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

**Equality and Human Rights**

**Screening Template**

November 2017



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

# Screening Template

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

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



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

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

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

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

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

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

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

Section A

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

|  |
| --- |
| Title of policy / decision to be screened:-  Draft Northern Ireland Clean Air Strategy |

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| Brief description of policy / decision to be screened:-  The draft Strategy is a public discussion document that sets out possible policy options to improve air quality in Northern Ireland. This will help inform development of new policy.  There are no financial / legislative or procurement implications at this stage, as policy options have not been decided upon, and at this stage are being published solely to invite views and discussion.  Available evidence on air pollutant levels as well as air pollution impacts has been compiled. Based on knowledge of the sources of problems, and examples of measures proposed elsewhere, policy options are presented below. These are grouped into actions and measures that deal with -  A – Health impacts – that there could be increased monitoring of air pollutants in NI; that NI government could withdraw support for biomass in urban areas or in areas with poor air quality; that assessments of air pollution impacts (e.g. for planning) could be combined with considerations of impacts on noise and climate change;  B – Transport – that there could be development of a Clean Air Zone Framework for dealing specifically with transport emissions in NI; or that the Department could require relevant authorities to assign Low Emissions Zones for urban areas, which cover all sources of air pollution; that there could be congestion charging for the most polluted parts of urban areas in NI; that where air pollution results from road traffic, then the lead body responsible for preparing action plans to tackle that pollution should be Department for Infrastructure (it is currently district councils);  C – Household Emissions – that urban areas in their entirety could be designated as Smoke Control Areas; that the sale of non-smokeless fuels could be banned in Smoke Control Areas; that government could consider banning the sale to the general public of smoke coal in NI; that government could ban the import, into NI, of smoky coal and/or high-sulphur household fuels; that government could consider banning the sale to the public of unseasoned wood at retail outlets.  D – Agricultural Emissions – there are no measures proposed for agricultural emissions, beyond what the Department is currently developing as policy in this area: this will be subject to its own impact assessments;  E – Local Air Quality Management – that councils could more widely adopt low-cost air quality monitoring systems, for screening purposes; that the current approach of declaring Air Quality Management Areas and Smoke Control Areas could be discontinued and these replaced with Low Emissions Zones that cover all aspects of air pollution; that the entirety of urban districts could be declared as Low Emissions Zones, where necessary (instead of the current approach, where single streets may be declared); that there could be a traffic-light system used by councils to report on the status of their Low Emissions Zones; that there could be a shift from the Department providing grant-funding solely for air quality monitoring to a funding scheme that is based predominantly on supporting outcome-based measures;  F – Communication – that increasing awareness of air quality impacts at a local level could be the best way of promoting behavior change by individuals, in order to address air pollution.  In the absence of a Departmental Minister, no preferred options have been identified. This screening exercise therefore considers the impacts of all possible options. |

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| Aims and objectives of the policy / decision to be screened:-  The overall policy approach, when it becomes developed and adopted by an incoming Minister, will ultimately seek to reduce emissions of air pollutants in Northern Ireland, and to reduce public exposure to air pollutants. This will be beneficial for the protection of human health and the natural environment. It will also help to assist the Department in its statutory requirement to comply with air pollutant limit values as set out in EU legislation. |

|  |
| --- |
| **On whom will the policy / decision impact?**  Consider the internal and external impacts (both actual or potential)  Staff    service users – A wide range of service users could be impacted, depending on policy options that are chosen: in relation to public transport, road use (travel to work or for social or support reasons); householders in terms of home heating requirements and possible effects on fuel poverty and requirements for compliance with expanded Smoke Control Areas.  X  rural community – potential impacts on the rural community in terms of transport policy and how this may affect road use, access to urban centres, public transport; potential impacts to rural householders in terms of fuel use, as a higher proportion of rural households experience fuel poverty and are not connected to the natural gas grid.  X  other public sector organisations – potential impacts on district councils in the way that they monitor and assess air quality and the duties they carry out in pursuit of this; health trusts in terms of their working with central government to provide health data;  X  voluntary / community groups / trade unions – groups that work towards encouraging or supporting government policy in particular sectors could be affected: SusTrans in relation to transport, Bryson House in terms of home heating.  X  others, please specify  Note: with no Departmental minister in place, no preferred options have been identified. |
|  |

|  |
| --- |
| Are there linkages to other NI Departments / NDPBs? *Under the new Programme for Government there is an emphasis on shared responsibility between departments & this should be considered when answering this question.*  Yes, there are links to other government departments:  DfI – road transport emissions  DoH – health impacts of air pollution  DfC/DfE – NI fuel market, fuel poverty, home heating.  These departments have been consulted during the preparation of this public discussion document.  The Strategy (of which this is the public discussion stage) is being drafted in part fulfilment of obligations set out in the draft Programme for Government. This is with particular reference to Outcome 2 – ‘We live and work sustainably, protecting the environment’, and supporting indicator 37, which is based on air pollutant emissions from road transport.  The Department of Health’s Public Health Strategy ‘Making Life Better’, takes air quality into account, and lists levels of air pollutants measured in Northern Ireland as indicators.  The Department for Infrastructure has several strategies/plans/programmes which have relevance to this discussion document, given the strong link between air pollution and road transport, for example: The Regional Transport Strategy for Northern Ireland, Transport Plans, Regional Development Strategy.  The Department for Communities has a Fuel Poverty Strategy; there are links with the section in this document in relation to air pollution from household heating activities. |

Section B

**Available evidence**

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

|  |  |
| --- | --- |
| **Section 75 category** | **Details of evidence or information and engagement** |
| **Religious belief** | **There do not appear to be any particular impacts from the policy proposals under discussion.** |
| **Political opinion** | **There do not appear to be any particular impacts from the policy proposals under discussion.** |
| **Racial group** | **There do not appear to be any particular impacts from the policy proposals under discussion.** |
| **Age** | **There is a potential impact on different age groups – older sections of the population may be more vulnerable to fuel poverty and to accessibility issues related to transport policy.**  **The final policy will have to take account of any potential negative impacts and to ensure that these are minimised. For example, evidence is available to show that cleaner burning fuels (e.g. smokeless coal) are more cost-effective than dirtier fuels (e.g. smoky coal). The evidence will need to be clearly communicated to ensure that fuel poverty does not increase as a result of people not restricting household fuel use unnecessarily.**  **Possible options for transport policy should ultimately be of benefit to the older population, if, as a result of restrictions on private car use, public transport becomes more accessible.**  **In general – adopting policies that produce cleaner air will have a very positive impact on the all sectors of society, but in particular on the younger and older sections, for which air pollution produces more pronounced negative effects.** |
| **Marital status** | **There do not appear to be any particular impacts from the policy proposals under discussion.** |
| **Sexual orientation** | **There do not appear to be any particular impacts from the policy proposals under discussion.** |
| **Men & women generally** | **There do not appear to be any particular impacts from the policy proposals under discussion.** |
| **Disability** | **There are possible impacts on disabled persons resulting on policy proposals on transport.**  **Any transport policy that is ultimately decided upon will have to be fully assessed in relation to accessibility for disabled persons – for example, the interface between new transport policy and motability schemes. Restrictions on private car use would have to take into account the needs on disabled persons in this regard.** |
| **Dependants** | **There do not appear to be any particular impacts from the policy proposals under discussion.** |

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| **No evidence held? Outline how you will obtain it:**  **It is unlikely that, apart from the groups identified above (in relation to Age and Disability), any of the proposed policies would significantly affect any one part of that group more than another.**  **Continuing engagement with DfI can identify statistics in relation to age and disability using public and private transport as well as motability schemes in Northern Ireland.**  **Continuing engagement with DfC can elucidate information in relation to fuel poverty in Northern Ireland, its spatial distribution in terms of urban v rural, and socially advantaged vs disadvantaged areas. Information on the extent of fuel poverty is already contained in this discussion document; evidence says that cleaner solid fuels are more economical to use than more polluting fuels; therefore the issue is one of communication on the relevant final policy position.** |

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** | **No impact likely on any particular religious group from any of the policy options under discussion.** |  |
| **Political opinion** | **No impact likely on any group of a particular political opinion from any of the policy options under discussion.** |  |
| **Racial group** | **No impact likely on any particular racial group from any of the policy options under discussion.** |  |
| **Age** | **Possible impacts on particular age groups from some of the policy options under discussion.**  **Following Ministerial decision on any particular policy option, a full EQIA would be undertaken.** |  |
| **Marital status** | **No impact likely on persons according to their particular marital status from any of the policy options under discussion.** |  |
| **Sexual orientation** | **No impact likely on persons according to their sexual orientation from any of the policy options under discussion** |  |
| **Men and women generally** | **No impact likely on persons according to their gender from any of the policy options under discussion.** |  |
| **Disability** | **Possible impacts on persons of disability from some of the policy options under discussion.**  **Following Ministerial decision on any particular policy option, a full EQIA would be undertaken.** |  |
| **Dependants** | **No impact likely on persons according to whether or not they have dependents, from any of the policy options under discussion.** |  |

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

|  |  |  |
| --- | --- | --- |
| **Section 75 category** | **If Yes, provide details** | **If No, provide reasons** |
| **Religious belief** | **No.** | **No impacts identified on this group.** |
| **Political opinion** | **No.** | **No impacts identified on this group.** |
| **Racial group** | **No.** | **No impacts identified on this group.** |
| **Age** | **Yes. New transport policies may be able to taken into account the needs of particular age groups with regards to accessibility to employment, social interaction etc.**  **New policies in relation to household heating and household energy efficiency could help to address fuel poverty, which is known to be higher in older sections of the population.** |  |
| **Marital status** | **No.** | **No impacts identified on this group.** |
| **Sexual orientation** | **No.** | **No impacts identified on this group.** |
| **Men and women generally** | **No.** | **No impacts identified on this group.** |
| **Disability** | **Yes. Any new transport policies could take account of the needs of disabled persons with regard to access to employment, social interaction etc.** | **No impacts identified on this group.** |
| **Dependants** | **No.** | **No impacts identified on this group.** |

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** | Likely no impact. | None |
| **Political opinion** | Likely no impact. | None |
| **Racial group** | Likely no impact. | None |

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

|  |  |  |
| --- | --- | --- |
| **Good relations category** | **If Yes, provide details** | **If No, provide reasons** |
| **Religious belief** | Likely no impact. | None of the policies under discussion are appropriate to promotion of good relations. |
| **Political opinion** | Likely no impact. | As above. |
| **Racial group** | Likely no impact. | 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

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

|  |
| --- |
| None. |

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

|  |
| --- |
| **None.** |

Consideration of Human Rights

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

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

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

Consideration of Human Rights (cont)

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

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

**Monitoring Arrangements**

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

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

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

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

|  |  |  |
| --- | --- | --- |
| **Equality** | **Good Relations** | **Disability Duties** |
| N/A | N/A | Information can be gained from Department for Infrastructure on persons of disability use of public transport, motability schemes and disabled parking in urban areas. |
|  |  |  |

Section D – Summary Sheet

Formal Record of Screening Decision

|  |
| --- |
| **Title of Proposed Policy / Decision being screened** Draft Northern Ireland Clean Air Strategy |

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

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

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

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

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

|  |  |
| --- | --- |
|  | \***Screened Out** – No EQIA necessary (no impacts)  Provide a brief note here to explain how this decision was reached: |

|  |  |
| --- | --- |
|  | \* **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:   The screening document has outlined a number of options that may be considered under this review. Currently, the Department does not have a preferred option and any final option would be made by a Departmental minister. This public discussion exercise is being undertaken to gather views on policy that may be ultimately adopted.  Following the public consultation exercise, a further draft of the Clean Air Strategy will be developed, and this will be put to any future Departmental minister. Once the Strategy is then finalised and all policy options have been decided upon, it will be subject to full and further EQIA, taking into account information contained in this Screening Assessment. |

**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 –

|  |  |
| --- | --- |
|  | I have explained any technical issues in plain English (easily understood by a 12 year old) |
|  | 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 |

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

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

|  |  |
| --- | --- |
| **Screening assessment completed by (Staff Officer level or above) -** | |
| Name: Barry McAuley | Grade: Environmental Policy Advisor |
|  | Date: 16 August 2019 |
| Branch: Air and Environmental Quality, RNRPD | |

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

|  |  |
| --- | --- |
| **Screening decision approved by (must be Grade 3 or above) -** | |
| Name: David Small | Grade: 3 |
|  | Date: 22 August 2019 |
| Branch: EMFG | |

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

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



For more information about equality screening, contact –

DAERA Equality Unit

Equality, Diversity & Public Appointments Branch

Ballykelly House

111 Ballykelly Road

LIMAVADY  
BT49 9HP

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

Tel: 028 7744 2027

**November 2017**



**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)