# A4 DAERA Logo process.png

**Equality & Disability Duties**

**Screening Template**

# **August 2021**

# **Screening flowchart and template (taken from Section 75 of the Northern Ireland Act 1998 – A Guide for public authorities April 2010 *(Appendix 1)).***

**Introduction**

**Part 1. Policy scoping** – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

**Part 2. Screening questions** – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues. This section also includes two questions related to the Disability Duties.

**Part 3. Screening decision** –guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or tointroducemeasures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

**Part 4. Monitoring** –provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

**Part 5. Consideration of Human Rights** – please note this is not a Human Rights Screening form but rather a prompt that impacts on Human Rights should be considered.

 **Part 6. Approval and authorisation** – verifies the public authority’s approval of a screening decision by a senior manager responsible for the policy.

 A screening flowchart is provided overleaf.

Policy Scoping

* + Policy
	+ Available data

Screening Questions

* Apply screening questions
* Consider multiple identities

Screening Decision: None/Minor/Major

Mitigate

 Publish Template

Re-consider screening

Publish Template

for information

Publish Template

 EQIA

Monitor

**‘None’**

Screened out

**‘Major’**

Screened in for EQIA

**‘Minor’**

Screened out with mitigation

Concerns raised with evidence

Concerns raised with evidence re: screening decision

**Part 1. Policy scoping**

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

**Information about the policy**

**Name of the policy**

Northern Ireland Peatland Strategy 2021-2040

**Is this an existing, revised or a new policy?**

New Policy

**What is it trying to achieve? (intended aims/outcomes)**

The New Decade, New Approach agreement (NDNA), published by the NI Executive, includes a commitment to tackle climate change using a coordinated and strategic approach through actions which will address both the immediate and longer term climate impacts in a fair and just way. The challenge, as set by the Climate Change Committee (CCC), is for Northern Ireland to achieve at least an 82% reduction in greenhouse gases and net zero CO2 by 2050. The CCC has stated that peatland restoration and land management practices will have a role to play in UK decarbonisation, (Land Use Policies for a Net Zero UK, Climate Change Committee, January 2020).

An agreed Northern Ireland Peatland Strategy, under the auspices of the UK Peatland Strategy, will provide a **framework** for both conserving our intact peatlands in NI and a peatland restoration programme. A Strategy Implementation Plan (with delivery phases, scale and sources of funding and reporting metrics identified) and Reporting Framework will be developed following publication of the agreed Strategy. There are 6 Strategic Objectives and 41 proposed actions in the draft strategy document. Following the consultation exercise and pending agreement by the NI Executive and Assembly, an agreed NI Peatland Strategy will be published and each action in the strategy will be taken forward (according to the timetable detailed in the Implementation Plan). DAERA acknowledges that promoting equality of opportunity and good relations are cross-cutting themes across all Government strategies, policy development and actions and a number of the proposed actions in the draft NI Peatland Strategy, if adopted, will necessitate legislative or policy changes e.g. cessation of peat extraction. Each of these actions will thus be subject to their own policy process with accompanying Equality, Assessments, Rural Needs Assessments, Habitats Regulations Assessments (HRA) etc. as required.

An initial EQIA Screening exercise was carried out in July 2020, at an early stage in the development of the draft NI Peatland Strategy. Since the public consultation exercise opened on the draft strategy, comments received and internal discussions have led to the decision to conduct this subsequent EQIA Screening exercise.

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**Are there any Section 75 categories which might be expected to benefit from the intended policy?**

**If so, explain how.**

It is expected that overall the people of Northern Ireland (including Section 75 categories) will benefit from the implementation of an agreed NI Peatland Strategy, although more information will be needed to categorically determine if there will be either positive or negative impacts on Section 75 categories.

It is important to note that the implementation of an agreed NI Peatland Strategy will help achieve Outcome 2 of the PFG and has relevance for all citizens of Northern Ireland - “*We live and work sustainably – protecting the environment*”. In addition, implementation of an agreed NI Peatland Strategy will help support delivery of the UK Government’s “Net Zero” target which commits to a 100% reduction in the 1990 levels of Greenhouse Gas emissions by 2050 – the conservation and management of intact peatland habitats and the restoration of degraded peatland habitats are acknowledged as having significant potential for Climate Change mitigation.

NISRA Statistics (2019) indicate that 221 males and 72 females are employed in jobs involving peat extraction (<https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/BRES2019-Publication-Tables.xlsx>) and research has also indicated that poverty has been found to correlate with minority ethnic groups (<http://www.jrf.org.uk/publications/poverty-ethnicity-northern-ireland>).

Implementation of an agreed NI Peatland Strategy may lead to the creation of new “green jobs” and educational and upskilling opportunities in the field of nature conservation.

Enhanced educational and training opportunities relating to nature conservation will also be beneficial to younger age groups, though there is significant potential for older local people to get engaged in peatland restoration and educational activities, particularly cultural activities.

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will provide benefits to citizens depending on their religious belief, political opinion, marital status and whether they have dependants. A proposed action within the draft NI Peatland Strategy to consider opportunities for increased access, where appropriate, to peatland sites may have an increased benefit for people with a disability.

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**Who initiated or wrote the policy?**

The UK Peatland Strategy was published in 2018 and provided a framework for the development of individual UK country strategies. The Draft NI Peatland Strategy was produced by DAERA (Natural Heritage Branch, Regulatory & Natural Resources Policy Division, EMFG) following engagement and collaboration within DAERA and a range of external stakeholders.

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**Who owns and who implements the policy?**

Following the public consultation process and subject to Ministerial and Executive approval, an agreed Northern Ireland Peatland Strategy will be published by DAERA. Regulatory & Natural Resources Policy Division (RNRPD) within the Environment, Marine & Fisheries Group (EMFG) of DAERA will facilitate the implementation of the strategy, in partnership with a range of stakeholders and relevant organisations. It is proposed to establish a “Peatland Partnership” with a suggested oversight/advice/reporting role for the strategy although the detail of the membership and exact role has yet to be agreed.

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**Implementation factors**

**Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?**

**If yes, are they (please delete as appropriate)**

**Financial**

Decisions on finance to support the implementation of an agreed NI Peatland Strategy on a long term basis have yet to be made. In the FY 2021/22, financial support has been provided via the DAERA Environment Fund for a limited number of peatland restoration projects. Although still to be developed, peatland management may be financially supported via e.g. future Agri-environment Schemes.

**Legislative**

The Draft NI Peatland Strategy contains a number of proposed actions relating to policy and legislation. The extent and degree of policy and legislative change will become clearer once an agreed NI Peatland Strategy is published and any such changes will be subject to the relevant procedures.

**other, please specify** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Main stakeholders affected**

**Who are the internal and external stakeholders (actual or potential) that the policy will impact upon? (please delete as appropriate)**

**Staff**

**service users**

**other public sector organisations**

**voluntary/community/trade unions**

**other, please specify** ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Local Government**

**Horticulture businesses**

**Farm businesses**

**Charities**

**Business Groups**

**Trade Bodies/Associations**

**Academia/Educational**

**Government-Owned Companies**

**Citizens**

Other policies with a bearing on this policy

* **What are they?**
* This Strategy will contribute to achieving Outcome 2 of the PfG, “We live and work sustainably – protecting the environment” and supporting indicator 45, which focuses on the percentage of protected sites in Northern Ireland under favourable management status.
* Implementation of an agreed NI Peatland Strategy will also make a contribution towards delivering international and national Climate and Biodiversity targets, the proposed Green Growth Strategy, the proposed NI Environment Strategy, the proposed NI Biodiversity Strategy and will be considered during the development of a Future Agricultural Policy Framework.
* It is possible that the Department for Infrastructure and Local Authorities may be involved in reviewing and strengthening planning policies around e.g. the extraction of peat and renewable energy installations.
* Research into e.g. climate mitigation, peatland management and peat alternatives may be commissioned through CAFRE or AFBI
* **Who owns them?**

Programme for Government - Northern Ireland Executive

Green Growth Strategy – Northern Ireland Executive

Environment Strategy - DAERA

Biodiversity Strategy – DAERA

Future Agricultural Policy Framework - DAERA

Review of Planning Policies – Department Of Infrastructure, Local Authorities.

**Available evidence**

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The Commission has produced this guide to [signpost to S75 data](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/S75DataSignpostingGuide.pdf).

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

*Please ensure all data used is the most current and up to date available. You should verify this by contacting the Departmental Statisticians.*

The transition to Net Zero will be challenging for all sectors of society in NI – however, the Climate Change Committee has advised that the restoration of peatland will be a significant tool in Climate Change mitigation. Once an agreed NI Peatland Strategy is published, an Implementation Plan will be developed, which will outline in detail a suite of metrics to monitor progress with strategy implementation.

DAERA acknowledges that equality of opportunity and good relations must be central to all public policy development and implementation. Evidence sources such as comments provided via the public consultation on the Draft NI Peatland Strategy, current census data, the full range of DAERA statistics e.g. on agriculture and the agri-food industry, rural communities, environment and forestry and also by information forthcoming from the new NI Census (2021) will be used to update and inform the development of an agreed Northern Ireland Peatland Strategy, actions flowing from the strategy and any associated Equality assessments.

**Religious belief** evidence/information:

2011 Census of Northern Ireland - [Census 2011 : Key statistics](http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2013/general/russell3013.pdf)

The religious beliefs across the NI community are 48% Protestant and 45% Catholic. Catholics predominate in the West, North- West and South of Northern Ireland. Whereas in contrast, Protestants are heavily represented in the East, North-East and Greater Belfast areas.

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**Political Opinion** evidence/information:

2011 Census of Northern Ireland

2018 DAERA Equality Indicators Report

Information on political opinion was not collected in the Census 2011. However, as a question on National Identity was included responses were analysed against farm size, type and land characteristics as a proxy metric for political opinion. Overall, 44% of farmers reported their identity as British only, 26% as Irish only and 23% as Northern Irish only, with 8% stating another identity or a combination of more than one identity.

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**Racial Group** evidence/information:

The 2001/02 Social Survey of Farmers and Farm Families across Northern Ireland.

2011 Census of Northern Ireland

2018 DAERA Equality Indicators Report

The 2001/02 Social Survey of Farmers and Farm Families across Northern Ireland (most recent) outlined that the farming population was overwhelmingly white and that there was no difference in racial group by type or size of farm. This survey was conducted nearly 20 years ago and the racial group statistics in both the 2011 census and DAERA’s Equality Indicators Report (2018) reflect the original findings of the 2001-02 survey.

The 2011 Census of Northern Ireland found that over 98% of the population, state their ethnic origin to be white. Non-white ethnic groups accounted for 1.7% of the total population. In addition under 1.3% of non-white minority ethnic groups of Black, Asian and Other live in a rural area.

DAERA’s Equality Indicators Report (2018) stated the proportion of farmers stating an ethnicity other than white was too small to examine differences by farm characteristics.

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**Age** evidence/information:

2011 Census of Northern Ireland – Population Estimates – Single year of Age

2016 EU Farm Structure Survey Northern Ireland

The mean age of the NI population is 37.59. 57.61% of NI residents aged 16-72 were economically active.

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**Marital Status** evidence/information:

2011 Census of Northern Ireland

2016 EU Farm Structure Survey Northern Ireland

47.5% of people over 16 in Northern Ireland are currently married (2011 Census) with a further 36.1% classed as single (never been married) and the remaining 16.4% separated, divorced or widowed. Within the rural communities of Northern Ireland a higher proportion of people are married at 57% and within the farming context this is even higher with 68% of adults married.

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**Sexual Orientation** evidence/information:

Information on sexual orientation was not collected in the Population Census 2011 of Northern Ireland.

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**Men & Women generally** evidence/information:

2011 Census of Northern Ireland

The 2011 Census showed that 51% of the population were female and 49% male. In March 2011, female employees (333,000) outnumbered male employees (307,000), which is a reversal from the position in April 2001. In 2016 female workers accounted for 24% of the workforce.

At 30 June 2019, Northern Ireland’s population was estimated to be 1.89 million people. Between mid-2018 and mid-2019, the population of Northern Ireland increased by 12,000 people (0.6 per cent). Just over half of the population (50.7 per cent) were female, with 961,000 females compared to 932,700 males (49.3 per cent).

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**Disability** evidence/information:

2011 Census of Northern Ireland

2018 DAERA Equality Indicators Report

The 2011 Census of Northern Ireland showed that around 12% of the population found their day to day activities to be limited a lot due to a disability and around 9% found their activities limited a little.

In Northern Ireland it is estimated that 22% of the population have some form of disability; amongst farmers this figure is slightly higher, with almost a third (30%) of farmers stated that they had a long-term illness or disability which limited their daily activities.

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**Dependants** evidence/information:

2011 Census of Northern Ireland

2017 Northern Ireland Statistics and Research Agency (NISRA) Report

33.86% of NI households have dependant children (Those aged 0-15 and person aged 16-18 who is a full time student and in a family with parent(s)). For households with dependant children, there is around 9% with one or more persons with a long term health problem or disability. For households without dependant children there is around 31% of those with one or more people with a long term health problem or disability.

The average age of first-time mothers has increased from 24 to 28 years since 1986, according to the Northern Ireland Statistics and Research Agency (NISRA) in November 2017.

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**Needs, experiences and priorities**

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

**Specify details of the needs, experiences and priorities for each of the Section 75 categories below:**

***Religious belief***

In Northern Ireland, potential equality impacts regarding religious belief and political opinion can be complex. The 2018 DAERA Equality Indicators reported that 85% of Catholics have smaller farms compared to 68% of Protestants and were also more likely to be engaged in cattle and sheep farming in Less Favoured Areas, with 77% engaged in this type of farming activity compared to 45% of Protestant farmers. Semi-natural peatland habitat in NI has a largely (though not exclusively) northern and western distribution and there is the potential for peatland conservation and restoration activities to have an impact on upland farmers. The impact on sectors which are related to or rely on the extraction of peat may be over/underrepresented by a particular religious belief as again this may be a result of the geographical location of peatland in NI.

Further evidence will need to be gathered where there are gaps relating to potential impacts of the implementation of an agreed NI Peatland Strategy on the needs, experience and priorities of those of differing religious beliefs.

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***Political Opinion***

An agreed Northern Ireland Peatland Strategy aims to make a contribution to reaching Net Zero and local and international biodiversity targets. Implementation of the strategy may have an impact on sectors such as upland agriculture or those sectors involved in peat extraction or use of peat products. In Northern Ireland, some industries/employment sectors may be situated in particular geographical areas and this may be associated with a particular political opinion of the workforce.

Further evidence will need to be gathered where there are gaps relating to potential impacts of the implementation of an agreed NI Peatland Strategy on the needs, experience and priorities of those of differing political opinions.

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***Racial Group***

Opportunities for encouraging engagement from under-represented groups will be considered as part of Strategy development and in the development of the Implementation Plan.

The implementation of an agreed NI Peatland Strategy may provide an opportunity for upskilling and job creation in the field of nature conservation and may help reduce unemployment in minority ethnic groups.

Further evidence will need to be gathered where there are gaps relating to potential impacts of the implementation of an agreed NI Peatland Strategy on the needs, experience and priorities of those of differing racial groups.

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***Age***

An agreed NI Peatland Strategy is of relevance to all ages, and its development and implementation will be open to all ages to become involved in. It will benefit all citizens of Northern Ireland.

DAERA are committed to inclusive engagement and acknowledge the wealth of knowledge older people can bring to enhance strategy development. Cultural associations, which have developed between communities and peatland areas over generations, will be an important aspect to consider in developing the peatland strategy and any associated communication activity. Consideration will be given on how best to engage with older people and organisations in order to capture and utilize their views.

The involvement of young people in the development and implementation of an agreed NI Peatland Strategy, due to the link to climate change mitigation. Given that the strategy is proposed to cover the time period up to 2040, it is essential that young people are involved in Strategy development and in its subsequent implementation.

Further evidence will need to be gathered where there are gaps relating to potential impacts of the implementation of an agreed NI Peatland Strategy on the needs, experience and priorities of those of different age groups.

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***Marital status***

The NI 2011 census showed that around 48% of the population were married or in a civil partnership, and 36% were single.

At this stage in the development of the NI Peatland Strategy, there is no evidence available to suggest that its implementation will have any foreseeable impact on equality of opportunity on stakeholders as a result of their marital status although it is important to acknowledge that there may be barriers to participation in the implementation of the strategy which relate to marital status, such as the care of dependants. Further evidence will need to be gathered relating to potential impacts of the implementation of the Strategy on the needs, experience and priorities of citizens as a result of their marital status.

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***Sexual orientation***

At this stage in the development of the NI Peatland Strategy, there is no evidence available to suggest that implementation of the Strategy will have any foreseeable impact on equality of opportunity on stakeholders as a result of their sexual orientation. Further evidence will need to be gathered relating to potential impacts of the implementation of the Strategy on the needs, experience and priorities of citizens as a result of their sexual orientation.

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***Men and Women Generally***

The NI economy is highly dependent on the agri-food sector (including horticulture, which utilises peat and peat products) and NISRA statistics indicate that there is a substantially higher number of males employed in this sector than females (NISRA Labour Force Survey Annual Report 2019 [Annual Report Tables 2019 | Northern Ireland Statistics and Research Agency (nisra.gov.uk)](https://www.nisra.gov.uk/publications/annual-report-tables-2019)

NISRA statistics (2019) also indicate that 221 males and 72 females are employed in jobs involving peat extraction (total 293).

<https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/BRES2019-Publication-Tables.xlsx>

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will impact disproportionately on the needs, experience and priorities of citizens as a result of their gender and identify potential mitigation.

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***Disability***

The Northern Ireland 2011 Census showed that around 12% of the population found their day to day activities to be limited a lot due to a disability and around 9% found their activities limited a little. NISRA reports that one in five people have a disability or limiting long-term illness.

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will impact disproportionately on people with a disability. A submission received to the public consultation on the Draft NI Peatland Strategy highlighted that as suggested in the strategy, improved access to peatland sites would be a positive benefit for people with both physical disabilities and mental health issues, older people and people with children.

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***Dependants***

At this stage in the development of NI Peatland Strategy there is limited evidence available to suggest the Strategy will impact on stakeholders as a result of their dependants, although DAERA acknowledge there may be barriers to participation related to people having dependants, particularly for women. Opportunities for encouraging engagement from those with dependants will be considered as part of Strategy development.

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**Part 2. Screening questions**

**Introduction**

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4.

If the public authority’s conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is ‘screened out’ as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority’s conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority’s conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

* measures to mitigate the adverse impact; or
* the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

**In favour of a ‘major’ impact**

1. The policy is significant in terms of its strategic importance;
2. Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
3. Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
4. Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
5. The policy is likely to be challenged by way of judicial review;
6. The policy is significant in terms of expenditure.

**In favour of ‘minor’ impact**

1. The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
2. The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
3. Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
4. By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

**In favour of none**

1. The policy has no relevance to equality of opportunity or good relations.
2. The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.**Screening questions**

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

Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

**Details of the likely policy impacts on *Religious belief*:**

The 2018 DAERA Equality Indicators Report [Equality indicators Report | Department of Agriculture, Environment and Rural Affairs (daera-ni.gov.uk)](https://www.daera-ni.gov.uk/publications/equality-indicators-report) found that 42% of farmers in Northern Ireland were Catholic, with 51% stating their religion as Protestant or another Christian denomination. The remainder (6%) were of 'other' or no religion. Catholics were much more likely than Protestants to farm on very small farms, with 85% of Catholics farming small farms compared to 68% of Protestants, and only 2% having large farms compared to 10% of Protestant farmers.

Catholic farmers were also more likely to be engaged in cattle and sheep farming in Less Favoured Areas, with 77% engaged in this type of farming activity compared to 45% of Protestant farmers. In contrast, a much higher proportion of Protestant (16%) than Catholic (5%) farmers were dairy farmers, and twice as many Protestant (25%) as Catholic (12%) farmers were lowland cattle and sheep farmers.

Semi-natural peatland habitat in NI has a largely (though not exclusively) northern and western distribution and there is the potential for peatland conservation and restoration activities to have an impact on upland farmers in LFA.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Political Opinion:***

Information on political opinion was not collected in the Population Census 2011. However, as a question on National Identity was included responses were analysed against farm size, type and land characteristics as a proxy metric for political opinion. Overall, 44% of farmers reported their identity as British only, 26% as Irish only and 23% as Northern Irish only, with 8% stating another identity or a combination of more than one identity. The religious profile varied across farm characteristics, with the proportions stating a British only identity increasing with farm size, from 40% of those in very small farms to 65% of those in large farms.

A much higher proportion of those stating an Irish only or Northern Irish only identity farmed on very small farms (85% and 81% respectively) than those stating a British only identity (69%). In contrast, the proportion of those stating a British only identity farming on large farms (9%) was more than double that of those who stated Irish only (2%) or Northern Irish only (4%) identities.

High proportions of dairy farmers (62%) and those engaged in mixed farming (63%) stated a British only identity. 77% of those describing their identity as Irish only and 68% of those with a Northern Irish only identity were engaged in cattle and sheep farming in Less Favoured Areas, compared to 48% of farmers of British only identity.

Farmers with an Irish only identity were almost twice as likely to farm in Severely Disadvantaged Areas (55%) than farmers with a British only identity (28%). The proportion of those with a Northern Irish identity farming in Severely Disadvantaged Areas was also very high at 48%. The proportion of those describing themselves as British only who farmed in lowland areas (39%) was more than twice that of those with an Irish only identity (15%) and much higher than those with a Northern Irish only identity (24%).

Similar to above, Semi-natural peatland habitat in NI has a largely (though not exclusively) northern and western distribution and there is the potential for peatland conservation and restoration activities to have an impact on upland farmers in LFA.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Racial Group*:**

Minority ethnic groups comprised 1.8% of the population, according to Northern Ireland's last census in 2011 and research by the Joseph Rowntree Foundation (2013) indicated that poverty in Northern Ireland has been found to correlate with racial group (<http://www.jrf.org.uk/publications/poverty-ethnicity-northern-ireland>)

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will impact disproportionately on any particular racial group.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Age*:**

The NI 2011 Census showed that around 25% of the population was 55 years or older and around 47% were under 35 years old. The average age of the NI population is 37.59. The average age of farmers in Northern Ireland is 59 with only 8% of farmers identified as head of business under 40.

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will impact disproportionately on any particular age group.

In addition, an assessment will need to be made on the contribution of an agreed peatland strategy to climate mitigation, given the disproportionate impact that climate change may have on younger members of society in NI.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Marital Status*:**

The NI 2011 census showed that around 48% of the population were married or in a civil partnership, and 36% were single.

At this stage in the development of Northern Ireland Peatland Strategy, there is no evidence available to suggest the Strategy will have any foreseeable impact on equality of opportunity on stakeholders as a result of their marital status.

**What is the level of impact?** Minor

**Details of the likely policy impacts on *Sexual Orientation*:**

There are no data on the number of LGBT+ persons in NI as no national census has ever asked people to define their sexuality.

At this stage in the development of Northern Ireland Peatland Strategy, there is no evidence available to suggest the Strategy will have any foreseeable impact on equality of opportunity on stakeholders as a result of their sexual orientation.

**What is the level of impact?** Minor

**Details of the likely policy impacts on *Men and Women*:**

The NI 2011 Census showed that 51% of the population was male and 49% female. NISRA statistics (2019) indicate that 221 males and 72 females are employed in jobs involving peat extraction (total 293).

<https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/BRES2019-Publication-Tables.xlsx>

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will impact disproportionately on any particular gender and potential mitigation.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Disability*:**

The Northern Ireland 2011 Census showed that around 12% of the population found their day to day activities to be limited a lot due to a disability and around 9% found their activities limited a little. NISRA reports that one in five people have a disability or limiting long-term illness.

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will impact disproportionately on people with a disability.

A submission received to the public consultation on the Draft NI Peatland Strategy highlighted that as suggested in the strategy, improved access to peatland sites would be a positive benefit for people with both physical disabilities and mental health issues, older people and people with children.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Dependants*:**

The 2011 Census showed that 34% of NI households have dependant children (those aged 0-15 and person aged 16-18 who is a full time student and in a family with parent(s)).

NISRA reports that over the past 10 years there have been consistently more economically inactive women than men. The most common reason for inactivity among women was family and home commitments. 76% of women with dependent children were economically active, compared with 92% of men with dependant children.

<https://www.nisra.gov.uk/labour-force-survey-women-northern-ireland-2020>

More information will be required to determine if the implementation of an agreed NI Peatland Strategy will impact disproportionately on people with dependants. A submission received to the public consultation on the Draft NI Peatland Strategy highlighted that as suggested in the strategy, improved access to peatland sites would be a positive benefit for people with both physical disabilities and mental health issues, older people and people with children.

**What is the level of impact?** Major

1. **Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?** Yes/No (please delete as appropriate)

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

***Religious Belief* - If Yes, provide details:**

The 2018 DAERA Equality Indicators Report [Equality indicators Report | Department of Agriculture, Environment and Rural Affairs (daera-ni.gov.uk)](https://www.daera-ni.gov.uk/publications/equality-indicators-report) reported that Catholic farmers were more likely to be engaged in cattle and sheep farming in Less Favoured Areas, with 77% engaged in this type of farming activity compared to 45% of Protestant farmers. Semi-natural peatland habitat in NI has a largely (though not exclusively) northern and western distribution and there is the potential for peatland conservation and restoration activities to have a disproportionate impact on upland farmers in LFA compared to lowland farmers.

Further evidence will be gathered where there are gaps in knowledge around potential impacts of the implementation of an agreed NI Peatland Strategy on the needs, experience and priorities of those of differing religious beliefs.

**If No, provide reasons:**

***Political Opinion* - If Yes, provide details:**

An agreed NI Peatland Strategy aims to make a contribution to achieving Net Zero in the UK and climate mitigation Since much semi-natural peatland is located largely (though not exclusively) in northern and western areas of NI and where hill farming is predominant, a link to political opinion may exist.

Further evidence will be gathered where there are gaps in knowledge around potential impacts of the implementation of an agreed NI Peatland Strategy on the needs, experience and priorities of those of differing political opinion.

**If No, provide reasons:**

***Racial Group* - If Yes, provide details:**

The implementation of an agreed NI Peatland Strategy may provide an opportunity for good quality “green” jobs in peatland conservation and restoration for citizens from minority ethnic groups. Educational programmes emanating from the implementation of the strategy will need to take into account the barriers e.g. language which citizens from ethnic minorities may encounter and make provision for this.

**If No, provide reasons:**

***Age* - If Yes, provide details:**

An agreed NI Peatland Strategy will be of relevance for all age groups and its implementation will be open to all ages to become involved in. The involvement of young people may be particularly desirable, given its link to mitigating climate change and achieving Net Zero. The increase in the need for nature conservation and peatland restoration jobs may provide enhanced opportunities for young people.

**If No, provide reasons:**

***Marital Status* - If Yes, provide details:**

The NI 2011 census showed that around 48% of the population were married or in a civil partnership, and 36% were single.

At this stage in the development of Northern Ireland Peatland Strategy, there is no evidence available to suggest the Strategy will have any foreseeable impact on equality of opportunity on stakeholders as a result of their marital status.

**If No, provide reasons**

***Sexual Orientation* - If Yes, provide details:**

At this stage in the development of the Northern Ireland Peatland Strategy, there is no evidence available to suggest the Strategy will have any foreseeable impact on equality of opportunity on stakeholders as a result of their sexual orientation.

**If No, provide reasons:**

***Men and Women generally* - If Yes, provide details:**

NISRA has reported that there are more economically inactive women than men in NI <https://www.nisra.gov.uk/labour-force-survey-women-northern-ireland-2020>.

The implementation of an agreed NI Peatland Strategy may result in an increasing number of employment opportunities in “green jobs”, particularly in rural areas, although the impact on employment of men and women, is not clear at this stage.

**If No, provide reasons:**

***Disability* - If Yes, provide details:**

There is a proposed action in the draft NI Peatland Strategy to promote access opportunities for disabled people to peatland sites if appropriate and feasible. This may be viewed as a positive outcome for people with disabilities and people with mental health issues.

**If No, provide reasons:**

***Dependants* - If Yes, provide details:**

At this stage in the development of the Northern Ireland Peatland Strategy, there is no evidence available to suggest the Strategy will have any foreseeable impact on equality of opportunity on stakeholders as a result of having dependants. A submission received to the public consultation on the Draft NI Peatland Strategy highlighted that, as suggested in the strategy, improved access to peatland sites would be a positive benefit for people with children.

**If No, provide reasons:**

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

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

**Details of the likely policy impacts on *Religious belief*:**

Given the relationship between geographical distribution of semi-natural peatland habitat and patterns of religious belief, potential equality impacts may be experienced disproportionately. Equality impacts will need to be further assessed and mitigation measures employed where appropriate as an agreed NI Peatland Strategy is implemented.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Political Opinion*:**

As above, given the correlation with religious belief and political opinion in NI.

**What is the level of impact?** Major

**Details of the likely policy impacts on *Racial Group*:**

At this stage, the potential impacts of the implementation of an agreed NI Peatland Strategy on people of different racial groups will need to be further established but may be beneficial. However, any potential impact identified as a result of the public consultation exercise or as the strategy is implemented will result in mitigating measures.

**What is the level of impact?** Major

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

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

***Religious Belief* - If Yes, provide details:**

Implementation of an agreed NI Peatland Strategy will, by definition, encourage collaborative partnerships between stakeholders at a local, national and possibly international level.

**If No, provide reasons:**

***Political Opinion* - If Yes, provide details:**

Implementation of an agreed NI Peatland Strategy will, by definition, encourage collaborative partnerships between stakeholders at a local, national and possibly international level.

**If No, provide reasons**

**Racial Group - If Yes, provide details:**

Implementation of an agreed NI Peatland Strategy will, by definition, encourage collaborative partnerships between stakeholders at a local, national and possibly international level.

**If No, provide reasons**

**Additional considerations**

**Multiple identity**

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?  If so, please detail below.

(*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

**Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.**

Implementation of an agreed NI Peatland Strategy will support delivery of Outcome 2 of the NI Executives PFG - “We live and work sustainably – protecting the environment”. In addition, the Climate Change Committee has recommended peatland restoration is undertaken at a rapid pace as a means to mitigate climate change and as such, implementation of an agreed peatland strategy will be positive for all citizens in NI.

DAERA also has legislative obligations to meet under the Disability Discrimination Order. Questions 5 – 6 relate to these.

Consideration of Disability Duties

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

The implementation of an agreed NI Peatland Strategy may provide some opportunity to better promote positive attitudes towards disabled people e.g. increased access opportunities to nature conservation sites and opportunities to collaborate on peatland conservation and restoration activities e.g. participation in Citizen Science projects. It will also be essential to ensure that any communication activity emanating from implementation of the strategy is fully inclusive. Any comments received during the consultation process relating to how positive attitudes towards disabled people can be promoted in the strategy, will be incorporated where appropriate.

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

Details of opportunities to actively increase the participation by disabled people have not been scoped at this stage but potential areas for promotion may include educational opportunities, participation in Citizen Science projects, increased opportunities for “green jobs”/upskilling opportunities.

**Part 3. Screening decision** (Please delete as appropriate)

1. “Screened in” for equality impact assessment
2. ~~“Screened out” with mitigation or an alternative policy proposed to be adopted~~
3. ~~“Screened out” without mitigation or an alternative policy proposed to be adopted~~

**If the decision is *not to conduct an equality impact assessment*, please provide details of the reasons.**

N/A

**If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should *be mitigated or an alternative policy be introduced* - please provide details.**

N/A

**If the decision is to *subject the policy to an equality impact assessment*, please provide details of the reasons.**

This Equality Impact Assessment Screening Exercise is the second screening exercise carried out on the draft NI Peatland Strategy, and took into account comments received during the initial stages of the consultation period and advice received during ongoing discussions with DAERA staff. Post consultation, it is proposed to carry out a full Equality Assessment on the draft strategy, as the second screening exercise has indicated that there are gaps in the knowledge around the effects on Section 75 categories of the implementation of a NI Peatland Strategy. The results from the full Equality Impact Assessment, in addition to all comments received during the consultation exercise, will be taken into account in the production of an agreed NI Peatland Strategy.

All public authorities’ equality schemes must state the authority’s arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: [A Practical Guide to Equality Impact Assessment](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/PracticalGuidanceonEQIA2005.pdf?ext=.pdf)

**Mitigation**

When the public authority concludes that the likely impact is ‘minor’ and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

**Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations? Yes / No (delete as appropriate)**

**If so, *give the reasons* to support your decision, together with the proposed changes/amendments or alternative policy.**

N/A

**Timetabling and prioritising**

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been **‘screened in’** for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

**On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.**

| **Priority criterion** | **Rating (1-3)** |
| --- | --- |
| Effect on equality of opportunity and good relations  | 3 |
| Social need | 3 |
| Effect on people’s daily lives | 3 |
| Relevance to a public authority’s functions | 3 |
| **Total score** | 12 |

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority’s Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

**Is the policy affected by timetables established by other relevant public authorities?**

No

**If yes, please provide details.**

**Part 4. Monitoring**

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.*

Further advice on monitoring can be found at: [ECNI Monitoring Guidance for Public Authorities](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/S75MonitoringGuidance2007.pdf?ext=.pdf)

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.

Within the draft NI Peatland Strategy, it is proposed that a multi-stakeholder “Peatland Partnership” group is established to provide advice, support and to report to the DAERA Minister and NI Executive on the delivery of the Strategy. It is envisaged that this Partnership Group will develop an Implementation Plan which will include metrics to track progress with implementation of both actions emanating from the strategy and any effects, whether positive or negative on Section 75 categories.

**Equality:**

Participants in actions being taken forward as a result of an agreed NI Peatland Strategy will be asked to complete a Section 75 Monitoring Form which will allow full equality monitoring.

**Good Relations:**

Participants in actions being taken forward as a result of an agreed NI Peatland Strategy will be asked to complete an evaluation of good relations pre and post participation.

**Disability Duties:**

Data on participants’ disabilities and necessary adjustments will be collated during the implementation of any initiatives taken forward as a result of the NI Peatland Strategy.

**Part 5. Consideration of Human Rights**

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

1. **Please explain any adverse impacts on human rights that you have identified**
* Protection of Property and Enjoyment of Possessions

Within the Strategy, it is proposed that a review of Turbary Rights and commercial peat extraction is taken forward - with the potential for the introduction of government policy or legislation requiring the cessation of these activities. Introduction of any new policy or legislation would be subject to the usual policy and procedures.

9. **Please indicate any ways which you consider the policy positively promotes human rights**

Climate change directly and indirectly impacts a range of specific human rights, such as the right to life and the right to health and is also an issue of equity as it may impact specific groups more than others. The UK government has set a target to reach Net Zero carbon emissions by 2050 and the transition to carbon neutrality needs to be an inclusive process. Implementation of an agreed NI Peatland Strategy will make a contribution to mitigating the effects of a changing climate in NI and provide opportunities for stakeholders and government departments to become engaged in delivering Net Zero.

**Part 6 - Approval and authorisation**

# **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 –

* I have explained any technical issues in plain English (easily understood by a 12 year old)
* I have used the most relevant, current & up to date data available
* I have added evidence and explained my assessments in full
* I have provided a brief note to justify my decision to ‘Screen In’ or ‘Screen Out’
* 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

**Screening assessment completed by (Staff Officer level or above) -**

**Name:** Renny McKeown **Grade:** DP

**Branch:** RNRPD **Date:** 31/8/2021

**Signature:** please insert a scanned image of your signature

Not possible to insert scanned image of signature – not in office due to covid arrangements so no access to scanner.

**Screening decision approved by (must be Grade 3/Deputy Secretary or above) -**

**Name:** Dave Foster **Grade:** 5

**Branch:** RNRPD **Date:** 2/9/21

**Signature:** 

Note: A copy of the Screening Template, for each policy screened should be ‘signed off’ and approved by a senior manager responsible for the policy, made easily accessible on the public authority’s website as soon as possible following completion and made available on request.

Please save the final signed version of the completed screening form in the CM container (AE2-19-11940) below as soon as possible after completion and forward the CM link to Equality Branch at equality@daera-ni.gov.uk. The screening template must be saved to the container in **HTML format** (not PDF) in order to comply with accessibility requirements. 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: equality@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.