

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-000294-2019 Request Part Grant

Dear

I refer to your request, dated 18th July, 2019 and received on 19th July, 2019 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 would like to know an reports of sexual harassment or assault by members of an Garda Siochana about other members in an Garda Siochana, ie. where both accuser and accused are within the organisation.

I would like you to include the rank of the accuser and the accused, so long as this does not reveal the identity of a specific individual.

Please include all reports submitted in the years from 2015 to 2018 and any records to date in 2019. Please categorise this information by year. If charges occur for this period, I would be interested in receiving information for a smaller number of years.

Finally, please include the severity of the complaint (eg. harrassment, assault, rape) and any action, if any, taken by officials in response to each complaint, or if the claim was withdrawn.

I wish to inform you that I have decided to part grant your request on the 7th August, 2019.

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1. Findings, particulars and reasons for decision

Details of your FOI request were provided to the Human Resource Management (HRM) Section of An Garda Síochána. HRM have provided records to this Office in response to your request. Your request seeks the information from 2015 to 2019. However, this information has been the subject of previous FOI request and I am therefore refusing to provide information for years 2015 to 2018 in accordance with Section 15 (1)(d) of the FOI Act 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.*

You may access the previous requests by following the attached link where the FOI decision letters for FOI-00008-2018 and FOI-000008-2019 are published;

<https://www.garda.ie/en/Information-Centre/Freedom-of-Information/Decision-Log/Human-Resource-Management/>

The table below details the figures for 2019 as of 22nd July, 2019.

Year	No. of sexual harassment complaints received
2019	0

The reporting of bullying, harassment and sexual harassment within An Garda Síochána is of a personal nature and is considered a confidential communication between the individual(s) and the relevant manager.

There are two policies in place to deal with allegations of bullying, harassment and sexual harassment in the workplace within An Garda Síochána.

In relation to Civilian members The *Dignity at Work — and anti-bullying, harassment and sexual harassment policy for the Irish Civil Service*, issued by the Department Public Expenditure and Reform, is a Civil Service wide policy which is applied to civilian staff working within An Garda Síochána.

With regard to Garda members I can advise that a separate policy — '*Working Together to Create A Positive Working Environment*' applies. This booklet outlines the Policy and Procedures of the Garda Síochána for dealing with bullying, harassment and sexual harassment in the workplace. Both policies are available on the Garda website www.garda.ie

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-000294-2019**.

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 fee 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-000294-2019) 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 the FOI Office by telephone at (046) 9036350.

Yours sincerely,

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

 **AUGUST, 2019.**