Response

Independent review of environmental governance in Northern Ireland – interim report

Legislation and Governance Unit

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We welcome the publication of the interim report of the independent review of environmental governance in Northern Ireland. We appreciate the openness and transparency with which the review panel has approached its work, and we welcome its recommendations, including that:

- The Northern Ireland Environment Agency (NIEA) should be independent of government, set up as a non-departmental public body (NDPB) and given greater control over staffing, communications and enforcement priorities.
- There should be statutory targets for nature recovery in Northern Ireland, which are urgently needed given the perilous and declining state of biodiversity.
- The Northern Ireland Assembly should establish an Environmental Audit Committee. This would be helpful given the cross-cutting nature of environmental responsibilities held by the executive, including the delivery of the Environmental Improvement Plan and the Climate Action Plan.
- Public understanding of the environment should be boosted by providing easy to access information and a map of environmental governance.
- The NIEA should sharpen its enforcement teeth, including through increased use of civil sanctions and higher fines for water pollution.

We consider that the interim report captures and articulates the key drivers and developments in environmental governance in Northern Ireland, including the growing appetite for environmental action and ambition and the recognition that environmental crises are also governance crises.

We note that the call for evidence has demonstrated an overwhelming view that the current environmental governance arrangements in Northern Ireland are not fit for purpose, overly complex and in need of reform to strengthen their independence, effectiveness and resourcing. While we note the calls for the Northern Ireland Environment Agency to be a parliamentary body, we agree that in the round an NDPB would deliver greater independence and be commensurate with the status of other bodies, including the Office for Environmental Protection, which is also an NDPB.

For these recommendations to be progressed, and ultimately implemented successfully, there should be a detailed exercise to design and operationalise the new NDPB, including on how this will dock into the Environmental Improvement Plan and work with existing public authorities. Lessons can be learnt from experiences in other jurisdictions, for example the collaborative and evidence led approach that underpinned the establishment of the Office for Environmental Protection.

We agree that making progress on the short term recommendations will build and sustain momentum for longer term change, as well as deliver tangible public benefit now. Immediate priority should be attached to building an independent communications and human resources capability for the NIEA, achieving functional separation with DAERA and work to embed the culture the new NDPB will need to succeed. A roadmap with anticipated timelines should be developed and published.

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