



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

Our Ref: Fol/Req/18/177

18 July 2018

Dear Ms. Bray,

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:

*Copies of any unpublished reports into Brexit, the impact of Brexit or the effects of Brexit in Ireland.*

I have identified one document that falls within the scope of your request. The record is listed in the schedule attached. I have made a decision not to grant access to the document listed on the basis of sections 29(1), 30(1)(c) and 33(1)(d) of the Freedom of Information Act 2014, as amended.

In relation to exemption of the record under **Section 29** of the Act - *Deliberations of FOI Bodies*, I have considered whether the public interest would be better served by releasing the record in question in terms of the right of the public to have access to information and the need for transparency in decision making process. Given the source and nature of the record I am satisfied that premature release of certain records would negatively impact on the decision-making processes of this Department and other Government Departments. On balance, the public interest would not be best served by releasing this record.

In relation to exemption of the record under **Section 30** of the Act - *Functions and Negotiations of FOI Bodies* as I am satisfied that premature release of the record would disclose positions taken, or to be taken, or plans, procedures, criteria or instructions used or followed, or to be used or followed, for the purposes of negotiations carried on or being, or to be, carried on by or on behalf of the Government or the Department. I have considered whether the public interest would be better served by releasing the record in question in terms of the right of the public to have access to information and the need for an open and accountable civil service. However, I am satisfied that on balance the public interest would not be best served by releasing the information.

In relation to exemption of the record under **Section 33(1)(d)** - *Security, defence and international relations*, as referenced in the schedule, I have considered the possibility and likelihood that the release of the records could result in negative consequences for Ireland's

international relations and their likely severity. This Department is responsible for managing relations between Ireland and 178 countries, in a complex and diverse environment. Based on the Department's direct knowledge and expertise in international relations, its strongly held position is that the mere granting of access to scheduled records will adversely affect the State's relations. On balance I am satisfied that the balance favours refusal rather than release.

As set out in the schedule, the record that comes within the scope of your request is a Disorderly Brexit Contingency Planning Executive Summary. The document brings together the detailed work being undertaken by individual Ministers and their Departments on issues within their policy remit. Its focus is on the immediate economic, regulatory, and operational challenges which would result from a no deal or worst case scenario. It assumes a trading relationship based on the default WTO rules, but also examines the possible effects on many other areas of concern.

This work is therefore providing baseline scenarios for the impact of Brexit across all sectors, which can then be adapted as appropriate in light of developments in the EU-UK negotiations, including in regard to transition arrangements and the future relationship.

Finally, the current contingency planning process is ongoing and dynamic in nature and will continue to evolve over the coming months to take account of continued consultations across Government Departments.

#### 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](mailto: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](mailto: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



Ciarán Delargy