



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

Our Ref: Fol/Req/2018/041

Date: 02 May 2018

Dear Requester,

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 held by the department relating to Irish based NGOs working in humanitarian projects funded by the Irish Aid Humanitarian Unit on possible sexual exploitation claims since January 2013”

I refer also to the acknowledgement of your request and clarification of the wording, sent to you on 20 March 2018, and your agreement regarding the extension of the deadline, received 18 April 2018.

I am the responding officer in this case. In processing this request I have included records held in relation to the nine Irish-based NGOs that were funded by the Irish Aid Humanitarian Unit since January 2013 (Action Aid, Christian Aid, Concern Worldwide, Haven, Médecins Sans Frontières Ireland, Oxfam Ireland, Plan International Ireland, Tear Fund Ireland, World Vision Ireland), including records held by other Units within Irish Aid.

Organisations in receipt of funding from the Department are expected to have in place robust human resource management policies which outline organisational standards of behaviour and related safeguarding practices; a clear framework for reporting issues internally as they arise, keeping in mind the protection and wellbeing of those making a complaint; and, documented procedures for investigation and disciplinary action, and/or referral to statutory authorities when necessary. Sharing information on complaints of sexual harassment must be handled with the utmost sensitivity and diligence by all organisations.

Reporting obligations for organisations are detailed within funding contracts. While the Department is not a statutory body with specific responsibility for handling cases of sexual exploitation, it does expect to be informed of issues that indicate a breakdown of any organisational systems necessary for effective programme delivery. Compliance issues linked to these systems are addressed on a case-by-case basis as they arise, in line with contractual obligations of funding.

As part of the process of ongoing grant monitoring and oversight, the Department will continue to request updates from partners on compliance with their policies and procedures.

I have identified seven records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to refuse all seven of the records. More than one exemption applies to a number of records. In the case of two of the records, the information is already in the public domain so a link is provided in the schedule to where the information can be accessed freely.

S32 – Life & Safety of Individuals

In considering non-disclosure I took into account the fact that release could have a prejudicial impact on an on-going criminal proceeding. I am satisfied that the greater good favours refusal rather than release on this occasion and in that light I have refused access to records linked to a possible sexual exploitation claim under Section 32 (1)(a)(iv).

S35 – Information provided in confidence

I have also considered Section 35 (1)(a) in my deliberations. Information on numbers of cases of allegations of misconduct generally stems from confidential investigation processes. Organisations providing this information have a reasonable expectation that it will be handled confidentially. It is important for the Department that such information continues to be shared on an open basis as systems of awareness raising and reporting become more robust.

I am satisfied that the balance favours refusal rather than release on this occasion.

S37 – Personal Information

In considering non-disclosure, I took into account the risk to the privacy of the persons involved. Disclosing would risk revealing personal information about an identifiable individual that should be confidential and would only be known in the course of events, to the individual or members or family/ friends.

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



Claire Coughlan
Desk Officer,
Humanitarian Unit