



An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs

Our Ref: Fol/Req/21/112

Date: 30 July 2021

Dear Valerie O'Brien

I refer to the request which you have made under the Freedom of Information Act 2014 (FOI Act) for access to records held by this Department, as follows:

(1) I wish to be provided with copies of any agreements or policies that exist between DFA, Irish Passport Office and other European member states and the UK which deal with the requirement to share information on a person who is subject to a European Arrest Warrant.

The dates of interest to me are between 01/06/20 and the 31/07/20.

(2) I wish to request any records of occasions when the Passport Office informed EU member states or UK agencies that a person on foot of a European Arrest Warrant has applied for an Irish passport/ is issued with an Irish passport between the 01/06/20 and 31/07/20.

(3) I am writing to request records of the number of occasions and the dates that personal contact details were provided to other European member states and UK agencies about individuals who are on foot of a European Arrest Warrant between the 01/06/20 and 31/07/20 and have applied for an Irish passport. I wish to obtain a record of the types of contact details shared, e.g. Mobile number/ postal address/ email address/ personal IP address/ VPN address from 01/06/20 until 31/07/20.

(4) I wish to request all records of incidences where the Irish passport office has forwarded details of Irish citizens to European law enforcement agencies and UK law enforcement agencies, who are wanted on foot of a European Arrest Warrant. I wish to request records of dates when such information was exchanged between 01/06/20 and 31/07/20.

I refer also to the acknowledgement of your request which was sent to you on 29 July 2021.

I would like to apologise for the the long delay in responding to your request. The Passport Service has been working to process a backlog of passport applications which occurred as a consequence of covid-19 work restrictions and this has put immense pressure on staff.

I have made a decision to refuse your request under Section 32 (2) (Law Enforcement and Public Safety) of the FOI Act. Your request is for records relating to law enforcement and public safety. The FOI Act, under Section 32 (2), provides for the refusal of a request for access to records concerning such matters, should such records exist.

In my opinion, disclosing whether or not the records you are seeking exist or do not exist, could reasonably be expected to (and I quote from Section 32)—

“(1) (a) prejudice or impair—

- (i) the prevention, detection or investigation of offences, the apprehension or prosecution of offenders or the effectiveness of lawful methods, systems, plans or procedures employed for the purposes of the matters aforesaid,
- (ii) the enforcement of, compliance with or administration of any law,
- (iii) lawful methods, systems, plans or procedures for ensuring the safety of the public and the safety or security of persons and property. . .

(b) endanger the life or safety of any person,
(c) facilitate the commission of an offence. . .”

For information, the full text of Section 32 (1) and Section 32(2) of the FOI Act can be found in an appendix to this letter.

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.

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

Fergal O’Flaherty
Passport Office
Department of Foreign Affairs