

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

Bí linn/Join us  

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000433-2016 Refused

Dear

I refer to your request, dated and received on 28th November, 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 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:

- 1) *Incidents reported to Gardai of so-called revenge porn – namely where a person uploads intimate images of another person online without their consent. Please can I have incidents which were reported in the years 2014, 2015, 2016.*
- 2) *A detailed breakdown of what the incident referred to eg., A video, image, or verbal communication which was posted online.*
- 3) *Incidents of cybercrime reported by private individuals where images/ explicit material has been posted online for others to see without the consent of the individual. Please can I have incidents which were reported in the years 2014, 2015, 2016.*

4) *The number of times An Garda Síochána has had to contact a social media website, namely Facebook or Twitter, or another social media forum, requesting them to take down offensive material on behalf of an individual. Please can I have incidents which were reported in the years 2014, 2015, 2016.*

5) *The number of convictions or cautions or other penalties given to individuals for so called cyber-crime against private individuals. Please can I have the numbers which were reported in the years 2014, 2015, 2016.*

6) *Incidents reported where an individual has set up a fake social media profile and cautions or convictions given in relation to that. Please can I have the numbers which were reported in the years 2014, 2015, 2016.*

7) *Action or proposed action to tackle cybercrime namely adding new offences to the statute book.*

I wish to inform you that I have decided to refuse your request on the 29th November, 2016

The purpose of this letter is to explain my decision.

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. Your request is in relation to an operational policing matter which does not come within the ambit of this partially included agency as set out in Part 1(n) of Schedule 1 of the FOI Act.

I am therefore refusing your request as it falls outside the scope of the FOI Act insofar as it pertains to An Garda Síochána.

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 **F01-000350-2016**.

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: 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.

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
HELEN DEELY
FREEDOM OF INFORMATION OFFICER

 **NOVEMBER, 2016**