**DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS**

**Equality and Human Rights**

**Screening Template**

March 2019



**DAERA Equality** and **Human Rights**

# Screening Template

DAERA has a statutory duty to screen. This includes our strategies and plans, policies, legislative developments; and new ways of working such as – the introduction, change or end of an existing service, grant funding arrangement or facility. This screening template is designed to help business areas consider the likely equality and human rights impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training and know the current effective guidance first (see HPRM (Trim) link below for Guidance Document). To find out about the training needed, contact - [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk). All screening exercises must be supported by evidence and Quality Assured by Equality Unit prior to being cleared at Grade 3 level.



The accompanying Screening Guidance note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties**[[1]](#footnote-1)** and what they mean in practice is available on the Equality Commission’s website.

Please note: Only plain English**[[2]](#footnote-2)** should be used in all sections of this document.

The screening template has 4 sections to complete. These are:

**Section A** - asks you to provide details about the policy / decision that is being screened.

**Section B** - has 4 key questions that require you to outline the likely impacts on equality groups, and all supporting evidence.

**Section C** - has 4 key questions in relation to obligations under the Disability Discrimination Order and the Human Rights Act.

**Section D** - is the formal record of the screening decision.

Section A

Details about the policy / decision to be screened – In plain English

|  |
| --- |
| Title of policy / decision to be screened:- DAERA Science Strategy Framework – Innovation Operational Strategy |

|  |
| --- |
| Brief description of policy / decision to be screened:-  (Explain - Is this a new, revised or existing policy? Are there financial / legislative / procurement implications?)  This is a new policy document which defines DAERA’s approach to supporting innovation within the Department and also by industry. There are no financial, legislative or procurement implications as a result of this |

|  |
| --- |
| Aims and objectives of the policy / decision to be screened:-  (What is the policy trying to achieve?) *If you do not know you must seek advice from the project manager prior to completing this document.*  The Innovation Operational Strategy aims to define DAERA’s approach to supporting an increase in industry and departmental innovation and adoption, including in terms of collaborative partnerships, quality, timeliness, underpinning statutory regulations and ensures its effective, timely dissemination to relevant business areas. |

|  |
| --- |
| **On whom will the policy / decision impact?**  Consider the internal and external impacts (both actual or potential)  Staff  X    service users  X  rural community  X  other public sector organisations  X  voluntary / community groups / trade unions  others, please specify |

|  |
| --- |
| Are there linkages to other NI Departments / NDPBs? *Under the new Programme for Government there is an emphasis on shared responsibility between departments & this should be considered when answering this question.*   1. Department for Economy- Linkages have been established with Innovation Policy staff at DfE to address innovation related issues including DAERA responsibilities within the Northern Ireland Economic Strategy 2012, the Innovation Strategy for Northern Ireland 2014 – 2025 and the draft Economy 2030 – Industrial Strategy for Northern Ireland 2017. 2. InvestNI – Staff with input to innovation and R&D in Northern Ireland agri-food have been consulted and the network of contacts between DAERA and InvestNI has been further developed. 3. Agri-Food and Biosciences Institute AFBI – A wide network of contacts between AFBI R&D and DAERA staff exists and will be utilised to best effect in the development of the Innovation Strategy. 4. QUB and UU – Linkages with researchers and academics within departments of relevance to innovation and R&D within agri-food have been well established. Appropriate members of staff within QUB and UU have been consulted about this project, for example the Department of Management, Leadership and Marketing within UU. |

Section B

**Available evidence**

What evidence or information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below along with details of the different groups you have met and or consulted with to help inform your screening assessment.

|  |  |
| --- | --- |
| **Section 75 category** | **Details of evidence or information and engagement** |
| **Religious belief** | The most recent Census of Northern Ireland (2011) showed that nearly 41% of the population identified as Catholic and early 42% identified as one of Protestant religions with over 10% identifying as of no religion.  *DAERA Equality Indicators for Northern Ireland Farmers* (2018) showed that 51% of NI farmers identified as Protestant and 42% stated as Catholic, 6% did not identify as of any religion.  However the impact of this project will be considerably wider than the farming community, with stakeholders from DAERA, the agri-food industry including primary production and food businesses, researchers, academics, forestry, fisheries and the environment. |
| **Political opinion** | In general political belief mirrors religious opinion as above. |
| **Racial group** | The Census of Northern Ireland (2011) showed that over 98% of the population state their ethnic group as white. Less than 1% of farmers state an ethnicity other than white. |
| **Age** | Within agri-food the age profile of farmers may be a significant barrier to innovation at farm level with younger people more likely to innovate. (*Innovation in the Irish Agrifood Sector, UCD 2014).* The average age of farmers in Northern Ireland is 59 with only 8% of farmers identified as head of business under 40. |
| **Marital status** | The 2011 Census reported that 47.6% of the population of Northern Ireland were married. The *DAERA Update of Equality (Section 75) Indicators for Farmers* (2018) showed that almost three quarters (73%) of farmers were married and the proportion of farmers who were married increased with farm size, rising from 71% of farmers of very small farms to 84% of farmers of large farms.  However as the stakeholders in this project come from a wide range of backgrounds likely to be more representative of the population as a whole, there is no definitive evidence to suggest that this project will have any foreseeable impact on equality of opportunity because someone’s marital status. |
| **Sexual orientation** | Some 1.8% of the population in Northern Ireland identified themselves to be gay, lesbian or bisexual in a UK survey carried out in 2015. |
| **Men & women generally** | The 2011 Census reported that 49% of the population were men and 51% women. However the farming, fishing and forestry industries in Northern Ireland tend to be dominated by males as do business owners. This may suggest that this project could have a positive differential impact for men. |
| **Disability** | According to the 2011 Census nearly 21% of respondents reported a long term health problem or disability that limited their day to day activities. However this figure was 30% in rural areas where farmers had long term limiting conditions. The higher incidence of disability among farmers was related to their older age profile. It must be remembered that the impact of this project is much wider than the farming community.  However the strategy can highlight the need to consider disability to ensure that there would be no negative differential impact and equality of opportunity of all stakeholders. This would be of particular importance when hosting innovation related activities such as farm/factory visits, training and fact finding trips. |
| **Dependents** | In Northern Ireland the 2011 Census reports that nearly 34% of households have dependent children and over 40% of households have one or more people in the household with a long term health problem or disability (with and without dependent children). This is reflected in the *Update of Equality (Section 75) Indicators for Farmers* report which also found that in rural areas 40% of farm households have under18s, elderly dependents or both.  This may suggest the project could have a positive differential impact for households without dependents but it is unlikely that lack or childcare provision/respite care would impact significantly on this project. |

|  |
| --- |
| **No evidence held? Outline how you will obtain it:** *If you do not know you must seek advice from the project manager prior to completing this document.* |

1. **What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? What is the level of impact?**

|  |  |  |
| --- | --- | --- |
| **Section 75 category** | **Details of likely impact** | **Level of impact? Minor/Major/None** |
| **Religious belief** |  | None |
| **Political opinion** |  | None |
| **Racial group** |  | None |
| **Age** | The average age of farmers is 59. This may make them less likely to buy in to this strategy and innovate within their own business. However the collaborative partnership approach promoted within the strategy may encourage some farmers to innovate if they see peers getting involved. | Minor |
| **Marital status** |  | None |
| **Sexual orientation** |  | None |
| **Men and women generally** | Farming, fishing, forestry and business ownership tend to be male dominated. This may suggest the project could have a positive differential for men. | Minor |
| **Disability** | The incidence of disability is higher within the farming community than the general population (30% compared to 21%). Disability may impair or preclude innovation. Positive actions can be highlighted within the strategy to ensure people with disabilities are able to participate in DAERA innovation related activities. | Minor |
| **Dependents** | In rural areas 40% of households have under 18s, elderly dependents or both. This could result in a positive differential for households with no dependents. While it is unlikely that a lack of childcare/respite will have a significant impact on this project, positive actions can be highlighted within the strategy to ensure people with dependents are able to participate in DAERA innovation related activities. | Minor |

1. **Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?**

|  |  |  |
| --- | --- | --- |
| **Section 75 category** | **If Yes, provide details** | **If No, provide reasons** |
| **Religious belief** | The Innovation Strategy aims to define a strategic approach for DAERA support for an increase in industry and departmental innovation generation and adoption. As part of this it will encourage collaborative partnerships between stakeholders at local, national and international level. This could involve for example groups consisting of farmers, food processors, retailers, research providers, facilitators and academics working together to solve problems. This may help to bring together people from diverse religious backgrounds and political opinions. |  |
| **Political opinion** | The Innovation Strategy aims to define a strategic approach for DAERA support for an increase in industry and departmental innovation generation and adoption. As part of this it will encourage collaborative partnerships between stakeholders at local, national and international level. This could involve for example groups consisting of farmers, food processors, retailers, research providers, facilitators and academics working together to solve problems. This may help to bring together people from diverse religious backgrounds and political opinions. |  |
| **Racial group** |  | No. Over 98% of the population state their ethnicity as white. |
| **Age** | In supporting an increase in innovation this project may encourage farmers (average age 59) to be more innovative within their own businesses through the adoption of collaborative partnerships. |  |
| **Marital status** |  | No. The project involves the production of a strategy to drive innovation in DAERA and within industry. It does not provide any opportunities for promotion of equality related to marital status. |
| **Sexual orientation** |  | No. The project involves the production of a strategy to drive innovation in DAERA and within industry. It does not provide any opportunities for promotion of equality related to marital status. |
| **Men and women generally** |  | No. The project involves the production of a strategy to drive innovation in DAERA and within industry. It does not provide any opportunities for promotion of equality related to men and women generally. |
| **Disability** | Positive actions can be highlighted within this strategy to ensure people with disabilities can participate in DAERA innovation related activities. For example innovation related meetings, training or fact finding trips should be organised to ensure they are available to those with disabilities. |  |
| **Dependants** | Positive actions can be highlighted within this strategy to ensure people with dependents can participate in DAERA innovation related activities. For example where possible locally based meetings relating to innovation will mean that the time away from home will be minimised facilitating elder and child care. |  |

1. **To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? What is the level of impact? *Think People!***

|  |  |  |
| --- | --- | --- |
| **Good relations category** | **Likely impact?** | **Level of impact? Minor/Major/None** |
| **Religious belief** | The Innovation Strategy aims to define a strategic approach for DAERA support for an increase in industry and departmental innovation generation and adoption. As part of this it will encourage collaborative partnerships between stakeholders at local, national and international level. This could involve for example groups consisting of farmers, food processors, retailers, research providers, facilitators and academics working together to solve problems. This may help to bring together people from diverse religious backgrounds and political opinions and have a minor impact on good relations. | Minor |
| **Political opinion** | The Innovation Strategy aims to define a strategic approach for DAERA support for an increase in industry and departmental innovation generation and adoption. As part of this it will encourage collaborative partnerships between stakeholders at local, national and international level. This could involve for example groups consisting of farmers, food processors, retailers, research providers, facilitators and academics working together to solve problems. This may help to bring together people from diverse religious backgrounds and political opinions and have a minor positive impact on good relations. | Minor |
| **Racial group** | Over 98% of the population state their ethnicity as white. The Innovation Strategy will have no impact on good relations between people of different racial groups. | None |

1. **Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group? *Think People!***

|  |  |  |
| --- | --- | --- |
| **Good relations category** | **If Yes, provide details** | **If No, provide reasons** |
| **Religious belief** | The Innovation Strategy will last for a number of years. Within an extended timeframe it is reasonable to assume good relations between stakeholders of different religious beliefs, who have collaborated on innovation projects, will be maintained. |  |
| **Political opinion** | The Innovation Strategy will last for a number of years. Within an extended timeframe it is reasonable to assume good relations between stakeholders of different political opinions, who have collaborated on innovation projects, will be maintained |  |
| **Racial group** |  | No. The project will not address racial diversity as it is likely that virtually all involved will be of white ethnicity. |

Section C

DAERA also has legislative obligations to meet under the Disability Discrimination Order and Human Rights Act Questions 5 -9 relate to these two areas.

Consideration of Disability Duties

5. Does this proposed policy or decision provide an opportunity for DAERA to better **promote positive attitudes** towards disabled people?

|  |
| --- |
| **Explain your assessment in full**  The project may provide some opportunity to better promote positive attitudes towards disabled people. Positive actions can be highlighted within this strategy to ensure people with disabilities can participate in DAERA innovation related activities. For example innovation related meetings, training or fact finding trips can be organised to ensure that participants with disabilities are fully accommodated. |

6. Does this proposed policy or decision provide an opportunity to actively **increase the participation** by disabled people in public life?

|  |
| --- |
| **Explain your assessment in full**  No opportunities to actively increase the participation by disabled people in public life were identified. However as this project aims to develop an Innovation Strategy for DAERA, creativity and innovative thinking could be used to develop methods to ensure disabled people can better participate in public life. |

Consideration of Human Rights

7. The Human Rights Act (HRA) 1998 brings the European Convention on Human Rights (ECHR) into UK law and it applies in N Ireland. Indicate below (place an X in the appropriate box) any potential *adverse impacts* that the policy or decision may have in relation to human rights issues.

**See Annex A for brief synopsis on each of the Human Rights Articles & Protocols**

|  |  |  |
| --- | --- | --- |
| Right to Life | **Article 2** |  |
| Prohibition of torture, inhuman or degrading treatment | **Article 3** |  |
| Prohibition of slavery and forced labour | **Article 4** |  |
| Right to liberty and security | **Article 5** |  |
| Right to a fair and public trial | **Article 6** |  |
| Right to no punishment without law | **Article 7** |  |
| Right to respect for private and family life, home  and correspondence | **Article 8** |  |
| Right to freedom of thought, conscience and religion | **Article 9** |  |
| Right to freedom of expression | **Article 10** |  |
| Right to freedom of peaceful assembly and association | **Article 11** |  |
| Right to marry and to found a family | **Article 12** |  |
| The prohibition of discrimination | **Article 14** |  |
| Protection of property and enjoyment of possessions | **Protocol 1 Article 1** |  |
| Right to education | **Protocol 1 Article 2** |  |
| Right to free and secret elections | **Protocol 1 Article 3** |  |

Consideration of Human Rights (cont)

|  |
| --- |
| 8. **Please explain any adverse impacts on human rights that you have identified**  None identified |

|  |
| --- |
| 9. **Please indicate any ways which you consider the policy positively promotes human rights**  None identified |

**Monitoring Arrangements**

Section 75 places a requirement on DAERA to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity. Please note the following excerpt from The Equality Commission for Northern Ireland in relation to monitoring:

*A system must be established to monitor the impact of the policy in order to find out its effect on relevant groups. The results of ongoing monitoring must be reviewed on an annual basis. The public authority is required to publish the results of this monitoring. And they must be included in the public authorities´ annual review on progress to the Equality Commission. The Equality Scheme must specify how and where such monitoring information will be published. It is therefore essential that monitoring is carried out in a systematic manner and that the results are widely and openly published.*

*If the monitoring and analysis of results over a two year period show that the policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the public authority must ensure that the policy is revised to achieve better outcomes for the relevant equality groups.*

Outline what data you will collect in the future in order to monitor the impact of this policy or decision on equality, good relations and disability duties.

|  |  |  |
| --- | --- | --- |
| **Equality** | **Good Relations** | **Disability Duties** |
| External participants in innovation related initiatives will be asked to complete a Section 75 Monitoring Form which will allow full equality monitoring | External participants in innovation related initiatives will be asked to complete an evaluation of good relations pre and post participation. | Data on external participants’ disabilities and adjustments made to innovation related initiatives will be recorded. |

Section D – Summary Sheet

Formal Record of Screening Decision

|  |
| --- |
| **Title of Proposed Policy / Decision being screened**  DAERA Science Strategy Framework – Innovation Operational Strategy |

I can confirm that the proposed policy / decision has been screened for –

|  |  |
| --- | --- |
| X | equality of opportunity and good relations |
| X | disabilities duties; and |
| X | human rights issues |

On the basis of the answers to the screening questions, I recommend that this policy / decision is –

\***place an X in the appropriate box below**

|  |  |
| --- | --- |
|  | \***Screened In** – Necessary to conduct a full EQIA |

|  |  |
| --- | --- |
|  | \***Screened Out** – No EQIA necessary (no impacts)  Provide a brief note here to explain how this decision was reached:   * Please note that a ‘screened out’ decision **must** be accompanied by a sound rationale and relevant empirical evidence to show the basis upon which a screened out decision has been reached. |

|  |  |
| --- | --- |
| X | \* **Screened Out -** Mitigating Actions (minor impacts)  Provide a brief note here to explain how this decision was reached:   * Describe clearly the mitigating actions and / or policy changes that will now be introduced * Explain how these actions will address the inequalities:   While this project involves the development of a strategy it can identify mitigating actions that can be taken in its implementation.   1. The average age of farmers is 59. The collaborative partnership approach advocated within the Innovation Strategy may encourage farmers to innovate where they see their peers involved. 2. Farming fishing, forestry and business ownership tends to be male dominated. Promotion of innovation and collaborative partnerships may create opportunities for more female involvement. 3. The incidence of disability is higher within the farming community than in the general population. The strategy can highlight that positive actions should be taken to ensure people with disabilities can participate in DAERA innovation related activities such as training, meetings and fact finding trips. 4. In rural areas 40% of farm households have under 18s, elderly dependents or both. The strategy can highlight the need to consider those with dependents. Where possible locally based training and meetings will mean that the time away from home will be minimized to facilitate care requirements. |

**DAERA Equality** and **Human Rights**

# Screening Checklist

Before signing off this screening template please confirm that you have completed all the actions listed below.

I can confirm that all the actions listed below have been completed –

|  |  |
| --- | --- |
| X | I have explained any technical issues in plain English (easily understood by a 12 year old) |
| X | I have added evidence and explained my assessments in full |
| X | I have provided a brief note to justify my decision to ‘Screen In’ or ‘Screen Out’ |
| X | A copy of this screening template and the final decision has been sent to the Equality Unit for their consideration before it has been forwarded for sign-off |

**Formal Record of Screening Decision** (cont.)

***Have you issued this document to Equality Unit prior to obtaining Grade 3 signature?***

**Yes**

|  |  |
| --- | --- |
| **Screening assessment completed by (Staff Officer level or above) -** | |
| Name: Elaine Chapman | Grade: II |
|  | Date: 21/2/19 |
| Branch: Science, Evidence and Innovation Policy | |

|  |
| --- |
| Signature: please insert a scanned image of your signature below |

|  |  |
| --- | --- |
| **Screening decision approved by (must be Grade 3 or above) -** | |
| Name: Norman Fulton | Grade: 3 |
|  | Date: 15/03/2019 |
| Branch: FFG | |

|  |
| --- |
| Signature: please insert a scanned image of your signature below  cid:image002.jpg@01D315DE.B527E510 |

Please save the final signed version of the completed screening form in the HPRM container below as soon as possible after completion and forward the HPRM link to Equality Branch at [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk). The screening form will be placed on the DAERA website and a link provided to the Department’s Section 75 consultees.



For more information about equality screening, contact –

DAERA Equality Unit

Equality, Diversity & Public Appointments Branch

Ballykelly House

111 Ballykelly Road

LIMAVADY  
BT49 9HP

Email: [equalitydiversitypublicappointments@daera-ni.gov.uk](mailto:equalitydiversitypublicappointments@daera-ni.gov.uk)

Tel: 028 7744 2027



**Annex A**

**Synopsis of Human Rights Act Articles & Protocols**

***Article 2***

**E+W+S+N.I.*Right to life***

1. Everyone’s right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.**E+W+S+N.I.**
2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary:**E+W+S+N.I.**

(a) In defense of any person from unlawful violence;

(b) In order to effect a lawful arrest or to prevent the escape of a person lawfully detained;

(c) In action lawfully taken for the purpose of quelling a riot or insurrection.

***Article 3***

**E+W+S+N.I.*Prohibition of torture***

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

***Article 4***

**E+W+S+N.I.*Prohibition of slavery and forced labour***

1. No one shall be held in slavery or servitude.**E+W+S+N.I.**
2. No one shall be required to perform forced or compulsory labour.**E+W+S+N.I.**
3. For the purpose of this Article the term “forced or compulsory labour” shall not include:**E+W+S+N.I.**

(a) Any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;

(b) Any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;

(c) Any service exacted in case of an emergency or calamity threatening the life or well-being of the community;

(d) Any work or service which forms part of normal civic obligations.

***Article 5***

**E+W+S+N.I.*Right to liberty and security***

1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:**E+W+S+N.I.**

(a) The lawful detention of a person after conviction by a competent court;

(b) The lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;

(c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;

(d ) the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;

(e) The lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;

(f) The lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.

1. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.**E+W+S+N.I.**
2. Everyone arrested or detained in accordance with the provisions of paragraph 1(c) of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.**E+W+S+N.I.**
3. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.**E+W+S+N.I.**
4. Everyone who has been the victim of arrest or detention in contravention of the provisions of this Article shall have an enforceable right to compensation.**E+W+S+N.I.**

***Article 6***

**E+W+S+N.I.*Right to a fair trial***

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.**E+W+S+N.I.**
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.**E+W+S+N.I.**
3. Everyone charged with a criminal offence has the following minimum rights:**E+W+S+N.I.**

(a) To be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;

(b) To have adequate time and facilities for the preparation of his defense;

(c) To defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;

(d) To examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

(e) To have the free assistance of an interpreter if he cannot understand or speak the language used in court.

***Article 7***

**E+W+S+N.I.*No punishment without law***

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.**E+W+S+N.I.**
2. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognised by civilised nations.**E+W+S+N.I.**

***Article 8***

**E+W+S+N.I.*Right to respect for private and family life***

1. Everyone has the right to respect for his private and family life, his home and his correspondence.**E+W+S+N.I.**
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.**E+W+S+N.I.**

***Article 9***

**E+W+S+N.I.*Freedom of thought, conscience and religion***

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.**E+W+S+N.I.**
2. Freedom to manifest one’s religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.**E+W+S+N.I.**

***Article 10***

**E+W+S+N.I.*Freedom of expression***

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.**E+W+S+N.I.**
2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.**E+W+S+N.I.**

***Article 11***

**E+W+S+N.I.*Freedom of assembly and association***

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.**E+W+S+N.I.**
2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.**E+W+S+N.I.**

***Article 12***

**E+W+S+N.I.*Right to marry***

Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

***Article 14***

**E+W+S+N.I.*Prohibition of discrimination***

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

**Protocol 1**

***Article 1***

**E+W+S+N.I.*Protection of property***

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

**Protocol 1**

***Article 2***

**E+W+S+N.I.*Right to education***

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

**Protocol 1**

***Article***

***3* E+W+S+N.I.*Right to free elections***

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature

1. ECNI ‘Section 75 of the NI Act 1998: A Guide for Public Authorities’ April 2010. [www.equalityni.org](http://www.equalityni.org) [↑](#footnote-ref-1)
2. Should be easily understood by a 12 year old. [↑](#footnote-ref-2)