

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



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-000030-2016

Partially Granted

Dear

I refer to the Freedom of Information Act 2014 and your submission to this body received on the 19th January 2016 and my subsequent correspondence dated the 10th February 2016.

Part 1 (n) 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:

Part 1 *"I am seeking records on how much An Garda Síochána paid out last year in compensation claims, including legal costs, to members of the public.*

Part 2 *I am also seeking the number of successful claims for compensation against An Garda Síochána and how much was paid out in each successful case.*

Part 3 *I am also seeking details about the nature of the claims in each instance – i.e. alleged assault, wrongful arrest, breach of duty, negligence, defamation and unlawful searches,"*

I wish to inform you that your request has been **partially granted**.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

With regard to Part 1 and Part 2 of your request I am able to provide at Appendix A the number of cases where compensation was awarded and the total cost of both compensation paid and associated legal costs. This information is further broken out by;

- Claims arising from actions of Gardaí in the performance of their duties, and
- Claims resulting from accidents involving Garda vehicles.

The figures provided may include part payments being made as result of an award in a previous year and the payments are spread over a number of years. This information is up to and including the 31st December 2015.

Information regarding income and expenditure, including compensation, relating to the Garda Vote can be found in the Appropriation of Accounts published on line at www.audgen.ie by the Comptroller and Auditor General.

I am refusing “*the amount paid out in each successful case*” in Part 2 of your request and I am also refusing Part 3 of your request. The refusal is done on the basis that the records are not readily identifiable and it would cause a substantial and unreasonable disruption to the Finance section of An Garda Síochána to inspect all records held to identify the nature of the claims in each instance i.e. alleged assault, wrongful arrest, breach of duty, negligence, defamation and unlawful searches. The information is not stored in a specific manner that allows for central retrieval by case type or other specific information. Each individual case is subject to different conditions including confidentiality clauses that restrict the release of information regarding the case.

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,

As no records exist in the format you have requested and in accordance with the requirements of section 15 (1) (c) of the Freedom of Information Act 2014 I must refuse this part of 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 **F01-000030-2016**.

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: BOFIIIE2D

Your 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,

 **SUPERINTENDENT**
HELEN DEELY
FREEDOM OF INFORMATION OFFICER.

29TH FEBRUARY 2016

Appendix A

Garda Síochána
For the year ended 31/12/2015
Compensation

	Number of cases	Compensation awarded €000	Legal costs awarded €000	Other costs awarded €000	Total €000
Civil claims by members of the public					
Claims arising from actions of Gardai in the performance of their duties	396*	768	4,740	27	5,535
Claims resulting from accidents involving Garda vehicles	183*	1,169	389	60	1,618

* These may include part payments over a number of years for individual cases.
Other costs awarded relate to agency fees, investigator fees, medical fees etc.