

AFBIEIR20240701 Annex B – Outline public interest test

A small element of the information requested in this case concerns current AFBI work on bringing together historical phytoplankton data – this is work in progress, and as such regulation 12(4)(d) of the Environmental Information Regulations 2004 (the exception for material in the course of completion) is engaged.

In line with regulation 12(1)(b) of the EIR, to uphold the exception the public interest factors in favour of disclosure need to be weighed against those in favour of maintaining the exception and refusing to disclose the material requested.

Factors in favour of disclosure

The EIR contain a strong presumption in favour of disclosure. And there is significant public interest in clarity around the current environmental status of Lough Neagh (which is not to be confused with public interest in and media coverage of the state of the lough.)

Factors in favour of maintaining the exception

Against those factors, there is a strong interest in information not being released where it is incomplete and has not been quality assured. There is a public interest in researchers engaged in this work being able to complete and publish their research without forced premature disclosure, and in AFBI being able to attract researchers and research funding to take similar work forward in future.

Given the fact that in its current form (that is, pending review, analysis and quality assurance) the historic information is unlikely to inform policymaking, public debate or aid transparency, the factors in favour of maintaining the exception outweigh those in favour of disclosure.