



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

Our Ref: FoI/Req/18/175

18th July 2018

Dear Ms Hade,

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 correspondence made to and from the department in relation to the imminent visit of Prince Harry and his wife Meghan Markle this year.’

I refer also to the acknowledgement of your request which was sent to you on 25th June. As noted in this acknowledgement, your request was received in this department on 20th June and, as such, will cover records up to this date.

I have identified 25 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 4 of these records, to part-grant 1 of these records and to refuse the remaining 20 records.

The records which have been granted have been edited only insofar as to remove names and identifying details of individuals, and details not relevant to the scope of your request.

Where access has been refused or part-granted, the records are exempt from release under the following sections of the Act: Section 30(1)(c); Section 32(1)(a)(iii); Section 33(1)(c) and (d); Section 33 (2) (b) (ii); Section 35(1)(a); Section 36(1)(b) and (c); Section 37(1) and Section 42(h).

Section 30(1)(c) applies to records which, if released, could reasonably be expected to “disclose positions taken, or to be taken, or plans, procedures, criteria or instructions used or followed, for the purpose of any negotiations carried on or being, or to be, carried on by or on behalf of the Government or an FOI body.” In relation to the records falling under this exemption, the public interest arguments I have considered favouring release include enhanced public understanding of the issues and reasons for positions taken. However, I have decided not to release the record at this time as its release would impair decision-making without any countervailing benefit to the public.

Section 32(1)(a)(iii) relates to safety and security matters; a number of the records contain information about processes and procedures used to ensure the safety and security of VIP visitors to Ireland. I have considered the public interest in ensuring the resources of the taxpayer are used effectively. However, on balance, I have decided that not granting these records outweighs this interest in terms of not disadvantaging this Department and other public bodies in the discharge of their security responsibilities.

Section 33(1)(c) and (d) refer to records which, if released, could reasonably be expected to adversely affect matters relating to Northern Ireland and 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 depends upon the creation and maintenance of trust and confidence between governments. Based on the Department's direct knowledge and expertise in international relations, its strongly held position is that the mere granting of access to records will adversely affect the State's relations by introducing major doubts with regard to the security and confidentiality of our diplomatic communications. 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.

A number of records have been refused under **Section 33(2)(b)(ii)** – Security Defence and International Relations of the Act. This is a mandatory exemption and I am obliged to refuse access.

Section 35(1)(a) refers to records “containing information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential”. The public interest arguments I have considered include the right of the public to access information. However, I have also considered whether releasing the records falling under this exemption would prejudice such giving of information in future, and in my opinion releasing the records would have this effect. I am therefore obliged to refuse the request.

Section 36(1)(b) and (c) relates to commercial information where disclosure could reasonably be expected to result in financial loss or gain to the person to whom the information relates or could prejudice the competitive position of that person in the conduct of her/his profession/business/occupation. This is a mandatory exemption and I am obliged to refuse access.

Under **Section 37(1)** the right to privacy of the individuals concerned outweighs any public interest in releasing their personal information. This is a mandatory exemption and I am obliged to refuse access.

Section 42(h) refers to records relating to the President. This is a mandatory exemption and I am obliged to refuse access.

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

Alison Meagher
Ireland, United Kingdom and Americas Section