



Citizen Perspective on the Value and Importance of Freedom of Information November 2015

As a Director of a voluntary, not-for-profit organisation managing the angling interests of an internationally important salmon and trout river, the importance of access to information has been extremely important in exposing systemic regulatory failure on the part of the Department of the Environment for Northern Ireland. The River Faughan is a designated Special Area of Conservation, and River Faughan Anglers take our environmental obligations to protect our river very seriously.

Freedom of information has been instrumental in exposing serious threats and actual environmental harm to our river and the city of Derry's main water supply from unauthorised sand extractions and illegal waste disposal. Indeed, as a result of our organisation's persistence the public has been made aware of serious systemic failures of the planning regime and the Department has been forced to act in closing what is now deemed to be one of the largest illegal waste disposal sites in Europe (Mobuoy Road), with the Minister of the Environment ordering a complete overhaul of a failing regulatory system.

More recently, access to information which would not otherwise have been in the public realm, has exposed serious regulatory failure in relation to another European site, Lough Neagh Special Protection Area. Here, unauthorised sand extraction on a regionally significant scale (1.7 million tonnes per year) has been taking place without planning permission, Environmental Impact Assessment and Habitats Regulation Assessment. Yet the information discovered under freedom of information earlier this year reveals that the Department charged with protecting Northern Ireland's most valuable nature conservation sites was deliberately turning a blind eye to what is likely the most significant unauthorised development in the history of planning in Northern Ireland. And this was being done in the full knowledge that it was breaching European Union environmental law. As a result the Department has been forced into initiating enforcement action and is currently being taken to court by Friends of the Earth Northern Ireland, for failure to properly regulate. The Northern Ireland Audit Office has initiated an investigation into the failures of the regulator to protect Lough Neagh and the European Commission is currently considering whether the regulatory failures uncovered warrant infraction proceedings against the UK Member State.

In both these most serious of cases, access to information has been critical in not only holding a complicit and failing regulator to account, but in driving better regulation.

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