Re: Freedom of Information Request FOI-000116-2018
Transfer request

Dear

I refer to your request, dated and received on 15th March, 2018 which you have made under the Freedom of Information Act (FOI) 2014 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 have the following request for financial records relating to break-ins and unauthorised access to Garda stations:

I request administrative records relating to finances spent for repair works at Garda stations and buildings as a result of damage caused by members of the public (i.e. trespassing, break-in, vandalism, property damage) for the period January 1, 2013 to March 15, 2018. If possible, please include a breakdown by county.

1. Findings, particulars and reasons for decision.

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.

The Office of Public Works (OPW) is the property owner and building agent of An Garda Síochána. The vast majority of Garda Stations and facilities are owned by the OPW. Contracts for works to build new Garda Stations or undertake refurbishments are procured directly by the OPW.

Where An Garda Síochána occupies a leased property, the OPW is the lessee and is responsible for all matters relating to the procurement of the lease and the payment of the lease costs. An Garda Síochána has no role in the procurement or funding of properties leased on behalf of An Garda Síochána by the OPW.

Section 29 of the Garda Síochána Act 2005 provides that the Commissioner of An Garda Síochána may enter, on behalf of An Garda Síochána, into a contract with any person or body in relation to administration and business of An Garda Síochána (section 29(1)(a)). However, the power conferred on the Commissioner by section 29(1) (a) does not include the power to enter into a contract relating to land or an interest in land (section 29(3)).

However, we have determined that these records may be held by the FOI body named below:

Freedom of Information Officer
Freedom of Information Unit
Office of Public Works
Government Buildings
Hebron Road
Kilkenny
R95 H4XC

We have transferred your FOI request to this body on 16th March, 2018. Should you have any queries or concerns, you can contact the FOI Officer at the above address or at foiunit@opw.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 F01-000116-2018.

Freedom of Information Office,
An Garda Síochána
Athenry 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:** IE86B0F190001710026896  
**BIC:** BOFIIE2D

You must ensure that your FOI reference number FOI-000116-2018 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 into 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 March, 2018