

# DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS

## Equality and Human Rights Screening Template



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

# DAERA Equality and Human Rights Screening Template

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

Before carrying out an equality screening exercise it is important that you have received the necessary training first. To find out about the training needed, contact - [equalitybranch@daera-ni.gov.uk](mailto:equalitybranch@daera-ni.gov.uk). All screening exercises must be supported by evidence and cleared at Grade 3 level. The accompanying Screening Guidance note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties<sup>1</sup> and what they mean in practice is available on the Equality Commission's website.

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

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

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

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

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

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<sup>1</sup> ECNI 'Section 75 of the NI Act 1998: A Guide for Public Authorities' April 2010. [www.equalityni.org](http://www.equalityni.org)

# Section A

## Details about the policy / decision to be screened

**Title of policy / decision to be screened:-** Rathlin Island (Prohibition of Fishing Methods) Regulations (Northern Ireland) 2016

**Brief description of policy / decision to be screened:-**

Regulations which will prohibit fishing with mobile fishing gear (trawls and dredges) within the Rathlin Island Special Area of Conservation (SAC).

**Aims and objectives of the policy / decision to be screened:-**

The aim of this policy decision is to safeguard the designated features of Rathlin Island SAC against adverse impacts from fishing. The regulations prohibit the use of mobile fishing gear within the SAC thus removing significant risk of adverse impacts and decline in conservation status due to fishing activity. This in turn avoids the risk of European infraction through failure to protect the SAC.

### **On whom will the policy / decision impact?**

Consider the internal and external impacts (both actual or potential)

- Staff
- service users
- rural community
- other public sector organisations
- voluntary / community groups / trade unions
- others, please specify

### **Are there linkages to other NI Departments / NDPBs?**

None

## Section B

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

Section 75 category	Details of likely impact	Level of impact? Minor/Major/None
Religious belief	n/a	None
Political opinion	n/a	None
Racial group	n/a	None
Age	n/a	None
Marital status	n/a	None
Sexual orientation	n/a	None
Men and women generally	n/a	None
Disability	n/a	None
Dependants	n/a	None

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

<b>Section 75 category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
<b>Religious belief</b>	n/a	<b>No</b> - These fishing restrictions will apply equally to all groups. These measures, aimed at protecting designated features do not represent an opportunity to promote good relations between or within any of these groups.
<b>Political opinion</b>	n/a	As above
<b>Racial group</b>	n/a	As above
<b>Age</b>	n/a	As above
<b>Marital status</b>	n/a	As above
<b>Sexual orientation</b>	n/a	As above
<b>Men and women generally</b>	n/a	As above
<b>Disability</b>	n/a	As above
<b>Dependants</b>	n/a	As above

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

<b>Good relations category</b>	<b>Likely impact?</b>	<b>Level of impact? Minor/Major/None</b>
<b>Religious belief</b>	n/a	None
<b>Political opinion</b>	n/a	None
<b>Racial group</b>	n/a	None

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

<b>Good relations category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
Religious belief	n/a	No – These fishing restrictions will apply equally to all groups and not represent an opportunity to promote good relations between or within any of these groups.
Political opinion	n/a	As Above

Racial group	n/a	As Above
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### Available evidence

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

<b>Section 75 category</b>	<b>Details of evidence / information and engagement</b>
Religious belief	A full public consultation was carried on in early 2012 and meetings were held both before and following the consultation with all interested parties on Rathlin and north coast fishermen. No issues were raised that indicated that the proposed regulations would result in any change of participation levels for any of the section 75 groups.
Political opinion	<b>As Above</b>
Racial group	<b>As Above</b>
Age	<b>As Above</b>
Marital status	<b>As Above</b>
Sexual orientation	<b>As Above</b>
Men & women generally	<b>As Above</b>
Disability	<b>As Above</b>



Dependants	As Above
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**No evidence held? Outline how you will obtain it:**

## Section C

DAERA also has legislative obligations to meet under the [Disability Discrimination Order](#) and [Human Rights Act](#) (insert links) Questions 5 -9 relate to these two areas.

### Consideration of Disability Duties

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

The proposed policy does not provide an opportunity to promote positive attitudes toward disabled people as the conservation measures apply equally to all groups regardless of disability.

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

This policy has no impact on participation by any group in public life.

## Consideration of Human Rights

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

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

## Consideration of Human Rights (cont)

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

None identified

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

None identified

## Monitoring Arrangements

Section 75 places a requirement on DAERA to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity.

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

<b>Equality</b>	<b>Good Relations</b>	<b>Disability Duties</b>
None, as the policy does not adversely impact any of the identified groups.	None, as the policy does not adversely impact any of the identified groups.	None, as this policy does not impact on disability duties.

# Section D

## Formal Record of Screening Decision

### Title of Proposed Policy / Decision being screened

Rathlin Island (Prohibition of Fishing Methods) Regulations (Northern Ireland) 2016

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

<input checked="" type="checkbox"/>	equality of opportunity and good relations
<input checked="" type="checkbox"/>	disabilities duties; and
<input checked="" type="checkbox"/>	human rights issues

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

\*place an X in the appropriate box below

<input type="checkbox"/>	* <b><u>Screened In</u></b> – Necessary to conduct a full EQIA
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<input checked="" type="checkbox"/>	<p>*<b><u>Screened Out</u></b> – No EQIA necessary (no impacts)</p> <p>Provide a brief note here to explain how this decision was reached:</p> <ul style="list-style-type: none"><li>• Please note that a 'screened out' decision <b>must</b> be accompanied by a sound rationale and relevant empirical evidence to show the basis upon which a screened out decision has been reached.</li></ul>
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<input type="checkbox"/>	<p>* <b><u>Screened Out - Mitigating Actions</u></b> (minor impacts)</p> <p>Provide a brief note here to explain how this decision was reached:</p> <ul style="list-style-type: none"><li>• Describe clearly the mitigating actions and / or policy changes that will now be introduced</li><li>• Explain how these actions will address the inequalities:</li></ul>
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**Formal Record of Screening Decision (cont)**

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

Name: Patrick Campbell

Grade: DP

Date: 19 May 2016

Branch: Sea Fisheries Policy and Grants

Signature: please insert a scanned image of your signature below



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

Name: David Small

Grade: 3

Date: 23 May 2016

Branch: Environment Marine and Fisheries Group

Signature: please insert a scanned image of your signature below

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



For more information about equality screening, contact –

DAERA Equality Branch  
Room 515  
Dundonald House  
Upper Newtownards Road  
Belfast BT4 3SB

Telephone 028 9052 4435  
Text Relay 18001 028 9052 4435

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



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