

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

Bí linn/Join us  

Riomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000041-2015 Request Refusal

Dear

I refer to the Freedom of Information Act 2014 and your submission to this body dated 15th October 2015 and received on 15th October 2015.

Under Part 1 of Schedule 1 of the Freedom of Information Act 2014 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 as follows:

- “Records outlining sums spend purchasing specialist eavesdropping equipment in 2009, 2010, 2011, 2012, 2013, 2014 and the first nine months of 2015. The records sought would cover each year individually, if possible.
- Records disclosing the make and model of the equipment purchased”

I, _____ wish to inform you that your request has been **refused**.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decisions

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.

Part 5 of the Freedom of Information Act 2014 sets out the restrictions of the Act.

In this regard, your request is refused under Section 42 (b) wherein it states that:

'the Act does not apply to a record held or created by the Garda Síochána that relates to the following:

- (i) The Emergency Response Unit;*
- (ii) The Secret Service Fund maintained by it;*
- (iii) The Special Detective Unit (SDU);*
- (iv) The witness protection programme sponsored by it;*
- (v) The Security and Intelligence Section;*
- (vi) The management and use of covert intelligence operations;*
- (vii) The Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993;*
- (viii) The Criminal Justice (Terrorist Offences) Act 2005;*
- (ix) The Criminal Justice (Surveillance) Act 2009;*
- (x) The Communications (Retention of Data) Act 2011*

The record you have requested falls within the Provisions under Section 42 of the Freedom of Information Act and therefore the information will not be provided to you on this matter.

2. Rights 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-00041-2015**.

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.

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.

10th November 2015