

An Garda Síochána

Oifig Saoráil Faisnéise
An Garda Síochána
Teach áth Luimnigh
Lárionad Gnó Udáras Forbartha Tionscail
Baile Sheáin
An Uaimh
Contae na Mí
C15 DR90

Teileafón/Tel: (046) 9036350

Bí linn/Join us  



Freedom of Information Office
An Garda Síochána
Athlumney House
IDA Business Park
Johnstown
Navan
Co Meath
C15 DR90

Láithreán Gréasain/Website: www.garda.ie

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000004-2015 Request Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submission to this body dated 14/10/2015 and received on 14/10/2015.

Part 1 of Schedule 1 of the Freedom of Information Act 2014 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 is shown below:

"I wish to request, under the Freedom of Information Act, details of the number of Gardai disciplined for their use of social media since 2013."

"I wish to request, under the Freedom of Information Act, details of the number of Gardai disciplined for their use of internet pornography since 2013."

I, _____ wish to inform you that your request has been refused.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

I am refusing your request on the basis that the records are not readily identifiable and it would cause a substantial and unreasonable disruption in Human Resources and People Development of An Garda Síochána to inspect all manual records held to identify this particular type of behaviour.

Section 15(1)(c) of the Freedom of Information Act 2014 is as follows:

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,*

With reference to your request I wish to make you aware that disciplinary proceedings initiated internally relating to misuse of social media or accessing internet pornography on Garda equipment is not specifically identifiable under a separate heading within the discipline section in Human Resources and People Development. However, misusing social media or accesses internet pornography by Gardaí on Garda equipment may lead to a breach of discipline under a more generic section of the Garda Síochána (Discipline) Regulations 2007 as amended. These Regulations are available at www.oireachtas.ie.

As no records exist in the format you have requested you may wish to reconsider your search parameters and provide a more specific search relevant to the information you seek based on the Garda Síochána (Discipline) Regulations 2007 as amended.

In accordance with the requirements of section 15(1)(c) of the Freedom of Information Act 2014 I am refusing your request.

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 **F01-000004-2015**.

Freedom of Information Office,
An Garda Síochána,
Athlumney House,
IDA Business Park,
Johnstown,
Navan,
Co. Meath
C15 DR90

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: IE86B0F190001710026896

BIC: BOFIE2D

You must ensure that your FOI reference number 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,

FREEDOM OF INFORMATION OFFICER

11th November 2015