

4 March 2015

Philip Ryan
Independent Newspapers
Independent House
27-32 Talbot Street
Dublin 1

Re: FOI Request Fol/Req/2015/002

Dear Mr. Ryan,

I refer to the request which you made under the Freedom of Information Act 2014 for records held by this body:

"I would like copies of inspection reports and follow-up inspection reports of all embassies since January 2012."

I, Orla Mc Breen, First Secretary, have now made a final decision to part grant your request on 3 March 2015.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. a schedule of all of the records covered by your request;
2. an explanation of the relevant findings concerning the records to which access is denied, and
3. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.

1. Schedule of records

A schedule is enclosed with this letter, it shows the documents that this body considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release. The schedule also refers you to sections of the detailed explanation given under heading 2 below, which are relevant to the document in question. It also gives you a summary and overview of the decision as a whole.

2. Findings, particulars and reasons for decisions to deny access

A number of redactions have been made to the inspection reports to which you have requested access. You will find the reasons for these redactions below:

- Records which might prejudice the effectiveness of the inspection process, have a significant, adverse effect on the management of the Department, or prejudice

negotiations carried out by the Department have been removed under Section 30.1.a, Section 30.1.b and Section 30.1.c of the Act.

- Records which might prejudice or impair the security of a building or endanger the life or safety of any person have been removed under Section 32.1.a and Section 32.1.b
- Records which might adversely affect the security of the State or the international relations of the State have been removed under Section 33.1.c and Section 33.1.d
- Records which contain information given to the Department on the understanding that it would be treated as confidential, and where it is important that the Department continue to receive such information but may no longer do so if we were to disclose it, have been removed under Section 35.1.a
- Records which could prejudice the competitive position or negotiations of Irish firms or others have been removed under Section 36.1.b and Section 36.1.c
- Records which would involve the disclosure of personal information have been removed under Section 37.1
- Records which could reasonably be expected to have a serious, adverse effect on the financial interests of the State or to have a negative impact on the industrial development strategy of the State have been removed under Section 40.1.a and Section 40.1.c

In relation to the redactions made pursuant to Sections 30, 32, 35, 36, 37 and 40, I have considered whether the public interest would be better served by releasing the records in question. Some of the factors I have considered include the right of the public to have access to information; promoting public understanding of the work of the Department; whether the information would make a valuable contribution to public debate; the need for an open, transparent and accountable civil service; and the need for decision-making processes to be adequately scrutinized. However, I am satisfied that the public interest would not be best served by the release of records which might pose risks to the security of Irish Missions or staff, undermine the proper functioning and effective management of the Department, break the duty of confidence owed by the Department to third parties, or adversely affect the financial or economic interests of the state, among other things. I therefore believe that, on balance, the public interest is better served by refusing access to these records rather than releasing them.

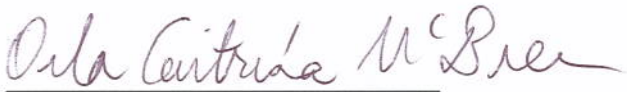
In relation to redactions made pursuant to Sections 30, 32, 33 and 40, I have considered the possibility and likelihood that the release of these records could result in negative consequences, and their likely severity. On balance, I believe that significant, adverse consequences could reasonably be expected to occur if these records are released. In particular, their release could harm the ability of the Department to carry out negotiations or fulfill its functions; endanger the security of the Department and its staff; create difficulty in the conduct of relations between this country and other States; substantially impair good working relationships between this country and another State, thereby prejudicing the future supply of information required for the effective conduct of our foreign policy; or harm the financial and economic interests of the State.

3. Rights of appeal

In the event that you are unhappy with this decision you may appeal it. In the event that you need to make such an appeal, you can do so in writing to the Freedom of Information Unit, Coordination and Compliance, Department of Foreign Affairs and Trade, 76/78 Harcourt Street, Dublin 2 or using the following link <https://www.dfa.ie/about-us/contact-us/>. You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day, excluding the weekend and public holidays. 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 body.

Should you have any questions or concerns regarding the above, please contact me by telephone on 4082648 or at orla.mcbreen@dfa.ie.

Yours sincerely,



Orla Mc Breen
First Secretary
Tel: 4082648