

# 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](http://www.garda.ie)

Bí linn/Join us



Ríomh-phoist/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-0000105-2025 Request Part-Grant

*Dear*

I refer to your request, dated and received on **21<sup>st</sup> February, 2025** 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:

*Under the FOI Act 2014, I am seeking the following records:*

- *Copies of any internal reports, briefing documents, or analysis conducted by An Garda Síochána regarding the review and revision of the Physical Competency Test (PCT) for new recruits, from January 2014 to the present.*
- *Any impact assessments or risk assessments conducted by An Garda Síochána on the effect of lowering fitness standards for recruits on operational policing effectiveness and public safety.*

I wish to inform you that I have decided to part grant your request on the 18<sup>th</sup> March 2025. 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 Garda College where searches have been conducted for the records sought. A number of records were located and these records are now herewith attached. In accordance with the provisions of the Freedom of Information Act, these records have been redacted and are explained below.

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## **SECTION 37 – PERSONAL INFORMATION**

Section 37 of the FOI Act protects the release of personal information into the public domain. Although the Act seeks to promote openness and transparency from public bodies, the Act also requires public bodies to respect the constitutional right to privacy of individuals about whom the public body holds information.

Section 37(1) provides that a public body shall refuse to grant a request if access to the record concerned would involve the disclosure of personal information relating to an individual other than the requester. Personal information is defined by the Act as follows:

2. (1) *In this Act—*

*“personal information” means information about an identifiable individual that, either—*

*(a) would, in the ordinary course of events, be known only to the individual or members of the family, or friends, of the individual, or*

*(b) is held by an FOI body on the understanding that it would be treated by that body as confidential,*

*and, without prejudice to the generality of the foregoing, includes—*

*(i) information relating to the educational, medical, psychiatric or psychological history of the individual*

*(iii) information relating to the employment or employment history of the individual,*

I am satisfied that parts of certain records relate to third parties. As such, I am satisfied that the records consist of the personal information of these third parties. Accordingly I find that section 37(1) of the Act apply to the records at issue.

Section 37(1) of the FOI Act states:

*37(1) Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual)*

Section 37(2) of the FOI Act sets out certain circumstances in which section 37(1) does not apply. I am satisfied that none of those circumstances arise in this case. I am also satisfied that the provisions of Section 37(5) do not apply to these records.

As per section 37 of the FOI Act I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent,
- The public interest in members of the public exercising their rights under the FOI Act,
- That there is more than just a transitory interest by the public in this information,
- The right to privacy is outweighed by the needs of the public.

In considering the public interest factors which favour withholding the records I have taken account of the following:

- Allowing a public body to hold personal information without undue access by members of the public,
- The public interest is not best served by releasing these records,
- That the Organisation can conduct its business in a confidential manner,



- That there is a reasonable and implied expectation that sensitive personal information will remain confidential,
- That there is no overriding public interest that outweighs the individual's right to privacy.

A public interest test was carried out when considering the release of the personal information but having balanced the factors both for and against the release, I decided that the public interest in preserving the personal information and the reasonable expectation that information can be maintained in a confidential manner by An Garda Síochána outweighs the public interest which would be served were the records released to you.

## 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-000105-2025**.

***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:** Garda Síochána Finance Section Public Bank Account

**Account Number:** 10026896

**Sort Code:** 900017

**IBAN:** IE86B0F190001710026896


**BIC:** BOFIIIE2D

**You must ensure that your FOI reference number FOI-000105-2025 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.

Should you have any questions or concerns regarding the above, please contact me by telephone at (046) 9036350.

Yours sincerely,



ASSISTANT PRINCIPAL

PAUL BASSETT

FREEDOM OF INFORMATION OFFICER

18 MARCH, 2025