Strategic Planning and Corporate Services Group
Strategic Support Division



Department of
Agriculture, Environment and Rural Affairs
An Roinn
Talmhaíochta, Comhshaoil agus Gnóthaí Tuaithe
Depairtment o'
Fairmin, Environment an' Kintra Matthers
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09 November 2026

Dear Janice,

Fisheries, Aquaculture and Water Environment (FAWE) Bill response to proposed amendments

Thank you for your letter of 3 November 2026, in which the Committee provided suggested amendments that it has received from stakeholders in relation to Clauses 1-3 of the Fisheries, Aquaculture and Water Environment Bill.

The Department welcomes the opportunity to consider these suggestions and outline how the matters raised are already covered in the Bill or will be more appropriately addressed through other policy and legislation.

The Department will address each one individually below.

Clause 1: Inland Fisheries Policy Objectives

The Department agrees with the Committee's view that it is not appropriate to make the high-level policy objectives overly detailed. As a general point, clauses 1 to 4

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deliberately distinguish between the high-level statutory objectives in clause 1 and the policies by which the Department proposes to achieve or contribute to those objectives. Clause 2(2) also requires the Policy Statement to explain how the objectives have been interpreted and proportionately applied. Adding detailed requirements or mechanisms to clause 1 therefore risks cutting across that structure and, where duties overlap or pull in different directions, potentially creating uncertainty in their application.

a. The sustainability objective

The sustainability objective in Clause 1 is based on the sustainability objective that applies to marine stocks through the Fisheries Act 2020, with the exception of (2)(b) which has been adapted to make it applicable to inland waters. The requirement that fish and aquaculture activities are (a)(i) environmentally sustainable in the long term will require that consideration is given to effects of fish and aquaculture on the environment.

Duties relating to restoration and enhancement of freshwater habitats are already provided through The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017, The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995, The Environment (Northern Ireland) Order 2002 and the Environment Act 2021. More detail on measures and targets for restoration and enhancement of freshwater habitats is provided in the Environmental Improvement Plan for Northern Ireland, River Basin Management Plans and the Nature Recovery Strategy. How the inland fisheries policy objectives interact with other relevant policies will be set out in the policy statement.

The Department does not consider it necessary to add the suggested detail to the sustainability objective.

b. **The precautionary objective**

The Department has considered the suggestions from the British Hydropower Association and the Ballinderry Rivers Trust.

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The precautionary objective in Clause 1 is based on the precautionary objective that applies to marine stocks through the Fisheries Act 2020, with the exception of it being adapted for inland waters. The precautionary objective is consistent with precautionary principle that is described in the Environmental Principles Policy Statement (EPPS) for Northern Ireland.

Departments must have due regard to the EPPS when making policy and it provides advice to policy makers on how the precautionary principle should be applied as a risk management tool.

The Department considers it important to maintain consistency with the precautionary approach to fisheries management that applies to marine stocks and the precautionary principle that is described in the EPPS. The Department considers that adding the detail suggested by BHA risks creating further uncertainty of how the precautionary principle should be applied.

c. **The ecosystem objective**

The Departmental Response:

The Ecosystem objective in clause 1 is based on the ecosystem objective that applies to marine stocks through the Fisheries Act 2020, with the exception of it being adapted for inland waters. The ecosystem objective makes the essential link between policies for fisheries management and the achievement of good ecological status through river basin management planning. The ecosystem-based approach defined in (9)(a) is based on the definition in the Fisheries Act 2020 with the exception for it being associated with the achievement of good ecological status within the meaning of the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 rather than good environmental status as defined by the Marine Strategy Regulations 2010.

The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 require that objectives are set to protect, enhance and restore water bodies with the aim of good ecological status. The water body objectives are set in River Basin

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Management Plans and the Department therefore does not consider it necessary to include the detail suggested by Ballinderry Rivers Trust.

d. **The scientific evidence objective**

The Department has considered the BHA proposal relating to the scientific evidence objective and it is important to be minded that the objectives in clause 1 are interrelated. The points raised by BHA regarding scientific uncertainty are linked with the precautionary objective and the EPPS provides advice to policy makers on how to weigh up the appropriate level of caution to be employed in policy design and implementation processes.

The Department will set out its approach to the collection of scientific data and how it will be used to inform the management of inland fisheries in the policy statement. This will be based on the principles in the Science Strategy Framework 2020-2035 which guides how the department commissions and uses science. This includes making science data available as early and widely as possible, in line with the Open Data Strategy for Northern Ireland.

Fisheries management has well established processes for independent scrutiny and scientific advice through the International Council for Exploration of the Sea (ICES). The inland fisheries policy statement will set out how the Department will use ICES advice to inform policy development and fisheries management decisions.

The Department does not consider it necessary to add the suggested detail to the scientific evidence objective.

f. **The national benefit objective**

The suggested amendment by BHA seeks to replace a high-level objective with a detailed list of what the Department must have regard to when setting out its policies for achieving or contributing to the objective. This would restrict the Department in setting out how it interprets this objective and may lead to the exclusion of other factors which need to be considered. The amendment may also restrict the Department from taking a

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negative view on issues associated with the matters listed which may be detrimental to the achieving of other objectives.

The request from Ballinderry Rivers Trust to see environmental objectives clearly as an over-riding priority is not consistent with the approach set out in the EPPS. The EPPS states that all policymakers should interpret and proportionately apply the environmental principles so that they are used effectively to shape all policy-making to protect the environment and promote sustainable development. This aligns with section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006, which places a statutory duty on NI departments and district councils to promote the achievement of sustainable development in the exercise of their functions.

As stated earlier, the objectives in Clause 1 are interrelated and while the national benefit objective refers to social and economic benefits, it should be read alongside objectives such as the sustainability objective and the ecosystem objective.

The Department does not consider it necessary to add the suggested detail to the national benefit objective.

g. **The climate change objective**

The Department has considered its duties under the Climate Change Act 2008 and the Climate Change (Northern Ireland) Act 2022 relating to climate change mitigation and adaptation and detail on how these will be applied to inland fisheries will be set out in the policy statement. Policies and proposals for how the fisheries sector, which includes inland fisheries, will contribute to achieving targets for greenhouse gas emissions are already set out in the draft Climate Action Plan.

The suggested detail provided by BHA creates a risk of narrowly defining what the climate change objective is. The Department for Economy is responsible for energy policy, and the Department will give the necessary consideration to the Energy Strategy 'Path to Net Zero Energy', the Climate Action Plan and the Climate Adaptation Programme when developing the inland fisheries policy statement.

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The Department does not consider it necessary to add the suggested detail to the climate change objective.

Additional objectives proposed

The Department has considered the additional objectives that have been proposed and confirms that these were all considered during the policy development stage and are incorporated within the sustainability objective, ecosystem objective and bycatch objective. The Department does not consider it necessary for any of these proposals to be taken forward as individual objectives.

Promotion of Angling

The proposed amendment would, rather than add to the objective, place substantive new functions and duties on the Department including the creation of a statutory board and the production of a tourism guide. DAERA has no specific role in tourism promotion, the relevant legislation is the responsibility of DfE and exercised by Tourism NI.

Under section 1A of the Fisheries Act (NI) 1966, DAERA already promotes angling through the operation of the Public Angling Estate (PAE) and the provision of reduced licence and permit fees for anglers over 60, those with disability and juvenile anglers. Anglers under 12 do not require a licence in the DAERA area. In addition, it continues to support a key range of high-level angling events such as the Classic.

The promotion of angling is rightly spread across a range of other bodies such as the angling governing bodies, private angling clubs and private fisheries. These groups play a key role in developing and promoting angling at the grass-roots level and managing angling in their fisheries.

Angling is also promoted by the Tourism bodies. As mentioned, Tourism NI is responsible for the development of tourism and funding the development of quality tourism assets across a range of activities including angling. Tourism Ireland promotes the island of Ireland to overseas visitors on a range of activities including angling.

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Sports NI also play a role in supporting angling clubs and organisations and angling as a sport.

DAERA has utilised powers provided in section 2-7 of the Fisheries Act with low uptake for those applying under Derelict Waters scheme (approx. 1 per year). DAERA is not the fishery owner of Lough Neagh and therefore it has no power to promote it. It does, however, promote Lough Erne as a fishery destination, being part of the PAE.

Key to angling promotion success is healthy fish populations and the statutory duty of DAERA on the conservation and protection of fish stocks, and improvement of the water environment, is an essential priority that will bring benefits to those who have an interest in or participate in angling.

DAERA Challenge Fund and Water Quality Improvement Grants have been given to angling clubs and communities to improve fish habitats and empower the clubs with training and development of skills in environmental management. These projects are supported by DAERA Inland Fisheries technical expertise through guidance, direction and oversight.

Clause 3

The Department has considered the following suggestions from The Law Society:
Incorporate measurable outcomes against each of the statutory objectives

- Demonstrate clearly how fisheries policy will contribute to wider environmental priorities

- Provide for ongoing stakeholder engagement throughout the lifetime of the Statement

- Adopt an adaptive management approach

Each of these are considered to be detail that can be provided through the inland fisheries policy statement. This will include how the Department will monitor, evaluate

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and review the policy statement and how inland fisheries policies relate to other environmental policies. Stakeholders will have opportunities to contribute to the development of the policy statement, which will include developing the approach that will be used to enable stakeholders to participate in the implementation, evaluation and review of the policy statement.

The adaptive management approach is fundamental to modern fisheries management and is enabled by the scientific evidence objective and the ecosystem objective. It is more appropriate that the Department sets out the detail on how it will manage fisheries, including how it will use the ecosystem based approach and the adaptive management approach, in the inland fisheries policy statement.

The Department has considered the proposal by BHA to amend clause 3(1)(b). The existing clause 3 formulation is deliberately broad. Listing particular sectors could narrow that approach or raise questions about interests which are not expressly listed and therefore the Department considers it is not appropriate to add the detail proposed by BHA.

On the proposed amendment to clause 3(2) – As with any consultation, the Department when consulting on the Statement will follow the Northern Ireland Civil Service (NICS) Public Consultation Guidance which advises-

"Following a consultation exercise, the consulting department should provide a summary of who responded to the consultation exercise and a summary of the views expressed to each question in the same method the consultation was held e.g. on Citizen Space and departmental websites. This information should normally be published before or alongside any further action."

The publication of this information will be done prior to the Statement being published and the Committee will receive an advance copy, therefore providing the Committee with an opportunity to question the Department on its content.

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The Department does not consider that the amendments put forward by BHA on this clause are necessary.

I hope this information is of assistance but should you require anything further please contact me directly.

Yours sincerely,



Paul McGranaghan
Departmental Assembly Liaison Officer

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