



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

Our Ref: FOI/Req/19/101

22 March 2019

Dear Mr.Power,

I refer to your recently submitted request, FOI/Req/19/101, made under the terms of the Freedom of Information Act 2014, for access to records held by this Department, as follows:

A copy of the audit Misean Cara conducted into the St John of Gods order Malawi in respect of compliance with child protection and governance standards

I refer also to the acknowledgement of your request which was sent to you on 22nd February 2019.

The Department of Foreign Affairs and Trade through Irish Aid provides an annual grant of €15.5 million to Misean Cara. This grant is subsequently sub-granted to the Irish missionary organisations and congregations, which are members of Misean Cara. These grants are used to fund development projects in Africa, Asia and Latin America.

The St. John of God order received funding in the past from Misean Cara to support its work in Malawi. In 2018, the Department became aware of allegations against a member of the St. John of God Order through press articles. Upon becoming aware of these allegations, the Department was in immediate contact with Misean Cara requesting a full investigation.

Misean Cara commissioned an independent child safeguarding expert and a copy of the report has been received by Department officials. Misean Cara has informed the Department that their initial decision to suspend financial support to the Order in 2018 has now been confirmed on foot of that report. The Department maintained ongoing contact with Misean Cara in respect of this matter during the past year.

I am the responding officer in this case. I have identified one record that falls within the scope of your request.

Where access has been refused, the record is exempt from release under the following section of the Act:

Section 35(1) (a) Information Provided in Confidence

Section 35(1) (a) of the Act stipulates that a head shall refuse to grant an FOI request if the record concerned contains information given to an FOI body in confidence and on the

understanding that it would be treated by it as confidential. In this case, Misean Cara provided this redacted report in confidence and it was received in confidence. Organisations providing this information have a reasonable expectation that it will be handled confidentially. I have confirmed that this is the case in communication with our partner, Misean Cara.

(a) the record concerned contains information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential (including such information as aforesaid that a person was required by law, or could have been required by the body pursuant to law, to give to the body) and, in the opinion of the head, its disclosure would be likely to prejudice the giving to the body of further similar information from the same person or other persons and it is of importance to the body that such further similar information as aforesaid should continue to be given to the body.

I have weighed carefully the public interest test in applying section 35 (1) (a) of the Act and considered the right of the public to access information, the importance of public scrutiny of bodies in receipt of public funds and accountability in relation to the manner in which such funds are applied. However, disclosure would constitute a breach of a duty of confidence as the report was provided to this Department in confidence on the mutual understanding that it would be treated by the Department as confidential. Further, it would have a chilling effect on the Department's ability for adequate governance and due diligence and the prudential management of the Irish Aid budget.

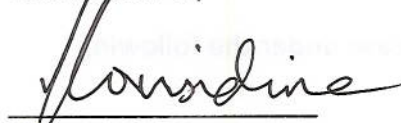
As such, I am satisfied that the balance favours refusal of this confidential redacted audit report.

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



Ger Considine