

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-000075-2016

Refused

Dear

I refer to the Freedom of Information Act 2014 (FOI Act) and your submission to this body received and dated the 23rd February 2016 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 is shown below:

"The total amount spent on the procurement of weapons by Gardaí 2014 and 2015

And if possible – a breakdown of costs per weapon and unit"

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

Your request is being refused under sections 32(1)(a)(i) and 32(1)(a)(ii) of the FOI Act as I am of the opinion that this information can be reasonably expected, if used in appropriately, to prejudice or impair the Garda Organisations operational capabilities as follows.

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) *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,*

The detail sought by you in your request of 23rd February 2016 fundamentally seeks to identify the operational capabilities of An Garda Síochána with regard to firearms 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 firearms available to An Garda Síochána thus 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 the identification of costs associated with the purchase of firearms disaggregated by unit would identify to the general public each firearm available to An Garda Síochána. This detailed and specific information will not be provided and creates a risk to individual Gardaí from the criminal element in society who 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 Organisations capability to enforce the Law as set out in section 32(1)(b)(ii) of the Freedom of Information Act 2014.

It is my opinion that the release of this information into the public domain in any form 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 the information sought and merged with other Garda information readily available in the public domain, such as Garda specialist sections, 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.

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 **F01-000075-2016**.

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

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**
MATTHEW NYLAND
FREEDOM OF INFORMATION OFFICER.

22 MARCH 2016