Secretary to the
Dept of Communications, Energy
and Natural Resources,
29-31 Adelaide Road 18th Nov'2015
Dublin DO2 X285

Dear Sir,

I am requesting under the Freedom of Information Act a copy of all correspondence, including those from the Department of Health and the Health Service Executive, in connection with the publication & distribution of the book “Justice for My Son” by the author Vera Duffy which was first published by Gill & MacMillan Ltd in February 2012.

Thanks in advance,

Yours sincerely
FOI Request Reference: FOI/2015/139

Dear Mr/Ms,

I refer to your request dated 18/11/2015 which was received by this office on 20/11/2015 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

A copy of all correspondence, including those from the Department of Health and HSE in connection with the publication and distribution of the book "Justice for My Son-" by the author Vern Duffy which was first published by Gill & MacMillan Ltd in Feb 2012.

Your request is being coordinated by the FOI Unit, Corporate Support Division, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Road, Cavan H12 A8H7 and they can be contacted at 01 6782903/2902. A final decision on your request would normally be sent to you within 4 weeks, where a week is defined as 5 working days excluding the weekend and public holidays. This means that you can expect a decision letter to issue not later than 18/12/2015.

There are some limited situations under the FOI Act which could mean that the period for a final decision may be longer than this 4 week period. If this occurs in the case of your request, you will be advised promptly in writing setting out the reason and the new decision date.

Should our final decision not reach you on time, please feel free to contact the decision maker named above to discuss any problems that may have arisen. If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. The review is a full and new examination of the matter carried out by a more senior member of staff.

In the event that you need to request such a review, you can do so by writing to FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan, H12 A8H7, Co Cavan or alternatively by sending an e-mail to FOI.UNIT@dcenr.gov.ie. You should state that you are seeking this review because an initial decision was not sent to you within the time allowed for a response. In that event, you would normally have 4 weeks (after the initial decision should have been sent to you) in which to make the appeal. Consideration will be given to late applications in appropriate circumstances.

Please note this Department has a policy of posting a summary of all non-personal FOI Requests to the Department's website.

Yours sincerely,

Mary Brady
FOI Unit

Fáiltear roimh comhfhreagráise nGaeilge
Re: FOI request FOI/2015/139

Dear

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

A final decision was made on your request on the 17th December 2015 and I may be contacted by telephone on 01 6783051 if you have any queries in relation to this or to assist you generally in this matter.

Section 15(1)(a) of the Act 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,"

Each Division in the Department maintains their own records and were requested to examine those records for anything relevant to this request. The Divisions have carried out that examination and reported to the FOI Unit that no records have been found.

Decision

I have detailed the searches undertaken. In accordance with the requirements of section 15(1)(a) I am satisfied that all reasonable steps have been taken to identify and locate the records requested. I must therefore refuse your request on this basis as no records were found to exist.

Rights of Review

In the event that you are not happy with this decision you may seek a review of this decision by writing to the Freedom of Information Unit, Elm House, Earlsvale Road, Cavan, H12 A8H7 seeking an internal review of the matter and referring to or enclosing a copy of this letter. Please note, that a fee applies for such a review. The level of this has
been set at €30 or €10 for medical card holders and payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to the Department of Communications, Energy and Natural Resources. Should you wish to may payment by electronic means please contact the FOI Unit. You should submit this within 4 weeks from the date of this notification, where a day is defined as a working day excluding the weekend and public holidays. The making of a late appeal may be permitted in appropriate circumstances. The review will involve a complete reconsideration of the matter by a more senior member of the staff of this body and the decision will be communicated to you within 3 weeks.

Yours sincerely,

Frank O’Brien
FOI Unit