

# Public Interest Test – FOI

Reference Number – DAERA/25-145

## Requested Information

On 27th February 2026 Luke Butterly of The Detail emailed the Department requesting copies of all correspondence and attachments, sent to/from WMU NIEA, regarding the issue of misrepresented soil sample analysis, from March 2025 onwards. Copies of all correspondence and attachments, sent to/from WMU NIEA, regarding any issue (*other than the soil samples issue*) relating to misrepresentation of information submitted as part of agricultural planning applications, from March 2025 onwards.

## Exemption / Exception under consideration

12(5) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that its disclosure would adversely affect—

(b) the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature;

### Reasons why the public interest would favour disclosure:

- Access to official information can improve public confidence and trust and Departments have a duty to operate transparently.
- Regulation 12(2) requires the Department of Agriculture Environment and Rural Affairs (DAERA) to apply a presumption in favour of disclosure.

### Reasons why the public interest would favour withholding:

The course of justice and inquiries; paragraph 12 (5) (b)

- This exception permits the withholding of information where its disclosure would adversely affect the course of justice including the ability of a public authority to conduct an inquiry

## Conclusion

Following consideration of the Public Interest Test the Department has decided not to disclose some of the information that falls within the scope of this request as it would compromise an ongoing criminal investigation and outweighs the public interest in disclosure.

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Water Catchment Unit