOI reference number (FOI-000126-2020) 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,



MARIA BRODIGAN
FREEDOM OF INFORMATION OFFICER

2nd APRIL, 2020.