

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. Ken Foxe

Re: Freedom of Information Request FOI-000319-2017 Request Refusal

Dear Mr. Foxe,

I refer to your request, dated 17th July, 2017 and received on 18th July, 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:

A copy of the questionnaire/list of questions used in the garda public attitudes survey in each of the years since 2014.

I wish to inform you that I have decided to refuse your request on the 20th July, 2017.

The purpose of this letter is to explain my decision.

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 Office of Information Commissioner (OIC) described what an administrative record with regard to An Garda Síochána in OIC Case number 160054. The OIC stated

“The Act does not define the term “administrative records” as provided for in Part 1(n) apart from stating that they relate to human resources, or finance or procurement matters. The term “administrative records” is commonly understood to mean records relating to the processes of running/managing a business or organisation. It seems to me that the purpose of Part 1(n) is to restrict the right of access to those functions or processes of AGS that relate to the administration or management of the organisation, and only in relation to matters concerning human resources, or finance or procurement matters.

Therefore, I am refusing your request for “*a copy of the questionnaire/list of questions used in the garda public attitudes survey in each of the years since 2014*”, as it does not meet the criteria of an administrative record in relation to human resources, finance or procurement matters.

However I am in inform you that the recently published **An Garda Síochána Public Attitudes Survey** report, provides a comprehensive details of the main questions asked under the Public Attitudes Survey, which examined people’s opinion on crime and policing related matters. The survey took place during 2015 and the report was published in mid 2016. A copy of the report is available on the Garda Website at the link below.

<http://www.garda.ie/Documents/User/An%20Garda%20Siochana%20Public%20Attitude%20Survey%20ENG%205.2.pdf>.

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 **F01-000319-2017**.

Freedom of Information
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,

 **SUPERINTENDENT**
HELEN DEELY
FREEDOM OF INFORMATION OFFICE

20th July, 2017