

**An Roinn Gnóthaí Eachtracha agus Trádála**  
Baile Átha Cliath 2

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**Department of Foreign Affairs and Trade**  
Dublin 2

13<sup>th</sup> December 2016

Ms Maeve Sheehan  
Sunday Independent  
c/o 27/32 Talbot Street  
Dublin 1

**Re: FOI/Req/2016/172**

Dear Ms Sheehan

I refer to your FOI request submitted under the Freedom of Information Act 2014 received on the 27<sup>th</sup> October 2016, seeking records relating to the following:

- **Access to all documents and records including correspondence between the Department and the NGO GOAL on funding it receives from the Department in the period July 1 to date.**
- **All correspondence between Barry Andrews, the former GOAL CEO, and the Department from July 1 to date.**
- **All correspondence between the Chairperson of the Board of GOAL, or its directors, from July 1 to date.**

I also refer to the acknowledgement of your request on the 11<sup>th</sup> November 2016 and subsequent correspondence on the 28<sup>th</sup> November 2016. This letter has three parts as follows:

- Recent Developments in respect of Goal outside the time period covered by the FOI
- FOI Decision
- Consideration of the Public Interest

#### **Recent Developments**

Before setting out my decision in relation to your FOI Requests, I wish to advise you of recent developments. The US Office of the Inspector General (OIG) as you are aware, has launched an investigation into an international case related to a number of NGOs including GOAL and that investigation is ongoing. Since May, the Department of Foreign Affairs and Trade withheld a total of €10.1m in Humanitarian and Development funding which has been planned for GOAL. This funding was withheld pending further clarity on the issues raised in the US Investigation and on Goal's plan to address them.

The Department has directly engaged with the Board and the new General Manager of GOAL as well as the US and other international donors in relation to the investigation. This ongoing engagement has included a detailed review of the financial information and assurances provided by GOAL in relation to its programmes. Resulting from this, the release of €3.92m in withheld funding for 2016 in respect of development programmes delivered on the ground in Africa in recent months in line with the original agreement with Irish Aid has been agreed. A copy of the press release related to this is attached.

## **Decision**

As responding officer, I have identified 129 records related to your request which cover the period 1<sup>st</sup> June to the 1<sup>st</sup> November. These records are set out in the attached schedule to this letter and are listed chronologically in date order. I have decided to release access to 7 records, part grant access to 10 records and refuse access to 112 records as listed in the attached schedule.

The Department has a responsibility to ensure that we do not jeopardise the ongoing investigation or the work of our partner while ensuring that public funds are safeguarded to the most rigorous standard. As part of Irish Aid's ongoing engagement, (referred to above under recent developments) information and assurances documents have been provided to officials in the Department from various sources.

The majority of the records which are either being refused, or part granted and released in redacted format, in my view data relate to the deliberative process of the Department Section 29 in this ongoing matter. Personal data in line with Section 37(1) of the FOI Act is also redacted.

## **Consideration of the Public Interest**

As required by the 2014 Freedom of Information Act, I am also required to consider specific considerations in relation to the public interest and where access has been part granted or refused under specific Sections of the Act as outlined below.

### ***Section 29 2014 FOI Act***


Under Section 29 of the Act, Deliberations of FOI Bodies, 112 records have either been part-granted or refused. In arriving at this decision, I have considered whether the public interest would be better served by releasing the records in question in terms of the right of the public to have access to information, the need for transparency in decision-making processes and the need for an open and accountable Civil Service. Given the source and nature of the records, I am satisfied that premature release of certain records would negatively impact on the decision-making processes of this Department, disclose positions taken by the Department and would substantially impair the good relations we have with an International organisations. On balance, the public interest would not be best served by releasing these records.

## **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](mailto:FOI@DFA.IE). A fee applies for non-personal information; the level of this fee has been set at €30. For methods of payment please contact [FOI@DFA.IE](mailto:FOI@DFA.IE) or telephone 01 4082857.

You should make this appeal within four weeks (20 working days) from the date of this notification. However the making of a late appeal may be permitted in appropriate circumstances. This appeal will involve a complete reconsideration of the matter by a more senior officer of this Department.

Yours sincerely

  
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John Crowe

Department of Foreign Affairs and Trade