

**Equality & Disability Duties**

**Screening Template**

# **March 2023**

# **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**

Policy Proposals for an Environmental Permitting Regime for Northern Ireland.

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

New Policy.

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

The impact of potentially polluting or harmful activities on the environment in Northern Ireland is currently regulated by means of a range of environmental authorisations and regulatory regimes. In the main, the processes governing each regulatory regime are regime-specific and there are often significant differences between them. This means that the current system of environmental regulation is extremely fragmented, complex and burdensome for businesses and for regulators.

The Department intends to replace the current systems for authorising and regulating selected environmental activities with a more streamlined and, as far as possible, standardised permitting regime. The regime will be based on the principle of a common set of procedures, notices, enforcement and other regulatory tools.

The following activities will be included:

* The keeping, use, accumulation and disposal of radioactive substances;
* The discharge of trade or sewage waste to any waterway or any water contained underground;
* Waste management (site-based authorisations);
* Water abstraction and impoundment; and
* Emissions from certain processes and activities carried out at industrial and commercial facilities.

The overall aim of the policy is to reduce the regulatory and administrative burden on those carrying out these regulated activities to the greatest extent possible, consistent with protecting and improving the environment.

The intended outcomes of the policy are therefore:

* To integrate environmental protection and economic growth by reducing the regulatory burden for businesses through providing a more streamlined and effective regulatory system while simplifying and reducing the administrative costs of environmental regulation; and
* To provide higher levels of protection for the environment as it will be easier for regulators in the Northern Ireland Environment Agency (NIEA) and district councils to assess and, where necessary, to enforce compliance.

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

**If so, explain how.**

No.

**Who initiated or wrote the policy?**

DAERA, in collaboration with local government.

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

DAERA and local government own, and will implement, the policy.

**Implementation factors**

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

**Legislative**

It is helpful that the primary enablingpowers for the required subordinate legislation are already in place – provided by the Environmental Better Regulation Act (Northern Ireland) 2016.

**Financial**

The intended aims/outcome of the policy can only be achieved if the necessary financial resources are provided. These will be needed to fund:

- the development of the necessary digital environmental permitting roadmap and digital platform;

* NIEA staff to develop the necessary operational processes and procedures; and

- NIEA and local government regulators to implement the environmental permitting regime.

**Main stakeholders affected**

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

**Staff** – mainly officials carrying out regulation of environmental permitting in NIEA and all district councils.

**Service users** – those involved in:

* The keeping, use, accumulation and disposal of radioactive substances;
* The discharge of trade or sewage waste to any waterway or any water contained underground;
* Waste management (site-based authorisations);
* Water abstraction and impoundment; and
* Emissions from certain processes and activities carried out at industrial and commercial facilities.

**Other, please specify**

Trade Bodies/Associations associated with the sectors to be regulated under environmental permitting eg

* The Ulster Farmers’ Union which represents farmers and growers in Northern Ireland and has over 11,500 members;
* The Mineral Products Association Northern Ireland - a trade association for the quarrying industry.

Other policies with a bearing on this policy

**What are they?**

The implementation of the environmental permitting policy will support the draft Programme for Government Outcome: *“We live and work sustainably - protecting the environment”.*

The policy is aligned with the aims of the Executive’s draft Green Growth Strategy.

Effective environmental regulation is one of the key strategic drivers underpinning DAERA’s draft Environment Strategy.

Given the duty placed on departments under section 52 of the Climate Change Act (Northern Ireland) 2022, regulation (such as the introduction of the new environmental permitting regime) is one of the ways in which DAERA can seek to reduce emissions e.g. those from industry.

**Who owns them?**

Draft Programme for Government - Northern Ireland Executive[[1]](#footnote-1)

Draft A Green Growth Strategy for Northern Ireland – Northern Ireland Executive[[2]](#footnote-2)

Draft Environment Strategy - DAERA[[3]](#footnote-3)

Climate Change Act (Northern Ireland) 2022[[4]](#footnote-4) - DAERA is leading on the development of Northern Ireland’s first 5-year climate action plan (CAP) as required under the Act.

**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.*

DAERA acknowledges that equality of opportunity and good relations must be central to all public policy development and implementation. Valuable new evidence sources such as that provided by the Northern Ireland Census 2021 will be used to update and inform the development of the policy.

All Section 75 groups will have opportunity to comment on the policy consultation for an environmental permitting regime. Consultation will take place over an 8 week period. If during the consultation something is brought to our attention, we will consider the relevant comments.

The Department does not gather specific Section 75 evidence/information in respect of operators in three of the sectors to be regulated under environmental permitting ie:

• The keeping, use, accumulation and disposal of radioactive substances;

• The discharge of trade or sewage waste to any waterway or any water contained underground; and

• Water abstraction and impoundment.

In applications for:

• Permits in respect of the control of emissions from certain processes and activities carried out at industrial and commercial facilities; and

* Waste management licences

the Department currently requests dates of birth where the applicant is not a company. However this information is only used for identity verification purposes, not used in any type of monitoring.

We have therefore considered each category based on available data.

**Religious belief** evidence/information:

The findings of the 2021 Census of Northern Ireland[[5]](#footnote-5) were that 45.7 per cent of the population was either Catholic or brought up as Catholic, while 43.5 per cent belonged to, or were brought up in, Protestant, Other Christian or Christian-related denominations. A further 1.5 per cent were from other non-Christian religions while 9.3 per cent neither belonged to, nor had been brought up in, a religion.

The [CHS Results | Northern Ireland Statistics and Research Agency (nisra.gov.uk)](https://www.nisra.gov.uk/publications/chs-results)[[6]](#footnote-6) indicated that in 2021/22, 39% of those surveyed indicated that they were Catholic, 45% Protestant, while 14% stated that they were another or no religion. 2% of those surveyed were unwilling to answer the question or their religion could not be determined.

The [ECNI - 31st Fair Employment Monitoring Report published (equalityni.org)](https://www.equalityni.org/Footer-Links/News/Delivering-Equality/31st-Fair-Employment-Monitoring-Report-published#:~:text=The%2031st%20Fair%20Employment%20Monitoring%20Report%20has%20been,change%20and%20ensuring%20fair%20participation%20in%20our%20workplaces.) report indicated that in 2020, 44.3% of the (monitored) private sector workforce was Protestant, 43.9% Catholic, while the religion of 11.8% of the workforce was non-determined.

There is no specific reference to religious belief in the associated consultation document as we do not consider that it has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Political Opinion** evidence/information:

Information on political opinion was not collected in the 2021 Census of Northern Ireland.

The [NI Life and Times Survey - 2021 : UNINATID (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Political_Attitudes/UNINATID.html) reported that 26% of the adults surveyed described themselves as nationalist, 32% as unionist and that 38% held neither political opinion.

There is no specific reference to political opinion in the associated consultation document as we do not consider that it has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Racial Group** evidence/information:

The findings of the 2021 Census of Northern Ireland were that over 96.6% of the population belonged to a white ethnic group.

In 2001 there were 14,300 people (0.8%) from a minority ethnic group, increasing to 32,400 (1.8%) in 2011 and increasing further to 65,600 (3.4%) in 2021. This points to the increasing diversity in the population over the last twenty years. In 2021 the most diverse Local Government Districts were noted to be Belfast (7.1% of the population from a minority ethnic group), Mid Ulster (4.0%) and Lisburn and Castlereagh (3.9%)

The [NI Life and Times Survey - 2021 : ETHGROUP (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Minority_Ethnic_People/ETHGROUP.html) reported that 97% of respondents stated their ethnic origin to be white, 1% Indian, 1% mixed ethnic group and 1% other ethnic group.

Poverty in Northern Ireland has been found to correlate with racial group. A report by The Joseph Rowntree Foundation (2013) states that *”people from minority ethnic groups are employed at all levels in the economy, but low grade, low paid employment appears commonplace, despite many having high qualifications and skills”* - <http://www.jrf.org.uk/publications/poverty-ethnicity-northern-ireland>.

There is no specific reference to racial groups in the associated consultation document as we do not consider that this issue has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Age** evidence/information:

As outlined above, in two of the regimes to be regulated under environmental permitting, the Department requests dates of birth in cases where the applicant is not a company. However this information is only used for identity verification purposes, not used in any type of monitoring.

On census day in 2021, there were 365,200 children (aged 0 to 14) or 19% of the population. Those aged 65 and over represented 17% (326,500) of the population. The remaining 64% of the population, or 1,211,400 people, were aged between 15 and 64 years.

The population is aging. Looking at changes in the age structure of the populations between 2011 and 2021, the largest broad age bands in the population are the two working age bands (15 to 39 and 40 to 64). These have increased by 19,000 persons in total or by 2%. However, the number of people aged 15 to 39 decreased by 4%, while the number of people aged 40 to 64 increased by 8%.

The population aged 65 and over (combining the 65 to 84 and 85 and over categories) has increased by 24%. The largest percentage change in population has been among those aged 85 and over – which rose from 31,400 to 39,400, an increase of 25%.

The number of children (aged 0 to 14) increased from 354,700 to 365,200, an increase of 3%. The number of children aged 5 to 9 and 10 to 14 have both increased between 2011 and 2021, by 12% and 7% respectively. In contrast the number of young children aged 0 to 4 has decreased by 9% (from 124,400 to 113,800).

In summary, between 2011 and 2021 population increase was greatest in the older age groups.

There is no specific reference to age in the associated consultation document as we do not consider that it has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Marital Status** evidence/information:

The findings of the 2011 Census of Northern Ireland[[7]](#footnote-7) were that around 48% of the population was married or in a civil partnership[[8]](#footnote-8), 36% was single and the remaining 16% was separated, divorced or widowed.

The [NI Life and Times Survey - 2021 : RMARST (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/RMARST.html) found that 48% of the respondents were married and living with their husband or wife, 38% were single (never married), 1% were in a civil partnership and the remaining 13% were separated, divorced or widowed.

There is no specific reference to marital status in the associated consultation document as we do not consider that it has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Sexual Orientation** evidence/information:

The findings of the 2011 Census of Northern Ireland were that 0.09% of the population was in a registered same-sex civil partnership.

The [NI Life and Times Survey - 2021 : ORIENT2 (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/ORIENT2.html) reported that 6% of respondents were gay or lesbian (2%) or bisexual (4%).

In [Sexual orientation, UK: 2020 - Office for National Statistics (ons.gov.uk)](https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/sexualidentityuk/2020#main-points) it was reported that an estimated 3.1% of the UK population aged 16 years and over identified as lesbian, gay or bisexual (LGB) in 2020, an increase from 2.7% in 2019. Younger people were most likely to identify as LGB (8.0% of 16 to 24 year olds).

The ONS report states that, for Northern Ireland, the percentage of people identifying themselves as LGB or “other” sexual orientation in 2020 was 1.8%.

There is no specific reference to sexual orientation in the associated consultation document as we do not consider that it has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

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

The 2021 Census of Northern Ireland records that on census day 51% of the population was female and 49% male.

NISRA’s report - [Women in Northern Ireland 2020-2021 (nisra.gov.uk)](https://www.nisra.gov.uk/system/files/statistics/women-in-Northern-Ireland-2020-2021.pdf) stated that the employment rate for females aged 16 to 64 in 2021 was 67.1%, which was:

* an increase of 4.6 percentage points (pps) over the last 10 years and a decrease of 0.9pps compared to 2020;
* lower than the male employment rate (73.3%), which showed an increase of 1.3pps since the same point 10 years ago and a decrease of 3.5pps since 2020.

There is no specific reference to men or women in the associated consultation document as we do not consider that this issue has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Disability** evidence/information:

The results of the 2021 Census of Northern Ireland were that one person in four (24.3% or 463,000 people) had a limiting long-term health problem or disability, 40% of which were aged 65 or more (185,300 people).

The number of people with a limiting long-term health problem or disability

increased between the 2011 and the 2021 Census. NISRA suggests that that the increase, from 374,600 people in 2011 to 463,000 people in 2021 (an increase of 23.6%), has been driven partly by our ageing population.

The 2021 report [NI: IN PROFILE Key statistics on Northern Ireland (nisra.gov.uk)](https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/NI%20IN%20PROFILE%20-%203%20March%202021_0.pdf) indicates that one in five people living here has a disability or limiting long-term illness and that 12% of people claim Disability Living Allowance/Personal Independence Payment.

There is no specific reference to disability in the associated consultation document as we do not consider that it has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Dependants** evidence/information:

The findings of the 2021 Census of Northern Ireland were that one person in eight of the population aged 5 or more (or 222,200 people) provided unpaid care to a relative or friend who had a health condition, disability, or illness. The census found that 2,600 children aged 5 to 14 provided unpaid care, although it was most common among those aged 40 to 64, at one person in five (or 124,600 people.)

The overall number of people providing unpaid care has not changed

markedly from Census 2011 to Census 2021. However, the number of people

providing 50 or more hours unpaid care each week has increased (up from

56,300 people in 2011 to 68,700 people in 2021).

The 2021 report [NI: IN PROFILE Key statistics on Northern Ireland (nisra.gov.uk)](https://www.nisra.gov.uk/sites/nisra.gov.uk/files/publications/NI%20IN%20PROFILE%20-%203%20March%202021_0.pdf) indicates that 12% of people provide unpaid care to someone with a health problem, disability, or problems due to old age and one in three households have a dependent child.

The report [Women in Northern Ireland 2020-2021 (nisra.gov.uk)](https://www.nisra.gov.uk/system/files/statistics/women-in-Northern-Ireland-2020-2021.pdf) states that over the past 10 years there have been consistently more economically inactive women than men. In 2021, the most common reason for inactivity for both men and women (aged 16 to 64 years) was long-term sickness (29% for females, 36% for males). However, looking after the family and the home was a very close second for females in 2021 (28%) and was the most common reason given by women over the period 2011-2020.

80% of women with dependent children were economically active in 2020, compared with 91% of men with dependent children. The economic activity rate for women with pre-school age children (72%) was substantially lower (by 20pps) than for men with pre-school age children (92%)

There is no specific reference to dependents in the associated consultation document as we do not consider that it has any bearing on this policy. However, if any Section 75 issues are raised during the public consultation, we will consider them.

**Needs, experiences and priorities**

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

The NICS recognises the importance of equality, diversity and inclusion. We operate in an increasingly diverse community, and we understand that the people who provide and use our services have diverse characteristics and different experiences, needs and aspirations. Understanding, valuing and effectively managing these differences can result in greater participation, and help bring about success at an individual, team and organisational level.

DAERA promotes equality and good relations across all aspects of its business: in its policies, information and service provision for customers, visitors and staff.  DAERA works to ensure that all of its services are accessible, and delivered in ways which meet the needs of its diverse customers.

DAERA is committed to carrying out consultation and engaging, in an open and inclusive manner. We will use “Citizen Space”, a digital platform used by many public bodies worldwide, to design, publish, manage, analyse and provide feedback on the consultation process.

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?

***Religious belief***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to religious belief are raised, we will consider them.

***Political Opinion***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to political opinion are raised, we will consider them.

***Racial Group***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to racial groups are raised, we will consider them.

***Age***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to age are raised, we will consider them.

***Marital status***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to marital status are raised, we will consider them.

***Sexual orientation***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to sexual orientation are raised, we will consider them.

***Men and Women Generally***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to men and women are raised, we will consider them.

***Disability***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to disability are raised, we will consider them.

***Dependants***

None. No equality issues identified. The policy is subject to public consultation and if any issues related to dependants are raised, we will consider them.

**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**

* The policy is significant in terms of its strategic importance;
* 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;
* 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;
* 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;
* The policy is likely to be challenged by way of judicial review;
* The policy is significant in terms of expenditure.

**In favour of ‘minor’ impact**

* The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
* 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;
* 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;
* By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

**In favour of none**

* The policy has no relevance to equality of opportunity or good relations.
* 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*:**

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on equality of opportunity for those affected. We do not anticipate differential impacts on this Section 75 category.

**What is the level of impact?** None

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

No.

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:**

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

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

**If No, provide reasons:**

The policy proposals are aimed at all citizens equally. There is no evidence available at this time to suggest they will benefit one group more than another group. We will consider any opportunities presented as a result of the public consultation.

**3. 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*:**

We are of the view that the policy proposals set out in the consultation paper will have no impact on good relations between people of different religious beliefs. The policy is aimed at all citizens. We do not anticipate any impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on good relations between people of differing political opinions. The policy is aimed at all citizens. We do not anticipate any impacts on this Section 75 category.

**What is the level of impact?** None

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

We are of the view that the policy proposals set out in the consultation paper will have no impact on good relations between people of different racial groups. The policy is aimed at all citizens. We do not anticipate any impacts on this Section 75 category.

**What is the level of impact?** None

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

No.

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:**

**If No, provide reasons:**

We are of the view that the policy proposals set out in the consultation paper will not present opportunities to better promote good relations between people of different religious beliefs. We do not anticipate any impacts on this Section 75 category as this policy is aimed at all citizens.

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

**If No, provide reasons**

We are of the view that the policy proposals set out in the consultation paper will not present opportunities to better promote good relations between people of different political opinions. We do not anticipate any impacts on this Section 75 category as this policy is aimed at all citizens.

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

**If No, provide reasons**

We are of the view that the policy proposals set out in the consultation paper will not present opportunities to better promote good relations between people of different racial groups. We do not anticipate any impacts on this Section 75 category as this policy is aimed at all citizens.

**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.**

We are of the view that the policy will not affect or impact people with multiple identities as it is aimed at all citizens.

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

Consideration of Disability Duties

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

No. We are of the view that the policy proposals for an environmental permitting regime in Northern Ireland do not, in themselves, provide an opportunity for the Department to better promote positive attitudes towards people with a disability.

We welcome comments in relation to better promoting positive attitudes towards disabled people, particularly if any person considers that they will be affected significantly by the proposed policies and where this is not recognised in this Equality and Disability Duties Screening Document.

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

No. We are of the view that the policy proposals for an environmental permitting regime in Northern Ireland do not, in themselves, provide an opportunity for the Department to actively increase the participation, in public life, of people with a disability.

We welcome comments in relation to increasing the participation of disabled people in public life, particularly if any person considers that they will be affected significantly by the proposed policies and where this is not recognised in this Equality and Disability Duties Screening Document.

**Part 3. Screening decision**

* 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.**

Our decision is not to conduct an equality impact assessment as we did not identify any impacts or opportunities during the screening exercise.

This is a technical environmental protection policy and, following consideration of all relevant, likely impacts of the introduction of this policy, we are of the view that:

- the proposals will not have any negative or differential impacts on people within the equality categories at this time; and

* the policy is unlikely to directly affect, positively or negatively, the opportunities available to any groups.

On that basis, the policy is “screened out”. However the public consultation will provide an opportunity for alternative views to be put forward and we will consider all relevant comments.

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?**

N/A – however see comments below.

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

At this point the policy proposals are only at consultation stage. If any equality impacts or opportunities to promote equality of opportunity and/or good relations are identified as a result of the consultation we will consider them as part of the post-consultation policy development process.

**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  |  |
| Social need |  |
| Effect on people’s daily lives |  |
| Relevance to a public authority’s functions |  |
| **Total score** |  |

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.** N/A.

**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.

We will monitor responses to the public consultation, particularly if anyone indicates that they consider that they will be impacted significantly by the proposed policy and where this is not recognised in this Equality and Disability Duties Screening Document. We will continue to engage with stakeholders and will monitor any information received from stakeholders moving forward.

**Equality:**

We do not consider that this environmental policy proposal will have any specific impact on any Section 75 group. Nor do we think that it will have the potential to place barriers between, or to impact either negatively or positively on equality, good relations or disability duties. Accordingly, we do not think that specific monitoring measures are required. However, we will monitor responses to the public consultation, particularly if anyone indicates that they will be affected significantly by the proposed policy and where this is not recognised in this Equality and Disability Duties Screening Document. We will continue to engage with stakeholders and will monitor any information received from stakeholders moving forward.

**Good Relations:**

We do not consider that this environmental policy proposal will have any specific impact on any Section 75 group. Nor do we think that it will have the potential to place barriers between, or to impact either negatively or positively on equality, good relations or disability duties. Accordingly, we do not think that specific monitoring measures are required. However, we will monitor responses to the public consultation, particularly if anyone indicates that that they will be affected significantly by the proposed policy and where this is not recognised in this Equality and Disability Duties Screening Document. We will continue to engage with stakeholders and will monitor any information received from stakeholders moving forward.

**Disability Duties:**

We do not consider that this environmental policy proposal will have any specific impact on any Section 75 group. Nor do we think that it will have the potential to place barriers between or to impact either negatively or positively on equality, good relations or disability duties. Accordingly, we do not think that specific monitoring measures are required. However, we will monitor responses to the public consultation, particularly if anyone indicates that they will be affected significantly by the proposed policy and where this is not recognised in this Equality and Disability Duties Screening Document. We will continue to engage with stakeholders and will monitor any information received from stakeholders moving forward.

**Part 5. 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 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** | Yes |
| 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 |

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

Engagement of Article 6 (Right to a Fair Trial) and Protocol 1, Article 1 (Right to Property)

Under these proposals DAERA plans to provide for access to, and/or works on, the land of a third party (ie a landowner or an occupier) in certain circumstances if the Department considers that this is required. The third party will be required to grant access/allow works and in two specific circumstances will not be able to appeal against this decision. The circumstances are –

(i) where access to the land is required so that the requirements of an enforcement notice can be fulfilled; and

(ii) where the regulator needs to access the land to carry out works.

We also propose that an appeal will not be allowed against the service of a notice suspending or revoking a permit where the reason for the service of the notice is a failure to pay the required subsistence charges in respect of the permit.

Finally, under environmental permitting we propose that a particular type of permit (a “standard permit”) will be used to regulate certain activities where there is a high degree of uniformity (“standardisation”) across a particular sector. Such permits will only include standard rules rather than individually-crafted conditions. Standard rules are sets of standard conditions – there will be a list of standard rules which will apply to that particular regulated activity. The specific rules for each activity will be selected according to the nature of the operation and the regulatory controls and limits which are required to manage that activity in accordance with good practice and to ensure an appropriate level of environmental protection. There will be no right of appeal against the inclusion of a standard rule in a standard permit.

Justification/Mitigation

Justification for limiting the rights to a fair trial and/or the peaceful enjoyment of property in the above proposals lies in the overriding purpose of the legislation - protection of the environment. Thus, in relation to providing for access to third party land, preventing, stopping or remediating environmental harm is clearly in the public interest.

Prior to exercising the relevant power, each case will be considered on its own merits to ensure proportionality. In addition, the regulator will be required to try to contact the third party in advance of providing for access to the land. Except in a situation where the regulator believes that there is an imminent risk of environmental harm, the third party will have the right to make representations to the regulator who will be obliged to take these representations into consideration. Even where there is no right to appeal, compensation will be available where a third party can show loss and/or damage due to access to, or work on, their land. The Permitting Regulations will include provisions setting out how such compensation can be calculated and claimed.

We have proposed that an appeal will not be allowed against the service of a notice suspending or revoking a permit where the reason for the service of the notice is a failure to pay the required subsistence charges. This is because, unlike other reasons for the service of revocation or suspension notices, non-payment of subsistence fees is a clear breach of permit conditions. Accordingly, it does not require discretion or judgement on the part of the regulator. In cases where the regulator’s judgement is required, such as determining what is an unacceptable impact on the environment, we have recognised that a right of appeal against the service of the notice is essential and we have provided for this in our proposals.

The restriction on the right to appeal against the inclusion of a condition in a permit is restricted to the inclusion of standard rules in standard permits. An appeal will be allowed in respect of conditions in bespoke permits. This restriction in respect of standard permits should prevent those carrying out exactly the same activity ending up with permits containing different standard rules. All standard rules will be subject to a full public consultation before they are used in standard permits. In addition, a prospective permit holder will have sight of the standard rules it is proposed to include in their permit in advance so they will know exactly what rules their permit will contain before they accept it.

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

In our view, the proposed policy does not create any opportunity to promote human rights.

**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: Jennifer McCay** **Grade:** **DP**

**Branch: Regulatory Transformation**

 **Policy and Legislation Branch**  **Date: 7 March 2023**

**Signature:**  

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

**Name:** TRACEY TEAGUE **Grade:** G3

**Branch:** EMFG **Date:** 9/2/23

**Signature:**

****

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

1. The Programme for Government draft Outcomes Framework was consulted on between 25 January and 22 March 2021. It remains in draft form until it approved by the Northern Ireland Executive. You can find more information on the draft Outcomes Framework here:

<https://www.northernireland.gov.uk/programme-government-pfg-2021> [↑](#footnote-ref-1)
2. The draft Green Growth Strategy was consulted on between 21 October 2021 and 21 December 2021. It remains in draft form until is approved by the Northern Ireland Executive. You can find more information on the draft Strategy here:

<https://www.daera-ni.gov.uk/articles/green-growth-strategy-northern-ireland-balancing-our-climate-environment-and-economy> [↑](#footnote-ref-2)
3. The draft Environment Strategy was consulted on between 11 November 2021 and 18 January 2022. The Strategy was approved by Minister Poots in March 2022 but it cannot be published without the approval of the Northern Ireland Executive. A copy of the draft Strategy which was issued for consultation can be viewed here:

<https://www.daera-ni.gov.uk/consultations/environment-strategy-consultation> [↑](#footnote-ref-3)
4. <https://www.legislation.gov.uk/nia/2022/31/enacted> [↑](#footnote-ref-4)
5. The data on the 2021 census used here and throughout this document is available on the NISRA website - <https://www.nisra.gov.uk/statistics/2021-census/results> [↑](#footnote-ref-5)
6. NISRA notes that caution should be exercised in interpreting the 2020-21 data compared to previous years given that the survey methodology changed as a result of the COVID-19 pandemic. [↑](#footnote-ref-6)
7. The data on the 2011 census used here and throughout this document is available on the NISRA website - <https://www.nisra.gov.uk/statistics/census/2011-census> [↑](#footnote-ref-7)
8. Civil partnership – 0.09% [↑](#footnote-ref-8)