

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



Láithreán Gréasain/Website:

www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000179-2021 Request Part-Granted

Dear

I refer to your request, dated and received on 12th May 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 would like to apply for the following records under the Freedom of Information Act 1997 and 2003 and which I believe to be in your records.

- 1. Money allocated to the Diversity and Integration Unit from 2000-2021. And separately money allocated to the Diversity Unit for training Garda Officers 2019-2021.*
- 2. Reports of Far Right movement- specifically how many "online attacks" occurred and recorded 2019-2021 so far.*
- 3. Plans on Gardi training in the future for Anti-Racism Acts and how they will be implemented*
- 4. Proof of how the IREC affects change. Ex: What enforcement mechanisms are at their disposal?*

I wish to inform you that I have decided to part-grant your request on 9th June 2021.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Upon receipt, your request was forwarded to the relevant sections of An Garda Síochaná where searches were conducted in respect of same.

Part 1 of your request firstly sought records in respect of “*money allocated to the Diversity and Integration Unit from 2000-2021.*” An Garda Síochaná have been subject to the FOI Act since 21st April 2008 therefore any records created prior to this date are excluded from the provisions of the Act, insofar as An Garda Síochána is concerned, as per section 2 under “*effective date*”. The interpretation of “*effective date*” is shown below.

- (a) *in the case of an entity that immediately prior to enactment of this Act, was not a public body within the meaning of the Act of 1997, but is a public body within the meaning of this Act, 21 April 2008, unless provision is made to the contrary by order under section 6;*

Therefore, I am refusing to provide records in respect of the period 01/01/2000 – 21/04/2008 as such records are not subject to the Act.

Furthermore I am refusing to provide the cost associated with the Garda National Diversity & Integration Unit (GNDIU) from 2008 to-date as this would cause substantial and unreasonable interference with and significantly disrupt the workload of the GNDIU by reason of volume of the records involved. I am therefore refusing to provide this information to you in accordance with Section 15 (1)(c).

Refusal on administrative grounds to grant FOI requests:

Section 15(1)(c) of the FOI Act 2014 states;

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,*

In respect of your request for “*money allocated to the Diversity Unit for training Garda Officers 2019-2021*”, I can advise that a budget of €130,000 has been allocated for the purpose of combating intolerance and radicalisation. This includes the development of training in the areas of Hate Crime, Diversity & Cultural Awareness and Leadership in Diversity in Policing.

The information sought by you in parts 2 and 4 of your request 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 information as it falls outside the scope of the FOI Act insofar as it pertains to An Garda Síochána and do so pursuant to Part 1(n) of Schedule 1 of the Act.

I am also refusing part 3 of your request which sought “*Plans on Gardai training in the future for Anti-Racism Acts and how they will be implemented.*” The FOI Act provides a right of access to records which exist at the time of the request. Records in respect of future training needs in respect of future Anti-Racism Acts by their very nature do not exist. Therefore, I am refusing this part of your request in accordance with Section 15(1)(a) of the Freedom of Information Act 2014 which states:

Refusal on administrative grounds to grant FOI requests

15(1)(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken

I can advise that hate crime and diversity training has been developed and commenced and that this training reflects current legislation. The Equality, Diversity and Inclusion Strategy Statement and Action Plan 2020-2021, Garda Strategy Statement 2019-2021, An Garda Síochána People Strategy 2019-2021 and An Garda Síochána Diversity & Integration Strategy 2019-2021 contain details of current training plans and can be found at:

<https://www.garda.ie/en/about-us/publications/policing-plans/strategy/> and

<https://www.garda.ie/en/crime-prevention/community-engagement/community-engagement-offices/garda-national-diversity-integration-unit/diversity-and-integration-strategy-2019-2021-english-v1-1.pdf>

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-000179-2021**.

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-000179-2021 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

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

9th JUNE, 2021