

# **Public Interest Test –EIR**

**Reference Number – DAERA/26-220**

**Requested Information** - Copies of any internal reports, investigation summaries, or enforcement decision records held by DAERA/NIEA relating specifically to pollution incidents at the Cregagh Glen River during the period specified, redacted as necessary to protect personal data.

## **Exception under consideration**

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

## **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 that when a public authority considers refusing a request for environmental information it must apply a presumption in favour of disclosure.

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

- The requested information is for details of incidents involving actions being taken in line with the DAERA enforcement process that are current and ongoing.
- These incidents are being treated as if sub judice so as not to influence due process.

## **Conclusion**

Following consideration of the Public Interest Test, the Department has decided that on balance, the public interest in maintaining the exception does outweigh the public interest in disclosing the available information. This is due to the implications any disclosure of correspondence regarding enforcement actions would have on ongoing formal legal proceedings.

[REDACTED]

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**NIEA Water Pollution Response and Enforcement Team  
Water Catchment Unit**