



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

Our Ref: Fol/Req/2018/309

Date: 21/12/2018

Dear Mr. Hutton,

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 records, to include invoices, requests, protocols, menus, etc., related to the residential stay by Prince Harry and Duchess of Sussex on Tuesday July 10th 2018.*

*All records related to departmental dinner and residential stay of Mr Jean Claude Juncker at Farmleigh on Thursday June 21st, to include all invoices, notes, menus, orders, requests, etc.*

I refer also to the acknowledgement of your request which was sent to you on 14 December 2018.

All records, to include invoices, requests, protocols, menus, etc., related to the residential stay by Prince Harry and Duchess of Sussex on Tuesday July 10th 2018.

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 your request with respect to 10 of these records and to part-grant a further seven.

These part-granted records have been edited only insofar as to remove names and identifying details of individuals, where these are not relevant to the request, under Section 37 (Personal Information) of the Freedom of Information Act 2014. Section 37(1) is a mandatory exemption, but also one where a public interest test applies. The redacting of these records has no impact on the substance of the information contained in the records, so on balance, I have decided not to release these details.

Two records contain annexes detailing the bids made under a confidential tendering process. One record details the scoring of the tender process. I have made a decision to exclude details of these bids and of the scoring sheet in its entirety under Section 36 (1)(b) of the Act as the tendering process is a commercially competitive exercise. The tenderers' competitiveness may be harmed if the individual tenders are revealed. I am satisfied that the public interest is not served in violating the confidential nature of the tendering process.

Two records have been refused under s32(1)(a)(iii) of the Act. This is a mandatory exemption under the Act and I am obliged to refuse access to records falling under those sections of the Act.

Eleven records have been refused under s33(1)(d) of the Act. I have considered the possibility and likelihood that the release of the records could result in negative consequences for Ireland's international relations. This Department is responsible for managing relations between Ireland and 27 other EU Member States in a complex and diverse environment. Successful diplomatic relations depend 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 and could substantially impair the good relations we have with another state. It is important to maintain that mutuality of trust to protect and promote Ireland's interests internationally. On balance, I am satisfied that the balance favours refusal rather than release.

**All records related to departmental dinner and residential stay of Mr Jean Claude Juncker at Farmleigh on Thursday June 21st, to include all invoices, notes, menus, orders, requests, etc.**

I have identified 18 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant your request with respect to six of these records and to part-grant a further six.

These part-granted records have been edited only insofar as to remove names and identifying details of individuals, where these are not relevant to the request, under Section 37 (Personal Information) of the Freedom of Information Act 2014. Section 37(1) is a mandatory exemption, but also one where a public interest test applies. The redacting of these records has no impact on the substance of the information contained in the records, so on balance, I have decided not to release these details.

Four records contain details of the bids made under a confidential tendering process. One record details the scoring of the tender process. I have made a decision to exclude details of these bids and of the scoring sheet in its entirety under Section 36 (1)(b) of the Act as the tendering process is a commercially competitive exercise. The tenderers' competitiveness may be harmed if the individual tenders are revealed. I am satisfied that the public interest is not served in violating the confidential nature of the tendering process.

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Ireland's international relations. This Department is responsible for managing relations between Ireland and 27 other EU Member States in a complex and diverse environment. Successful diplomatic relations depend 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 and could substantially impair the good relations we have with another state. It is important to maintain that mutuality of trust to protect and promote Ireland's interests internationally. On balance, I am satisfied that the balance favours refusal rather than release.

### **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

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Daniel Lowe  
Assistant Chief of Protocol  
Department of Foreign Affairs and Trade