

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

Re: Freedom of Information Request FOI-000404-2017 Refused

Dear

I refer to your request, dated 16th September, 2017 and received on 18th September, 2017 which you have made under the Freedom of Information Act 2014 (FOI Act) 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:

I seek a copy of An Garda Síochána Investigative Interview Model (GIM) for all levels of this training course conducted by members of the AGS involved in interviewing accused persons.

I wish to inform you that I have decided to refuse your request on 10th October, 2017.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decisions

The details of your request were forwarded to the Garda College who conducted a search for the relevant records. Records relating to the Garda Síochána Interviewing Model (GSIM) were located.

I have reviewed the records identified as a result of this search and I have applied specific exemptions which are set out below.

Section 6(2)(a) of the FOI Act provides that an entity specified in Schedule 1, Part 1 of the Act shall, subject to the provisions of that Part, be a public body for the purposes of the Act. Schedule 1, Part 1 contains details of bodies that are partially included for the purposes of the Act and also details of certain specified records that are excluded. If the records sought come within the description of the exclusions of Part 1, then the Act does not apply and no right of access exists.

Part 1(n) of Schedule 1 of the FOI Act provides that the Garda Síochána is not a public body for the purposes of the FOI Act other than in relation to administrative records relating to human resources, or finance or procurement matters.

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 the Garda Síochána.

I am refusing the release of the records relating to the GSIM as I believe that they do not meet the criteria of administrative records relating to human resources. The records identified provide a framework around the practice of interviewing victims, complainants, witnesses and suspects during criminal investigations thereby dealing with a core function of the Garda Síochána i.e. investigative policing. I am therefore refusing your request as the records sought fall within the exclusion of Schedule 1, Part 1(n) of the FOI Act.

The GSIM model comprises of three elements: The Structured Interview; Interviewee Specific Considerations and a Competency Framework. These elements provide a professional approach encompassing all aspects of national and international best practice. The GSIM provides for an effective and fair methodology for investigative interviewing.

A comprehensive review of all aspects of investigative interviewing by An Garda Síochána was conducted in conjunction with the *Advisory Committee on Interviewing of Suspects in Garda Custody* Chaired by the Hon. Mr. Justice Esmond Smyth (Advisory Committee). This Advisory Committee focused on the need for a training manual and a national interview policy as highlighted by the Morris Tribunal and the appointment of a National Interview Advisor. The Advisory Committee invited international experts Professor Gisli Gudjonsson and Dr John J. Pearse to conduct an evaluation of Garda interview training and operational practices.

Following this review, the implementation of the (GSIM) was formalised.

The GSIM is designed to attain optimum results from Garda investigations by providing a investigative interviewing manual. In addition, it integrates European Convention on Human Rights (ECHR) and Constitutional Rights into all investigative interviewing practice. The policy also provides a framework for deployment of trained interviewers at four levels of competence and outlines roles and responsibilities in respect of those charged with giving effect to the Commissioner's policy on GSIM.

2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review by writing to the address below and quoting reference number **FOI-000404-2017**.

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 (FOI-000404-2017) 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 the 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 the 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

 **OCTOBER 2017**