



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

Our Ref: FOI/Req/20/122

Date: 20 July 2020

Dear Ms. Ní Aodha

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:

- All correspondence to the Department in relation to a PPE order/ request for Northern Ireland (from either members of the Assembly or Stormont officials). The timeframe for this query is 1 March - 5 June 2020.
- All correspondence from the Department in response to a PPE order/ request for Northern Ireland (to either members of the Assembly or Stormont officials). The timeframe for this query is 1 March - 5 June 2020.
- Correspondence sent from the 30 & 31 March in relation to the volume of PPE equipment requested for Northern Ireland, and whether it could be delivered (costs can be redacted).

For clarity, please be aware that issues regarding the procurement of PPE do not fall within the responsibility of the Department of Foreign Affairs and Trade. However, I have identified 9 records that fall within the scope of your request. The records are listed in the schedule attached.

I have made a decision to grant access to 2 of the records and refuse access to 7 of the records.

For information, there is regular and ongoing contact and cooperation North-South on the island of Ireland in response to COVID-19 at operational and political level.

The Office of Government Procurement (OGP), has a longstanding working relationship with the Construction and Procurement Delivery (CPD) office of the Northern Ireland Department of Finance. Significant engagement had taken place between the OGP and CPD as part of the response to Covid-19, including exploring the option of a joint procurement to meet PPE needs. This joint option was progressed but was not ultimately concluded and both jurisdictions made their own arrangements for PPE supplies. There is ongoing dialogue between the OGP and CPD on Covid-19.

A Memorandum of Understanding was formally agreed on 7 April between the Departments of Health in Ireland and Northern Ireland to underpin and strengthen North South co-operation on the public health response to the COVID-19 pandemic, focusing on facilitating greater co-operation on areas such as public health messaging, research, programmes of behavioral change, ethics, evidence base/ modelling and public health and non-pharmaceutical measures. Other areas will be considered, such as procurement, where this is of mutual benefit.

I have exempted 7 of the records under Section 33 (1) (c) of the Act, which refers to records which, if released, could be reasonably considered to adversely affect matters relating to Northern Ireland.

The Department of Foreign Affairs and Trade is responsible for managing relations with Northern Ireland. Based on the Department's direct knowledge and expertise, its strongly held position is that the mere granting of access to records could be reasonably considered likely to adversely affect matters relating to Northern Ireland by introducing doubts with regard to the security and confidentiality of our communications. It is important to maintain that mutuality of trust. I have considered the possibility and likelihood that the release of these records could negatively impact this function of the Department's work and 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 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

Niamh Clarke
Ireland, UK and Americas Division,
Department of Foreign Affairs and Trade