

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

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000203-2018 Request Part-Granted

Dear

I refer to your request, dated and received on 17th May, 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:

I'm requesting information in relation to Child Pornography offences, as set out in the CHILD TRAFFICKING AND PORNOGRAPHY ACT, 1998.

All of my requests relate to the time period of since records began to present.

Specifically, information relating to

The number of child pornography offences investigated by Gardai each year 2. The number of child pornography offences sent forward to the Office of the Director of Public Prosecutions 3. The number of these cases that were first detected by International authorities, and then brought to the attention of An Garda Síochána 4. The delay in the time from first inquiries/searches/investigations to files being sent to the DPP or charges being brought 5. Resourcing issues in Garda Online Child Exploitation Unit at the National Protection Services bureau 6. Resourcing issues in the above unit leading to significant delays in charges being brought in respect of child pornography offences

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I understand a member of staff was in contact with you from my office on 22nd May regarding your request and it was agreed that your request would be amended as follows:

I would now like to request information regarding resourcing issues at the Garda Nationals Cyber Crime Bureau:

Specifically, with regard to staffing levels, are there vacancies yet to be filled, is there sufficient staff?

And also any information that can be provided to explain backlogs in the Bureau, what the current situation is with backlogs and if there are any plans to increase resources and staffing levels in this area.

I wish to inform you that I have decided to part-grant your request on 14th June, 2018.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Upon receipt, your request was forwarded to the Human Resource Management Section of An Garda Síochána who subsequently forwarded your request to the Garda National Cyber Crime Bureau and a number of records have been identified.

The first part of your request is seeking information ‘*with regard to staffing levels, are there vacancies yet to be filled, is there sufficient staff?*’. I can now advise you that the current staffing levels in the Garda National Cyber Crime Bureau (GNCCB) is 35. This comprises of 31 Garda members including ranks of Detective Superintendent, Inspector, Detective Sergeant and Detective Garda. There are also four (4) civilian staff members attached to the unit. In addition to the GNCCB unit attached to Harcourt Square there are two pilot units in existence in Ballincollig and Wexford comprised of 3 Garda members.

There is currently no competition in respect of Garda Cyber Crime Bureau. However, there is a panel from which the remaining successful candidates of the most recent Special Crime Operations competition will be allocated within Special Crime Operations.

It is the responsibility of Assistant Commissioner, Special Crime Operations to determine the specific section to which these successful candidates will be allocated.

Part 2 of your request sought ‘*what the current situation is with backlogs and if there are any plans to increase resources and staffing levels in this area*’.

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 seeking information on ‘*what the current situation is with backlogs*’ 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.

You further sought ‘*if there are any plans to increase resources and staffing levels in this area*’. I can advise you that An Garda Síochána published its five-year programme to professionalise, modernise and renew the organisation to ensure it can meet present and future policing and security challenges.

The changes in the plan have been prioritised to ensure the greatest community impact and provide the best supports for Garda members, staff and reserves to enable them to work efficiently and effectively in delivering the national policing and security service.

Under this Modernisation and Renewal Programme (MRP) there will be a regional cyber-crime units established in each of the 6 Operational Garda Regions:

1. Southern
2. South Eastern
3. Western
4. Eastern
5. Northern
6. DMR

Each of these units will when established be resourced as follows:

- Detective Sergeant x 1
- Detective Gardaí x 5
- Civilian x 1

Under the 2018 Policing Plan, An Garda Síochána have committed to establishing two of these regional units by year end 2018 with the remaining four to be established by year end 2019. In addition to the above, it is proposed that the National Unit itself will be doubled in size by year end 2019.

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-000203-2018**.

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: IE86BOFI90001710026896

BIC: BOFIE2D

You must ensure that your FOI reference number FOI-000203-2018 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

14 June, 2018.