

**Mullen, Siobhan**

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**From:** Newcombe, Derek  
**Sent:** 30 January 2018 12:12  
**To:** [REDACTED]  
**Cc:** Mullen, Siobhan  
**Subject:** FW: FOI 2018/4  
**Attachments:** Scientology letter.pdf

30<sup>th</sup> January 2018

[REDACTED]

**Re: FOI request 2018/4**

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

"I would like to apply for copies of records/correspondence/submissions that pertain to the Church of Scientology or any of its associated organisations held by the Minister's office. The timeline of my request September 2017 to date".

I, Derek Newcombe, Private Secretary, have now made a final decision to refuse your request on 30<sup>th</sup> January 2018.

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

1. an explanation of the relevant findings concerning the records to which access is denied, and
2. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these two parts in turn.

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

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

**Section 15(1) – A head to whom an FOI request is made may refuse to grant the request where – Refusal on administrative grounds to grant the FOI request.**

- (a) The record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken.**

However, as per conversation with my office, correspondence was received from the Church of Scientology in February 2017 which is outside the timeframe of your FOI. I have enclosed this correspondence as a courtesy. Please see below a link to the document referred to in the correspondence for ease of reference.

<https://www.freedommag.org/magazine/201612-the-expansion-issue/>

### **2. 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 D01 RC96 or email [foi@education.gov.ie](mailto: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](mailto: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.

### **Publication**

All non-personal FOI requests will be recorded on an FOI disclosure log which will be published on the Department of Education and Skills website in due course.

Should you wish to discuss the above, please contact me by telephone at [01 - 8892221].

Yours sincerely,

Derek Newcombe  
Private Secretary