# A4 DAERA Logo process.png

**Equality & Disability Duties**

**Screening Template**

# **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**

Consultation on the Department’s Proposed Implementation and Next Steps of a bovine TB Eradication Strategy for Northern Ireland.

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

Revised.

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

The aim of the consultation is to get the views of the public and stakeholders on a range of proposals to eradicate bTB in Northern Ireland over a 30-40 year period. The consultation document is seeking views on proposals for both a cap on compensation payments and a percentage reduction on compensation payments. It is also seeking views on options for badger intervention.

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

**If so, explain how.**

None.

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**Who initiated or wrote the policy?**

DAERA Veterinary Service Animal Health Group – TB Policy Branch.

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

DAERA Veterinary Service Animal Health Group – TB Policy Branch.

**Implementation factors**

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

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

**Financial**

**Legislative**

The proposed measures are designed to:

• promote animal health and help to deliver reductions in bTB disease levels, leading to its ultimate eradication; and

• ensure that the compensation paid to farmers strikes an appropriate balance, ensuring reasonable compensation for those affected by a decision to slaughter their animals, while at the same time protecting the interests of taxpayers.

Based on the 2019/20 accounting period:

* a compensation cap of £5,000 on both pedigree and non-pedigree animals would provide cost savings of £104,500. 21 herd keepers would have been impacted, representing 0.09% of total herd keepers in NI;
* a 10% compensation reduction would yield approximate annual savings of around £2m ; and

• a 25% reduction would yield annual savings of around £5m.

**Main stakeholders affected**

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

**staff**

**service users**

**other public sector organisations**

**voluntary/community/trade unions**

Other policies with a bearing on this policy

* **What are they?**

Policy on; bovine TB eradication; wildlife intervention; farm practice and

bio-security; cleansing and disinfecting; informed purchasing; testing for bTB.

* **Who owns them?**

DAERA Veterinary Service Animal Health Group – TB Policy Branch.

**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.*

**Religious belief** evidence/information:  
The proposed revised arrangements are likely to affect herdkeepers whose animals are slaughtered due to bTB, irrespective of religious belief or political opinion. bTB breakdowns occur across the whole area of Northern Ireland.

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ showed that half (51%) of farmers stated their religion as Protestant, just over two-fifths (42%) as Catholic and 6% as other or no religion. This compares to 42% of the wider population who stated their religion as Protestant, 41% as Catholic and 18% who stated another or no religion. The Department worked with the TB Strategic Partnership Group over the period 2014 to 2016 in the development of a bTB eradication strategy and had extensive discussions with the group as it developed its proposals. The TBSPG met with a range of bodies and stakeholders as part of its work. These included the Ulster Farmers’ Union, wildlife groups, the Livestock & Meat Commission, Northern Ireland Meat Exporters Association and Animal Health and Welfare NI. The TBSPG also produced an Interim Report in 2014 and publicly consulted on it. A behavioural study was commissioned by DAERA on behalf of the TBSPG. The TBSPG looked at research and best practice in other jurisdictions. A cost-benefit analysis of the recommendations in the TBSPG report was also carried out. New governance structures at Northern Ireland, regional and local levels will provide opportunities for further engagement with stakeholders. In addition, any future consultations on individual elements of the proposed policies will give stakeholders and the public a further opportunity to have their say.

**Political Opinion** evidence/information:  
The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that information on political opinion was not collected in the Northern Ireland Census of Population. However, as a question on national identity was included, responses to this question were analysed as a proxy measure for political opinion. Overall, 44% of farmers reported their identity as British only, 26% as Irish only and 23% as Northern Irish only. A further 8% of farmers stated another or combination national identity compared to 14% of the general population.

**Racial Group** evidence/information:  
The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that the proportion of farmers stating an ethnicity other than white was too small to examine differences by farm characteristics.

A 2001/02 survey of farmers and farm families in Northern Ireland indicated that the farming population was overwhelmingly white. An equality impact assessment report on the 2014-20 Rural Development Programme stated that: “98.2% of the Northern Ireland population is classified as white with a host of ethnic minority groups included in the remaining 1.9%”. Black and minority ethnic (BME) people made up less than 2% of the population in NI in 2011.

**Age** evidence/information:  
The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that the average age of farmers in Northern Ireland was 59 years. Only 8% of farmers were aged under 40 years, and more than a third (36%) were aged 65 years or older. There was little variation in the age profile of farmers by farm size, although farmers of very small farms (which account for three-quarters of all farms in Northern Ireland) had a slightly older age profile than those of larger farms.

There was also little variation in age across farming activity type. However, farmers engaged in cattle and sheep farming, general cropping and horticulture, had the oldest age profiles, while pig and poultry farmers had the youngest age profiles. Poultry farmers were around twice as likely to be aged under 40 than other farmers. There was virtually no difference in age profile across land types. However, farmers aged under 40 were slightly more likely to farm in Severely Disadvantaged Areas than older farmers.

According to the EU Farm Structure Survey 2016 for Northern Ireland, the median age for farmers in Northern Ireland in 2016 was 58 years, with 6% of farmers under 35 years old. However, it is stressed that these figures refer only to the principal farmer in each business rather than to all farmers. In the 2016 survey, 22% of managers (ie persons responsible for the running of the farm) were under 45 and 31% were 65 or over. A 2001/02 survey of farmers and farm families in Northern Ireland indicated that on the 26,490 family farms, there were 29,360 households, with 77,890 adults aged 16 or over and 25,630 children aged under 16, a total of 103,270 persons.

**Marital Status** evidence/information:  
The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that almost three quarters (73%) of farmers were married, with the proportion of married farmers increasing with farm size; 84% of farmers of large farms were married, compared to 71% of farmers of very small farms. Conversely, twice as many farmers (18%) of very small farms were single as farmers of medium sized (9%) or large farms (9%).

Across farm activity types, a very high proportion of pig farmers (88%) and farmers engaged in horticulture (88%) in 2010-11 were married.

Lowland farmers were slightly more likely to be married (77%) than farmers in Disadvantaged (73%) or Severely Disadvantaged (71%) Areas. According to the EU Farm Structure Survey 2016 for Northern Ireland, 30% of farmers in Northern Ireland had no spouse, and approximately half (48%) of farmers’ spouses contributed to the work of the farm.

**Sexual Orientation** evidence/information:  
Information on sexual orientation was not collected in the Population Census 2011.

In 2016 The Rainbow Project presented the initial findings from the first specific study on the experiences of lesbian, gay, bisexual and/or transgender (LGB&/T) people in Northern Ireland reviewed based on whether they live in a rural or urban area. The report was supported by the Department of Agriculture and Rural Development (DARD) with a view to scoping and exploring the issues faced by LGB&/T people in rural areas of Northern Ireland.

The report showed that LGB&/T people living in a rural area are less likely to be ‘out’ than those living in an urban area, and are more likely to report needing the support of an LGB&/T community based organisation but not accessing services compared to those living in an urban area. Additionally LGB&/T people living in a rural area are twice as likely not to access the services they need because they are not ‘out’ compared to those living in an urban area. LGB&/T people living in a rural area were three times as likely not to access services they are aware of because it is too far to travel compared to those living in an urban area. Seven in every eight LGB&/T people living in a rural area feel that it is important to have access to an LGB&/T support service in their local area.

**Men & Women generally** evidence/information:  
The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that only 9% of main farmers were female. Female farmers were more likely than their male counterparts to farm on very small farms - 87% of women farmers had small farms compared to 75% of male farmers. Farmers engaged in 'Other types' of farming (such as running specialist horse farms) were twice as likely to be women as were farmers engaged in other activity types.

A higher proportion of female (86%) than male farmers (78%) were engaged in cattle and sheep farming, and a much lower proportion (4% of female compared to 12% of male farmers) were dairy farmers. Female farmers were also more likely to farm in Less Favoured Areas.

Forty-four percent of women farmers farmed in Severely Disadvantaged Areas compared to 39% of male farmers.

Some of the gender differences in farm characteristics may be partly due to the differing age profiles of male and female farmers. Female farmers had an older age profile than their male counterparts, with 4% of female farmers aged under 40, compared to 8% of male farmers, and 45% of female farmers aged 65 or over, compared to 35% of male farmers.

According to the EU Farm Structure Survey 2016 for Northern Ireland, 53,877 persons contributed to the work on farms in the 12 months ending March 2016. The survey found that 96% of farmers were male and 4% female; 76% of workers were male and 24% female; and that 5% of farms were managed by females.

**Disability** evidence/information:  
The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that almost a third (30%) of farmers stated that they had a long-term illness or disability which limited their daily activities, with the incidence of disability inversely related to farm size.

The proportion of farmers of very small farms stating that their activities were limited a lot (16%) was twice that of farmers of large farms (8%).

Farmers in disadvantaged areas (16%) were slightly more likely than lowland farmers (12%) to state that their activities were limited.

Some of the differences in farm characteristics by disability may be partly due to the variation in age profiles of those with and without disabilities.

The incidence of those reporting that their activities were limited either a little or a lot rises steeply with age.

A 2001/02 survey of farmers and farm families in Northern Ireland found that some 26% of farm workers (27% of farmers) suffered from a long standing illness or disability which limited their activities.

**Dependants** evidence/information:  
The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ reported that two fifths (40%) of all farm households contained children under 18 years old, elderly disabled people, or both. Households of medium sized farms were slightly more likely than smaller or larger farms to contain dependants, as were the households of farmers engaged in pig, poultry or mixed farming.

Farm households in Disadvantaged Areas (41%) were slightly more likely than those in lowland areas (38%) to contain dependants.

A 2001/02 survey of farmers and farm families in Northern Ireland indicated that: “on the 26,490 family farms there were 29,360 households, with 77,890 adults aged 16 or over and 25,630 children aged under 16, a total of 103,270 persons. Information was also sought on the numbers of household dependents who lived elsewhere, generally students living away from home, elderly parents or other relatives. The inclusion of these raised the number of persons directly dependent on family farms to 107,100, an average of 4.04 per farm.” The survey found that almost three-quarters of households supported by family farms included one or more dependent: 39% with children under 16 or 16-18 in full time education; 14% with a member claiming a disability related benefit; 32% with a member aged 65 or over; 73% with any of the above.

**Needs, experiences and priorities**

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

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

***Religious belief***  
The proposals outlined in this consultation paper relate to actions towards the eradication of a disease in animals. As such, equality of opportunity will not be affected for this equality category.

***Political Opinion***

As above.

***Racial Group***

As above.

***Age***

As Above.

***Marital status***

As Above.

***Sexual orientation***

As Above.

***Men and Women Generally***

As Above.

***Disability***

As Above.

***Dependants***

As Above.

**Part 2. Screening questions**

**Introduction**

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

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

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

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

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

**In favour of a ‘major’ impact**

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

**In favour of ‘minor’ impact**

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

**In favour of none**

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

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

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

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

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

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ showed that half (51%) of farmers stated their religion as Protestant, just over two-fifths (42%) as Catholic and 6% as other or no religion. This compares to 42% of the wider population who stated their religion as Protestant, 41% as Catholic and 18% who stated another or no religion.

DAERA will review any section 75 issues raised during the consultation and section 75 issues will also be considered during the implementation stage of any proposals that are progressed following consultation.

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

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

A question on national identity was included in the 2011 census and responses to this question were analysed as a proxy measure for political opinion. Overall, 44% of farmers reported their identity as British only, 26% as Irish only and 23% as Northern Irish only. A further 8% of farmers stated another or combination national identity compared to 14% of the general population. DAERA will review any section 75 issues raised during the consultation, and section 75 issues will also be considered during the implementation stage of any proposals that are progressed following consultation.

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

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

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that the proportion of farmers stating an ethnicity other than white was too small to examine differences by farm characteristics.

A 2001/02 survey of farmers and farm families in Northern Ireland indicated that the farming population was overwhelmingly white. An equality impact assessment report on the 2014-20 Rural Development Programme stated that: “98.2% of the Northern Ireland population is classified as white with a host of ethnic minority groups included in the remaining 1.9%.

DAERA is mindful that some people who work in farming may not have English as a first language. DAERA will therefore ensure that people responding to the consultation have the opportunity to request information in another language.

DAERA will review any section 75 issues raised during the consultation and section 75 issues will also be considered during the implementation stage of any proposals that are progressed following consultation

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

**Details of the likely policy impacts on *Age*:** (insert text here)

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

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that the average age of farmers in Northern Ireland was 59 years. Only 8% of farmers were aged under 40 years, and more than a third (36%) were aged 65 years or older. There was little variation in the age profile of farmers by farm size, although farmers of very small farms (which account for three-quarters of all farms in Northern Ireland) had a slightly older age profile than those of larger farms.

DAERA will review any section 75 issues raised during the consultation and section 75 issues will also be considered during the implementation stage of any proposals that are progressed following consultation.

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

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

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that almost three quarters (73%) of farmers were married, with the proportion of married farmers increasing with farm size; 84% of farmers of large farms were married, compared to 71% of farmers of very small farms. Conversely, twice as many farmers (18%) of very small farms were single as farmers of medium sized (9%) or large farms (9%).

DAERA will review any section 75 issues raised during the consultation and section 75 issues will also be considered during the implementation stage of any proposals that are progressed following consultation.

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

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

In 2016 The Rainbow Project presented the initial findings from the first specific study on the experiences of lesbian, gay, bisexual and/or transgender (LGB&/T) people in Northern Ireland reviewed based on whether they live in a rural or urban area. The report showed that LGB&/T people living in a rural area are less likely to be ‘out’ than those living in an urban area, and are more likely to report needing the support of an LGB&/T community based organisation but not accessing services compared to those living in an urban area. Additionally LGB&/T people living in a rural area are twice as likely not to access the services they need because they are not ‘out’ compared to those living in an urban area.

DAERA will review any section 75 issues raised during the consultation and section 75 issues will also be considered during the implementation stage of any proposals that are progressed following consultation.

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

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

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that only 9% of main farmers were female. Female farmers were more likely than their male counterparts to farm on very small farms - 87% of women farmers had small farms compared to 75% of male farmers. Farmers engaged in 'Other types' of farming (such as running specialist horse farms) were twice as likely to be women as were farmers engaged in other activity types.

DAERA will review any section 75 issues raised during the consultation and section 75 issues will also be considered during the implementation stage of any proposals that are progressed following consultation.

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

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

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ states that almost a third (30%) of farmers stated that they had a long-term illness or disability which limited their daily activities, with the incidence of disability inversely related to farm size.

The proportion of farmers of very small farms stating that their activities were limited a lot (16%) was twice that of farmers of large farms (8%).

A 2001/02 survey of farmers and farm families in Northern Ireland found that some 26% of farm workers (27% of farmers) suffered from a long standing illness or disability which limited their activities.

DAERA are mindful of the need to provide additional support for people with disabilities to ensure that they can fully participate in the consultation. DAERA will provide alternative formats of documents on request and will ensure that reasonable adjustments are made as required and that any consultation meetings with stakeholders are fully accessible.

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

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

The Department of Agriculture, Environment and Rural Affairs report (October 2018), ‘Equality Indicators for Northern Ireland Farmers’ reported that two fifths (40%) of all farm households contained children under 18 years old, elderly disabled people, or both. Households of medium sized farms were slightly more likely than smaller or larger farms to contain dependants, as were the households of farmers engaged in pig, poultry or mixed farming. Farm households in Disadvantaged Areas (41%) were slightly more likely than those in lowland areas (38%) to contain dependants.

A 2001/02 survey of farmers and farm families in Northern Ireland indicated that: “on the 26,490 family farms there were 29,360 households, with 77,890 adults aged 16 or over and 25,630 children aged under 16, a total of 103,270 persons. Information was also sought on the numbers of household dependents who lived elsewhere, generally students living away from home, elderly parents or other relatives.

The inclusion of these raised the number of persons directly dependent on family farms to 107,100, an average of 4.04 per farm.” The survey found that almost three-quarters of households supported by family farms included one or more dependent: 39% with children under 16 or 16-18 in full time education; 14% with a member claiming a disability related benefit; 32% with a member aged 65 or over; 73% with any of the above.

DAERA will review any section 75 issues in light of responses to the consultation and as part of the implementation stage of any proposals that are progressed following consultation.

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

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

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

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that religious belief will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that political opinion will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that any racial groups will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that age will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that persons marital status will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that sexual orientation will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that gender will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that disability will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

**If No, provide reasons:**

The proposals outlined on the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that having / not having dependents will be impacted. DAERA actively seeks opportunities to better promote equality of opportunity and during this consultation will review any issues identified in light of responses to the consultation and, as part of the implementation stage, of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister.

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

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

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

DAERA is proactive in improving good relations between people of different religious belief, political opinion or racial group and during this consultation will review any issues identified in light of responses to the consultation and as part of the implementation stage of any proposals that are progressed following consultation.

The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. The proposals around the establishment of new governance structures at Northern Ireland, sub regional and local levels seek to engage stakeholders and farmers in the development and delivery of bTB policy. On delivering on the above governance structures DAERA will take all available opportunities to improve good relations.

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

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

DAERA is proactive in improving good relations between people of different religious belief, political opinion or racial group and during this consultation will review any issues identified in light of responses to the consultation and as part of the implementation stage of any proposals that are progressed following consultation.

The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. The proposals around the establishment of new governance structures at Northern Ireland, sub regional and local levels seek to engage stakeholders and farmers in the development and delivery of bTB policy. On delivering on the above governance structures DAERA will take all available opportunities to improve good relations.

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

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

DAERA is proactive in improving good relations between people of different religious belief, political opinion or racial group and during this consultation will review any issues identified in light of responses to the consultation and as part of the implementation stage of any proposals that are progressed following consultation.

The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. The proposals around the establishment of new governance structures at Northern Ireland, sub regional and local levels seek to engage stakeholders and farmers in the development and delivery of bTB policy. On delivering on the above governance structures DAERA will take all available opportunities to improve good relations.

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

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

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

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

DAERA is proactive in improving good relations between people of different religious belief, political opinion or racial group and during this consultation will review any issues identified in light of responses to the consultation and as part of the implementation stage of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. The consultation exercise will better engage stakeholders and farmers in the development and delivery of bTB policy. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister. DAERA will take all available opportunities to improve good relations.

**If No, provide reasons:**

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

DAERA is proactive in improving good relations between people of different religious belief, political opinion or racial group and during this consultation will review any issues identified in light of responses to the consultation and as part of the implementation stage of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. The consultation exercise will better engage stakeholders and farmers in the development and delivery of bTB policy. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister. DAERA will take all available opportunities to improve good relations.

**If No, provide reasons**

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

DAERA is proactive in improving good relations between people of different religious belief, political opinion or racial group and during this consultation will review any issues identified in light of responses to the consultation and as part of the implementation stage of any proposals that are progressed following consultation. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. The consultation exercise will better engage stakeholders and farmers in the development and delivery of bTB policy. DAERA will monitor the consultation responses for issues around section 75. Any that are identified will be taken into account, with proportionate mitigations, as appropriate, as we move to consider how to implement any proposals agreed by the Minister. DAERA will take all available opportunities to improve good relations.

**If No, provide reasons**

**Additional considerations**

**Multiple identity**

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

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

None.

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

The proposals outlined in the consultation paper relate to actions towards the eradication of a disease in animals. As such, it is not envisaged that good relations will be impacted.

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

Consideration of Disability Duties

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

The proposed revised arrangements are applicable to herdkeepers in NI and do not provide an obvious opportunity to promote positive attitudes towards disabled people. However, comments will be welcomed through a public consultation. The proposals will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage with that consultation process. In terms of that communication, full consideration will be given as to how those with a disability are communicated with and what reasonable adjustments may need to be put in place. This will be in line with DAERA policy.

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

The proposed revised arrangements are applicable to herdkeepers in NI and do not provide an obvious opportunity to increase the participation by disabled people in public life, but comments through a public consultation will once again be welcomed if any group / individual thinks that there is an opportunity to do so.

**Part 3. Screening decision**

“Screened out” without mitigation or an alternative policy proposed to be adopted

The nature of the policy proposals and potential actions are focused on the eradication of a disease. Any intervention or actions taken forward as a result of the consultation on the DAERA proposals will be focused on the disease incidence and its control and eradication. It will engage a range of stakeholders across the broad farming community and those within the scientific and environmental fields but this will be on a disease and programme delivery focused basis. We have considered a range of data as detailed above under ‘Available Evidence’. We have not identified any adverse impact on any section 75 grouping as a result of the policy proposals The potential to promote equality of opportunity, good relations or to promote human rights is limited to that of engagement in the programme and actions to eradicate the disease which has and will be focused on, and available to, all those involved in the farming industry. That said, DAERA will actively promote human rights, good relations and equality of opportunity. The proposals in the consultation will be subject to a comprehensive and robust communications and promotions plan to ensure that all those in the farming industry, rural communities and other key stakeholders are encouraged to engage. DAERA will ensure that any communication is available in a range of formats to address a disability. The proposals around the establishment of new governance structures at a Northern Ireland wide, sub regional and local levels seek to engage stakeholders and farmers in the development and delivery of bTB policy. DAERA will continue to work closely with CPANI to ensure that those from section 75 groups and in particular females and people with disabilities are actively encouraged to apply for membership of these bodies. DAERA will welcome any contributions to the consultation which may indicate that there is a potential adverse impact or where there is potential for positive promotion. These will be considered as part of an overall analysis of responses to the consultation.

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

**Mitigation**

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

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

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

N/A - No impact is envisaged.

**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?**

**If yes, please provide details.**

**Part 4. Monitoring**

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

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

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

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

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

**Equality:**

DAERA will monitor the consultation responses for any potential equality, good relations and disability impacts. In addition, monitoring arrangements will be put in place as part of the implementation phase of any proposals.

**Good Relations:**

DAERA will monitor the consultation responses for any potential equality, good relations and disability impacts. In addition, monitoring arrangements will be put in place as part of the implementation phase of any proposals.

**Disability Duties:**

DAERA will monitor the consultation responses for any potential equality, good relations and disability impacts. In addition, monitoring arrangements will be put in place as part of the implementation phase of any proposals.

**Part 5. Consideration of Human Rights**

1. **The Human Rights Act (HRA) 1998 brings the European Convention on Human Rights (ECHR) into UK law and it applies in N Ireland. Indicate below by deleting Yes/No as appropriate, any potential *adverse impacts* that the policy or decision may have in relation to human rights issues.**

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

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

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

None. DAERA has considered if there are any aspects of the policy proposals in the consultation which could have an adverse impact on human rights and has not identified any. The nature of the policy proposals and potential actions are focused on the eradication of a disease. Any intervention or actions taken forward as a result of the consultation on the DAERA proposals will be focused on the disease incidence and its control and eradication. DAERA will of course welcome and consider any issue that may be identified as part of the consultation process.

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

DAERA will consider all opportunities which arise from this consultation to positively promote human rights. DAERA will of course welcome and consider any issue that may be identified as part of the consultation process.

**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:** SEAMUS MURRAY **Grade:** Grade 7

**Branch:** TB Policy **Date:** 9 June 2021

Seamus L Murray

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

**Name:** ROBERT HUEY **Grade:** Grade 3

**Branch:** VETERINRY SERVICE ANIMAL HEALTH **Date:** 9 June 2021



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

Please save the final signed version of the completed screening form in the CM container (AE2-19-11940) below as soon as possible after completion and forward the CM link to Equality Branch at [equality@daera-ni.gov.uk](mailto:equality@daera-ni.gov.uk). The screening template must be saved to the container in **HTML format** (not PDF) in order to comply with accessibility requirements. The screening form will be placed on the DAERA website and a link provided to the Department’s Section 75 consultees.



For more information about equality screening, contact –

DAERA Equality Unit

Equality, Diversity & Public Appointments Branch

Ballykelly House

111 Ballykelly Road

LIMAVADY  
BT49 9HP

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