

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

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000012-2024 Request Part Grant

Dear

I refer to your request, dated and received on 9th 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 am making a Freedom of Information request for the following records:

- *Details of all costs incurred by An Garda Síochána to date in relation to protests at Leinster House, Kildare St, Dublin 2.*
- *The records should include the dates of the protest that led to An Garda Síochána incurring costs*
- *The records should also include an itemised breakdown of costs incurred including but not limited to hiring of security infrastructure; plant hire; and copies of all invoices so far received in relation to same.*
- *The details of the cost of use of Garda aircraft in in relation to protests at Leinster House.*

The time periods can be limited to 1/1/2022 to 31/12/2022 and 23/11/2023 to 31/12/2023.

I wish to inform you that I have decided to part grant your request on the 30th January, 2024.

1

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision.

Upon receipt, your request was forwarded to the relevant sections of An Garda Síochána who conducted a search for records relating to your request.

I can advise that overtime for the period 1st January to 31st December 2022 was €15,946.65 and the overtime for the period of 23rd November to 31 December 2023 was €12,782.30. This expenditure is in relation to overtime incurred for the policing of protests at Leinster House on the following dates:

Date	Details
15/06/2022	Protest
16/06/2022	Protest
16/07/2022	Protest
10/09/2022	Freedom Ireland Protest
14/09/2022	Resumption of Dail protest
24/09/2022	Cost of living protest
24/09/2022	Pro Choice protest
27/09/2022	Budget day protest
03/10/2022	Protest
10/10/2022	Dail protest
24/10/2022	Cost of living protest
11/11/2022	Protest
26/11/2022	Raise the roof protest
17/12/2022	Protest
29/11/2023	Protest
30/11/2023	Protest
02/12/2023	Protest
05/12/2023	Travelling community/ no-confidence vote
06/12/2023	Protest
08/12/2023	Protest at Gov. Buildings
09/12/2023	Pro Palestine Protest
13/12/2023	Protest
14/12/2023	Protest

The following additional expenditure has been incurred in policing protests at Leinster House:

Event Date	Contractor	Amount	Details
11/04/2022	D&L Catering	€ 1,317.50	FOOD
11/04/2022	Freeflow Traffic Management	€ 6,469.50	TRAFFIC MANAGEMENT
09/12/2023	Actavo	€ 2,460.00	BARRIERS

Invoices in respect of this expenditure are attached herewith. In accordance with the provisions of the FOI Act a number of redactions have been made to these records. I am refusing to release

the individual unit prices of suppliers pursuant to Section 36(b) and (c) of the FOI Act which states:

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. The pricing structure of suppliers with regard to services provided to An Garda Síochána are 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 of suppliers to compete in other contracts or negotiations.

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

Furthermore the supplier's current customers may become aware of a potential difference in pricing structures being offered to An Garda Síochána which could prejudice any current or future negotiations with these customers.

Therefore, I am refusing to release the relevant parts of the records under the provisions of section 36(1)(b) & 36(1)(c) as to do so would release commercially sensitive information into the public domain.

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.

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 information pertaining to services 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 service provider.

As stated in your previous FOI request FOI-000402-2023 I am refusing part 4 of your request pursuant to Section 15 (1)(a) of the FOI Act. I have been advised by the Operational Support Unit that it is not possible to provide an accurate figure in respect of Garda aircraft given the nature of Air Support operations. Certain costs are borne by the Department of Defence and Irish Air Corp who receive funding from Department of Justice under our SLA. These costs such as pilot cost, fuel cost and hangarage are outside of AGS control. Therefore I am refusing to release details of the cost of the use of Garda aircraft in accordance with Section 15(1)(a) of the Freedom of Information Act 2014 which states:

Refusal on administrative grounds to grant FOI requests

15(1)(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken

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-000012-2024**.

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-000012-2024) 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.

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

30th January, 2024.



Sales Quote

Procurement Office
PROCUREMENT OFFICE GARDA
HEADQUARTERS PHOENIX PARK DUBLIN 8 Ireland
Republic of Ireland

Actavo Events (Ireland) Limited
Killeen Road
Dublin 12
Dublin 12, Dublin D12 KXE6

Your Reference 9 Dec Protest - DMR SC
Bill-to Customer No. GAR002
VAT Registration No.

Email info@actavo.com
Home Page www.actavo.com
Phone No. (01) 505 5888
Registration No.

Quote No. A351-SQU-0001042

Document Date 18 December 2023
Due Date 17 January 2024
Payment Terms Date of the Invoice plus 30 days

Payment Method
Shipment Method

No.	Description	Quantity	UoM	Unit Price	VAT %	Line Amount
	Requestor Pearse Street				0	0.00
	Supply, install and derig [redacted] garda barriers		Each		23	910.00
	[redacted] standby crew		Each		23	700.00
	[redacted] garda barrier on standby		Each		23	390.00
Subtotal						2,000.00
VAT Amount						460.00
Total EUR Incl. VAT						2,460.00

VAT Amount Specification

VAT Identifier	VAT %	VAT Base	VAT Amount
STD VAT	23	2,000.00	460.00

D + L O'HORA
CATERING SERVICES
34 Bolton Street
VAT NO. IE 97242836

11-4-22

F.A.O Sgt Neil Crowley
Pearse ST Garda Station

[REDACTED] Breakfast @ [REDACTED] per person.

€ 775 = 00.

[REDACTED] lunch @ [REDACTED] per person.

€ 542 = 50.

€ 1317 = 50

FREEFLOW TRAFFIC MANAGEMENT

T/A F.Brady & Son Plant Hire Ltd

Aughnashanna,

Ballinalee,

Co Longford

Vat Number IE 6412953 K.

Invoice No;16300

Date: 11th April 2022.

Tel: 043 - 3323194 087 -2859852

INVOICE:

An Garda Siochana,
Phoenix Park,
Dublin 8.

Description	VAT	Quantity	Price	Total
<u>Traffic Management Services</u> Supply and place traffic management to facilitate closure of Kildare Street, Stephens Green North, School House Lane, Merrion Sqaure South and West on 10th and 11th April for a Truck protest.				€5700-00
VAT Rate	Net Amt	VAT Amt	NET:	€5700-00
13.50%	€5700-00	€769-50	VAT:	€769-50
			TOTAL:	€6469-50