

DAERA/26-299: Public Interest Test (PIT)

Environmental Information Regulations 2004

Assessment of EIR request from requester

Subject of public interest test

Information relating to Inland Fisheries enforcement activity on Lough Neagh, including bailiff deployment, patrol frequency, patrol locations and associated operational resources.

Exceptions being considered

The Department has decided not to disclose some of the requested information as it falls under the following exception of the Environmental Information Regulations 2004:

Regulation 12(5)(a) – public safety and the protection of law enforcement activity.

This exception applies to detailed operational information relating to enforcement patrols, including staffing levels, deployment patterns, patrol frequency and specific areas of activity.

Reasons for Disclosure:

- i. Regulation 12 requires the Department to apply a presumption in favour of disclosure.
- ii. Disclosure would promote openness and transparency in relation to the Department's enforcement role on Lough Neagh.
- iii. There is a public interest in understanding how fisheries legislation is enforced and how public resources are deployed to protect fish stocks.
- iv. Disclosure may provide reassurance that appropriate enforcement arrangements are in place.

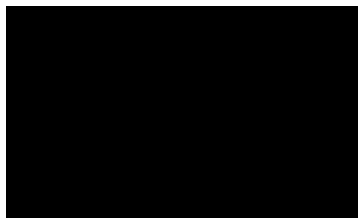
Reasons against Disclosure:

- i. Disclosure of detailed enforcement information, including patrol frequency, staffing levels and locations, could prejudice the Department's ability to carry out enforcement functions effectively.
- ii. Release of operational detail could enable individuals to identify enforcement patterns and avoid detection, undermining compliance with fisheries legislation.
- iii. Disclosure could increase risks to staff safety by exposing operational practices and deployment arrangements.
- iv. The Department requires appropriate operational space to plan and undertake enforcement activity without compromising effectiveness or public safety.

Conclusion:

In applying the Public Interest Test, the Department has balanced the general public interest in openness and transparency against the strong public interest in protecting the effectiveness and safety of Inland Fisheries enforcement operations.

On balance, the Department has concluded that the public interest lies in maintaining the exception under Regulation 12(5)(a), and that the withheld information should not be disclosed.



DAERA Inland Fisheries