



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

Our Ref: FOI/Req/2019/195

Date: 12 July 2019

Dear Mr. O'Connell,

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 between Minister of State Finian McGrath and the Tánaiste between the period 11 December 2018 and the present day**
- **All correspondence between Minister of State John Halligan and the Tánaiste between the period 01 December 2018 and the present day**

Your request has been taken to refer to all correspondence between the Tánaiste and Minister of State Finian McGrath and between the Tánaiste and Minister of State John Halligan between the period 1 December 2018 and 17 June 2019, the date of receipt of your FOI request.

I have identified 16 records that fall within the scope of your request concerning correspondence between the Tánaiste and Minister of State McGrath and these are listed in the schedule attached. I have made a decision to grant access to 4 of the records, part-grant access to 5 and refused access to 7 records. I have identified 4 records that fall within the scope of your request concerning correspondence between the Tánaiste and Minister of State Halligan and these are also listed in the schedule attached. I have made a decision to grant access to 1 of the records and refuse 3.

**Records refused or part-granted under Section 37 of the Act – Personal information**

While Section 37(1) Personal Information is a mandatory exemption I am still obliged to consider whether the public interest would be best served by releasing the records in full. I

have taken into account the benefit to the public to be given access to correspondence in a manner which demonstrates transparency and accountability of the Department. In the main, the refusal of access to records is due to the fact the records relate to personal information of a third party, in that they relate to representations made by Minister of State McGrath and Minister of State Halligan to the Tánaiste concerning passport and consular matters. Other part-granted records where information has been redacted relates to personal identifiable information and much of it does not affect the substance of the record. I have particularly considered whether releasing the personal information would provide any additional benefit in this regard. I have weighed this against the right of individuals to have their personal information remain private and have found that there is a clear prerogative for this information to remain private.

### **Records refused or part-granted under Section 33 (1) (d) of the Act– Security, defence and international relations – the international relations of the State**

Section 33 (1) (d) refers to records which, if released, could reasonably be expected to adversely affect the international relations of the State. With regard to international relations, this Department is responsible for managing relations between Ireland and 178 countries, in a complex and diverse environment. Successful diplomatic relations depend upon the creation and maintenance of trust and confidence between governments. It is important to maintain that mutuality of trust to protect and promote Ireland's interests internationally. I have considered the possibility and likelihood that the release of the records could result in negative consequences and their likely severity. On balance I am satisfied that the balance favours refusal rather than release.

### **Records refused or part-granted under Section 33 (2) (b) (ii) of the Act – Security, defence and international relations – the international relations of the State**


Section 33 (2) (b) (ii) refers to communication between a Minister of the Government or his or her Department or Office and a diplomatic mission or consular post in the State or of the State or a communication between the Government or an officer of a Minister of the Government or another person acting on behalf of such a Minister and another government or a person acting on behalf of another government other than a record containing analysis, opinions, advice, recommendations and the results of consultations or information the release of which, in the opinion of the head, could reasonably be expected to affect adversely the international relations of the State

### 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](mailto: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](mailto: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

A handwritten signature in cursive script that reads "Shirley Pollock". The signature is written in black ink and is positioned above a horizontal line.

Shirley Pollock

Office of the Tánaiste and  
Minister for Foreign Affairs and Trade