

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-000318-2018 Request Refused

Dear

I refer to your request, dated 31st July, 2018 and received on 1st August, 2018 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána. I further refer to the clarification of your request on the 16th August, 2018 accordingly your request has now been amended and will be processed from the date of clarification.

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:

Original Request:

I am a student at [REDACTED] conducting a research on drug policy and will like to request information on drug offences and drug offences related crime under the Freedom of Information act.

I am specifically looking for information on number of drug related arrests for minor offenses and major criminal offense, resources both human and financial expended on policing minor drug offences and opiod related arrests. Information from 2010 to 2016.

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Clarified Request:

To clarify my request, I am requesting information on the number of drug related arrests, made by Gardai for possession and for trafficking as well as related convictions.

If available I would also request information on the amounts actually seized in this cases.

I wish to inform you that I have decided to refuse your request on 16th August, 2018.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

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. As a result, the FOI Act excludes operational policing business as opposed to the defined administrative processes of An Garda Síochána.

The records sought by you relate to operational policing matters carried out by An Garda Síochána, as opposed to administrative matters relating to Human Resources, or Finance or Procurement.

I am therefore refusing your request 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.

However, in order to assist you I wish to inform you that information relating to the quantity and value of drugs seized from 2011 to 2016 is set out in the Annual Reports of An Garda Síochána. These reports are available on the website of An Garda Síochána at the following link:

<https://www.garda.ie/en/Information-Centre/Annual-Reports/>

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-000318-2018**.

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: BOFIIIE2D

You must ensure that your FOI reference number FOI-000318-2018 is included in the payment details.

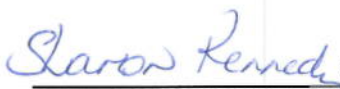
You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal 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

16 **AUGUST, 2018.**