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

**Equality and Human Rights**

**Screening Template**

August 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 - equalitydiversitypublicappointments@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**

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| **Title of policy / decision to be screened:-** THE SEA FISH INDUSTRY (CORONAVIRUS) (FIXED COSTS) (NO.2) SCHEME (NORTHERN IRELAND) 2020 |

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| **Brief description of policy / decision to be screened:-** There is a need to introduce a specific scheme to address hardship in the sea fishing sector due to corona virus. Fishing activity for those in the Northern Ireland inshore fishing fleet which deploy static gear to target high value shellfish (crab, lobster etc.) continues to be curtailed due to significantly reduced markets for their catch.,DAERA with the approval of the Department of Finance can make the Scheme in exercise of the powers conferred by section 15(1) and (2) of the Fisheries Act 1981 as read with paragraph 2(1) of Schedule 2 to the Sea Fisheries (Northern Ireland) Order 2002. Grant in aid to the fishing sector has been central to fisheries policy for many decades, notably the administration of European funds. This scheme has precedent and represents a decision on the specifics of an emergency support package within established policy rather than any new policy. |

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| **Aims and objectives of the policy / decision to be screened:-** To provide time and budget limited emergency financial support to fishing undertakings (fishing vessel owners) to cover fixed costs that continue to arise while income from fishing and selling catch that has dramatically reduced due the corona virus (CV-19) pandemic in the UK. Although targeted at the inshore fishing fleet which deploy static gear (pots, creels etc,) to target crab and lobster mainly, the scheme shall benefit the industry as a whole by keeping vessel owners solvent and therefore able to resume fishing and supplying product to the industry when it is safe to do so. Accordingly, consideration of any differential impacts of the scheme across S75 groups should be seen in this context.A separate scheme of assistance via the European Maritime and Fisheries Fund is being provided for larger vessels using trawls and dredges.  |

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| **On whom will the policy / decision impact?**Consider the internal and external impacts (both actual or potential) Staff       **service users = fishing undertakings using static gear (pots, creels etc,)**X **rural community = coastal fishing communities** **other public sector organisations = DoF [financial approvals]**voluntary / community groups / trade unions     others, please specify      |

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| **Are there linkages to other NI Departments / NDPBs?** DoF approval is required for the scheme.Seafish NI[[3]](#footnote-3) has provided a list of vessels’ fixed costs for which the scheme will provide financial support for. |

**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.

* **2011 Northern Ireland Census**
* **2013 NI Life and Times Survey 2013**
* **2017 (Seafish) Pilot Survey of Employment in the UK Fishing Fleet. This pilot survey was conducted on behalf of the Marine Management Organisation and Marine Scotland to test the data collection methodology ahead of full employment surveys, as required under the EU’s Data Collection Framework. The survey collected data on the gender, age, education level, nationality and employment status of people working in the UK catching sector. The figures were representative of 7% of active vessels and 7% of jobs in the UK fishing fleet in 2016.**

[**https://www.seafish.org/media/publications/Seafish\_2017\_Pilot\_fleet\_employment\_survey\_report\_FULL.pdf**](https://www.seafish.org/media/publications/Seafish_2017_Pilot_fleet_employment_survey_report_FULL.pdf)

|  |  |
| --- | --- |
| **Section 75 category**  | **Details of evidence or information and engagement** |
| **Religious belief**  | The sea fishing industry, taken as a whole across NI, is representative of the range of political beliefs in NI. The 2011 Census of Northern Ireland found that 45% of the population were either Catholic or brought up as catholic, while 48% belonged to or were brought up in Protestant, Other Christian or Christian-related denominations. A further 0.9% belonged to or had been brought up in other religions or philosophies, while 5.6% neither belonged to, nor had been brought up in, a religion.The census further recorded that in rural communities, 53% of households recorded a head of household as following (or being brought up in) the Protestant or other Christian religious belief, with 45% following or being brought up in the catholic belief. 3% recorded their religion as other or none.Analysis undertaken by NISRA in respect of the Census results on religious belief/upbringing, identified that the industry sector which displayed the highest share of Protestants among people aged 16-74 in employment was agricultural, forestry and fishing; for which 64% were or had been brought up as Protestants, compared with 34% as Catholics. |
| **Political opinion**  | The sea fishing industry, taken as a whole across NI, is representative of the range of political opinion in NI.The Northern Ireland life and Times Survey 2013 found that 25% of the NI population describe themselves as nationalist, 29% as unionist and 43% held neither political opinion. There is no data on the political opinion of those in the fishing industry other than by using a proxy. As noted above, 52% of the rural population recorded a head of household following the Protestant or other Christian belief, with 45% following the Catholic belief. |
| **Racial group**  | The sea fishing industry, taken as a whole across NI, is representative of the range of racial groups in NI. Many crew are EU and non EEA nationals.The 2011 Census found that over 98% of the population state their ethnic origin to be white. In rural areas, the population is almost entirely classified as white (99.4%).The Seafish pilot survey of 2017 gathered data from a sample of 313 UK Fishing vessels (22 from NI) and 914 jobs (89 in NI). This survey found that more than three quarters of the jobs in this sample were filled by UK citizens, 10% by other EU Nationals and 13% by Non EEA nationals (the majority from the Philippines, and to a lesser extent Ghana and India). |
| **Age**  | The sea fishing industry, taken as a whole across NI, is representative of the range of age groups in NI.The 2011 Census showed that around 25% of the population was 55 years or older and around 47% were under 35 years old.The Seafish pilot survey reported that the average of all workers was 42 and the age profile in the sample varied by job position, with younger people working as deckhands, whilst skippers and owners were in older age groups.  |
| **Marital status**  | The sea fishing industry, taken as a whole across NI, is representative of the range of marital statuses in NI.The 2011 census showed that around 48% of the population were married or in a civil partnership, and 36% were single. |
| **Sexual orientation** | Data not available. The industry employs several hundreds of people and it is likely that sexual orientations are representative of wider NI society.There is no data in the number of lesbian, gay or bisexual persons in NI as the census did not ask people to define their sexuality. |
| **Men & women generally** | The 2011 Census showed that 51% of the population was male and 49% female.The Seafish pilot fleet survey reported that almost all of the jobs in the sample were filled by male workers; females occupying 2%. |
| **Disability** | No data available. The processing sector is required to facilitate disabled workers like any other companies.The 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. |
| **Dependants** | The sea fishing industry, taken as a whole across NI, is representative of the level of people with dependents in NI.The 2011 Census showed that 34% of family households contained dependent children. |

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| **No evidence held? Outline how you will obtain it:** N/A |

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** | The financial support package shall directly and indirectly benefit the fishing industry as a whole which is representative of the range of political beliefs in NI. | None |
| **Political opinion**  | The financial support package shall directly and indirectly benefit the fishing industry as a whole which is representative of the range of political opinions in NI. | None |
| **Racial group**  | The financial support package shall directly and indirectly benefit the fishing industry as a whole which employs a range of racial groups in NI. | None |
| **Age** | The financial support package shall directly and indirectly benefit the fishing industry as a whole which is representative of the range of age groups in NI. | None |
| **Marital status**  | The financial support package shall directly and indirectly benefit the fishing industry as a whole which is representative of the range of marital statuses in NI. | None |
| **Sexual orientation** | The financial support package shall directly and indirectly benefit the fishing industry as a whole which is likely to be representative of the range of sexual orientations in NI. | None |
| **Men and women generally**  | The financial support package shall directly and indirectly benefit the fishing industry as a whole. Due to the nature of the workforce in this industry, males will be the main recipients of the grant support but there is still unlikely to be any impact on equality of opportunity. | None |
| **Disability** | The financial support package shall directly and indirectly benefit the fishing industry as a whole which is likely to employ disabled persons in fish processing sector. | None |
| **Dependants**  | The financial support package shall directly and indirectly benefit the fishing industry as a whole which is representative of the range of people with dependants in NI. | None |

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

No

|  |  |  |
| --- | --- | --- |
| **Section 75 category**  | **If Yes, provide details**  | **If No, provide reasons** |
| **Religious belief** |  | The support package targets a specific group based on qualifying criteria and in this regard is rigid. Variations in eligibility to promote equality of opportunity would compromise scheme objectives. Equality is inherent in the scheme since the qualifying criteria do not result in differential benefits across any section 75 group in the NI fishing industry as a whole.  |
| **Political opinion**  |  | As above |
| **Racial group**  |  | As above |
| **Age** |  | As above |
| **Marital status** |  | As above |
| **Sexual orientation** |  | As above |
| **Men and women generally**  |  | As above |
| **Disability** |  | As above |
| **Dependants** |  | As above |

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 only discriminatory aspect of the scheme is the qualifying criteria. These are fair and transparent and do not result in s75 inequalities. As such, good relations are likely to be enhanced as all eligible applicants and the industry as a whole receives benefits.  | Minor |
| **Political opinion**  | As above | Minor |
| **Racial group** | As above | Minor |

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

No

|  |  |  |
| --- | --- | --- |
| **Good relations category** | **If Yes, provide details**  | **If No, provide reasons** |
| **Religious belief** |  | The scheme operates on the basis of qualifying criteria that apply to all. Disproportionate benefits to any s75 group is very unlikely given the breadth of impact of the scheme on the industry as a whole. |
| **Political opinion**  |  | As above |
| **Racial group**  |  | As above |

**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**

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

No

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| **Explain your assessment in full** The qualifying criteria for the financial support package are specific to the needs of fishing undertakings which deploy static gear for the most of their fishing activity. Within the industry there is no evidence of poor attitudes towards disabled persons, and companies within the wider sector employing people are bound by the Disability Discrimination Order. |

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

No

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| **Explain your assessment in full** The scheme will not directly increase participation by disabled persons in the NI fishing industry. It will however sustain those smaller scale fishing undertakings within the static gear industry through a period of hardship and as a consequence employment in the wider industry can be retained with opportunities to employ disabled persons, particularly on shore. |

**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 1Article 1** | [ ]  |
| Right to education | **Protocol 1Article 2** | [ ]  |
| Right to free and secret elections | **Protocol 1Article 3** | [ ]  |

Consideration of Human Rights (cont)

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| 1. **Please explain any adverse impacts on human rights that you have identified**

No adverse impacts on human right have been identified.  |

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| 1. **Please indicate any ways which you consider the policy positively promotes human rights**

The scheme will seek to sustain the protection of property (fishing boats) and enjoyment of possessions (commercial fishing). |

**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.

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| **Equality**  |  **Good Relations** | **Disability Duties** |
| Data will be held on scheme applicants and grant awards.  |  DAERA will monitor the impact of the scheme through its continuous engagement with industry representatives “ | Data will be held on scheme applicants and grant awards. |
|   |  |  |

**Section D – Summary Sheet**

**Formal Record of Screening Decision**

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| --- |
| **Title of Proposed Policy / Decision being screened** THE SEA FISH INDUSTRY (CORONAVIRUS) (FIXED COSTS) (No.2) SCHEME (NORTHERN IRELAND) 2020 |

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 |

|  |  |
| --- | --- |
| [x]  | \***Screened Out** – No EQIA necessary (no impacts)Provide a brief note here to explain how this decision was reached:The scheme targets a small section of the NI community with the aim of supporting those vessel owners within the NI fishing industry that deploy static gear (pots, creels etc.) and who are not eligible for support under the concurrent “tie-up” scheme. Receipt of grant in aid to eligible applicants is on the basis of criteria and those criteria do not exclude any s75 group or infringe their human rights. The scheme aims to protect the rights of the owners of inshore fishing vessels that deploy static gear to catch lobster and crab, so that they can continue to own and enjoy that property. The broader impact of the scheme in sustaining the NI fishing industry until supply can resume shall protect the employment of all groups and all abled and disabled persons working therein.  |

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| [ ]  | \* **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:
 |

**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: Patrick Smith  | Grade: DP |
|  | Date: 17/11/20 |
| Branch: Sea Fisheries Policy and Grants Branch |

|  |
| --- |
| Signature:  |

|  |
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| **Screening decision approved by (must be Grade 3 or above) -** |
| Name: David Small | Grade: 3 |
|  | Date: 17.11.20 |
| Branch: EMFG |

|  |
| --- |
| Signature:  |

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 equalitydiversitypublicappointments@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

Tel: 028 7744 2027

**August 2019**



**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)
3. A Uk-wide NDPB set up to support the seafood industry. [↑](#footnote-ref-3)