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11th May 2007

Mr Patrick McCarthy & Co Solicitors,
23/24 Bridge Street,
Skibereen, Co Cork

Your Ref: PMCC/AP
DCMNR Ref: A/FOI/40/2006

Dear Mr McCarthy

I refer to the request you have made under the Freedom of Information Acts, 1997 and 2003 for full details of all reports, communications and details of verbal communications received by the Department of Communications, Marine and Natural Resources in respect of Mr Anthony Sheehy's fishing activities on his fishing vessel MFV Lovon S 381. Your request has been *granted* and I attach all relevant information.

I wish to advise you that, if for any reason you are not satisfied with the outcome of your request, you are entitled to seek a review of the case by appealing the decision to this Department's FOI Internal Review Board. To appeal, you need to write to Mr. John Wynne, FOI Unit, Department of Communications, Marine and Natural Resources, Leeson Lane, Leeson Street, Dublin 2. You must make your appeal within 4 weeks of the date of this letter, but 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.

Please note that an application fee for an appeal is currently €75 and a reduced fee of €25 applies if you are covered by a Medical Card.

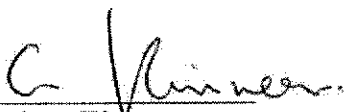
If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "The Department of Communications, Marine & Natural Resources".

On receipt of the fee, an acknowledgement letter will be sent to you outlining details of when you can expect a decision on your appeal, and the contact details of the person handling the appeal.

Yours sincerely,


Andrew Kinneen,
Sea-Fisheries Protection Authority

Secretary,
Department of Communications, Marine & Natural Resources,
Oak House,
Bessboro,
Bessboro Road,
Mahon,
Cork

7th April 2006

PMCC/AP

**RE: Our Client: Anthony Sheehy (Knollway Limited) Tower House, Ballylynch, Baltimore,
Co. Cork
MFV Lovon – Registered Number S381**

Dear Sir,

We refer you to our letter of the 9th of March 2006 written on behalf of our above named client Mr. Anthony Sheehy.

Mr. Sheehy is concerned that various reports and allegations have been made by members of the public to your Department with regard to his fishing activities.

We now formally request under the Freedom of Information Act full details of all such reports, communications and details of verbal communication received by you in respect of Mr. Anthony Sheehy's fishing activities on his fishing vessel MFV Lovon Registered Number S381.

Yours faithfully,

PATRICK McCARTHY & COMPANY

Seafood Control Division Ref: A/FOI/40/2006

Record No.	Date	No of Pages	Description	Grant/refuse /part-grant	Basis of Refusal: Section of Act	Record edited/identify deletions
1	11/01/2007	1	SFPA Request for information	Grant		
2	15/01/2007	1	Nil Reply from Regional Manager SFPA West	Grant		
3	28/01/2007	1	Nil Reply from Fishery Harbour Section Sea Fishery Administration Division	Grant		
4	30/01/2007	1	Reply from Sea Fisheries Administration	Refuse	Not applicable	
5	03/04/2007	1	Nil Reply from Regional Manager SFPA South	Grant		
6	20/04/2007	1	Nil Reply from Regional Manager SFPA South	Grant		

UCIM

Udairas um Chosaint Iascaigh Mhara
Ógáiríocht - Fisheries Control Authority, etc.

11th January 2007

Dr Cecil Beamish,
Assistant Secretary,
DCMNR, 29-31 Adelaide Road,
Dublin 2.

DCMNR Ref: A/FOI/40/2006 and A/FOI/47/2006 (Howth Files)

Dear Cecil,

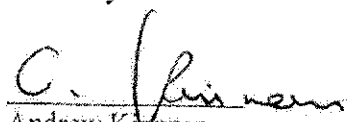
Mr Patrick McCarthy & Co Solicitors, have made an application under the Freedom of Information Act (FOI/40/2006) requesting full details of all reports, communications and details of verbal communications received in the Department of Communications, Marine & Natural Resources concerning their client and his vessel the MFV Løvon.

In addition Mr Dermot Sheehy has applied under the Freedom of Information Act (FOI/47/2006) for all written reports and correspondence relating his contention that Mr Sheehy made contact with the Department of Communications, Marine & Natural Resources to inform the Department that a commercial fisherman was landing illegally caught fish. Mr Sheehy also contends that the Freedom of Information Act procedures was used by the commercial fisherman in question to confirm that such a report was made by Mr Sheehy and that this fisherman received written confirmation from the DCMNR of this fact.

In addition to forwarding both Freedom of Information queries to our Regional Office in Cork for the attention of the Southern Regional Sea-Fisheries Control Manager in the interest of a full and comprehensive enquiry being carried out I am also referring both FOI requests for your attention.

Please arrange that an appropriate search is made of your department for all material that might possibly be related to these two FOI requests and in the event any materials are uncovered that all relevant correspondence should be directed for the my attention. In the event the search made does not uncover any relevant material I would be obliged if you would send me a "nil return" by Friday the 8th of February 2007.

Sincerely


Andrew K. Keene
Sea Fisheries Control Manager

Headquarters
Unit 5
Waterside, International Quay Tower
Dublin 1
Tel: 01 676 2000
Fax: 01 676 2000

Region 14/16
Dublin 2
Tel: 01 676 2000
Fax: 01 676 2000

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Pat,
Thank you for your prompt reply,

Sincerely

Andrew Kinneen

UCIM

An t-Udarás um Chosaint Iascaigh Mhara
Sea-Fisheries Protection Authority

Tel +353 1 6782540
Fax +353 1 6782429
email andrew.kinneen@sfpa.ie
Web www.sfpa.ie

From: Pat McGarvey
Sent: 15 January 2007 15:25
To: Andrew Kinneen
Cc: Jim Daly
Subject: RE: FOI letter P McGarvey 11th Jan 07.pdf

Andrew;

I hereby confirm that no report was received in the Killybegs Office concerning the MFV Lovon, or from Mr Dermot Sheehy in relation to a commercial fisherman landing illegally caught fish.

Regards,

Pat.

-----Original Message-----

From: Andrew Kinneen
Sent: 11 January 2007 12:55
To: Pat McGarvey
Cc: Jim Daly
Subject: FOI letter P McGarvey 11th Jan 07.pdf

For your attention please,

Sincerely

Andrew Kinneen

UCIM

An t-Udarás um Chosaint Iascaigh Mhara
Sea-Fisheries Protection Authority

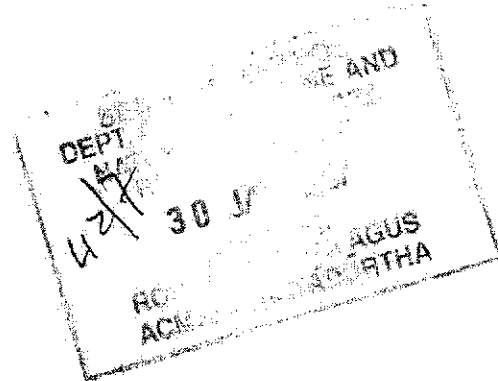
Tel +353 1 6782540
Fax +353 1 6782429
email andrew.kinneen@sfpa.ie
Web



5/02/07

Mr. Batt Whelton, A.P.,
Fishery Harbour Section,
Sea Fishery Administration Division,

28th January 2007



Ref: Attached FOI Request

A search of Fishery Harbours Section files did not uncover any material relating to the Freedom of Information requests in question.

Patrick O'Regan -

Patrick O'Regan,
Fishery Harbour Section,
Sea Fishery Admin. Division.

Andrew,

Process SDB Above

Paul 26/1/07

Jim,

For the file please

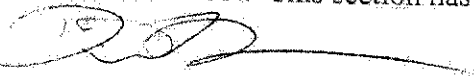
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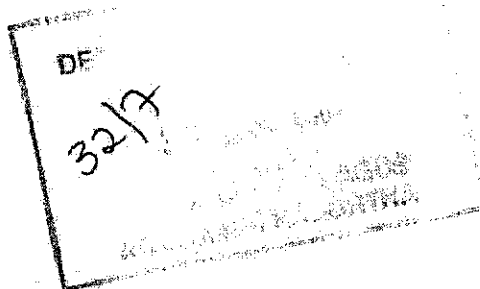
05/04/07

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FAO: Mr. Jim Daly

Mr. Kinneen

Further to your enquiry re FOI cases involving the MFV LOVON and Mr. Dermot Sheehy. Please find enclosed a full copy of the Licensing/Registration files for the vessel LOVON. This section has had no correspondence with Mr. Dermot Sheehy.


Dermot Donegan
30 January 2007



Jim,

Please note the attached material sent to us in response to our letter of the 4th Jan '07.

Please sort and review with regard to relevance to FOI request and discuss with Jim Condon regarding release decisions, etc

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DCMNR Ref: A/FOI/40/2006.

I have no knowledge of any report been received in the Mahom office or any other office in the Southern Region under my supervision, concerning the MFV "LOVON" in relation to the Freedom of Information requests in Question.


Jim Condon,
Regional Manager.

03/04/07

b

Ref: - A/FOI/40/2006, A/FOI/47/2006.

Andrew

Having reviewed the above files sent to me by Jim Daly, I am of the view that the material in the file re; FOI A/FOI/40/2006 is not relevant to the request made by Mc Carthy & Co. Solicitors.

I have added my comments to this file.

As regards A/FOI/47/2006 this file seems in order I have added my comments to it.

Regards

Jim
Jim.

20/4/07

FAO *Mr Jim Daly*
 CC.....
 For Observations.....
 For Action...*X*... *for immediate alt info*
 For Follow-up.....
 For Information.....

alt 08/05/07

on web

28/04/2006

Mr Patrick McCarthy
Patrick McCarthy & Co
23/24 Bridge Street
Skibbereen
Co.Cork

FOI/0040/2006

Dear Mr McCarthy,

I refer to the Freedom of Information request received in this office on 28/04/2006 along with the associated fee.

The officer handling your request will be Mr Andrew Kinneen, Seafood Control Division Division, Department of Communications, Marine & Natural Resources, Leeson Lane, Dublin 2, Co Dublin. He can be contacted at 6782540.

A final decision on your request will normally be sent to you within 4 weeks of receipt of your request. This means that you can expect to receive your decision by the 29/05/2006.

If you have not heard from us when the time allocated has expired, you are automatically entitled to appeal to the Department 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.

You should also be aware that you are entitled to a review of the decision if your request is refused, or if you are for any reason dissatisfied with the outcome of your request. The review is a full and new examination of the matter carried out by a more senior member of staff of this Department. In the event that you need to make an appeal, you can do so by writing to Mr John Wynne, FOI Unit, Department of Communications, Marine & Natural Resources, Leeson Lane, Dublin 2, Co Dublin. Please note that there is a charge for all appeals of FOI requests. This charge is currently €75.00. A reduced fee of €25.00 applies if you are the holder of a Medical Card.

Please note that the Department of Communications, Marine & Natural Resources has a policy of posting a summary of your request, your name and address and the subsequent reply on the Department's website for reference purposes.

Yours sincerely,

Nuala Free
FOI Unit
PH: 6782306