

# An Garda Síochána

Oifig Saoráil Faisnéise  
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-000095-2016

### Out of Scope

Dear

I refer to your request, dated and received on the 2<sup>nd</sup> March 2016 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 Freedom of Information Act 2014 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 is shown below:

- (1) I wish to request access to administrative records held by An Garda Síochána which contain detailed guidelines on the surveillance of journalists and other members of the public. I specifically seek rules or guidance procedures on the selection of journalists (or other citizens) for surveillance. Why are some people selected and others not?*
- (2) What I am seeking are the more precise criteria which any efficient administrative body needs to discriminate between those who are targeted and those who are not*
- (3) What I am seeking are administrative rules and guidelines and any material pertaining thereto, bearing in mind the need to protect the public interest.*

I wish to inform you that your request is outside the scope of the FOI Act as it pertains to operational matters conducted by An Garda Síochána and as a result I am refusing to provide the information you have sought in your request.

However as you mentioned the fact that you have read the Garda Síochána Act 2005 you may also be interested in the legislation contained in the Criminal Justice (Surveillance) Act 2009 with particular reference to sections 4, 7 and 8 which provide a framework for acts of surveillance.

## **1. 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 **F01-000095-2016**.

Freedom of Information Office,  
An Garda Síochána,  
Athlumney House,  
IDA Business Park,  
Johnstown,  
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:** BOFIE2D

**You must ensure that your FOI reference number 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.

  
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**HELEN DEELY**  
**FREEDOM OF INFORMATION OFFICER**

**10<sup>TH</sup> MARCH 2016**