

# 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](http://www.garda.ie)

Bí linn/Join us



Ríomh-phoist/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000338-2019 Request Part-Granted

*Dear*

I refer to your request, dated and received on **16<sup>th</sup> August, 2019** which you 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 number of officers currently serving in Kildare, by station.*
2. *The number of officers currently serving in Kildare due to retire in 2019/20.*
3. *The number of officers due to join the service in Kildare in 2019/20.*
4. *The number of officers injured whilst serving in Kildare in 2018/19.*
5. *The number of officers specifically designated to the following areas; Clane, Prosperous, Allenwood, Derrinturn, Johnstownbridge and Robertstown.*
6. *The number of hours officers are present per week in these specific areas.*
7. *The number of patrol cars available to officers in these areas at any given time.*
8. *A breakdown of the types of crimes reported in 2018 and 2019 in Clane, Prosperous, Allenwood, Derrinturn, Johnstownbridge and Robertstown.*

I wish to inform you that I have decided to part-grant your request on 2<sup>nd</sup> September 2019. I have number your request for ease of reference.

The purpose of this letter is to explain my decision.

## 1. Findings, particulars and reasons for decision

Upon receipt, details of your request were forwarded to the relevant sections within An Garda Síochána who conducted a search for records containing the information you have requested.

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 *number of officers currently serving in Kildare, by station* 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 Garda website and may be accessed by following the attached link:

<https://www.garda.ie/en/about-us/our-departments/human-resources-and-people-development/garda-hr-directorate/garda-numbers-by-station-july-2019.pdf>

With regard to Part 2 of your request seeking *The number of officers currently serving in Kildare due to retire in 2019/20*. The Pensions Section of An Garda Síochána has advised this office that as of the 20<sup>th</sup> August 2019 there are no officers currently serving in Kildare who have submitted their application or are due to retire in 2019/2020.

Part 3 of your request sought *'the number of officers due to join the service in Kildare in 2019/20'*. The allocation of personnel to the Kildare Division, as well as others divisions nationwide over the period concerned has not yet been determined. The next allocation of probationer Gardaí from the Garda College will take effect in December 2019. A decision in respect of the allocation of the probationer Gardaí concerned will be made by the Commissioner in due course. Therefore, as no record exists, I am refusing this part of your request under Section 15(1) (a) 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*

*(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,*

In response to Part 4 of your request please see Table below which sets out the number of officers injured while serving in Kildare in 2018/2019

KILDARE DIVISION	
YEAR	TOTAL
2018	8
2019	9
<b>Total</b>	<b>17</b>



Section 17(4)(b) of the FOI Act advises that FOI is about providing existing records and not about creating records specifically sought on receipt of an FOI request. The current policy of An Garda Síochána is to routinely publish statistical information in relation to serving members, broken down by sub-district. In this regard, I am to advise that I am refusing part 5 of your request where you seek *"The number of officers specifically designated to the following areas; Clane, Prosperous, Allenwood, Derrinturn, Johnstownbridge and Robertstown"* in accordance with Section 15(1)(a) of the FOI Act. As previously advised above, information in respect of the number of Gardaí serving in Kildare is available on the Garda website.

*15(1) A head to whom an FOI request is made may refuse to grant the request where  
(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken*

The records as sought by you, does not exist in that format, however serving members broken down by sub-district is readily available on the above link.

I wish to advise you that I am refusing parts 6 to 8 of your request seeking *The number of hours officers are present per week in these specific areas and "The number of patrol cars available to officers in these "A breakdown of the types of crimes reported in 2018 and 2019 in Clane, Prosperous, Allenwood, Derrinturn, Johnstownbridge and Robertstown.* in accordance with Part 1(n) of Schedule 1 of the FOI Act which 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.

HR records refer to personal records of staff working within An Garda Síochána. They also relate to statistical information in respect of the organisation, e.g sick leave, discipline, retirements, etc. Financial records relate to the financial expenditure of the organisation and procurement records relate to the contracting of services and the tendering process associated with same.

Your request does not come within the ambit of this partially included agency as set out in Part 1(n) of Schedule 1 of the FOI Act.

I am therefore refusing parts 6 to 8 of your request as this information relates to operational matters and therefore fall outside the scope of the FOI Act insofar as the records do not meet the criteria of administrative records as defined in the Act.

## **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-000338-2019**.

**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-000338-2019 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](http://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**

 **SEPTEMBER, 2019.**