

# 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

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-000012-2015

### Request Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submission to this body dated 21/10/2015 and received on 21/10/2015.

Part 1 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:

*“Details of all staff working in Fermoy Garda Station on the day of September 12 and early morning September 13, 2015.*

*Details to include garda rank and shift hours worked.*

*Records should also indicate if any overtime was worked by any staff member and for the amount of overtime worked and, if available, a reason for this overtime.”*

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 section 32(1)(a)(i) and 32(1)(a)(ii) of the Freedom of Information Act 2014 as I am of the opinion that this information can be reasonably expected, if used inappropriately, to prejudice or impair An Garda Síochána in Fermoy Sub District in:

- (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 matter aforesaid”*
- (ii) *“the enforcement of, compliance with or administration of any law”*

The detail sought by you in your request of 14<sup>th</sup> October 2015 seeks to identify, in detail, the operational capabilities of An Garda Síochána in a specific location on a specific date and during a definite period of time. This type of information is not provided due to its operational sensitivity. The data sought will easily identify the staffing available within Fermoy Garda Station on a Saturday night into Sunday morning. This information, if made available, could reasonably be expected to pose a risk to the safety of local Gardaí when endeavoring to enforce legislation and keep the public peace in the future. If staffing levels were to be provided it is reasonable to believe that a criminal organisation could use this information to assess the capabilities of the local Gardaí to deal with certain types of crimes, thus prejudicing the Garda Organisations effectiveness in enforcing legislation. The duty roster system in use in An Garda Síochána is available in the public domain and cross referencing that system with the staffing levels available on the 12<sup>th</sup> & 13<sup>th</sup> September 2015 would allow for a prediction to be made as to the response capabilities of Fermoy Gardaí by a criminal organisation. This is an unnecessary risk to the law enforcement procedures employed in Fermoy and the staff of that station.

## 1. 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-000012-2015**.

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:** IE86BOFI90001710026896  
**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 20 working days from the date of this notification. A working day excludes the weekend and public holidays. 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](http://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,

**FREEDOM OF INFORMATION OFFICER.**

**05/11/2015**