

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-000112-2018 Request Part Granted

Dear

I refer to your request, dated and received on 14th March, 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:

- 1) The cost of operating the Garda Ministeral Transport Programme in the years 2015, 2016, 2017 and to-date in 2018 in tabular form*
- 2) The number of vehicles allocated to the Garda Ministeral Transport Programme in the years 2015, 2016, 2017 and to-date in 2018 in tabular form*
- 3) The number of Garda Drivers allocated to the Programme in the years in question; Are all Garda Drivers at Garda Rank or Sergeant Rank etc in tabular form.*

I wish to inform you that I have decided to part grant your request on the 9th April, 2018.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

Upon receipt, a search was conducted to identify records relevant to your request.

In keeping with the Government's commitment under the Programme for National Recovery 2011-2016, revised arrangements for Ministerial transport were implemented in May and June 2011.

A Financial Management System expenditure report was prepared by the Finance Directorate for the annual cost of the Garda Ministerial Pool for the years you have requested. This represents the total expenditure for maintaining the Garda Ministerial Pool which provides transportation services for 6 Office holders. These Office holders include:

- President
- Taoiseach
- Tánaiste
- Minister for Justice and Equality
- Director for Public Prosecutions
- Chief Justice

I have decided to partially grant Part 1 of your request 'The cost of operating the Garda Ministerial Transport Programme in the years 2015, 2016, 2017 and to-date in 2018 in tabular form'.

I am refusing the costs of the Garda Ministerial Pool for the year 2015 pursuant to Section 15(1)(d) of the FOI Act as this information is already in the public domain. The information was provided in a previous FOI request which is available on the FOI Decision Log of the Garda website and can be accessed at the following URL:

<https://www.garda.ie/en/Information-Centre/Freedom-of-Information/Decision-Log/Finance—General/FOI-000032-2016-Decision.pdf>

Section 15(1)(d) of the FOI Act 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.*

Table A below outlines the annual costs of the Garda Ministerial Pool. These figures include costs relating to incidental expenses, maintenance of Garda premises, salaries, wages, allowances, station services, transport, travel and subsistence.

TABLE A

Cost Centre - Ministerial Pool	2016	2017	2018*
Total	€2,295,464	€2,598,861	€ 543,518

*figures from 01.01.18 to 20.3.18

I have decided to refuse Part 2 and Part 3 of your request pursuant to Section 42(b)(i)-(x) of the FOI Act wherein you seek:

- 2) The number of vehicles allocated to the Garda Ministerial Transport Programme in the years 2015, 2016, 2017 and to-date in 2018 in tabular form*
- 3) The number of Garda Drivers allocated to the Programme in the years in question; Are all Garda Drivers at Garda Rank or Sergeant Rank etc in tabular form.*

Restriction of the Act

Section 42 refers to the restrictions included in the FOI Act with regard to records that are exempt for release by An Garda Síochána.

In this regard, the records you have requested in Part 2 and Part 3 of your request are refused under Section 42(b)(i)-(x) wherein it states that:

Restriction of Act

42. *This Act does not apply to—*

(b) a record held or created by the Garda Síochána that relates to any of the following:

- (i) the Emergency Response Unit;*
- (ii) the Secret Service Fund maintained by it;*
- (iii) the Special Detective Unit (SDU);*
- (iv) the witness protection programme sponsored by it;*
- (v) the Security and Intelligence Section;*
- (vi) the management and use of covert intelligence operations;*
- (vii) the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993;*
- (viii) the Criminal Justice (Terrorist Offences) Act 2005;*
- (ix) the Criminal Justice (Surveillance) Act 2009;*
- (x) the Communications (Retention of Data) Act 2011;*

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-000112-2018**.

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-000112-2018) 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

09 APRIL, 2018