

# 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](http://www.garda.ie)

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000359-2017 Request Refusal

*Dear*

I refer to your request, dated 11<sup>th</sup> August, 2017 and received on 15<sup>th</sup> August, 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 correspondence in relation to clarification on the Garda position in regard to illegal evictions issued by Garda Headquarters after a request made to the Dublin South Central Policing Forum by Ms. Joan Collins TD. The matter was raised by Ms Collins at leaders questions on the 1st October, 2014. The legal opinion put forward by Garda Headquarters in relation to this matter is the crucial document which is being sought.*

I wish to inform you that I have decided to refuse your request on the 15<sup>th</sup> August, 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(n) 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.

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 above. Therefore your request must be refused.

## **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 **F01-000359-2017**.

***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:** 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](http://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 OFFICER**

**15<sup>TH</sup> AUGUST, 2017**