

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

Ríomh-phoist:/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000251-2023 Request Part-Granted

Dear

I refer to your request, dated 11th July, 2023 and received on 12th July, 2023 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 be obliged if you could forward to me by return "Court Management Office / Court Presenters procedure document" as referred to in the attached document.

I wish to inform you that I have decided to part-grant your request on 9th August, 2023. The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision

Upon receipt of your request the Court Management Office/Court Presenters Procedure document was examined by this Office. I have reviewed the procedure document in the context of the provisions of the FOI Act as it relates to An Garda Síochána, and the rights of access to records held by An Garda Síochána provided for within the Act and applied the necessary redactions.

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*". Administrative records are considered to cover records

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relating to the administration of a public body, as opposed to records relating to its operational matters or core functions. In the case of An Garda Síochána, the right of access afforded by the FOI Act is limited to those administrative records relating to finance, procurement or human resource matters. Therefore, only administrative records that relate to human resources, finance or procurement shall be considered for release under FOI.

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.

Records, or part thereof, which do not constitute administrative records relating to finance, procurement, or human resources matters are outside the scope of the FOI Act as it relates to An Garda Síochána. No right of access exists under FOI to records relating to matters other than finance, procurement or human resources.

Having examined the Court Management Office/Court Presenters Procedure document, I can advise that parts of the document details the processes and procedures to be followed in the running of Court Management Offices both by Court Presenters and other Garda personnel. The role of Court Management Offices within An Garda Síochána is to support members of An Garda Síochána in prosecuting cases at the District Court on behalf of the DPP, case managing, the management of relevant documentation such as court files, summonses, and police property applications, and presenting evidence in Court.

These are core operational functions of An Garda Síochána as opposed to administrative matters relating to finance, procurement or human resource matters. I am therefore redacting these parts of the requested record as it does not relate to finance, procurement or human resource matters. I am doing so in accordance with Part 1(n) of Schedule 1 of the FOI 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-000251-2023**.

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

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-000251-2023 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,



ASSISTANT PRINCIPAL

**PAUL BASSETT
FREEDOM OF INFORMATION OFFICER**

9th AUGUST, 2023.