

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-000262-2019 Request Part-Granted

Dear

I refer to your request, dated 26th June, 2019 and received on 27th June, 2019 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 received on the 28th June, 2019 accordingly your request commenced from this date.

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:

The amount of money spent on firearms and other tactical equipment by the gardai for each year from 2014 to 2018 inclusive, and a list of the quantity of each item.

Clarification received:

Apologies, by tactical equipment I meant any weaponry or life-persevering equipment that may be used by gardai or armed gardai while carryiny out duties - ie, batons, stab proof vests, ballistic shields etc.

In this regard, I have decided to part-grant your request on the 12th July, 2019.

The purpose of this letter is to explain that decision.

1. Findings, particulars and reasons for decision

On receipt of your request, a search was conducted in the Finance Directorate of An Garda Síochána in respect of same.

The Sections of the Freedom of Information Act 2014 which deny access to information are known as exemptions. In this regard, I wish to advise you that I am refusing to release the records for the years 2014, 2015, 2016 and 2017 in accordance with Section 15(1)(d) which states:

Refusal on administrative grounds to grant FOI requests

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 sought by you is already published on the Freedom of Information decision log on the Garda website and may be accessed by following the attached link:

<https://www.garda.ie/en/Information-Centre/Freedom-of-Information/Decision-Log/Finance--General/>

In order to assist you Table A below sets out the decisions which hold the records that you seek for the years 2014, 2015, 2016, 2017 and 2018 excluding the expenditure on Protective Equipment for 2018:

TABLE A

2017 Requests	2018 Requests
FOI-000126-2017	FOI-000024-2019
FOI-000298-2017	FOI-000437-2018

Table B below provides the expenditure on Protective Equipment for 2018. The costs are categorized under two financial subheads i.e. *Purchase of Clothing - Protective Material* and *Purchase of Clothing - Specialist Equipment*

TABLE B

	2018
Purchase of Clothing - Protective Material	€569,929
Purchase of Clothing - Specialist Equipment	€355,637
Total	€925,566

I am to advise that I am refusing the part of your request where you seek “a list of the quantity of each item”, pursuant to sections 32(1)(a)(i) and 32(1)(a)(ii) of the Freedom of Information Act 2014, as I am of the opinion that this information can be reasonably expected, if used inappropriately, to prejudice or impair the Garda Organisation operational capabilities. Section 32 of the FOI Act states:

Law enforcement and public safety

32. (1) *A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—*
(a) prejudice or impair—

- (i) *prevention, detection or investigation of offences, the apprehension or prosecution of offenders or the effectiveness of lawful methods, systems, plans or procedures employed for the purposes of the matter aforesaid*
- (ii) *the enforcement of compliance with or administration of any law*

The details sought by you in your request, fundamentally, seeks to identify the operational capabilities of An Garda Síochána with regard to firearms and tactical equipment throughout the Garda Organisation. An Garda Síochána as unique functions, as set out in the Garda Síochána Act 2005, of which one is "*protecting the Security of the State*". I am of the opinion that nothing should jeopardise, impair or prejudice the ability of An Garda Síochána to carry out that function to its fullest capability.

The data sought, if released, would specifically identify the quantity of firearms and tactical equipment available to An Garda Síochána, thereby allowing for criminal elements in society to proactively develop and/or acquire countermeasures to negate the possible effect an armed Garda response may have in any given situation. This, in turn, would diminish effectiveness of the lawful methods employed by An Garda Síochána to prevent and detect offences and apprehend offenders as set out in section 32(1)(a)(i) of the Freedom of Information Act 2014.

Similarly, providing a breakdown of these figures would identify to the general public the response capability of An Garda Síochána. The release of this detailed and specific information creates a risk to individual Gardai who may be issued with a firearm or tactical equipment. The criminal element in society will be able to assess the possible armed response capabilities of Gardai. It is therefore reasonable to expect that it would impair and prejudice the Organisation's capability to enforce the Law as set out in section 32(1)(b)(ii) of the Freedom of Information Act 2014.

I am conscious of the fact that information released under the Freedom of Information Act is, in essence, a release to the public at large. It is my opinion that the release of this information into the public domain via a Freedom of Information request is an unnecessary risk to the law enforcement procedures employed throughout the State and to individual Gardai, both armed and unarmed.

It is reasonable to believe that this information, merged with other Garda information, readily available in the public domain, could result in an overall picture being developed with regard to the allocation of firearms throughout the Organisation. This would be of benefit to criminal organisations and individual criminals alike.

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-000262-2019**.

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: BOFIIIE2D

You must ensure that your FOI reference number (FOI-000262-2019) 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,

 **ACTING ASSISTANT PRINCIPAL**
MARIA BRODIGAN
FREEDOM OF INFORMATION OFFICER

12th JULY, 2019.