

Our Ref: Fol/Req/17/095

Teach na hAbhainn  
23-27 Sráid Anraí  
Luimneach

Cormac McQuinn  
Irish Independent,  
Independent House,  
27-32 Talbot Street,  
Dublin 1,  
D01 X2E1

Riverstone House  
23-27 Henry Street  
Limerick

20 June 2017

Dear Mr McQuinn,

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

- **Copies of all applications for Irish Aid/Department of Foreign Affairs funding made by Mísean Cara from February 28, 2017 to date.**
- **Copies of all responses by Irish Aid/The Department of Foreign Affairs to applications for funding made by Mísean Cara in the same period.**
- **Copies of all Strategic Plans submitted by Mísean Cara to Irish Aid/Department of Foreign Affairs in the same period.**
- **Copies of any correspondence to/from Irish Aid/Department of Foreign Affairs and Mísean Cara on the subject of the Mísean Cara's strategic plans failing to match the agency's plans as set out in applications for funding during the same period.**
- **Copies of any documents enclosed/attached to the above correspondence.**

I refer also to the acknowledgement of your request which was sent to you on the 1<sup>st</sup> June.

As responding officer, I have identified 13 records that fall within the scope of your request. The records are listed in the attached schedule and are listed chronologically. I have made a decision to grant access to 6 records, part-grant access to 4 records and refuse access to 3 records.

The schedule attached lists the documents that the Department of Foreign Affairs and Trade consider relevant to your request. It describes each document and refers to the sections of the FOI Act where applicable. Where records have been part granted, the material has been redacted in accordance with Section 36(1)(b) – commercially sensitive information and Section 37(1) – personal information - of the FOI Act 2014.

## **Background**

Misean Cara has submitted an application to Irish Aid with two elements. Part A is the organisation overview. I have decided to part grant access to this document under Section 37(1) – personal information and Section 36(1) (b) – commercially sensitive information. Part B is the full funding proposal, comprising a total of seven documents. I am granting access to 2 documents, part granting access to 1 document under Section 37(1) – personal information, and refusing access to 4 documents under Section 36(1) (b) – commercially sensitive information.

## **Public Interest Test**

I have considered Section 36 of the 2014 Act in making my decision not to release certain information. Access to certain confidential information is essential in order to allow the Department of Foreign Affairs & Trade to execute its functions. In certain instances, such information may also be of a commercially sensitive nature. In this case, I am satisfied that these documents contain commercially sensitive information, the release of which could reasonably be expected to have adverse business consequences for Misean Cara.

In weighing these adverse consequences against the public interest, I have again considered the right of the public to have access to information; the need for an open, transparent and accountable civil service and the need for decision-making processes to be adequately scrutinised. I am satisfied that the balance favours refusal rather than release on this occasion.

Under Section 37 (1), I have considered the public interest in the context of the public's right to access personal information. However, I am satisfied that on balance the broader community interest is best served by protecting the personal information that would otherwise not be available and have refused access to the relevant records.

## **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](mailto: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@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



Harriet Sexton Morel  
Higher Executive Officer