



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

Mr. Senan Molony
Political Editor
Irish Daily Mail,
c/o Political Correspondents,
Leinster House

Our Ref: Fol/Req/2018/087

11 May 2018

Dear Mr. Molony,

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:

“Copies of all papers, preparatory work, documents and correspondence relating to the expulsion of a Russian diplomat on foot of the Skripal/Salisbury poisoning affair.

I realise some material will fall under an exemption for relations with foreign states, but I am interested in receiving as much as may be disclosable, e.g. representations from members of the public and/or organisations (but not confined to same).

Timeframe from March 1, 2017 to date of this letter (4/4/2018).”

I refer also to the acknowledgement of your request which was sent to you on 9 April 2018.

I have identified 49 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to part-grant 29 records, refuse 19 records, and grant 1 record.

The 29 records which are part-granted have been edited only insofar as to remove names and identifying details of individuals under Section 37 (1) of the Act, Personal Information.

Of the 19 records to which access has been denied, four have been exempted on administrative grounds under Section 15(1)(d) of the Act, as the information they contain is publically available. I have, however, included links in the schedule to the relevant documents for ease of reference.

Two records have been exempted under Section 28(1)(c) of the Act, as they are records prepared for the Tánaiste for use solely at a Government meeting. I have also refused access under Section 28(2)(a). This is mandatory refusal and I am obliged to refuse access if the record contains “the whole or part of a statement made at a meeting of the Government or information that reveals, or from which may be inferred, the substance of the whole or part of such a statement”.

Exemptions under Section 33 of the Act relate to the security, defence and international relations of the State. I have exempted four records under Section 33(1)(d) and Section 33(2)(b)(i). These are mandatory exemptions under the legislation and I am obliged to refuse access to records falling within those sections. I have exempted a further three records under Section 33(1)(d) and Section 33(2)(b)(ii). I have exempted two records under Section 33(1)(a)(b)(d) and four records have been exempted under Section 33(1)(d).

In making the decision to exempt these records, I have considered the public interest. This Department is responsible for managing relations between Ireland and 178 countries, in a complex and diverse environment. Based on the Department’s direct knowledge and expertise in international relations, its strongly held position is that the granting of access to these scheduled records will adversely affect the State’s relations by introducing major doubts with regard to the security and confidentiality of our diplomatic communications and the effective conduct of its functions by this Department. I am therefore satisfied that the balance favours refusal rather than release.

Finally, Section 42 of the Act sets out the exclusion of certain records from the scope of Freedom of Information legislation. Any record given by this Department to the Taoiseach or Tánaiste for use by them in any proceedings in either Houses of the Oireachtas, are exempt under Section 42(j).

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,



Caitríona de Búrca