



Northern
Ireland
Office

**Equality Screening Form
Public Processions (Amendment)
(Northern Ireland) Order 2005**

February 2005

Equality Screening

The requirements of **Section 75 of the Northern Ireland Act 1998** require public authorities to have due regard to the need to promote equality of opportunity and the desirability of promoting good relations between the nine categories listed below:

- Religious belief
- Political opinion
- Race or ethnic group
- Age
- Marital status
- Sexual orientation
- Gender
- Disability
- Dependency

The Northern Ireland Office is fully committed to promoting equality of opportunity and good community relations in all its policies. As part of this process, and in line with the Department's Equality Scheme, the Northern Ireland Office has conducted an Equality Screening Assessment of the extension of the Parades Commission's remit to cover protest meetings related to processions. The provisions in the Public Processions (Amendment) (Northern Ireland) Order 2005 dealing with supporters of processions are not a new policy and therefore do not require screening. No significant adverse impact was detected in relation to any of the nine categories listed above in the screening.

Ideally Government would have liked to have consulted formally on the Order. However, because there is insufficient time to ensure that the arrangements are in place before the summer the Order has been laid with a view to it being in place at the end of March and applying to parades and protests happening after 14 May 2005. In line with the Department's Equality Scheme, however, this screening exercise is published for consultation. The consultation closes on **31 May 2005**.

NORTHERN IRELAND OFFICE

EQUALITY SCHEME SCREENING FORM

Function ID: Extension of the Parades Commission's remit to include protest meetings related to parades.

Screened by: Security Policy and Operations Division

Date: February 2005

Recommended Action (by project group)	-	Review Priority 1	[]
		Review Priority 2	[]
		Review Priority 3	[]
		No Current Action	[X]

Questionnaire

1A. Does the function referred to above involve any action which is likely to have an adverse differential impact on a person* on the basis of their:

	YES	DON'T KNOW	NO
Gender	[]	[]	[X]
Sexual Orientation	[]	[]	[X]
Religion	[]	[]	[X]
Political opinion	[]	[]	[X]
Disability (physical, mental, learning)	[]	[]	[X]
Race or ethnic origin (includes Travellers)	[]	[]	[X]
Age	[]	[]	[X]
Dependant Responsibilities/dependency	[]	[]	[X]
Marital status	[]	[]	[X]

1B. If the answer to any of the above is YES please briefly describe the impact and the affected group

2A. Does the function referred to omit any action, the addition of which would promote the equality of opportunity, social inclusion or welfare of any person* on the basis of:

	YES	DON'T KNOW	NO
Gender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Political opinion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability (physical, mental, learning)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race or ethnic origin (includes Travellers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dependant Responsibilities/dependency	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marital status	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2B If the answer to any of the above is YES please identify briefly the suggested amendment and beneficial impact:

3A Is there any conflict between the rights of any one person* and those of any other person* contained within the effects of this function?

YES DON'T KNOW NO

3B If YES please specify

Parading issues create a conflict between the rights of those who wish to parade and the rights of those living on the proposed parade route. The Parades Commission must balance the competing interests and rights of all parties affected by parading in coming to its determinations. Its role is to resolve such conflicts of rights. As a public authority under the Human Rights Act, it must exercise its functions in compliance with the ECHR.

- 4 If an adverse impact has been identified how would you categorise it:
- Significant Impact – Must be addressed [] (Priority 1)
- Moderate/Low Impact – Readily addressed [] (Priority 1)
- Significant Impact – Difficult to address in current circumstances [] (Priority 2)
- Moderate Impact – Not readily addressed [] (Priority 2)
- Low Impact – Not readily addressed [] (Priority 3)

*Person includes all individuals or groups with whom the Department interacts – employees, the public, contractors, purchasers, etc.

5. SCREENING ANALYSIS

Screening aims to identify those policies, functions or duties which are likely to have the greatest impact on equality of opportunity and community relations.

5.1

Is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories? Please tick -

YES	DON'T KNOW	NO
[X]	[]	[]

If yes, give details:

Parading is a contentious issue in Northern Ireland. Historically, most parades have been organised by members of the unionist community and members of the nationalist community have objected to what they perceive to be infringements of their rights. However, parades and related protests are not limited exclusively to these two groups. The legislation will ensure that, the Parades Commission will have jurisdiction over all processions and related protests in Northern Ireland, regardless of who has organised them. The Commission provides an independent mechanism to consider issues relating to planned parades.

5.2

Is there any evidence that particular groups have different needs, experiences, issues and priorities in relation to the particular main policy area? Please tick -

YES	DON'T KNOW	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If yes, give details:

Extending the remit of the Commission to include protesters will make sure that the Parades Commission balances the competing rights of those who wish to parade and those who object to parades. This will ensure it takes into account all relevant considerations when making any determinations required. The Commission is bound by the Human Rights Act. Any determinations it issues must be compliant with the ECHR.

5.3

Is there an opportunity to promote equality of opportunity or good relations by altering Policy? Please tick –

If yes, give details:

Agreed outcomes remain the optimum solution for any contentious parade. A separate consultation exercise is examining how mediation can best be delivered.

5.4

Have consultations in the past with relevant representative organisations or individuals within groups indicated that particular functions, policies or duties create problems that are specific to them? Please tick –

YES	DON'T KNOW	NO
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If yes, give details:

There is no indication that extending the Commission's remit to include protest meetings creates such problems.

6. If the answer to any of the questions in this section is YES or DON'T KNOW, proceed to consideration as to whether to submit the function, policy or duty to a full impact assessment.

If the answer to all the above questions is NO a full impact assessment is not required.

IMPACT ASSESSMENT REQUIRED:

YES	DON'T KNOW	NO
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Parading is a contentious issue, but the policy will ensure that competing rights are balanced and addressed and that the Parades Commission takes into account all relevant factors when coming to any determination about a parade or related protest.

NORTHERN IRELAND OFFICE
