

I do not have sufficient time to make a detailed submission to this consultation but I have attached a number of threads of correspondence with the Forest Service of DAFM where they have repeatedly failed to comply with the requirements of the convention in providing immediate access to view files which are subject to decisions under the EIA Directive. I have made requests under various different provisions and in most cases I am asked to pay for records which I have a right to view without charge. I have been provided records without charge under the AIE Regulations. This indicates that the FS is operating a parallel and unfavourable system for requests for records relating to decisions made under the various forestry schemes (Afforestation / Forest Roads / Felling Licences). The introduction of the Forestry (Miscellaneous Provisions) Act 2020 the Minister for Agriculture has introduced provisions which are the antithesis of the spirit (if not the letter) of the Aarhus Convention. I understand that there has been no test at the European Court level regarding charges to make submissions to public consultations but it flies in the face of encouraging public engagement and participation to introduce charges for members of the public to merely express their views on a project which could impact them directly.

I sought access to the records for CN84376 under various provisions and was faced with a charge each time. However, an AIE request for the same records was met without charge. However, since this approval was subject to appeal the delay in receiving the records under AIE meant that I missed the appeal deadline by a day. It is difficult not to get the impression that the FS process and procedures are designed to frustrate Access to Environmental Information and to place obstacles in the way of the public's Access to Justice.

Other AIE requests (with timeline requests within the one month period) for records for licences which have appeal deadlines are being met but there is no regard to the timeline. This means that records are not provided until after the appeal deadline has expired compromising my access to Justice. I have also included correspondence relating to my participation at oral hearings of the Forestry Appeals Committee. I was given conflicting information as to what my options were which were changed with very short notice. The FAC has shown little flexibility with regard to the Covid (Email 13-10-2020). I understand that you may have been notified of this at the time.

Another issue has arisen recently regarding my remote participation in oral hearings. I live in a remote rural area with poor broadband and very patchy mobile phone reception. Due to Covid travel restrictions I have been restricted to participating in oral hearings of the FAC from home. This has caused issues regarding my ability to participate but the FAC has shown no flexibility in this regard. If my technical facilities are not up to scratch and the Committee cannot hear what I am saying it is basically tough luck on me. The Chair can proceed with the hearing. I can fill you in with more specific details if required.

If you require any clarification please let me know and I will endeavour to provide it.

Regards,

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