

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  

Láithreán Gréasain/Website:
www.garda.ie

Ríomh-phoist/Email: foi@garda.ie

Mr. Sean Dunne
The Irish Times

Re: Freedom of Information Request FOI-000240-2017 Request Refusal

Dear Mr. Dunne,

I refer to your request, dated 28th May, 2017 and received on 29th May, 2017 which you have made under the Freedom of Information Act (FOI) 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:

- 1: For years 2014, 2015, and 2016 or where relevant a full list of the vehicles recovered under Operation Waste.*
- 2: The full value for each year on vehicles recovered under the operation.*
- 3: Any other information you feel may be relevant to the success of the operation.*

I wish to inform you that I have decided to refuse your request on the 8th June, 2017

The purpose of this letter is to explain my decision.

1

1. Findings, particulars and reasons for decision.

I advise that An Garda Síochána became subject to Freedom of Information under the FOI Act, 2014. Under Part 1 of Schedule 1 of the FOI Act a number of agencies were defined as “*partially included*” and An Garda Síochána is listed as one of them at Part 1(n).

The FOI Act specifically states that An Garda Síochána is subject to the Act in relation to “*administrative records relating to human resources, finance or procurement matters*” only.

The term “administrative records” is understood to mean records relating to the processes of running and managing a business or organisation. As a result the FOI Act excludes operational policing business as opposed to the defined administrative processes of An Garda Síochána.

The records you are requesting relate to operational policing matters and do not meet the criteria of administrative records as defined in the Act. I am therefore refusing your request as it falls outside the scope of the FOI Act insofar as it pertains to An Garda Síochána.

However, in respect of your request, you may wish to contact the Garda Press Office who may be in a position to assist you with your queries at the address and contact number below:

Office of Corporate Communications
Garda Headquarters
Phoenix Park
Dublin 8
D08 HN3X.

Tel: +353 1 6662032/34/35

Fax: +353 1 6662033

E-mail: pressoffice@garda.ie

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 **F01-000240-2017**.

Freedom of Information Office,
An Garda Síochána
Athlumney House,
IDA Business Park,
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: BOFIIIE2D

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,



HELEN DEELY
FREEDOM OF INFORMATION OFFICER

8TH JUNE, 2017