

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-000079-2016 Request Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submission to this body dated and received on 24th 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:

Information about Garda visits to any of the "ISS World" series of
>> technology sales conferences and trainings.
>> - Itinerary, agendas or any other documentation about meetings between
>> Gardaí and suppliers in association with the ISS World conference.
>>
>> - Any communications between Gardaí and the Italian software services
>> company "Hacking Team". In particular any email communications with the
>> domain hackingteam.it and/or hackingteam.com.
>> - Any communications or procurement between Gardaí and the mobile
>> forensics provider "Cellebrite".
>> - Any communications or procurement between Gardaí and the forensics
>> software provider "AccessData".
>> - Any communications or procurement between Gardaí and the forensics
>> software provider "Guidance Software".

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 decisions to deny access

Having examined your request I advise as follows:

In relation to the first and second of your request I advise that the records sought in relation to ISS World do not relate to “*administrative records relating to human resources, or finance or procurement matters*” as per Part 1 (n) of Schedule 1 of the Freedom of Information Act 2014. I am therefore refusing these parts of your requests on the basis that they are outside the scope of the Act in so far as it applies to An Garda Síochána.

With regard to the third, fourth, fifth and sixth part of your request I am applying the provisions of Section 32(2) of the Freedom of Information Act 2014 to neither confirm or deny the existence of any record as it would identify An Garda Síochána’s current or future operational capability to investigate certain types of offences. Therefore I am refusing your request under Section 32 of the Freedom of Information Act, 2014 which states:

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) *the 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 matters aforesaid,*
- (ii) *the enforcement of, compliance with or administration of any law,*
- (iii) *lawful methods, systems, plans or procedures for ensuring the safety of the public and the safety or security of persons and property,*
- (x) *the security of any system of communications, whether internal or external, of the Garda Síochána, the Defence Forces, the Revenue Commissioners or a penal institution,*

(b) *endanger the life or safety of any person, or*

(c) *facilitate the commission of an offence.*

(2) *Where an FOI request relates to a record to which subsection (1) applies, or the record existed, apply, and the head concerned is satisfied that the disclosure existence or non-existence of the record would have an effect specified in paragraph (a), (b) or (c) of that subsection, he or she shall refuse to grant the request not disclose to the requester concerned whether or not the record exists.*

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-000079-2016**.

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: 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,

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

16th March 2016