

# 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 ND62



Freedom of Information Office  
An Garda Síochána, Athlumney House  
IDA Business Park  
Johnstown, Navan  
Co Meath  
C15 ND62

Teileafón/Tel: (046) 9036350

Láithreán Gréasain/Website:  
[www.garda.ie](http://www.garda.ie)



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

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## Re: Freedom of Information Request FOI-000047-2024 Request Part-Granted

*Dear*

I refer to your request, dated and received on 30<sup>th</sup> January, 2024 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 wish to apply under the Freedom of Information Act 2014 for the following information relating to finance:*

- 1. The amount spent by AGS on drones/unmanned aerial vehicles (UAVs) or similar in each of the last six years, to include equipment, training and other expenses*
- 2. The number of drones/UAVs purchased by AGS in each of last six years, including their type and individual costs*
- 3. The number of AGS members currently trained in the use of drones/UAVs*

I wish to inform you that I have decided to part-grant your request on the 27<sup>th</sup> February 2024.

The purpose of this letter is to explain my decision.

**An Garda Síochána:**  
**Ag Coinneáil Sábháilte – Keeping People Safe**

## 1. Findings, particulars and reasons for decision

On receipt of your request, a search was conducted in the relevant sections within An Garda Síochána and the following records were retrieved.

In response to part 1 of your request, the table below outlines the amount spent by AGS on drones/unmanned aerial vehicles (UAV's) for the last six year.

YEAR	SPEND(inclusive of VAT) €
2019	0
2020	163,582.95
2021	0
2022	54,728.99
2023	31,840.50
2024 to date	0
<b>TOTAL</b>	<b>250,152.44</b>

I am refusing the number and type of drones purchased by AGS under Section 32 (7) and 33(1) of the FOI Act.

### *Law enforcement and public safety*

32. (7) *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) the 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 matters aforesaid,*
- (ii) the enforcement of compliance with or administration of any law, lawful methods, systems, plans or procedures for ensuring the safety of and the safety or security of persons and property,*
- (ix) the security of a building or other structure or a vehicle, ship, boat or aircraft, or*
- (x) the security of any system of communications, whether internal or external, of the Garda Síochána, the Defence Forces, the Revenue Commissioners or a penal institution,'*

### *Security, defence and international relations*

33. (1) *A head may refuse to grant an FOI request in relation to a record (and in particular but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head, access to it could reasonably be expected to affect adversely —*

*(a) the security of the State,'*

**An Garda Síochána:  
Ag Coinneáil Sábháilte – Keeping People Safe**



In considering the release of information under the Freedom of Information Act, I am conscious of the fact that a release of information under the Act is done without any constraints on how that information is further utilised. A release of information under the Act is essentially a release to the world at large.

The functions of An Garda Síochána are in the main, directed towards the prevention, detection and investigation of criminal activities. It is not in the public interest to impair or prejudice Garda functions by releasing information into the public domain under the FOI Act, which could reasonably be expected to reveal the extent of the abilities of drones/UAV's. Furthermore, it would be contrary to the public interest to place into the public arena information detailing the capabilities of Garda drones/UAV's.

The information sought could, in my opinion, reasonably be expected to prejudice or impair the operational capabilities of Gardai when dealing with criminal elements of society. By identifying the number and type of drones/UAV's used within An Garda Síochána, threat actors could potentially exploit this information to form a picture of the capabilities of Garda drones/UAV's or be able to identify Garda investigations. This information could allow criminal elements to amass knowledge regarding the capabilities of An Garda Síochána. This information could reasonably be expected to allow nefarious actors take actions, which could significantly impede the operational capacity of An Garda Síochána to carry out its functions under section 7 of the Garda Síochána Act 2005.

I am also refusing the last part of Part 2 of your request, where you ask for the cost of individual drones, under Section 36 (1) of the FOI Act.

I am satisfied that the release of such financial, commercial and technical information would undoubtedly prejudice the competitive position of these companies by making key sensitive information publically known. As such, this information is commercially sensitive to the companies in question, in accordance with the provisions of Section 36 of the Act. Sections 36(1)(b) and (c) of the FOI Act state:

***Commercially sensitive information***

*36. (1) Subject to subsection (2), a head shall refuse to grant an FOI request if the record concerned contains—*

- (b) financial, commercial, scientific or technical or other information whose disclosure could reasonably be expected to result in a material financial loss or gain to the person to whom the information relates, or could prejudice the competitive position of that person in the conduct of his or her profession or business or otherwise in his or her occupation, or*
- (c) information whose disclosure could prejudice the conduct or outcome of contractual or other negotiations of the person to whom the information relates.*

I am cognisant of the fact that the release of information under the Act is, in essence, a release to the public at large. Financial, commercial and technical information, such as that contained within these records is not known to competitors or the public in general. If the records were made available to you it is reasonable to expect that it would prejudice the ability the companies to compete in other contracts or negotiations in the future as competitors would be aware of substantial amounts of sensitive financial, commercial and technical information.

I am of the view that the release of such information could reasonably be expected to result in a material financial loss by these companies as it could prejudice their competitive position in the conduct of their business. The placing of this information into the public domain could also reasonably be expected to give a competitive advantage to other companies seeking similar contracts with public bodies.

**Public Interest Test**



There is a Public Interest Test associated with section 36 of the FOI Act whereby my decision must be made having fully considered the public interest relevant to this request.

I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent.
- The public interest in members of the public exercising their rights under the FOI Act.
- That there is more than just a transitory interest by the public in this information being released.
- The right to commercial confidentiality is outweighed by the needs of the public regarding the expenditure of public funds by a public body and the conduct of public procurement.

In considering the public interest factors which favour withholding the records I have taken account of the following:

- Allowing a public body to hold commercial information without undue access by members of the public.
- The best course of action which is in the public interest with regard to these records.
- That An Garda Síochána can conduct its business with external contractors in a confidential manner.
- That there is a reasonable and implied expectation by contractors that financial and technical information pertaining to goods provided will be held in a confidential manner.
- That there is no overriding public interest that outweighs the right to privacy by an individual or in this case the financial activities of a supplier.

Having balanced the public interest factors both for and against the release, I am satisfied that the public interest in preserving the information and the reasonable expectation that information can be maintained by An Garda Síochána without prejudicing future financial endeavors by external suppliers outweighs the public interest which would be served were the records released to you. I am further satisfied that the provisions of Section 36(2) do not apply in this instance.

In response to part 3 of your request the Garda College have confirmed that there are 15 Garda Members trained in the use of drones/UAV's. Please note that the Garda College does not maintain a national database in respect of this training. Their response is based on records held in the Garda College only, and may not reflect the overall number of AGS members that are trained in the use of drones/UAV's.

## **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-000047-2024**.

**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:** An Garda Síochána Imprest Account  
**Account Number:** 30000302

**Sort Code:** 951599

**IBAN:** IE28DABA95159930000302

**BIC:** DABAIE2D

**You must ensure that your FOI reference number FOI-000047-2024 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 me by telephone at (046) 9036350.

Yours sincerely,



ASSISTANT PRINCIPAL

**PAUL BASSETT**

**FREEDOM OF INFORMATION OFFICER**



**FEBRUARY, 2024.**