

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-000441-2016 Request Refused

Dear,

I refer to your request, dated and received on the 1st December 2016 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:

- *Under the FOI Act I request records regarding the CAB raids in which took place in Carlow in November of this year. I request all correspondence in relation to the raids including but not limited to discussions on preparation and the results of said raids. I also request any statistics, figures or information on organised crime in Carlow and the surrounding area. I also request statistics on missing persons in Ireland for the past decade. I request information on cases, searches and the origins and genders of the missing persons.*

I wish to inform you that I have decided to refuse your request on the 5th December, 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 seeking information pertaining to operational Garda matters and is not considered an administrative record and 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 is outside the scope of the FOI Act insofar as it pertains to An Garda Síochána.

In addition to Part 1(n) of Schedule 1 certain sections of An Garda Síochána are exempt from the provisions of the FOI Act under section 42. Records held by the Criminal Asset Bureau are exempt under section 42(c)(i) of the FOI Act and therefore An Garda Síochána are not obliged to provide the information you seek. Section 42 is shown below.

Restriction of Act

42. *This Act does not apply to —*

(c) a record held by —

(i) the Criminal Assets Bureau,

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 **F01-000441-2016**.

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: BOFIIIE2D

You must ensure that your FOI reference number FOI-000441-2016 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.

7TH DECEMBER 2016