# A4 DAERA Logo process.png

**Equality & Disability Duties**

**Screening Template**

**Legacy EU Fruit and Vegetable Aid Scheme (FVAS) – Reduced duration of future operational programmes (from 5 to 3 Years) and removal of Transnational Producer Organisation (TPO) status from January 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**

Legacy EU Fruit and Vegetable Aid Scheme (FVAS) – Reduced duration of future operational programmes (from 5 to 3 Years) and changes to Transnational Producer Organisation (TPO) status from January 2023.

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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)**

To limit the duration of future operational programmes under the FVAS to three years, as opposed to five in order to move away from the legacy EU scheme to new NI policies in support of horticultural supply chains (DAERA changes),

and

To reflect the UK’s exit from the EU and the Common Agricultural Policy (CAP).

Provision to allow formation of Producer Organisations (POs) is a policy tool, within the EU Common Organisation of Agricultural Markets (CMO) Regulation, aimed at strengthening the position of farmers in the supply chain by allowing them to cooperate, and jointly plan and market their production. The EU permits POs in different EU Member States to group together to form transnational POs (TPOs). At the present time, there is one PO with a head office in NI and that PO is a TPO. There are also NI members in two other POs with head offices in England. POs in the fruit and vegetable sector are eligible for financial assistance for an approved operational programme under the EU Fruit & Vegetable Aid Scheme (FVAS). The FVAS supports improved competitiveness and the environmental sustainability of growers.

Following the UK’s exit from the EU, EU law in relation to the CMO, including financial aid schemes, such as the FVAS, became part of UK domestic law, and is known as retained EU law (REUL). The UK government (UKG) recently decided that REUL would apply to the FVAS from 1 July 2022, and in advance of any applications for new operational programmes, commencing in January 2023.

EU funding for CMO schemes (including for the FVAS) ended on 15 October 2020. POs with a head office in NI are now eligible for financial assistance from DAERA for an approved programme under the FVAS. There are 2 changes within REUL which will affect UK FVAS beneficiaries from 1 January 2023, described below. These changes will be adopted across all four parts of the UK.

1. In late December 2020, the EU made CAP Transitional Regulation [2020/2220](https://www.legislation.gov.uk/eur/2020/2220/contents) which amended [Article 33(1) of the CMO Regulation 1308/2013](https://www.legislation.gov.uk/eur/2013/1308/article/33), limiting the extension of existing FVAS programmes until 31 December 2022, and limiting new programmes to a maximum duration of 3 years (instead of 5). These changes were automatically rolled over into REUL on 31 December 2020 (the end of the formal EU Transition Period). DAERA (as the devolved authority responsible for the scheme in NI) has the option to reinstate a 5 year programme duration here, using powers in the EU Withdrawal Act 2018. However, DAERA intends to keep the reduced programme duration because this would set a timeframe for DAERA to move away from legacy EU schemes (like the FVAS) and towards new domestic policies and support, better tailored to the specific needs of NI horticultural supply chains, under DAERA’s [Future Agricultural Policy Framework](https://www.daera-ni.gov.uk/sites/default/files/publications/daera/Future%20Agricultural%20Policy%20Decisions%20for%20Northern%20Ireland%20%28Final%29%20%28002%29.pdf).
2. The UKG has also removed the status of Transnational Producer Organisations (TPOs) in REUL because it believes that it is no longer appropriate to have provision for TPOs in the UK, now that we have left the EU. This decision is reserved to the UKG, as it relates to international relations (between the UK and the EU). POs can still have members from other countries (including EU member states like Ireland) but they will be classed as “non-producer members” and their horticultural output will not count towards the PO’s Value of Marketed Production (VMP). Since funding is capped at 4.1% of the PO’s VMP, this change is likely to reduce the level of UK aid available to former TPOs. To mitigate the impact, the UKG has included transitional arrangements in REUL that allow existing UK-based TPOs to finish their current operational programmes, fully funded. Also, the UK will not seek to recover funds for any TPO assets funded under the current programme(s) that are subsequently sold. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

None

**If so, explain how.**

N/a

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**Who initiated or wrote the policy?**

The Department of Agriculture, Environment and Rural Affairs - programme duration (devolved matter).

The (UK) Department of Environment, Food and Rural Affairs - TPO status and timing of switch to REUL (reserved matter).

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

The Department of Agriculture, Environment and Rural Affairs owns the policy.

The Rural Payments Agency (a Defra agency) administers the scheme in NI on DAERA’s behalf.

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**Implementation factors**

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

**~~Funding~~**

**~~Legislation~~**

**Other, please specify** The funding and amended REUL for FVAS to operate in NI are already in place. There is a possibility that no applications will come forward from NI POs for approval of future operational programmes, in which case the changes described above will have no practical effect.

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**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 -** The main beneficiaries of the FVAS Scheme are fruit and vegetable growers in NI.

**Other public sector organisations -** The RPA delivers the scheme in NI on behalf of DAERA and has updated FVAS guidance and forms to reflect the changes to the policy and the application of REUL in the UK and shared updated documentation with all UK POs.

**~~voluntary/community/trade unions~~**

**~~other, please specify~~**

Other policies with a bearing on this policy

* **What are they?**

The Future Agricultural Policy Framework: In December 2021, DAERA ran a public consultation on a Future Agricultural Policy Framework with four key outcomes of increased productivity, environmental sustainability, improved resilience and an effective functioning supply chain. This consultation provided the horticulture sector with the opportunity to comment on the scope and effectiveness of the existing support measures (including POs and the FVAS) and on the policy proposals to support future supply chain and horticulture sectoral development.

Possible Future changes to the recognition of Producer Organisations at UK level. This could mean that DAERA would need to make further changes to the FVAS in relation to eligibility for support. However, the UKG is likely to hold a public consultation on any proposed changes for recognition of POs first.

* **Who owns them?**

The Department of Agriculture, Environment and Rural Affairs (DAERA) – Future NI Agricultural Policy

The Department of Environment, Food and Rural Affairs (Defra) – Future policy on recognition of Producer Organisations

**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 Department currently keeps no information on the religious background of NI FVAS aid recipients. It is not known what the religious breakdown is within UK POs with NI members.

The 2011 Census[[1]](#footnote-1) showed that 41% of the NI population were Catholic and 42% were Protestant or another Christian Religion. The breakdown for rural areas was 45% Catholic and 43% Protestant or other Christian.

Analysis undertaken by NISRA in respect of the 2011 Census results shows the breakdown of sectors by religious background and is set out in DAERA Audit of Inequalities 21-25 Background Data [[2]](#footnote-2), Table 6 (Page 12) Farm type by religious background. The report states – *‘The geographical location of specific sectors of agriculture may also influence religious background. Data [for] sectors such as mushrooms, fruit and vegetables suggests that there may be high participation among employers and employees from the Catholic community.’*

2021 Census data analysis showing this breakdown is not yet available. Equality and Local Statistics will be released in Autumn 2022.

DAERA research[[3]](#footnote-3) into farmer equality broken down by farm characteristics shows that 42% of farmers were Catholic, 51% Protestant or another Christian Religion and 6% other/none/not stated. Horticulture farmers have a similar breakdown with 41% Catholic, 50% Protestant or other Christian and 9% other/none/none stated.

Analysis undertaken by NISRA[[4]](#footnote-4) on labour market religion in 2017 identified that the industry sector which displayed the highest share of Protestants among people aged 16+ in employment was Agricultural, forestry and fishing with 65 per cent Protestants, compared with 35 per cent Catholics.

The Northern Ireland Life and Times Survey 2021 [[5]](#footnote-5) found that 36% of respondents identified as Protestant, 31% as Roman Catholic and 32% as neither.

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**Political Opinion** evidence/information:

The Department currently keeps no records of political opinion for FVAS aid recipients. It is not known what the breakdown of political opinion is within UK POs with NI members. The breakdown of political opinion is not recorded in government statistics and in the case of many migrants may not fit neatly within the standard NI classifications.

The DAERA Audit of Inequalities 21-25 Background Data [[6]](#footnote-6) suggests that national identity is a reasonable proxy indicator for the Unionist/Nationalist divide. 44% of farmers have reported their identity as British only, 26% as Irish only and 23% as Northern Irish only with 8% stating another identity or a combination of more than one identity. The DAERA Audit of Inequalities Background Data Report (Page 14) also states that in the 2019 Westminster Elections [[7]](#footnote-7) 42.3% of the NI electorate voted Unionist; 38.9% Nationalist and 18.8% voted Other. These figures will reflect the electorate turnout and may not be representative of the figure for society. In the 2017 Westminster election [[8]](#footnote-8) these figures were Unionist 49.2%; Nationalist 41.2%; Other 9.6%.

The Northern Ireland Life and Times Survey 2021[[9]](#footnote-9). found that 32% of the Northern Ireland population describe themselves as unionist, 26% as nationalist and 38% held neither political opinion.
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**Racial Group** evidence/information:

The Department keeps no records of racial background information for FVAS aid recipients. It is not known what the racial breakdown is within UK POs with NI members. As well as the farm owner/s, the horticulture workforce is fluid with an annual turnover of migrant workers from various countries which would not be included in NI census data.

The 2011 Census[[10]](#footnote-10) found that 98.2% of the NI population state their ethnic origin to be white; in rural areas, the population is almost entirely classified as white (99.3%).

Analysis undertaken by NISRA in respect of the 2011 Census results shows the breakdown of sectors by ethnic group and is set out in the DAERA Audit of Inequalities 21-25 - Background Data [[11]](#footnote-11): Farmers and farm workers by ethnic group, Page 20 – *‘The breakdown by ethnic group and country of birth of farmers and farm workers from the 2011 Census is set out in the tables below (Tables 14 and 15). These tables show that the vast majority of farmers and farm workers are of a white ethnic group and their country of birth was Northern Ireland. For those recorded in agricultural occupation codes, over 99.6% were reported to be White.’* 2021 Census data analysis showing this breakdown is not yet available. Equality and Local Statistics will be released in Autumn 2022.

NISRA statistics[[12]](#footnote-12) report that the A8[[13]](#footnote-13) population in NI was 39,000 (2.18% of total population) in 2009. There is no breakdown by race, only nationality.

The Economic, Labour market and Skills Impacts of Migrant Workers in NI[[14]](#footnote-14) (Dec 2009) reported that in the UK as a whole 1 in 10 migrants worked in the agricultural industries. It is not known what the exact figure is for NI but data indicates 15.4% of the A8 migrant population work in manufacturing food.

Furthermore, a DAERA survey[[15]](#footnote-15) undertaken in 2017 found that migrant labour (majority from EU countries) accounted for approximately 12 per cent of the paid and unpaid agricultural workforce. It also noted that migrant labour contributed 78 per cent of the total paid labour in horticultural businesses, comprised of mushroom, fruit and indoor flower growers. It is important to note that this survey focussed on workers’ nationality and not race.

Another DAERA report[[16]](#footnote-16) looks at employment in the food and drinks processing sector and noted that 43.5 per cent of employees were from the EU (excluding Ireland) or the rest of the world. Looking at the fruit and vegetables sector, this proportion increased to over 52 per cent.

The Migratory Advisory Committee does publish reports on immigration and the labour market, however, these are based on nationality and not race.

The Northern Ireland Life and Times Survey 2021 [[17]](#footnote-17) found that 97% of respondents identified as being White and 3% as being Other.
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**Age** evidence/information:

The Department keeps no records of age information for FVAS aid recipients. It is not known what the age breakdown is within UK POs with NI members.

NI farmers usually have an older age profile. As well as the farm owner/s, the work force is fluid with an annual turnover of migrant workers from various countries.

The 2011 Census of Northern Ireland [[18]](#footnote-18) reported that 21% were aged 0-15, 2% 85+ and the remaining 77% aged between 16 and 84. The proportions were similar for urban and rural areas.

The 2021 Census [[19]](#footnote-19) reported 365,200 children (aged 0 to 14) or 19% of the population. Those aged 65 and overrepresented 17% (326,500) of the population. The remaining 64% of the population, or 1,211,400 people, were aged between 15 and 64 years.

DAERA research[[20]](#footnote-20) into farmer equality broken down by farm characteristics shows an older age profile of farmers with 49% of farmers 60 and over and only 8% under 40. Looking at horticulture farms, the majority are aged 40-50 (49%) with 5% under 40.

The EU Farm Structure Survey 2016 [[21]](#footnote-21) showed that the median age for farmers in Northern Ireland in 2016 was 58 years. However, only 6% of farmers were under 35 years old, and only 1% under the age of 25.

The Economic, Labour market and Skills Impacts of Migrant Workers in NI[[22]](#footnote-22) (Dec 2009) found that in December 2008 a total of 30,000 migrants from A8 countries (mostly Eastern European) were resident in NI. This figure includes partners and children of migrant workers. Of this, there were 24,000 between the ages of 15 and 44, approx. 4,000 children under 15 and 2000 people aged over 45.

The 2021 NI Life and Times Survey [[23]](#footnote-23) found that 13% of respondents were aged 18-24, 18% were aged 25-34, 18% were aged 35-44, 18% were aged 45-54. 14% were aged 55-64 and 19% were aged 65 or over.

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**Marital Status** evidence/information:

The Department keeps no records of marital status for FVAS aid recipients. It is not known what the marital status breakdown is within UK POs with NI members. As well as the farm owner/s, the work force is fluid with an annual turnover of migrant workers from various countries.

The 2011 Census[[24]](#footnote-24) showed that around 48% of the NI population were married/in a civil partnership, 36% were single, 9% separated/divorced and 7% widowed. In rural areas, 33% were single, 55% were married/in a civil partnership, 7% separated/divorced and 6% widowed.

The 2016 EU Farm Structure Survey[[25]](#footnote-25), found that 30% of all NI farmers had no spouse.

DAERA research[[26]](#footnote-26) into farmer equality broken down by farm characteristics shows that 73% of farmers are married, this increased to 77% for horticulture farms.

According to the 2021 NI Life and Times Survey (NILT)[[27]](#footnote-27), 49% of the NI population were married/in a civil partnership, 38% were single, 9% separated/divorced and 4% widowed. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Sexual Orientation** evidence/information:

The Department keeps no records of sexual orientation information for FVAS aid recipients. It is not known what the sexual orientation breakdown is within UK POs with NI members.

There are limited data on the number of lesbian, gay or bisexual (LGB) persons in NI as the published national census didn’t ask people to define their sexuality.

ONS experimental statistics from 2019 [[28]](#footnote-28) reported that approximately 96.8% identified as heterosexual or straight, 0.7% as gay or lesbian and 0.6% as bi-sexual. These figures are based on a small sample size and would not be suitable for further breakdowns, e.g. to farmers.

The 2019-20 NI Continuous Household Survey[[29]](#footnote-29) also reported a high proportion of respondents as heterosexual/straight at 97.1% with 0.9% reporting as gay/lesbian and 0.6% as bi-sexual.

However, according to the 2021 NI Life and Times Survey (NILT)[[30]](#footnote-30), 93% of people in NI are heterosexual/straight, 2% are homosexual and 4% are bi-sexual. There is no data on the sexual orientation of farmers.

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

The Department keeps no records of gender information for FVAS aid recipients. It is not known what the gender breakdown is within UK POs with NI members. As well the farm owner/s, the work force is fluid with an annual turnover of migrant workers from various countries.

While NI farmers are predominantly male, the farm income is supplemented by spouses.

The 2011 Census[[31]](#footnote-31) showed that 51% of the general NI population were male and 49% female. The breakdown for rural areas, was 50% male and 50% female.

The 2021 Census [[32]](#footnote-32) population comprised of 967,000 females and 936,200 males, 51% and 49% respectively as in 2011.

The 2019 Agricultural Census [[33]](#footnote-33) showed that 92% of famers (full-time and part-time) farms were male. It also identified that females accounted for 12% of part time farmers and when looking at the total workforce (farmers, spouses and workers), the proportion of females was 22%.

DAERA research[[34]](#footnote-34) into farmer equality broken down by farm characteristics shows that the majority of farmers are male (91%), and this is consistent across all farm types. Horticulture has 94% male and 6% female. The DAERA Audit of Inequalities Report Background Data report [[35]](#footnote-35) (Page 7) stated that almost 24% of paid agricultural workers are female compared with 76% of males, reducing significantly to 5% female and 95% male in the 45+ age group.

The 2021 Northern Ireland Life and Times Survey [[36]](#footnote-36) found that 51% of respondents were female and 49% were male.

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**Disability** evidence/information:

The Department keeps no records on disability information for FVAS aid recipients. It is not known what the level of disability is within UK POs with NI members.

The 2011 Census[[37]](#footnote-37) of Northern Ireland showed that around 12% of the population found their day-to-day activities to be limited a lot due to a disability and around 9% found their activities limited a little. These proportions were similar for rural areas with 10% reporting that daily activities were limited a lot and a further 8% reporting that daily activities were limited a little.

DAERA research[[38]](#footnote-38) into farmer equality broken down by farm characteristics shows that 30% of farmers have a disability that limits their day-to-day activities a little or a lot. This decreases to 22% for horticulture farms.

The Northern Ireland Life and Times Survey 2021 [[39]](#footnote-39) found that 29% of respondents indicated that they have a physical or mental health condition or illness lasting or expected to last for 12 months or more.

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**Dependants** evidence/information:

The Department keeps no records of dependants’ information for FVAS aid recipients. It is not known to what level the NI members of UK POs have dependants. As well the farm owner/s, the work force is fluid with an annual turnover of migrant workers from various countries. They may have dependants with them in NI and/or in their country of origin, but it is not recorded in government statistics.

The 2011 Census of Northern Ireland[[40]](#footnote-40) showed that 49% of family households contained dependent children. In rural areas, this percentage was the same. It also reported that 12% of respondents had caring responsibilities and again, this was the same for urban and rural areas.

In the 2021 Census[[41]](#footnote-41) the children’s dependency ratio has fallen from 46 children per 100 people of working age (1926) to 30 children per 100 people of working age (2021), with the decline most marked since 1971. Conversely, the number of people aged 65 and over for every 100 people of working age has risen from 13 (1926) to 27 (2021).

DAERA research[[42]](#footnote-42) into farmer equality broken down by farm characteristics shows that 40% of farmers have one or more dependants. This decreases to 34% for horticulture farms.

The 2021 NI Life and Times survey [[43]](#footnote-43) found that 10% of respondents were living with someone who needed special help.

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**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 existing evidence does not highlight specific needs, experience or priorities linked to religious belief in relation to the policy.

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***Political Opinion***

The existing evidence does not highlight any specific needs, experience or priorities linked to political opinion in relation to this policy. While there are clear north/south linkages within the all-island horticulture supply chain, this is likely related to economic reasons rather than political opinion.

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***Racial Group***

The evidence suggests that there is a significant migrant workforce in the NI horticultural sector (in 2017, 78% of the total paid labour in horticultural businesses, comprised of mushroom, fruit and indoor flower growers[[44]](#footnote-44)). However, we do not have any information on any specific needs, experience or priorities linked to racial group in relation to this policy.

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***Age***

Age does not create any specific needs, experience or priorities in relation to the policy.

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***Marital status***

Marital status does not create any specific needs, experience or priorities in relation to the policy.

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***Sexual orientation***

Sexual orientation does not create any specific needs, experience or priorities in relation to the policy.

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***Men and Women Generally***

Gender does not create any specific needs, experience or priorities in relation to the policy.

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***Disability***

Disability does not create any specific needs, experience or priorities in relation to the policy.

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***Dependants***

Households which have dependants do not create any specific needs, experience or priorities in relation to the policy.

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**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 policy changes are purely technical in nature and will have no bearing in terms of likely impact on equality of opportunity or good relations for those of different religious beliefs.

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

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

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

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

The evidence suggests that there is a significant migrant workforce in the NI horticultural sector. The anticipated reduction in funding as a result of the TPO changes may particularly impact migrant workers. However, we do not have any information on the racial background within UK POs with NI members affected, nor specific impacts linked to racial group, in relation to the policy. In addition, UK POs have been given time to complete existing programmes fully funded and to adjust business models. This includes 1 NI TPO with a programme ending December 2022.

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

**Details of the likely policy impacts on *Age*:** The policy changes are purely technical in nature and will have no bearing in terms of likely impact on equality of opportunity or good relations for those of different ages.

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

**Details of the likely policy impacts on *Marital Status*:** The policy changes are purely technical in nature and will have no bearing in terms of likely impact on equality of opportunity or good relations for those of different marital status.

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

**Details of the likely policy impacts on *Sexual Orientation*:** The policy changes are purely technical in nature and will have no bearing in terms of likely impact on equality of opportunity or good relations for those of different sexual orientation.

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

**Details of the likely policy impacts on *Men and Women*:** The policy changes are purely technical in nature and will have no bearing in terms of likely impact on equality of opportunity or good relations for men and women.

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

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

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

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

**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:**

No opportunities to better promote equality of opportunity from the policy have been identified at this time.

The changes to TPO status, which take effect following the switch to REUL on 1 July 2022, are a result of decisions made by UKG Ministers who are not bound by the S75 provisions of the NI Act. Mitigations have been included for UK POs affected. The NI TPO will be able to complete its existing programme, fully funded, and to apply for a new 3 year operational programme in September 2022.

All UK POs have been notified of both changes and given time to adjust their business models.

As part of the roll out of the DAERA Future Agricultural Policy Framework, legacy EU supply chain measures and systems, like FVAS, will be reviewed and opportunities explored to make improvements to meet the specific needs of Northern Ireland horticultural supply chains.

Section 75 issues will be kept under review as DAERA policy evolves towards new support schemes. DAERA’s statutory equality duties will continue to be considered as part of the future policy development process and equality screening will be undertaken as required on all related future policies/schemes as part of the normal policy development and implementation processes.

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

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

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*:**

There are no impacts on good relations between people of different religious beliefs, political opinion or racial group expected from this.

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

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

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

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

**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:**

**If No, provide reasons:**

The changes to the FVAS are technical and no opportunities to better promote good relations between people of different religious beliefs, political opinion or racial group from the implementation of these policy changes have been identified at this time.

As part of the roll out of the DAERA Future Agricultural Policy Framework, legacy EU supply chain measures and systems, like FVAS, will be reviewed and opportunities explored to make improvements to meet the specific needs of Northern Ireland horticultural supply chains.

Section 75 issues will be kept under review as DAERA policy evolves towards new support schemes. DAERA’s statutory equality duties will continue to be considered as part of the future policy development process and equality screening will be undertaken as required on all related future policies/schemes as part of the normal policy development and implementation processes.

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

**If No, provide reasons:** See above

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

**If No, provide reasons:** See above

**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).*

There is no impact on people with multiple identities expected as a result of these policy changes.

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

N/A

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 changes to the FVAS are technical and no opportunities to better promote positive attitudes towards disabled people from this policy have been identified at this time.

As part of the roll out of the DAERA Agricultural Policy Framework, legacy EU supply chain measures and systems, like FVAS, will be reviewed and opportunities explored to make improvements to meet the specific needs of Northern Ireland horticultural supply chains. DAERA’s statutory disability duties will continue to be considered as part of the future policy development and implementation process.

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

The changes to the FVAS are technical and no opportunities to increase the participation by disabled people in public life via this policy have been identified at this time.

As part of the roll out of the NI Agricultural Policy Framework, legacy EU supply chain measures and systems, like FVAS, will be reviewed and opportunities explored to make improvements to meet the specific needs of Northern Ireland horticultural supply chains. DAERA’s statutory disability duties will continue to be considered as part of the future policy development process.

**Part 3. Screening decision** (Please delete as appropriate)

**Screened out**

**If the decision is *not to conduct an equality impact assessment*, please provide details of the reasons.**

We have no specific evidence or reason to believe that the effects of the FVAS policy changes will have an identifiable differential impact in Northern Ireland because of an individual’s religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability or whether or not he/she has dependants.

The Fruit and Vegetable Aid Scheme (FVAS) has been inherited from the EU. The changes to programme duration and TPO status examined in this screening exercise are technical and have been made as a consequence of the UK’s exit from the EU and the EU Common Agricultural Policy.

While the level of FVAS funding available to TPOs is likely to be significantly reduced, the change to TPO status is a result of decisions made by UKG Ministers who are not bound by the S75 provisions of the NI Act. Mitigations have been included for UK POs affected. The NI TPO affected will be able to complete its existing programme (ending 31 December 2022), fully funded, and to apply for a new 3 year operational programme commencing in January 2023.

NI stakeholders have been informed of the changes and no comments have been received in relation to the reduced operational programme duration. Some queries have been received in relation to the changes to TPO status and RPA and DAERA have been liaising on providing responses to those. There will be further consultation on new DAERA policy proposals for supporting the NI horticultural sector, as these develop.

As part of the roll out of the DAERA Agricultural Policy Framework, legacy EU supply chain measures and systems, like FVAS, will be reviewed and opportunities explored to make improvements to meet the specific needs of Northern Ireland horticultural supply chains. DAERA’s statutory equality, good relations and disability duties will continue to be considered as part of that future policy development and implementation process, further screening exercises will be conducted, and any issues raised in relation to equality during further stakeholder engagement will be considered.

**If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should *be mitigated or an alternative policy be introduced* - please provide details.**

All UK POs have been notified of the changes to the legacy EU FVAS and given time to adjust their business models. No further mitigations are available at this time. The FVAS is expected to be superseded by new DAERA policies/support for horticultural supply chains under the Future Agricultural Policy Framework.

**If the decision is to *subject the policy to an equality impact assessment*, please provide details of the reasons.**

N/A

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?**

No see above

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

**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:** This revised policy relates to a legacy EU support scheme (FVAS) which is expected to come to an end in its current form in December 2025. In addition, membership of UK POs with NI members is expected to evolve during the intervening period. As part of the roll out of the DAERA Agricultural Policy Framework, legacy EU supply chain measures and systems, including the FVAS, will be reviewed and opportunities explored to make improvements to meet the specific needs of Northern Ireland horticultural supply chains. During the future policy development and implementation process, relevant NI stakeholders (including S75 groups) will be asked for their views on equality, good relations and disability impacts arising from new policy proposals and these views will be considered. Appropriate monitoring arrangements will also be established for successor policies/support schemes for horticultural supply chains.

**Good Relations:** See above

**Disability Duties:** See above

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

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

No adverse impacts on Human Rights have been identified.

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

 No opportunity to positively promote human rights has been identified.

**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:** Elaine McCrory **Grade:** 7

**Branch:** Agri-Food Brexit Policy 1 **Date: 12 /08/22**

**Signature:** please insert a scanned image of your signature

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

**Name:** Norman Fulton **Grade:** 3

**Branch:** Food and Farming Group **Date:** 19/8/2022

**Signature:** please insert a scanned image of your signature



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. 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

Jubilee 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. <https://www.daera-ni.gov.uk/publications/census-2011>

2 DAERA Audit of Inequalities 21-25 Background data – DAERA Document [↑](#footnote-ref-1)
2. 3 <https://www.daera-ni.gov.uk/publications/equality-indicators-report> [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)
4. 4 <https://www.executiveoffice-ni.gov.uk/publications/labour-force-survey-religion-report-2017>

5 [NI Life and Times Survey - 2021 : PROTCATH (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/PROTCATH.html)

6 DAERA Audit of Inequalities 21-25 Background data – DAERA Document [↑](#footnote-ref-4)
5. 7[Westminster Election Results 2019](https://www.ark.ac.uk/elections/fw19) [www.ark.ac.uk/elections/fw19](http://www.ark.ac.uk/elections/fw19) [↑](#footnote-ref-5)
6. 8[Westminster Election Results 2017](http://www.ark.ac.uk/elections/fw17) [www.ark.ac.uk/elections/fw17](http://www.ark.ac.uk/elections/fw17)

9 [NI Life and Times Survey - 2021 : UNINATID (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Political_Attitudes/UNINATID.html) [↑](#footnote-ref-6)
7. [↑](#footnote-ref-7)
8. [↑](#footnote-ref-8)
9. [↑](#footnote-ref-9)
10. <https://www.daera-ni.gov.uk/publications/census-2011>

11 DAERA Audit of Inequalities Background data – DAERA Document [↑](#footnote-ref-10)
11. [↑](#footnote-ref-11)
12. <https://www.ninis2.nisra.gov.uk/public/PivotGrid.aspx?ds=1114&lh=37&yn=2007-2009&sk=74&sn=Population&yearfilter> [↑](#footnote-ref-12)
13. Czech Republic, Slovakia, Poland, Hungary, Slovenia, Estonia, Latvia and Lithuania - have been grouped together into the 'Accession Eight' or 'A8'. [↑](#footnote-ref-13)
14. <https://www.economy-ni.gov.uk/sites/default/files/publications/del/Economic%2C%20Labour%20Market%20and%20Skills%20Impacts%20of%20Migrant%20Workers%20in%20Northern%20Ireland.pdf> [↑](#footnote-ref-14)
15. <http://www.daera-ni.gov.uk/publications/migrant-labour-ni-agriculture> [↑](#footnote-ref-15)
16. <http://www.daera-ni.gov.uk/publications/migrant-labour-and-trade-enquiry>

17 [Northern Ireland Life and Times Survey (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Minority_Ethnic_People/ETHGROUP.html) [↑](#footnote-ref-16)
17. 18 <https://www.daera-ni.gov.uk/publications/census-2011> [↑](#footnote-ref-17)
18. [↑](#footnote-ref-18)
19. 19 [2021 Census | Northern Ireland Statistics and Research Agency (nisra.gov.uk)](https://www.nisra.gov.uk/statistics/census/2021-census) [↑](#footnote-ref-19)
20. <https://www.daera-ni.gov.uk/publications/equality-indicators-report>

21 <https://www.daera-ni.gov.uk/sites/default/files/publications/daera/17.18.088%20EU%20Farm%20Structure%20Survey%202016%20V2.pdf> [↑](#footnote-ref-20)
21. [↑](#footnote-ref-21)
22. <https://www.economy-ni.gov.uk/sites/default/files/publications/del/Economic%2C%20Labour%20Market%20and%20Skills%20Impacts%20of%20Migrant%20Workers%20in%20Northern%20Ireland.pdf>

23 [Northern Ireland Life and Times Survey (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/RAGECAT.html) [↑](#footnote-ref-22)
23. [↑](#footnote-ref-23)
24. <https://www.daera-ni.gov.uk/publications/census-2011> [↑](#footnote-ref-24)
25. Table 3.3, <https://www.daera-ni.gov.uk/sites/default/files/publications/daera/17.18.088%20EU%20Farm%20Structure%20Survey%202016%20V2.pdf> [↑](#footnote-ref-25)
26. <https://www.daera-ni.gov.uk/publications/equality-indicators-report> [↑](#footnote-ref-26)
27. [NI Life and Times Survey - 2021 : RMARST (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/RMARST.html) [↑](#footnote-ref-27)
28. <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/sexualidentityuk/2019> [↑](#footnote-ref-28)
29. <https://www.nisra.gov.uk/publications/chs-results> [↑](#footnote-ref-29)
30. [NI Life and Times Survey - 2021 : ORIENT2 (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/ORIENT2.html) [↑](#footnote-ref-30)
31. <https://www.daera-ni.gov.uk/publications/census-2011> [↑](#footnote-ref-31)
32. 32 [2021 Census | Northern Ireland Statistics and Research Agency (nisra.gov.uk)](https://www.nisra.gov.uk/statistics/census/2021-census) [↑](#footnote-ref-32)
33. 33 [Agricultural Census in Northern Ireland 2019 | Department of Agriculture, Environment and Rural Affairs (daera-ni.gov.uk)](https://www.daera-ni.gov.uk/publications/agricultural-census-northern-ireland-2019) [↑](#footnote-ref-33)
34. 34 <https://www.daera-ni.gov.uk/publications/equality-indicators-report> [↑](#footnote-ref-34)
35. 35 DAERA Audit of Inequalities 21-25 Background Data – DAERA Document [↑](#footnote-ref-35)
36. 36 [Northern Ireland Life and Times Survey (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/RSEX.html) [↑](#footnote-ref-36)
37. 37 <https://www.daera-ni.gov.uk/publications/census-2011> [↑](#footnote-ref-37)
38. 38 <https://www.daera-ni.gov.uk/publications/equality-indicators-report>

39 [NI Life and Times Survey - 2021 : ANYHCOND (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/ANYHCOND.html) [↑](#footnote-ref-38)
39. [↑](#footnote-ref-39)
40. <https://www.daera-ni.gov.uk/publications/census-2011>

41 [2021 Census | Northern Ireland Statistics and Research Agency (nisra.gov.uk)](https://www.nisra.gov.uk/statistics/census/2021-census) [↑](#footnote-ref-40)
41. [↑](#footnote-ref-41)
42. <https://www.daera-ni.gov.uk/publications/equality-indicators-report>

43 [NI Life and Times Survey - 2021 : CAREHOME (ark.ac.uk)](https://www.ark.ac.uk/nilt/2021/Background/CAREHOME.html) [↑](#footnote-ref-42)
43. [↑](#footnote-ref-43)
44. <http://www.daera-ni.gov.uk/publications/migrant-labour-ni-agriculture> [↑](#footnote-ref-44)