



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

13th July 2017

Emmet Doyle

Our Ref: FOI/Req/17/098

Dear Mr Doyle,

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

- *Any correspondence to or from the Bloody Sunday Trust in the last five years, especially those specifically relating to the funding of the new museum*
- *A copy of all versions of any funding applications lodged by the Bloody Sunday Trust for either capital or revenue funding with relation to the new museum*
- *Any correspondence or minutes of meetings with the Bloody Sunday Trust or members of staff at the museum regarding any funding applications, and any record of discussions regarding the content of the exhibitions at the museum*
- *A copy of any internal documents or advice relating to the funding, either capital or revenue, of the new Museum of Free Derry*
- *A copy of any emails, sent or received, regarding any funding applications made by the Bloody Sunday Trust regarding the new Museum of Free Derry*

I have identified 35 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant six of the records, part-grant fifteen of the records, and to refuse fourteen of the records.

Under section 35(1)(a) of the Act, I have an obligation to refuse to grant an FOI request when the records concerned contain information given in confidence, on the understanding that it would be treated as confidential, and in cases where its disclosure would be likely to prejudice the sharing of similar information in the future. I have considered the public interest concerning access to information and the need for an open and accountable civil service. I have also considered whether granting access to the records would impair future sources of

important information without any countervailing benefit to the public. I am satisfied that in this case the balance favours refusal rather than release. Consequently, I have made a decision to refuse to grant access to five of these records (records 1, 5, 9, 14, and 18) on the basis that the release of these records would violate this requirement to maintain confidentiality. On the same basis, I am also granting partial access only to a further six records (records 23, 24, 25, 26, 27 and 28).

Furthermore, having given very careful thought to the provisions associated with section 29(1) of the Freedom of Information Act 2014, I have made the decision to refuse access to six records (records 4, 8, 12, 13, 17, and 22) which contain matter relating to deliberative processes.

I have further identified eleven records (1, 4, 5, 8, 9, 12, 13, 14, 17, 18, and 22) which, having given extremely careful consideration as to the possibility of adverse effects on matters relating to Northern Ireland, I have decided to withhold access under section 33(1)(c) of the Freedom of Information Act 2014. Under the same provision, I have also decided to grant partial access only to a further six records (records 23, 24, 25, 26, 27, and 28).

Under section 33(2)(b) of the Freedom of Information Act, I am obliged to refuse access to certain communications between a Minister of the Government or his or her Department and a diplomatic mission or consular post. As such, I have made a decision to refuse access to one record (record 22).

I am also obliged, under section 36(1) of the Freedom of Information Act 2014, to withhold access to certain categories of commercially sensitive information. As such, I am refusing access to eight records (records 1, 5, 9, 14, 18, 33, 34, and 35). I am furthermore granting partial access only to a further seven records (records 19, 23, 24, 25, 26, 27 and 28) on the same grounds.

Under section 37(1) of the Freedom of Information Act 2014, I am obliged to refuse to grant access to a record in cases where such a disclosure would involve the release of personal information. Consequently, for the fifteen records (records 2, 6, 11, 16, 19, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32), I have made a decision to grant only partial access.

The relevant sections of the Freedom of Information Act 2014 are set out in the attached Annex for your information.

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@dfat.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfat.ie, or 01-4082857.

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,

A handwritten signature in black ink, appearing to read "Brendan O'Connell". The signature is written in a cursive style with a large initial 'B' and a long horizontal stroke at the end.