

Public Interest Test – FOI

Reference Number – DAERA/26-430

Requested Information

Information relating to any animal welfare investigations, enforcement actions, prosecutions or court proceedings involving a named pet shop and named individual during the period 1 January 2023 to 31 December 2023.

Exemption / Exception under consideration

Section 30(3): Investigations & Proceedings

Reasons why the public interest would favour disclosure:

Confirming or denying whether information is held would support the principles of transparency and accountability underpinning the Act. Animal welfare is a matter of significant public interest, and disclosure would provide assurance that concerns are being appropriately considered and, where necessary, addressed through the relevant enforcement processes.

Reasons why the public interest would favour withholding:

Information held by the Department relating to specific cases is, by its nature, often sensitive. In some circumstances, confirming or denying whether information is held may itself reveal information that could prejudice the Department's functions or adversely affect the interests of third parties. Where appropriate, the Department may therefore rely on its ability under the Freedom of Information Act to neither confirm nor deny whether the requested information is held.

The Department does not disclose information under FOIA that is not already in the public domain where doing so could reveal investigative activity. Disclosure of such information could undermine the Department's ability to carry out its regulatory and enforcement functions effectively.

Conclusion

Although the Department recognises the general public interest in transparency and the benefits that confirmation or denial may bring, it does not consider it appropriate in this case to confirm or deny whether the requested information is held.