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Connolly Station, Dublin 1, D01 V6V6

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Name: [REDACTED]

Email: [REDACTED]

3rd November 2022

Re: FOI Request Response (IE_FOI_626)

Dear [REDACTED],

I refer to your request dated 6th October 2022 made under the Freedom of Information Act 2014, which was received on that day seeking records held by Iarnród Éireann.

Request:

- The total number of level crossing barrier strikes recorded which caused damage to barriers or delay to trains
- How many of these strikes were pursued in court
- In how many cases was there a failing to identify the culprit so it could not be taken to court
- How many cases were successful in court
- For the successful cases, what sum was awarded to Irish Rail and what percentage of damage did this cover

I, Peter Tuohy, have now made a final decision to grant your request on 2nd November 2022.

You have sought access to the records as listed above and I consider this an appropriate form of access in this case.

Accordingly, a copy of the records is now attached including a copy of the schedule to these records.

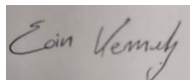
Rights of appeal

In the event that you are not happy with this decision you can make an appeal in relation to this matter, you can do so by writing to the FOI Unit, Corporate Communications, Iarnród Éireann Irish Rail, Connolly Station, Amiens St, Dublin 1 or by e-mail to foi@irishrail.ie. You should make your appeal within 4 weeks (20 working days) 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.

Should you have any questions or concerns regarding the above, please contact the FOI Office on [REDACTED].

Yours sincerely,



PP, Peter Tuohy, FOI Decision Maker.

Freedom of Information Request:
Schedule of Records for **IE_FOI_626** : Summary for Decision Making

Record No.	Date of Record	Brief Description	No. of Pages	Decision: Grant/Part Grant/Refuse	Section of Act if applicable	Record Edited/Identify Deletions
1	02.11.2022	response to FOI request IE_FOI_626	1	Grant		

Signed
Eoin Kennedy
Freedom of Infoamtion Office

Response to FOI request: IE FOI 626

- 1. The total number of level crossing barrier strikes recorded which caused damage to barriers or delay to trains**

Answer:

ÍÉ IM records show that the number of LX barrier strikes resulting in damage by year are as follows:

2018	26
2019	29
2020	26
2021	38
2022*	23 *to end of P9

- 2. How many of these strikes were pursued in court?**
- 3. In how many cases was there a failing to identify the culprit so it could not be taken to court**
- 4. How many cases were successful in court?**

Answer:

Iarnród Éireann reports all such incidents to An Garda Síochána for follow up investigation. The majority of LC Incidents do involve poor driver behaviour and invariably will include offences contrary to the Road Traffic Act which could range from driving without due care and attention to careless and dangerous driving, for which An Garda Síochána have authority to pursue.

The request would be best directed to An Garda Síochána.

- 5. For the successful cases, what sum was awarded to Irish Rail and what percentage of damage did this cover**

Answer:

See answer to 2 to 4 above.

Separately, Iarnród Éireann does pursue costs recovery through insurance claims. From the recorded level crossing incidents, 54 recovery files were opened. 30 of them are now closed, and in total €141,448 was recovered.