

ANNEX I

Public Interest Test – EIR

Reference Number – DAERA/26 - 228

Requested Information being withheld

Copy of the documentation provided by Lough Neagh Fishermen's Co-Operative Society as proof of their rights to recreational angling on Lough Neagh.

Exemption / Exception under consideration

Regulation 12(5)(b) The course of justice and inquiries exception

Reasons why the public interest would favour disclosure:

- Regulation 12(2) requires DAERA to apply a presumption in favour of disclosure.
- DAERA is committed to conducting its business in a manner that is as open and transparent as possible.

Reasons why the public interest would favour withholding:

- The issue of ownership of fishing rights which is one of the questions asked and the subject of court proceedings in the High Court in Northern Ireland between the requester and a third party
- The release of information submitted in confidence could prejudice their clients right to a fair hearing. Hearing dates have yet to be set and agreed.
- The disclosure of information outside the High Court process and procedures has the potential to interfere with the administration of justice.
- Disclosing the information would adversely affect the future confidentiality of a public authority's proceedings as the information sought provides commercial confidential information submitted in confidence.

Conclusion

The Department has decided that, on balance, the information requested should not be disclosed.



**DAERA Inland Fisheries
Marine and Fisheries Division**