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

Láithreán Gréasain/Website: www.garda.ie

Ríomh-phoist:/Email:foi@garda.ie



Ms Anne-Marie Walsh,

Re: Freedom of Information Request FOI-000456-2016 Request Refused

Dear Ms Walsh.

I refer to your request, dated and received on 6th December, 2016 which you have made under the Freedom of Information Act (FOI Act) 2014 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:

Records and correspondence between the Commissioner/Assistant Commissioners, Minister for Justice and Garda Associations in relation to the threat of strikes by GRA and AGSI members during 2016, to include documents relating to contingency planning.

I wish to inform you that I have decided to <u>refuse</u> your request on the 31st January, 2017. The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decisions.

On receipt of your request the offices of the Commissioner, Executive Director Human Resources and People Development, Deputy Commissioner Policing and Security and Assistant Commissioner Legal and Compliance were requested to carry out searches for records (electronic and paper) relevant to your request. Searches were conducted using the following terms "GRA", "AGSI", "Associations" "dispute", "strike", "action" and

"contingency planning". The records located as a result of these searches were reviewed for relevance to your request and the provisions of the FOI Act.

With regard to your request for records and correspondence between the Commissioner and the Minister of Justice the Commissioner's Office have advised that having completed the searches as outlined above, no records could be located.

I am therefore refusing this part of your request pursuant section 15(1)(a) of the FOI Act 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,

Having carefully considered the remaining records, I have determined that the records deemed pertinent to your request do not fall within the scope of the FOI Act insofar as it pertains to An Garda Síochána in Part 1(n) of Schedule 1.

Part 1(n) of Schedule 1 of the Act provides that section 6 does not include a reference to An Garda Síochána "other than insofar as it relates to administrative records relating to human resources, or finance or procurement matters".

The records sought are concerned with matters relating to policing and security of the State in the context of a withdrawal of labour. The correspondence outlines plans to ensure that public safety and law enforcement was unaffected in such circumstances.

I am also of the opinion that while certain records detail resource availability, they were created exclusively for operational planning and cannot be considered as administrative records.

I would refer you to the decision by the Office of the Information Commissioner in case Mr. Y and An Garda Siochána (FOI Act 2014) (Case No. 160054) which discusses the nature of administrative records and Part 1(n) of Schedule 1 as it applies to An Garda Síochána. The details of this decision is available from their website (http://www.oic.gov.ie/en/)

Please find attached a schedule of records with respect to your request.

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:

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: BOFIIE2D

Please ensure that you quote reference number FOI-000456-2016 in all correspondence.

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, where applicable, will be removed to protect confidentiality.

Should you wish to discuss the above, please contact me by telephone at (046) 9036350.

Yours sincerely,

SUPERINTENDENT

HELEN DEELY

FREEDOM OF INFORMATION OFFICER.

FEBRUARY 2017

					10-11	5-9	→	Page No	
					Email 27/10/2016 - Contingency } Ptanning		Email 17/10/2016 Association of Garda Superintendents	e Description of document	
					A/C DMR	A/C South East	Commissioner	From	
					A/C Legal & Compliance	A/C Legal & Compliance	Deputy Commissioners & CAO	го	Requester Name: Ann-Marie Walsh
Total number	Total number	Total number	Total number of pages					Detetions	larie Walsh
Total number of pages being withheld	Total number of pages for partial release	Total number of pages for full release	of pages		Part 1(n) Schedule 1	Part 1(n) Schedule 1	Part 1(n) Schedule 1	Relevant Section of FOI Acts	File Re: FOI-000456-2016
IC Cook		EP .			Refers to Operational Matters	Refers to Operational Matters	Refers to Operational Matters	Reason for decision	56-2016
12		0						Person(s) Consulted	
	,							Objections Yes/No	
	-				Refuse	Refuse	Refuse	Decision Maker's decision	

				,		planning	162 - 165
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	апся	A/C Legal & Compliance	Deputy Commissioner Policing and Security	19/102016 Copungency	
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1		Each Supt	Deputy Commissioner Policing and Security	20/10/2016 Contingency	151 - 161
			7 OK .	C/Supts Gen Sec Association of Garda Supts		planning	139-150
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	n of	Gen Sec Assocation of	Deputy Commissioner Policing and Security	20/10/2016 Contingency	
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1		Each A/C E/D Dir C/Sup!	Deputy Commissioner Policing and Security	21/10/2016 Contingency	127 - 138
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	anca)	A/C Legal & Compliance	Deputy Commissioner Policing and Security	25/102016 Contingency	124 - 126
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1		Office of the Commissioner	Deputy Commissioner Policing and Security	26/10/2016 Assocation of Garda Superintendents	114 - 123
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	ance	A/C Legal & Compliance	Députy Commissioner Policing and Socurity	27/10/2016 Centingency planning	110-113
Kenise	Refers to Operational Matters	Part 1(n) Schedule 1		Each A/C E/D Dir C/Supt & Supt	Deputy Commissioner Policing and Security	27/10/2016 Contingency planning	108 - 109
Refuse	Refers to Operational Matters	Part 1(n) Schedulo 1	Supt	Each A/C C/Supt & Supt	Deputy Commissioner Policing and Security	28/10/2016 Contingency planning	106 - 107
	Refers to Operational Matters		101	Gen Sec Association of Gerda Supts			104 - 105
Refuse	Not an Administrative Record for HR Finance or Procurement	Part 1(n) Schedule 1	מל	Gen Sec Association of C/Supts	Deputy Commissioner Policing and Security	28/10/2016 Contingency	
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1		Each A/C E/D Dir C/Supt & Supt	Deputy Commissioner Policing and Security	27/10/2016 Contingency planning	103
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	ort 6	A/C Executive Support & Corporate Services	Deputy Commissioner Policing and Security	31/10/2016 Contingency planning	95 - 102
Refuse	Refers to Operational Matters	Part 1(n) Schedulo 1	99,	Deputy bComm Governance & Strategy CAO & A/Cs	Deputy Commissioner Policing and Security	01/11/2016 Media query	93 - 94
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1		A/C Security & Intelligence	Deputy Commissioner Policing and Security	01/11/2016 Media query	91 - 92
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	псө	A/C Legal & Compliance	Deputy Commissioner Policing and Security	02/11/2016 Contingency planning	89 - 90
Refuso	Refers to Operational Matters	Part 1(n) Schedule 1	nca	A/C Legal & Compliance	Deputy Commissioner Policing and Security	03/11/2016 Contingency planning	87 - 88
Refuse	Not an Administrative Record for HR Finance or Procurement Refers to Operational Matters	Part 1(n) Schedule 1	nce	A/C Legal & Compliance	Supt Policing and Security	03/11/2016 Contingency planning	B4 - B6
Refuse	Not an Administrative Record for HR Finance or Procurement Refers to Operational Matters	Part 1(n) Schadule 1	80	C/Supt Crime Policy & Admin	Supt Policing and Security	03/11/2016 Contingency planning	82 -83
Refuse	Not an Administrative Record for HR Finance or Procuremost	Part 1(n) Schodule 1		Supl Policing and Security	Pross Office	03/11/2016 Press Release	81
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1		A/C Legal and Compliance	Deputy Commissioner Policing and Security	03/11/2016 Conlingency planning	78 - 80
Rafuse	Refers to Operational Matters	Part 1(n) Schedule 1	ρ. T	Deputy Commissioner Policing and Security & A/C Western Region	C/Supt Clare	18/10/2016 Contingency planning	75 - 77
Refuse	Refors to Operational Matters	Part 1(n) Schedule 1	00	Supt Office of Deputy Commissioner Policing and Security	C/Supt Kilkenny/Carlow	18/10/2016 Contingency planning	73 - 74
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	:	Deputy Commissioner Policing and Security	C/Supt Wexford	18/10/2016 Contingency	71 - 72

	184 - 190	177 - 183	174 - 176	173	169 - 172	167 - 168
	naming Meeting	18/10/2016 Contingency planning Meeting	18/10/2016 Contragency planning Meeting	18/10/2016 Contingency planning Meeting	19/10/2016 Association of Garda Superintendents	19/102016 Contingency
	Deputy Commissions Policing and Security	Deputy Commissioner Policing and Security	Deputy Commissioner Policing and Security	Daputy Commissioner Policing and Security	Deputy Commissioner Policing and Security	Deputy Commissioner Policing and Security
	Folicing & Security	A/C Eastern	A/C Legal & Compliance	A/C Northern	A/C Security & Intelligence	A/C Legal & Compliance
Total number of pages Total number of pages for full release Total number of pages for partial release Total number of pages being withheld						
(8 6 8 8 9 8 9 9 9 9 9 9 9 9 9 9 9 9 9 9	Par I(I) Scheduse (Part ((n) Schedule 1	Part 1(n) Schedule 1	Part 1(n) Schedule 1	Part 1(n) Schedule 1	Part 1(n) Schedule 1
	Refers to Operational matters	Refers to Operational Matters	Refers to Operational Matters	Refers to Operational Matters	Refers to Operational Matters	Refers to Operational Matters
190 0		:				
	Reluse	Keruse	Refuse	Refuse	Refuse	Refuse

				Compliance	Eastern		
Refuse	•	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South	02/11/2016 Contingency planning	61 - 73
				Compliance	Eastern		
Refuse	•••	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South	02/11/2016 Contingency planning	54 - 60
				Compliance	Eastern		
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South	02/11/2016 Confingency planning	52 - 53
		4		Commissioners	Compliance	Survey Action Secret Live in the Contract Live in t	ć
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	All Assistant	A/C Legal &	02/11/2016 Continuency planning	40 - 51
					Security and		
				Commission	Dalicing and	Plas illing G	•
				Complication	Commissioner		ā
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	All Assistant	Deputy	Email 27/10/2016 Contingency	45 - 46
				Strategy			
				Governance and	•		
	•			Commissioner			
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	Deputy	A/C Eastern	Contingency planning	39 - 44
				Compliance			
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South	Contingency planning	28 - 38
				Compliance			
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C North	Contingency planning	27 - 34
				Compliance			
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South East	Contingency planning	17 - 26
				Compliance			
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South East	Contingency planning	13 - 16
				CAO			
				Commissioners &			
	**,*-,,			Deputy	Compliance	planning	
Refuse	•	Refers to Operational Matters	Part 1(n) Schedule 1	Commissioner &	A/C Legal &	Letter 26/10/2016 Contingency	10 - 12
				CAO			
			· •	Commissioners &			
				Deputy	Compliance	planning	•
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	Commissioner &	A/C Legal &	Letter 20/10/2016 Contingency	5-9
				Commissioners	Compliance	planning	
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	Deputy	A/C Legal &	Letter 20/10/2016 Contingency	3-4
				Commissioners	Compliance	planning	
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	Deputy	A/C Legal &	Letter 19/10/2016 Contingency	1-2
s Yes/No Maker's	Consulte		FOI Acts				- 1
Person(s) Objection Decision	Person(s)	Reason for decision	Deletions Relevant Section of	To De	From	Description of document	Page No
		100	1	equester mante. And me	Ocheudie o D		
		Re: FOI-000456-2016	TI.	Schodulo 3 Bonnostor Name: Ann-Marie Walch	Cohadula 3 D		
_							

				Division	**************************************	
			Compliance	Portlacise	***************************************	
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	ndent	03/11/2016 Contingency planning	112 - 114
, contract	Maria M. Characterist material	t are if it) deligation	Commissioners	Compliance	on inzoto confingency planting	100 - 410
Rafica	Refere to Onerational Matters	Dark 1/2) Schodule 1	All Appropriate	(A/C Const of	Od Ha 19046 Contingency planning	100 110
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	C/Superintendent	03/11/2016 Contingency planning	108 - 110
				Policing and Security		
No. work	Koleia w Operanonal mamera	ratt i(ii) schedule i	Compliance	Commissioner	por 1720 to contingency planning	100 - 307
				Security		
				Policing and		
200	Notice of Operations matters	Fait (h) octionare t	Compliance	Commissioner	contribution containing plantaining	Ç
Pofice	Defere to Operational Matters	Bart 4(n) Schooling 4	A/C Local 8	Donate Civiago	02/14/2016 Contingency planning	Š
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	ient	03/11/2016 Contingency planning	90 - 103
Keruse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Eastern	A/C Legal & Compliance	3/11/2016 - Contingency planning	89
				Compliance	9-1,	1
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C South Eastern	A/C Legal &	3/11/2016 - Contingency planning	88
Vergae	Netera to Oberational matters	ran (II) schedule I	CNOTHER	Compliance	3/11/2016 - Columbercy planning	0/
Oxfuss	Defends Oppositional Mattern	7-1-1-1-1		Compliance		2
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Western	A/C Legal &	3/11/2016 -Contingency planning	86
				Compliance		
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C South	A/C Legal &	3/11/2016 - Contingency planning	85
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C DMR	A/C Legal & Compliance	3/11/2016 - Contingency planning	84
				Security		
				Policing and		
Xetuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal & Compliance	Deputy Commissioner	02/11/2016 Contingency planning	82 - 83
		<u>L</u> .	Compliance	0000	or, interior country branch	-
Refuse	Refers to Operational Matters	Part 1(n) Schodule 1	A/C I enal &	A/C South	03/11/2018 Contingency planning	81
•				Policing and		
	The second secon	air ifu) welleddir i	Compliance	Commissioner	Control of Control Benefit braining	0
Refuse	Before to Operational Matters		A/C I const &	Deputy	13/11/2018 Contingency planning	70 80
		# - 1 * - 1 * * 1 * 1 * 1 * 1 * 1 * 1 * 1	Companie	Policing and		
Refuse	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &		02/11/2016 Contingency planning	74 - 78
]				

	141		Total number of pages being withheld	To		1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
	0		Total number of pages for partial release	Tc			
	0		Total number of pages for full release	17.			
	141		Total number of pages	110			
				Commissioners	Compliance		
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	All Assistant	A/C Legal &	139 - 141 04/11/2016 Contingency planning	139 - 141
				Commissioners	Compliance		
Refuse	•	Refers to Operational Matters	Part 1(n) Schedule 1	All Assistant	A/C Legal &	38 03/11/2016 Contingency planning	137 - 138
				Compliance			:
Refuse	•	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South East	03/11/2016 Contingency planning	136
		· · · ·			Compliance		
Refuse	· · · ·	Refers to Operational Matters	Part 1(n) Schedule 1	A/C DMR	A/C Legal &	35 03/11/2016 Contingency Planning	133 - 135
				and Security			
			•	Services, A/C Crime			
				and Corporate			••••
· · ·	·			Executive Support	Compliance		
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C DMR, A/C	A/C Legal &	03/11/2016 Contingency planning	133
					Strategy		
				DMR	Governance and	******	•
				Compliance, A/C	Commissioner		
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	Deputy	131 - 132 [03/11/2016 Contingency planning	131 - 132
				Compliance	Eastern		
Refuse	<u> </u>	Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	A/C South	30 03/11/2016 Contingency planning	122 - 130
			•••	Commissioners	Compliance		
Refuse	····	Refers to Operational Matters	Part 1(n) Schedule 1	All Assistant	A/C Legal &	21 03/11/2016 Contingency planning	120 - 121
	· · · · · · · · · · · · · · · · · · ·	Refers to Operational Matters	•		Security		
		Procurement			Policing and		
		for HR Finance or		Compliance	Commissioner		
Refuse		Not an Administrative Record	Part 1(n) Schedule 1	A/C Legal &	Deputy	19 Contingency planning	118 - 119
					Security		
				Compliance	Commissioner		
Refuse		Refers to Operational Matters	Part 1(n) Schedule 1	A/C Legal &	Deputy	17 03/11/2016 Contingency planning	115 - 117