

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

Bí linn/Join us  

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000065-2018 Request Part Granted

Dear |

I refer to your request, dated 3rd February, 2018 and received on the 6th February, 2018 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:

Under the Freedom of Information Act 2014, I would like to request the following:

(1) The income generated from fines as a result of

(a) parking in a disabled bay and

(b) stopping in a disabled bay in the

(i) Sligo/Leitrim Garda Division

(ii) Roscommon/ Longford division

in each of the following years; 2014,2015,2016 and 2017

I would like also like to know the number of incidents of these offences in each category

I wish to inform you that I have decided to part grant your request on the 27th February, 2018.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Details of your FOI request were provided to the Finance section and IT section of An Garda Síochána who have provided records to this Office in response to your request. Upon review of the records, I have decided to part grant your request.

The Sections of the FOI Act which deny access to information are known as exemptions. I am refusing to release *'The income generated from fines as a result of (a) parking in a disabled bay and (b) stopping in a disabled bay in the (i) Sligo/Leitrim Garda Division (ii) Roscommon/ Longford division in each of the following years; 2014,2015,2016'* as the information is already in the public domain under section 15(1)(d) of the FOI Act which states:

15(1) A head to whom an FOI request is made may refuse to grant the request where –
(d) the information is already in the public domain.

The information you have requested for 2014, 2015 and 2016 was released by this Office in **FOI-000082-2017** which is accessible on the FOI Decision Log on the Garda website at www.garda.ie. I am providing the link to the decision below for your convenience:

<https://www.garda.ie/en/Information-Centre/Freedom-of-Information/Decision-Log/Finance-%E2%80%93-General/Finance-General-Decision-Logs-2017.html>

However, I have decided to grant your request for the year 2017 and the record is attached at Appendix A.

Please note the figures extracted return a count of offences that were paid during the given date range i.e. 2014-2017; not the number of offences that occurred. All payment returns are at a status of 'Paid – Non Penalty Point', i.e. these payments to An Post have been processed and accepted by the Fixed Charge Processing System (FCPS).

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 FOI Act. Schedule 1, Part 1 contains details of bodies that are partially included for the purposes of the FOI Act and also details of the certain specified records that are excluded. If the records sought come within the description of the exclusions of Part 1, then the FOI Act does not apply and no right of access exists.

Part 1(n) of Schedule 1 of the FOI Act provides that An 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.

I am therefore refusing your request for records relating to 'the number of incidents of these offences in each category' as it falls outside the scope of the FOI Act insofar as the records do not meet the criteria of administrative records as defined in the Act.

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 **FOI-000065-2018**.

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: IE86BOFI90001710026896

BIC: BOFIE2D

You must ensure that your FOI reference number (FOI-000065-2018) 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**
SHARON KENNEDY
FREEDOM OF INFORMATION OFFICER

27 FEBRUARY 2018

***Appendix A — Paid Fixed Charge Notices -
Parked/Stopped Disabled Bay***

Division	Offence	Year	Offence Payment Count	Euro Amount
Roscommon/ Longford	Parked Disabled Bay	2017	75	€6,520.00
	Stopped Disabled Bay	2017	9	€760.00
Sligo/Leitrim	Parked Disabled Bay	2017	11	€920.00
	Stopped Disabled Bay	2017	0	€0.00

*figures as of 20.2.2018