

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-000053-2015 Part-Grant Request

Dear

I refer to the Freedom of Information Act 2014 and your submission to An Garda Síochána dated 16/10/2015 and received on 19/10/2015.

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:

"All details of sexual harassment complaints received and investigated within An Garda Síochána in the years 2010, 2011, 2012, 2013 and 2014, including outcomes, gender of complainants and complainees; rank of complainants and complainees; fines, suspensions and disciplinary processes.."

I, _____ wish to inform you that your request **has been part-granted.**

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

I have decided to part grant your request, by providing a summary of the returns outlining the numbers of sexual harassment claims and their outcomes; made by garda staff members from 2010 – 2015 in the following table;

Year	No of complaints received	Investigated	Outcome	Action Taken
2010	3	Yes	2 Upheld	Dealt with under Disciplinary Regulations
2011	1	No	Resolved Informally	No further action taken
2012	1	Yes	Upheld	Dealt with under Disciplinary Regulations
2013	Nil	N/A	N/A	N/A
2014	1	Yes	Investigation Ongoing	To be determined
2015	1	Yes	Investigation Ongoing	To be determined

I am of the opinion that the details of complaints as requested and the gender and rank of complainants and complainees, if supplied in the manner sought, could inadvertently result in the identification of the individuals concerned within the public domain or within the Garda Organisation itself. The reporting of sexual harassment within An Garda Síochána is a confidential matter between the individual and the relevant managers and serious consideration must be given to the impact it will have on the particular individuals involved if information released that could result in their identification openly.

Section 37(1) of the Freedom of Information Act, 2014 states:

"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)."

I have decided not to release the information in the manner requested as per section 37(1) of the Freedom of Information Act 2014 on the basis that there is a significant risk of inadvertently revealing the complainants' details.

An Garda Síochána expect its officers to behave with the highest standards of integrity and professionalism at all times, and any conduct, which brings or is likely to bring discredit on the organisation will be investigated. The number of complaints received should be placed into the context of the overall strength of An Garda Síochána which is approximately 14,000 members, including Reserves.

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 **F01-000053-2015**.

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: IE86B0F190001710026896

BIC: BOFIE2D

You 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,

FREEDOM OF INFORMATION OFFICER.

1st December 2015