

An Roinn Oideachais agus Scileann
Corr na Madadh
Baile Átha Luain
Co. na hIarmhí



Department of Education and Skills
Cornamaddy
Athlone
Co. Westmeath

15 September 2016



Re: FOI request 2016/293

I refer to the request which you made under the Freedom of Information Act 1997, 2003 and 2014 for records held by this body:

- All records held by the Department of Education and Skills in relation to the compilation of the Report of the Inter-Departmental Group on Mother and Baby Homes. This request covers the period from 1st June 2014 to 31st July 2014.
- All records held by the Department of Education and Skills in relation to the Report of the Inter-Departmental Group on Mother and Baby Homes. This request covers the period from 1st June 2014 to 31st July 2014.

The requests are for records that include but are not limited to:

- Internal correspondence (including with other government departments)
- External correspondence
- Minutes of meetings
- Notes or memos in relation to discussions or telephone calls
- Draft documents
- Draft correspondence
- Draft speeches

I have now made a final decision to refuse your request on 15 September 2016 in accordance with Sections 15 and 31 of the Freedom of Information Act 2014.

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

1. A schedule of all of the records covered by your request;
2. An explanation of the relevant findings concerning the records to which access is denied, and
3. A statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.

1. Schedule of records

I have enclosed a schedule containing the documents that this body considers relevant to your request. A description of each document is given and reference is made to the relevant sections of the Freedom of Information Act 2014 which apply to prevent release.

2. Reasons for decisions to deny access

The work of the Inter-Departmental Group on Mother and Baby Homes is not completed. Also the work of the Commission of Inquiry into Mother and Baby Homes is ongoing.

The relevant sections of the Legislation are:

Section 15(1)(d) – The information is already in the public domain

'A head to whom an FOI request is made may refuse to grant the request where – the information is already in the public domain'.

Section 31(2)(b) – The information relates to the business or proceedings of a tribunal or other body appointed by Government.

'A head may refuse to grant an FOI request if the record concerned relates to the appointment or proposed appointment, or the business or proceedings, of—

(b) any other tribunal or other body or individual appointed by the Government or a Minister of the Government to inquire into specified matters at least one member, or the sole member, of which holds or has held judicial office or is a barrister or a solicitor'.

3. Right of appeal

You may appeal this decision. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Education and Skills, Marlborough Street, Dublin 1 or email foi@education.gov.ie. Your correspondence should include a fee of €30 for processing the appeal. Payment should be made by way of personal cheque or postal money order made payable to the accountant in the Department of Education and Skills. Please note the Department of Education and Skills no longer accept cheque payments from business users. For further information regarding payment methods for business users, please email foi@education.gov.ie

You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. 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 body.

Should you have any questions or concerns regarding the above, please contact me by telephone at 090 648 3876.

Yours sincerely,



Breda Redmond
Higher Executive Officer