



Dr Liam Thornton
Lecturer in Law
Room L 129
UCD School of Law
Dublin

22 November 2019

Decisions – Letter to applicant refusing request for FOI-2019-14375 - FOI Refused

Dear Liam

I refer to the request which you made under the Freedom of Information Act 2014 for records held by this Department:

Any discussions/documentation that occurred within DEASP (including with other Government departments) as regards proposals for raising direct provision allowance/ daily expenses allowance for international protection applicants (asylum seekers) for Budget 2020.
The time limitation on this request is 01 January 2019 to Budget Day.

I have now made a final decision to **refuse** your request on 22/11/2019.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. Findings, particulars and reasons for decisions to deny access,
2. Right of appeal.

This letter addresses each of these parts in turn.

1. Findings, particulars and reasons for decisions to deny access

Section 15(1)(a) of the FOI Act 2014 states that an FOI request may be refused if:

‘the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken’

I have carried out a search of records and have consulted with a number of areas within the Department, and I am satisfied that the Department does not hold any records concerning proposals for Budget 2020 to amend the rate of Daily Expenses Allowance. Therefore, I must refuse your request under Section 15(1)(a) of the FOI Act 2014.

2. Right of Appeal regarding the FOI Request

In the event you are not happy with my decision you can request a review of this matter by writing to Jacqui McCrum, c/o SWA Section, SWSO, College Road, Sligo or alternatively by sending an e-mail to FOIReview@welfare.ie. You should request the review of my decision, within 20 working days (4 weeks), of

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the date of this notification. However, a request for a review made outside of this timeframe may be permitted in appropriate circumstances. Your request for an Internal Review should include a fee of €30 (€10 for medical card holders). **Section 27(13) of the FOI Act requires that such a fee is paid in order for an internal review request to be valid.**

Payment should be made using one of the following options:

1. Directly by Electronic Funds Transfer (EFT) to:

Bank Name: BOI College Green, Dublin 2

Account Name: Non-Debt Recovery Account

BIC (**Bank Identifier Code**): BOFIE2D

IBAN (**International Bank Account Number**): IE86 BOFI 9000 1775 5558 28

Payment Reference No: FOI-YYYY-NNNN (i.e. FOI Reference Number as above).

2. By way of bank draft, money order, payable order or personal cheque made payable to The Accountant, Department of Employment Affairs and Social Protection.

Please ensure that the FOI Reference No FOI-2019-14375 is quoted with your payment to ensure that the fee paid is associated with your FOI request without delay.

A review in this instance is concerning FOI related matters **only**. It will involve a complete reconsideration of the matter by a more senior member of staff in this Department.

I can be contacted at [REDACTED] should you wish to discuss the above.

Yours sincerely,

Des Henry

Principal Officer
Social Welfare Services Office
College Road
Sligo

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