

21st December 2016

Mr Cormac McQuinn
Irish Independent
Independent House
27 – 32 Talbot Street
Dublin 1
D01 X2E1

Teach na hAbhainn
23-27 Sráid Anraí
Linn na hÉirí

Riverstone House
24-27 Henry Street
Dunmurry

Re: FOI/ReQ/16/174

Dear Mr McQuinn

I refer to your amended FOI request submitted under the Freedom of Information Act 2014 received on the 11th of November 2016 seeking records relating to the following:

Copies of all correspondence to/from Irish Aid to/from the chief executives of the following organisations from 1st January 2016 to 11th November 2016:

1. Concern Worldwide
2. Trócaire
3. Goal
4. Misesan Cara

I also refer to our communication of the 30th November 2016 acknowledging the FOI request.

This letter has two parts as follows:

- FOI Decision
- Consideration of the Public Interest

Decision

As responding officer, I have identified 32 records related to your request which cover the period 1st January 2016 to 11th November 2016. These records are set out in the attached schedule to this letter. I have decided to release access to 3 records, part grant access to 9 records and refuse access to 20 records as set out in the attached schedule.

The majority of the records which are part granted and released in redacted format, in my view contain data related to Personal Information (S.37) and in one case to Commercially Sensitive data (S 36 (1) (c)). In the case of the 20 records which have been refused, these have been refused in the main under Section 29(1) (a) relating to the deliberative process of an FOI body. In a small number of cases, access has been refused on the basis of Section 32 (1) (a) & (b) relating to law enforcement and public safety.

Consideration of the Public Interest

As required by the 2014 Freedom of Information Act, I am also required to consider specific considerations in relation to the public interest and where access has been part granted or refused under specific sections of the Act as outlined below.

Section 29 2014 FOI Act

Under Section 29 of the Act, Deliberations of FOI Bodies, 17 records have been refused. In arriving at this decision, I have considered whether the public interest would be better served by releasing the records in question in terms of the right of the public to have access to information, the need for transparency in decision-making processes and the need for an open and accountable Civil Service. Given the source and nature of the records, I am satisfied that premature release of certain records would negatively impact on the decision-making processes of this Department, disclose positions taken by the Department and would substantially impair the good relations we have with International organisations. On balance, the public interest would not be best served by releasing these records.

Section 32 2014 FOI Act

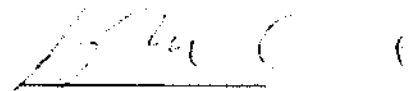
Two records which are being refused, under (Section 32 (1) (a)) in my view contain data related to an ongoing investigation. I have refused records under this Section as they may be prejudicial to an ongoing investigation. One record is also being refused under Section 32 (1) (b). These records also refer to organisations which could endanger their safety of such people and which could also prejudice any ongoing investigation. I have carefully considered the right of the public to have access to this information and the need for an open and accountable civil service. However given the nature of the records and the information contained within, I am satisfied that the balance favours refusal rather than release.

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 non-personal information; the level of this fee has been set at €30. For methods of payment please contact FOI@DFA.IE or telephone 01 4082857.

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

Yours sincerely



John Crowe
Department of Foreign Affairs and Trade