

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 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  

Please quote reference number

Láithreán Gréasain/Website:

www.garda.ie

Ríomh-phoist:/Email: foi@garda.ie

RE: Freedom of Information Request FOI-000256-2017 Request Refused

Dear

I refer to your request, dated and received on 9th June, 2017, which you have made on 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 acts can you disclose how many and who were the GBFI Internal Auditor's in the years 2005 to 2010.

I have now made a decision to refuse your request on 26th June, 2017.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision.

An Garda Síochána is subject to the provisions of the FOI Act 2014, retrospectively to the 21st April, 2008. As a result the start date for the provisions of records, excluding personal records, as set out in section 2(1) of the FOI Act for An Garda Síochána is 21st April, 2008.

This date is known as the *effective date* which is shown below.

"effective date" means:

- (c) *in the case of an entity that immediately prior to enactment of this Act, was not a public body within the meaning of the Act of 1997, but is a public body within the meaning of this Act, 21 April 2008, unless provision is made to the contrary by order under section 6;*

On that basis I am refusing to provide information in respect of years 2005 to 2007 as sought by you for the disclosure of 'how many and who were the GBFI Internal Auditors in the years 2005-2010'.

A search of the records held by the Internal Audit section was conducted in respect of your request for the years 2008 to 2010. I am to advise you that no records have been identified in respect of your request for an audit of the Garda Bureau of Fraud Investigation (GBFI) in years 2008 to 2010 inclusive.

The sections of the Act which may deny access to information are known as its exemptions. I wish to advise you that I am refusing your request under Section 15(1) (a) of the Freedom of Information 2014 which states:

Refusal on administrative grounds to grant FOI requests:

- 15(1) *A head to whom an FOI request is made may refuse to grant the request where*
(a) *the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,*

The Garda Internal Audit Section (GIAS), as part of the overall governance and control environment within An Garda Síochána, provides reasonable audit assurance that significant risks are identified, managed and controlled effectively throughout the organisation. Where such assurance cannot be given for any reason the Audit Committee and the Garda Commissioner are informed.

The principal role of (GIAS) is to provide reasonable assurance to the Commissioner in relation to the financial and property controls in place within An Garda Síochána. It does this by conducting periodic and systematic audits of Garda Divisions, Districts, Sections and Units based on professional audit procedures, as well as undertaking thematic audits encompassing issues across the organisation, and conducting value-for-money type reviews within An Garda Síochána on behalf of the Commissioner. While providing assurances to the Commissioner, GIAS seeks to be of assistance to each area being audited. The overall aim is to encourage and recommend best practice across the organisation by highlighting recurring issues common to different sections and units.

GIAS conduct audits of information and records for the purpose of reporting on the controls, processes, and systems used to manage An Garda Síochána's resources, money, people, physical assets and information. This allows GIAS to make comment on the organisation's operations in terms of economy in acquiring resources, efficiency in using resources and effectiveness in achieving objectives.

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-000256- 2017**.

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 FOI-000256-2017 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.

26TH JUNE, 2017