



**An Roinn Gnóthaí
Eachtracha agus Trádála
Department of
Foreign Affairs and Trade**

Our Ref: FOI/Req/2019/310

27 November 2019

Dear Ms. Ní Aodha,

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

'All correspondence from the Northern Irish, UK and Irish public concerning the verdict of the Emma DeSouza case, sent from 14 - 29 October 2019.'

Correspondence from the UK government, unionists, and legal experts on the Emma DeSouza verdict, sent from 14 - 29 October 2019.'

I refer also to the acknowledgement of your request, which was sent to you on 6 November 2019.

I have identified 3 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to part-grant all 3 records.

Please note that all the records listed in the attached schedule originated from correspondence sent to this Department from members of the public and have only been edited insofar as to remove names and identifying details of individuals, where these are not relevant to the request, under Section 37 (Personal information) of the Freedom of Information Act 2014.

While Section 37(1) Personal Information is a mandatory exemption, I am still obliged to consider whether the public interest would be best served by releasing the records in full. I have taken into account the benefit to the public to be given access to correspondence in a manner which demonstrates transparency and accountability of the Department. I have particularly considered whether releasing the personal information, which includes names, addresses, email addresses etc., and would provide any additional benefit in this regard. I have weighed this against the right of individuals to have their personal information remain private. The personal information which I have redacted does not have any bearing on the substance or detail of the records, and does not diminish or alter the views expressed, and as such, I am satisfied that on balance the decision to partially redact the records and remove identifiable information is correct.

The Citizenship and Identity provisions are central to the Good Friday Agreement and it is vital that they are upheld. The Government has consistently engaged with the British Government in support of this, and we will continue to do so. It is important to say that Ms. Emma De Souza is an Irish citizen, and this is provided for and protected under the Good Friday Agreement.

This Department understands that the De Souzas intend to appeal the decision of the Tribunal and officials are keeping in regular contact with Emma and Jake De Souza on behalf of the Government.

The Taoiseach has raised the De Souza case with Prime Minister May and will also raise it with Prime Minister Johnson. The Tánaiste raised the case with the Secretary of State for Northern Ireland again at their last meeting and has also written to him to underline the pressing need for a positive outcome to the review by the British Government.

In February, then Prime Minister Theresa May acknowledged the serious concerns in this area and pledged to "review the issues around citizenship urgently to deliver a long term solution consistent with the letter and spirit" of the Agreement. A positive outcome to the review mandated by the British Government is now urgently needed.

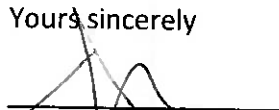
Sensitive and generous approaches by the British Government are needed to ensure that the right of people in Northern Ireland to identify as Irish, or British, or both is meaningfully provided for in all relevant policy areas. The Government will continue to strongly pursue this with the British Government, as a co-guarantor of the Good Friday Agreement.

Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfa.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfa.ie, or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely



Lorraine Healy

Ireland, UK and Americas Division,
Department of Foreign Affairs and Trade