



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

Our Ref: Fol/Req/17113

B July 2017

Dear Mark,

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:

A copy of all briefing material supplied to the Minister upon his appointment.

I refer also to our subsequent telephone conversation concerning your request. I have identified five records which fall within the scope of your request and they are listed in the schedule below. I have made a decision to grant two records in full and part-grant three. Where access has been part-granted, material in the records has been exempted from release by virtue of sections 29, 30, 32, 33, 36 and 37 of the Act as outlined in the schedule.

SCHEDULE			
Record Description		Granted/Part-Granted/Refused	Section exempted under:
1.	Management Board Members, Heads of Section including contact details	Part-granted	Personal information Section 37(1)
2.	Ministerial Diary Commitments	Granted	
3.	How the Department of Foreign Affairs is Organised	Part granted	Commerically sensitive information Section 36 (1)(b) Functions and negotiations of FOI bodies Section 30(1)(c)
4.	Statement of Strategy	Granted	
5.	Overview of Immediate key Issues	Part-granted	Deliberations of FOI Bodies Section 29(1)

			Security, defence and international relations Section 33 (1)(c) and (d)
			Functions and negotiations of a FOI Body Section 30 (1)(c)
			Law enforcement and public safety Section 32(1)(a)(i)

Under Section 29 of the Act, Deliberations of FOI Bodies, Record 5 has been part-granted. 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 processes. Given the nature of the record I am satisfied that its premature release would negatively impact the ability of the Department to carry out its functions, disclose positions taken by the Department and would substantially impair the good relations we have with another state. On balance the public interest is best served by part-releasing this record.

Information in Records 3 and 5 has also been exempted under Section 30 of the Act- Functions and negotiations of a FOI Body. I have considered the nature and source of the information. Public interest arguments I have considered for release include the right of the public to access information and accountability of administrators. However, on balance I feel that premature release may contaminate future decision making processes without any countervailing benefit to the public. In addition, information in Record 3 has been exempted as commercially sensitive under Section 36 (1)(b). I have considered the public interest to allow proper scrutiny of the decision-making processes but on balance I have refused access to the information so that the entity concerned will not be unduly impeded in the effective pursuit of its business.

Elements of Record 5 have also been redacted under Sections 32 and 33 of the Act. I have considered the possibility and likelihood that the premature release of information could result in negative consequences and their likely severity. In particular, release at this time could substantially impair the ongoing working relations in matters relating to Northern Ireland. Such relations progress through the creation and maintenance of trust and confidence between parties involved. In that light, I have part-granted access to the record. I have also exempted certain limited information under Section 32 of the Act to ensure I do not disadvantage this Department in the discharge of our security related responsibilities.

With regard to Record 1 I have withheld personal information of officers of the Department under Section 37 of the Act.

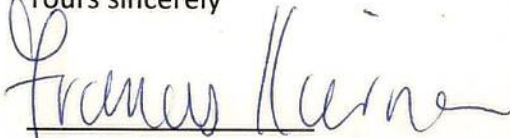
Right of Appeal

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@dfat.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@dfat.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

A handwritten signature in blue ink that reads "Frances Kiernan". The signature is written in a cursive style with a large initial 'F'.

Frances Kiernan