

# Freedom of Information Publication Scheme

Prepared Under Section 8 of the Freedom of Information Act 2014

This publication is also available in the [Irish language](#)

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# PART 1: Access to Information Relating to the Office of the DPP

## 1.1 Introduction

The Freedom of Information (FOI) Act established three statutory rights:

- (i) a legal right for each person to access information held by public bodies;
- (ii) a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading;
- (iii) a legal right to obtain reasons for decisions affecting oneself.

The Act asserts the right of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

This publication scheme is prepared in accordance with publication requirements set out in section 8 of the FOI Act 2014.

## 1.2 Routinely Available Information

General information in relation to the Office of the Director of Public Prosecutions is routinely available to the public.

Contact Point	Information Available	Contact Details
<b>Victims Liaison Unit</b>	<ul style="list-style-type: none"> <li>• General queries relating to the Office</li> </ul>	Tel: +353 (0)1 858 8500 Fax: +353 (0)1 642 7406
<b>Governance &amp; Public Affairs Unit</b>	<ul style="list-style-type: none"> <li>• Requests for information booklets and other Office publications</li> </ul>	Tel: +353 (0)1 858 8500 Fax: +353 (0)1 642 7406
<b>Office Website</b>	<ul style="list-style-type: none"> <li>• Information in relation to the role of the Office</li> <li>• Copies of all Office publications</li> <li>• Copies of other relevant documents and reports</li> <li>• Links to other relevant national and international agencies within the criminal justice system</li> <li>• Information for victims and witnesses</li> <li>• Brief guide to the Criminal Justice System</li> <li>• Financial Information</li> </ul>	<a href="http://www.dppireland.ie">www.dppireland.ie</a>

Such information will continue to be available informally without the need to use the FOI Act.

### 1.3 Information Accessible Under the FOI Act

The FOI Act is designed to allow public access to information held by public bodies which is NOT routinely available through other sources. Access to information under the Act is subject to certain exemptions and involves specific procedures and time limits.

Under section 42(f) of the Act there is a specific exemption relating to records created or held by the Office of the Director of Public Prosecutions, other than records concerning the general administration of the Office. **This means that files relating to criminal prosecutions are not accessible to the public under the FOI Act.**

This publication scheme provides a guide to the structure of the Office to help you access information concerning the general administration of the Office under the FOI Act.

Copies of this publication are available on the website.

Contact Point	Contact Details
	Tel: +353 (0)1 858 8500
Office Website	<a href="http://www.dppireland.ie">www.dppireland.ie</a>

### 1.4 Financial Information

Details of payments for goods and services of more than €20,000 including VAT are updated quarterly and made available on our website [www.dppireland.ie/compliance/freedom-of-information](http://www.dppireland.ie/compliance/freedom-of-information).

## PART 2: Functions and Description of the Office of the DPP

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### 2.1 Functions of the Office of the Director of Public Prosecutions

The office of the Director of Public Prosecutions was established by the Prosecution of Offences Act, 1974. The Act provided for the transfer to the Director of all functions previously performed by the Attorney General in relation to criminal matters and election and referendum petitions. The principal such function is the power to prosecute criminal offences.

The prosecution of offences involves three principal functions:

- (i) **The investigation** – this function is carried out by the Garda Síochána. The DPP has no investigative function. However, she does co-operate regularly with the Garda Síochána during the course of criminal investigations, particularly in furnishing relevant legal and prosecutorial advice.
- (ii) **The decision to prosecute or not to prosecute** – this function is carried out by the Directing Division of the Office of the DPP and also includes decisions to withdraw proceedings or to accept pleas to lesser offences, decisions to bring appeals in relation to points of law or decisions to seek review of unduly lenient sentences.
- (iii) **The presentation of the prosecution case in court** – this function is carried out in Dublin by the Solicitors Division of the Office of the DPP and includes the conduct of summary prosecutions on behalf of the Director in all Courts sitting in Dublin, the preparation of books of evidence, the general preparation of indictable cases and attendance on counsel at the hearing. Outside Dublin a similar function is carried out on behalf of the Director by 30 local state solicitors.

The Director is independent in the performance of her functions.

The Office of the Director of Public Prosecutions does not provide legal advice to the general public.

### 2.2 Mission Statement

The Mission Statement of the Office of the Director of Public Prosecutions is:

***“To provide on behalf of the People of Ireland a prosecution service that is independent, fair and effective”***

The independence of the Office was a key reason for its establishment. Subject to the Courts, the Director is independent of all other bodies and institutions, including both the Government and the Garda Síochána, and decisions are taken free from political or other influence.

The Office is committed to operating to the highest professional standards and to treating all those with whom it has dealings fairly, equally and consistently without any wrongful discrimination.

### 2.3 The Criminal Prosecution Process

The following chart illustrates the criminal prosecution process and sets out clearly the role of the Office of the Director of Public Prosecutions within that process:

AN GARDA SÍOCHÁNA & SPECIALISED INVESTIGATING AGENCIES	
<ul style="list-style-type: none"> <li>• Conduct independent criminal investigations</li> <li>• Conduct most summary prosecutions in District Court in relation to <i>lesser offences</i> (subject to DPP's power to give directions)</li> <li>• Prepare and submit files to the Solicitors Division of the DPP's Office (Dublin cases) or to the local state solicitor (cases outside Dublin) in relation to more <i>serious offences</i></li> </ul>	
SOLICITORS DIVISION, OFFICE OF THE DPP (Cases to be heard in Dublin)	LOCAL STATE SOLICITOR (Cases to be heard outside Dublin)
<ul style="list-style-type: none"> <li>• Conduct certain summary prosecutions in District Court</li> <li>• Submit investigation files to Directing Division of the DPP's Office for directions               <ul style="list-style-type: none"> <li>• Prepare cases for Court</li> </ul> </li> </ul>	
SOLICITORS DIVISION, OFFICE OF THE DPP (Cases to be heard in Dublin)	
<ul style="list-style-type: none"> <li>• Examines files received from Solicitors Division and local state solicitors               <ul style="list-style-type: none"> <li>• Directs initiation or continuance of a prosecution</li> </ul> </li> <li>• Provides ongoing instruction and legal advice to the Solicitors Division and local state solicitors until case at hearing is concluded</li> <li>• Advises the Garda Síochána and specialised investigating agencies and gives directions on preferral of charges</li> </ul>	
SOLICITORS DIVISION, OFFICE OF THE DPP (Cases to be heard in Dublin)	LOCAL STATE SOLICITOR (Cases to be heard outside Dublin)
<ul style="list-style-type: none"> <li>• Implement directions from Directing Division               <ul style="list-style-type: none"> <li>• Attend hearings in District Court</li> <li>• Prepare book of evidence in indictment cases</li> </ul> </li> <li>• Brief and assist nominated barrister conducting prosecution               <ul style="list-style-type: none"> <li>• Attend trial and report outcome to Directing Division</li> </ul> </li> <li>• Provide liaison service to agencies and parties involved in the criminal process               <ul style="list-style-type: none"> <li>• Direct on and conduct Judicial Review Cases</li> <li>• Prosecute appeals in the Court of Appeal (Criminal)</li> </ul> </li> </ul>	
PROSECUTING COUNSEL	
<ul style="list-style-type: none"> <li>• Appear in Court and conduct prosecutions on indictment on behalf of and in accordance with the instructions of the DPP</li> </ul>	
COURTS	
<ul style="list-style-type: none"> <li>• Case at hearing (arraignment, trial)</li> <li>• Case outcome (conviction/acquittal)               <ul style="list-style-type: none"> <li>• Sentencing</li> </ul> </li> </ul>	



## 2.4 Description of the Office of the Director of Public Prosecutions

The office of the Director of Public Prosecutions was established by the Prosecution of Offences Act, 1974. The Director of Public Prosecutions is referred to as the DPP. The Office of the DPP is made up of four Divisions.

- i) The **Directing Division** consists of barristers and solicitors who examine criminal investigation files and decide whether or not a prosecution should be taken.
- ii) The **Solicitors Division** consists of solicitors and legal executives who prepare and conduct cases on behalf of the DPP in all courts sitting in Dublin.
- iii) The **Prosecution Support Services Division** incorporates the Prosecution Policy and Research Unit which provides legal and policy research, develops prosecution policies and advises on legal policy documents referred to the Office for consideration; the Library Unit which provides information and know-how services for both legal and administration staff; the Victims Liaison Unit which is responsible for ensuring that the Office meets its obligations as set out in EU Directive 2012/29/EU, establishing minimum standards on the rights, support and protection of victims of crime; and the International Unit which deals with areas of international criminal law, including extradition, European Arrest Warrants and requests for mutual legal assistance.
- iv) The **Corporate Services Division** provides organisational, infrastructural, administrative and information services required by the Office and support to both the Directing and Solicitors Divisions.

## 2.5 Organisation Structure

### **DIRECTOR OF PUBLIC PROSECUTIONS**

Catherine Pierse

### **DEPUTY DIRECTOR OF PUBLIC PROSECUTIONS**

Marion Berry

### **DIRECTING DIVISION**

**Head of Directing Division:** Elizabeth Howlin

**Unit Heads:** Raymond Briscoe, Padraic Taylor

**Special Financial Crime Unit:** Henry Matthews (Head of Unit)

**Sexual Offences Unit:** Noreen Landers (Head of Unit)

### **SOLICITORS DIVISION**

**Chief Prosecution Solicitor:** Helena Kiely

**Appeals Section:** Peter McCormick (Head of Section)

**Circuit Court Section:** Stephanie O'Brien (Head of Section)

**District Court Section:** Declan Keating (Head of Section)

**Judicial Review Section:** Caroline Deacy (Head of Section)

**Superior Courts Section:** Liam Mulholland (Head of Section)

### **PROSECUTION SUPPORT SERVICES DIVISION**

**Head of Prosecution Support Services Division:** Nicholas Donnelly

**International Unit:** Deirdre Manninger (Head of Unit)

**Prosecution Policy & Research Unit:** Claire O'Regan (Head of Unit)

**Library Unit:** Marie Campion (Law Librarian)

**Victims Liaison Unit:** Helen Kealy (Head of Unit)

### **CORPORATE SERVICES DIVISION**

**Head of Corporate Services Division:** Brian O'Malley

**Governance and Public Affairs:** Orlagh Flood (Head of Unit)

**Human Resources and Organisational Development:** Janet Buckley (Head of Unit)

**Finance Unit:** John Byrne (Head of Unit)

**Information and Communications Technology:** Paul Spring (Head of Unit)

**Organisation & General Services:** Joe Mulligan (Head of Unit)

**Strategy:** Elaine Monaghan (Head of Unit)

# PART 3: Structure and Organisation of the Divisions of the Office of the DPP

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## 3.1 Directing Division

Structure of Directing Division
Prosecutors (Barristers & Solicitors)
Higher Executive Officer
Executive Officers
Clerical Officers

The function of the Directing Division is to determine, following an examination of an investigation file, whether there should be a prosecution or whether a prosecution commenced by the Garda Síochána should be maintained.

The direction which issues indicates the charges, if any, to be brought before the courts. In some cases further information and investigation may be required before a decision can be made.

The decision to prosecute is based on a prima facie case – evidence which could, though not necessarily would, lead a court or a jury to decide, beyond reasonable doubt, that the person is guilty of the offence.

**Delivery of Service:**

- Examines criminal investigation files received from the Solicitors Division and local state solicitors
- Directs initiation or continuance of a prosecution
- Nominates barristers to prosecute cases on indictment (before Circuit, Central and Special Criminal Courts)
- Provides ongoing instruction and legal advice to the Solicitors Division and local state solicitors until case at hearing is concluded
- Advises specialised investigating agencies and gives directions on preferral of charges

**Services provided to members of the public:**

- The Directing Division considers files submitted by An Garda Síochána and other specialised investigating agencies, Revenue Commissioners, local authorities and other agencies involved in the criminal justice process. It does not provide services directly to the public.

**Classes of records held:**

- Records relating to criminal prosecutions

Under section 42(f) of the Act there is a specific exemption relating to records created or held by the Office of the Director of Public Prosecutions, other than records concerning the general administration of the Office. **This means that files relating to criminal prosecutions are not accessible to the public under the FOI Act.**

### Directing Division Administration Section

**Delivery of Service:**

- Provides a file registration, tracking and information service to the staff of the DPP’s Office

**Services provided to members of the public:**

- The Section does not provide services directly to members of the public

**Classes of Records held:**

Records relating to:

- Criminal prosecution files
- Judicial Review matters
- General administration

**Information available and contact points:**

General information in relation to the work of the Corporate Services Division is outlined in Office publications such as Annual Reports and Strategy Statements which are available from the Communications & Victims Liaison Unit (see contact details on page 25) or by accessing the Office website, [www.dppireland.ie](http://www.dppireland.ie).

### 3.2 Solicitors Division

Structure of Solicitors Division				
				Appeals Section
Solicitors Executive Officer Clerical Officers	Solicitors Legal Executives Law Clerk Executive Officer Clerical Officers	Solicitors Executive Officer Clerical Officers	Solicitors Legal Executives Clerical Officers	Solicitors Legal Executives Executive Officer Clerical Officer

The function of the Solicitors Division of the Office of the Director of Public Prosecutions is to act for the Director in the preparation and presentation of cases in the Dublin District and Circuit Court, the Central and Special Criminal Courts, the Court of Criminal Appeal, and the High and Supreme Courts.

Outside the Dublin area this function is carried out by 30 local state solicitors who deal with cases in their respective regional areas.

**Delivery of service:**

- Conduct certain summary prosecutions in District Court
- Submit investigation files to Directing Division of the DPP’s Office for directions
- Prepare cases for court
- Implement directions from the Directing Division
- Prepare Book of Evidence in indictment cases
- Brief, assist and instruct nominated barrister conducting prosecution
- Attend trial and record outcome of case
- Provide liaison service to agencies and parties involved in the criminal process

The Solicitors Division provides services mainly to: barristers acting on behalf of the DPP; the Garda Síochána; and other specialised investigating agencies. It liaises with victims of crime and expert witnesses. It does not provide a service directly to members of the public.

**Classes of records held:**

- Records relating to criminal prosecutions

Under section 42(f) of the Act there is a specific exemption relating to records created or held by the Office of the Director of Public Prosecutions, other than records concerning the general administration of the Office. **This means that files relating to criminal prosecutions are not accessible to the public under the FOI Act.**

**3.3 Prosecution Support Services Division**

Structure of Prosecution Support Services Division		
Deputy Chief Prosecution Solicitor (Head of Division)		
International Unit	Prosecution Policy & Research Unit	Victims Liaison Unit
<b>Head of International Unit</b> Senior Prosecutor Prosecutor Executive Officer	<b>Head of Prosecution Policy &amp; Research Unit</b> Senior Prosecutors Prosecutor Legal Researcher Librarian Executive Officer Clerical Officer	<b>Head of Victims Liaison Unit</b> Senior Prosecutors Higher Executive Officer Executive Officer Clerical Officers

**International Unit**

**Delivery of Service**

- Prepare and apply for Extradition and European Arrest Warrants, and mutual legal assistance from other countries
- Seek the recovery of criminal assets

**Services provided to members of the public:**

- The Unit does not provide services directly to members of the public.

**Classes of records held:**

- Records relating to criminal prosecutions

**Prosecution Policy and Research Unit**

The Prosecution Policy and Research Unit develops prosecution policies and advises on legal policy documents.

**Delivery of Service:**

- Design, lead and implement programmes of research
- Respond to proposed legislation
- Advise senior management with regard to policy issues
- Participate on committees and attend meetings relating to prosecution matters, criminal justice issues, and criminal law and procedures
- Develop and maintain library collections, both printed and electronic
- Acquire library stock
- Development of research and know-how facilities
- Provide information service for legal and administrative staff

**Services provided to members of the public:**

- The Unit does not provide services directly to members of the public.

**Classes of Records held:**

Records relating to:

- Research proposals and programmes
- Observations on proposed legislation
- General prosecutorial policy matters and policy considerations
- Material relating to various committees and working groups
- Procurement of library collections
- Tender documents for library equipment and stock
- Licence agreements
- Subscriptions to information services
- Memberships of professional organisations
- Stock records
- Internal library administration files

### Victims Liaison Unit

The Victims Liaison Unit is responsible for ensuring that the Office meets its obligations as set out in EU Directive 2012/29/EU, establishing minimum standards on the rights, support and protection of victims of crime.

**Delivery of Service:**

- Deals with requests for reasons for decisions not to prosecute
- Deals with requests for review of decisions not to prosecute
- Provides telephone information service for victims of crime
- Deals with all general telephone enquiries

**Services provided to members of the public:**

- Provides a telephone information service to victims of crime and members of the public

**Classes of Records held:**

Records relating to:

- Prosecution files which are the subject of requests for reasons or reviews
- General telephone queries

### 3.4 Corporate Services Division

Structure of Corporate Services Division		
<b>Strategy Unit</b>		<b>Governance &amp; Public Affairs Unit</b>
Principal Officer Assistant Principal Officer Executive Officer		Principal Officer Assistant Principal Officer Higher Executive Officer Executive Officer
<b>Finance Unit</b>		<b>Human Resources &amp; Organisation Development</b>
Assistant Principal Officer Higher Executive Officer Executive Officers Clerical Officers		Principal Officer Assistant Principal Officers Higher Executive Officer Executive Officers Clerical Officers
<b>Information Technology (IT) Unit</b>	<b>Organisation &amp; General Services Unit</b>	<b>Secretaries Office</b>
Principal Officers Assistant Principal Officers Higher Executive Officers Executive Officers	Assistant Principal Officer Higher Executive Officer Executive Officers Clerical Officers Services Officers	<b>Director’s Private Secretary:</b> Higher Executive Officer  <b>Senior Managers’ Secretaries:</b> 3 Clerical Officers

The role of the Corporate Services Division is to provide the administrative and other support services

necessary to enable the Office to carry out its statutory function.

## **Strategy Unit**

### **Delivery of Service:**

- Co-ordinates and facilitates strategy projects across the organisation
- Acts as a single point of contact for individual project managers
- Reports to Senior Management Team on progress of change projects

### **Services provided to members of the public:**

- The Strategy Unit does not provide services directly to members of the public

### **Classes of Records held:**

Records relating to:

- Strategical projects

## **Governance & Public Affairs Unit**

### **Delivery of Service:**

- Co-ordination, design, printing and distribution of all Office publications
- Develops and maintains Office website and intranet
- Organises and co-ordinates Office conferences and seminars
- Implements Quality Customer Service Initiative
- Co-ordinates Freedom of Information requests
- Deals with media queries

### **Services provided to members of the public:**

- Deals with requests for copies of Office publications
- Maintains the Office website
- Processes Freedom of Information requests
- Deals with media queries

### **Classes of Records held:**

Records relating to:

- Office publications
- Conferences and seminars
- Quality Customer Service Initiative
- Office website
- Office intranet
- Freedom of Information Requests



- Media queries

## **Finance Unit**

### **Delivery of Service:**

- Ensures adherence to statutory and other financial reporting obligations of the Office
- Processes all general payments
- Arranges payment of fees to counsel
- Prepares Annual Estimates and Appropriation Account
- Development of Financial Systems

### **Services provided to members of the public:**

- Payments made to suppliers of goods and services

### **Classes of Records held:**

Records relating to:

- Annual appropriation account and estimates
- Monthly accounts, reports and returns
- Records of financial transactions
- Financial procedures
- Details of and correspondence with suppliers
- Government initiatives and developments in the financial area

## **Human Resources and Organisation Development**

### **Delivery of Service:**

- Manages the local human resources function within the Office
- Liaises with PeoplePoint – the Civil Service shared HR service – in connection with HR transactional matters
- Liaises with the PSSC (the payroll shared service) in connection with payroll matters
- Ensures that Government policy in relation to employment in the civil service is implemented in the Office
- Develops and implements staff training programmes
- Administers and monitors the Performance Management and Development System
- Co-ordinates the Office's obligations under Equality & Disability legislation
- Develops Office human resources and training strategies and policies
- Deals with industrial relations matters
- Provides Office travel and subsistence services

- Provides Secretariat to Partnership Committee

**Services provided to members of the public:**

- The Unit does not provide services directly to members of the public

**Classes of Records held:**

Records relating to:

- Personnel files
- Staffing
- Recruitment
- Leave and attendance
- Terms and conditions
- Equality and disability
- Performance Management and Development System
- Training records and procedures
- Superannuation
- Office Partnership Committee

## **IT Unit**

**Delivery of Service:**

- Provides IT support service to the staff of the Office
- Maintains existing IT systems
- Procures and develops new IT systems
- Develops Office IT strategy and policies
- Procures and maintains all IT hardware, software and communications technology for the Office
- Maintains and develops the communications infrastructure of the Office
- Liaises with other bodies in the Criminal Justice System to develop better communications and sharing of information

**Services provided to members of the public:**

- The Unit does not provide services directly to members of the public

**Classes of Records held:**

Records relating to:

- IT projects
- IT procurement
- Office software, hardware, communications and systems

- IT Procedure and user help documentation

## **Organisation and General Services Unit**

### **Delivery of Service:**

- Ensures adequate office accommodation needs are met and accommodation is maintained to required standards
- Procures and arranges maintenance of Office machinery and equipment
- Purchases Office stationery and supplies
- Ensures adherence to Health and Safety legislation
- Maintains record of assets
- Provides other Office support services on a contract basis e.g. security, courier services, grounds maintenance

### **Services provided to members of the public:**

- The Unit does not provide services directly to members of the public

### **Classes of Records held:**

Records relating to:

- Accommodation
- Office equipment and supplies
- Assets Register
- Contracts Register
- General Procurement of goods and services

## **Office of the Private Secretary to the Director**

### **Delivery of Service:**

- Provision of secretariat for the Director
- Co-ordination of Parliamentary Questions

### **Services provided to members of the public:**

- The Office does not provide services directly to members of the public.

### **Classes of Records held:**

Records relating to:

- Director's general correspondence
- Management Board minutes
- Parliamentary Questions
- Conference & seminar papers

## **Office of the Secretaries to the Senior Managers**

### **Delivery of Service:**

- Provision of secretariat for the Deputy Director, Chief Prosecution Solicitor and Head of Directing Division

### **Services provided to members of the public**

- The Office does not provide services directly to members of the public.

### **Classes of Records held:**

Records relating to:

- Deputy Director, Chief Prosecution Solicitor and Head of Directing Division's general correspondence
- Material relating to various committees and working groups
- Conference & seminar papers

## **3.6 Information Available and Contact Points**

General information in relation to the work of all four Divisions is outlined in Office publications such as Annual Reports, Strategy Statements, and Information Booklets which are available on the Office website, [www.dppireland.ie](http://www.dppireland.ie).

# PART 4: How the Act Operates in the Office of the DPP

## 4.1 Entitlements Under the FOI Act 2014

Under the FOI Act, anyone is entitled to apply for access to information held in the Office of the Director of Public Prosecutions relating to the general administration of the Office which is not otherwise publicly available. Each person has a right to:

- access records held by this Office concerning the general administration of the Office;
- correction of personal information relating to oneself held by this Office concerning the general administration of the Office, where such information is inaccurate, incomplete or misleading;
- access to reasons for decisions made by this Office concerning the general administration of the Office which directly affect oneself.

The following records come within the scope of the Act

- all records concerning the general administration of the Office relating to personal information held by the Office, irrespective of when created
- all other records concerning the general administration of the Office created from commencement date of 21 April 1998
- any of the records concerning the general administration of the Office necessary to the understanding of a current record

**EXEMPTION NOTICE**

Under section 42(f) of the Freedom of Information Act 2014 there is a specific exemption relating to records created or held by the Office of the Director of Public Prosecutions, other than records concerning the general administration of the Office. **This means that files relating to criminal prosecutions are not accessible to the public under the FOI Act.**

## 4.2 How to Make an Application Under the FOI Act

Applications for information under the FOI Act for this Office should be addressed to:

Contact Point	Contact Details
Freedom of Information Unit, Office of the Director of Public Prosecutions, Infirmary Road, Dublin 7.	Tel: +353 (0)1 858 8500 Email: <a href="mailto:foi@dppireland.ie">foi@dppireland.ie</a>

Your application should be in writing. You may use the application form entitled ‘Request for Information under the Freedom of Information Act’ which is available from the Freedom of Information Unit (Tel. +353 (0)1 858 8500) or which can be accessed on the Office website, [www.dppireland.ie](http://www.dppireland.ie).

If you are not using the application form you should indicate that your application is being made under the Freedom of Information Act.

Please indicate if information is desired in a particular form i.e. photocopy, computer disk, etc.

Please give as much detail as possible to enable the staff of the Office to identify the record. If you have difficulty in identifying the precise records which you require, the staff of the Office will be happy to assist you in preparing your request.

If you are seeking personal information, your application should be accompanied by some form of identification such as your birth certificate, driving licence, passport or other form of identity.

Please include a day time telephone number so that you can be contacted if it is necessary to clarify details of your request.

### **4.3 Assistance for Persons with a Disability**

Persons who are unable to read, print and/or write due to a disability will be afforded every assistance by the staff of the FOI Unit to exercise their rights under the FOI Act.

### **4.4 The FOI Decision Making Process**

Decisions on FOI applications are made by officers, at a level not below Higher Executive Officer, who have been delegated by the Director as FOI Decision Makers. Internal Review decisions are made by officers, at a level not below Assistant Principal level, who have been delegated by the Director as Internal Reviewers under section 20 of the FOI Act.

Applications under the FOI Act are acknowledged by the FOI Unit within two weeks of receipt. The Unit then forwards the application to the Decision Maker in whose section the relevant records are held. The Decision Maker will deal with the request within four weeks. If consultation with a third party is required the decision will be made within seven weeks of receipt.

### **4.5 Rights of Review and Appeal**

The Act sets out a series of exemptions to protect sensitive information, the disclosure of which may damage key interests of the State or of third parties. Where a Department/Office invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access, etc. may also be the subject of appeal. Details of the appeals mechanisms are set out below.

### **4.6 Internal Review**

You may seek internal review of the initial decision if:

- you are dissatisfied with the initial response received i.e. refusal of information, form of access, charges, etc.; or
- you have not received a reply within 4 weeks of your initial application. This is deemed to be a refusal of your request and allows you to proceed to internal review.

An internal review will be carried out by an official of a higher grade than the official whose decision is being appealed. Requests for an internal review should be submitted to:

Contact Point	Contact Details
Freedom of Information Unit, Office of the Director of Public Prosecutions, Infirmary Road, Dublin 7.	Tel: +353 (0)1 858 8500 Email: <a href="mailto:foi@dppireland.ie">foi@dppireland.ie</a>

Such a request for internal review must be submitted within 4 weeks of the initial decision. The Office must complete the review within 3 weeks. You will be notified in writing of the outcome. Internal review must normally be completed before an appeal may be made to the Information Commissioner.

#### 4.7 Review by the Information Commissioner

If still dissatisfied following completion of internal review, you may seek independent review of the decision from the Information Commissioner. Also, if you have not received a reply to your application for internal review within 3 weeks, this is deemed to be a refusal and you may appeal the matter to the Commissioner.

Appeals in writing may be made directly to the Information Commissioner at the following address:

Contact Point	Contact Details
Office of the Information Commissioner, 18 Lower Leeson Street, Dublin 2.	Tel: +353 (0)1 639 5689 Fax: +353 (0)1 639 5674 E-Mail: <a href="mailto:info@oic.ie">info@oic.ie</a> Website: <a href="http://www.oic.gov.ie">www.oic.gov.ie</a>

#### 4.8 Fees

##### Fees for Requests

There is no charge for submitting a request. In respect of non-personal requests, other charges may be applied for the time spent finding records and for any reproduction costs incurred by the Office in providing you with the material requested (search, retrieval and copying charges). Where the cost of search, retrieval and copying is less than €101, no fee is charged. Where the cost of search, retrieval and copying is greater than €500 but less than €700, a maximum charge of €500 applies. Where the cost of search, retrieval and copying is greater than €700, the body can refuse to process the request. Details of actual charges relating to your request will be notified to you in writing. A deposit may be payable where the total additional fee is likely to exceed €50. A list of relevant fees is set out below:

- There is no charge for submitting a request
- Search and Retrieval - €20 per hour (for requests that exceed the €100 minimum in terms of search, retrieval and copying), subject to the ceilings mentioned above
- €0.04 per sheet for a photocopy
- Internal review fee €30 (€10 for medical card holders)

- Appeal to the Information Commissioner €50 (€15 for medical card holders)

**Notes:**

There is no charge if the records concerned contain only personal information relating to the applicant, unless there are a significant number of records.

If you are claiming a reduced application fee, the request must be accompanied by Medical Card registration number, issuing Health Board name and your consent to the verification of these details with that Health Board.

## **4.9 Confidentiality Policy**

It should be borne in mind that only those records concerning the general administration of the Office come within the scope of the FOI Act and in that context the Office of the Director of Public Prosecutions undertakes to hold any information provided to it by individuals or others, not relating to the general administration of the Office, on a confidential basis.

Individuals or bodies supplying information to this Office relating to general office administration who do not want such information disclosed because of its sensitive nature, must make this clear and specify the reasons for the sensitivity of the information. The Office will consult with any individual or body so supplying sensitive information before making a decision under any Freedom of Information application received.

In the event that any information supplied relating to general office administration is not identified as confidential, with supporting reasons, then it is likely to be released in response to an FOI application. It should also be noted however that even if information supplied by an individual or bodies is marked confidential the Office may decide, following consultation, to release such information under FOI.



## **PART 5: Information on Rules, Practices & Procedures in Relation to Decision Making by the Office**

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### **5.1 Requirements of Section 8 of the Freedom of Information Act 2014**

Section 8 of the Freedom of Information Act 2014 requires FOI bodies to prepare and publish as much information as possible in an open and accessible manner on a routine basis outside of FOI, having regard to the principles of openness, transparency and accountability as set out in Sections 8(5) and 11(3) of the Act. This allows for the publication or giving of records outside of FOI provided that such publication or giving of access is not prohibited by law. The scheme commits FOI bodies to making information available as part of their normal business activities in accordance with this scheme.

The intention is to make available publicly the rules, procedures and practices under which a public body makes decisions which may affect members of the public so that every citizen can make an informed judgment as to whether their entitlements have been accorded to them in full.

Because of the restriction set out at section 42(f) of the FOI Act 2014, the publication of rules, procedures and practices as outlined above applies only to those records relating to the general administration of the Office of the Director of Public Prosecutions.

The Office of the Director of Public Prosecutions administers no enactments or schemes relating to the general administration of the Office other than those which apply to the Public Sector generally.

### **5.2 Enactments or Schemes Applying to the Public Sector**

These include matters relating to pay and conditions of service, the rules and practices applying to human resource management, and the conventions and procedures applying to Public Sector financial management. The following is an example of the material referred to:

- Civil Service Regulations Acts
- Remuneration
- Personnel Code
- Superannuation Schemes
- Rules, procedures, practices and guidelines on IT related procurements, including telecommunications and office machinery
- Advice and guidance on IT technical strategies and standards
- Training
- Public Financial Procedures

## PART 6: Contact Details for the Office of the DPP

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### 6.1 Freedom of Information

Freedom of Information requests or enquiries can be made to:

Contact Point	Contact Details
Freedom of Information Unit, Office of the Director of Public Prosecutions, Infirmarary Road, Dublin 7.	Tel: +353 (0)1 858 8500 Email: <a href="mailto:foi@dppireland.ie">foi@dppireland.ie</a>

### 6.2 Press Queries

Media enquiries can be made to:

Contact Point	Contact Details
Media Liaison Officer, Office of the Director of Public Prosecutions, Infirmarary Road, Dublin 7.	Tel: +353 (0)1 858 8500 Email: <a href="mailto:media.liaison@dppireland.ie">media.liaison@dppireland.ie</a>

### 6.3 General information

General information in relation to the work of the various divisions/units in the Office is set out in Office publications such as Annual Reports, Strategy Statements and Guidelines for Prosecutors, all of which are available by accessing our website.

Information booklets on the Role of the DPP, Going to Court as a Witness, How we make prosecution decisions, How to request reasons and reviews, and Making a Victim Impact Statement are also available on our website.

Contact Point	Contact Details
Office Website	<a href="http://www.dppireland.ie">www.dppireland.ie</a>

The Victims Liaison Unit deals with all general telephone queries.

Contact Point	Contact Details
Victims Liaison Unit, Office of the Director of Public Prosecutions, Infirmarary Road, Dublin 7.	Tel: +353 (0)1 858 8500 Fax: +353 (0)1 642 7406