

NIO POLICY EQUALITY SCREENING FORM – alcohol etc

The Legal Background

Under section 75 of the Northern Ireland Act 1998, the Department is required **to have due regard to the need to promote equality of opportunity:**

- between person of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and,
- between persons with dependants and persons without¹.

Without prejudice to the obligations set out above, the Department is also required to:

- **have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group; and**
- **meet legislative obligations under the Disability Discrimination Order.**

The Task

In order to determine whether an EQIA is necessary, changes to existing policies, functions or duties and new or proposed policies should be screened for significant equality issues as they arise. This form is intended to assist with the screening of any policies for which you take the lead and to record the outcome in respect of each policy. It should also be used as a prompt when considering legislative proposals.

The screening procedure should lead to one of these conclusions:

- the policy being screened does not have a significant impact on equality of opportunity; or
- the policy being screened has (or is likely to have) a significant impact on equality of opportunity. Policies falling into this category will need to be considered further and may require an Equality Impact Assessment.

¹A list of the main groups identified as being relevant to each of the section 75 categories is at Annex A of the document.

**There now follows four separate screening forms for:
Alcohol related offences and flares;
Missile throwing, offensive chanting and pitch incursion;
Ticket touting; and
Soccer Banning Orders**

PART I

1. SCOPING THE POLICY

Definition of Policy

There have been some difficulties in defining what constitutes a policy in the context of Section 75. To be on the safe side it is recommended that you consider any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if a further EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

Overview of Policy Proposals

The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the S75 categories.

1. Title of policy

Alcohol related offences and having flares and other dangerous items

2. Brief description of policy. Do any other policies interact with this policy?

New offence of possessing alcohol at a designated sporting event, or certain articles which may cause injury such as bottles. New offence of having a flare at such an event. New offence of being drunk at such an event. New offence prohibiting the carrying of alcohol on certain vehicles in certain circumstances; someone who knowingly allows this to happen would also be guilty of an offence.

This is part of a wider policy about increasing safety and comfort and sporting events and tackling sport-related disorder.

3. Aims of policy

The overall policy aim is to help increase safety and comfort at sporting events and tackle sport-related disorder. The consumption of alcohol has been known to create and compound crowd control issues at grounds and en route to and from grounds. Flares and objects such as bottles are also potentially dangerous, especially in crowd situations within grounds.

*It is essential that **all** the aims of the policy be clearly and fully defined.*

4. Who is responsible for devising and delivering the policy?

Criminal Law Branch of the Northern Ireland Office, with significant input from the Department of Culture, Arts & Leisure, is devising the policy. New offences would be enforced by the police, PPS and courts.

Delivering the policy generally will fall to clubs, sports bodies, relevant transport companies.

5. Are there any linkages to NI Departments or NDPBs in relation to this policy/legislation? How are these interfaces managed?

DCAL (Sport), DSD (Alcohol), DoE / DRD / Translink (transport)

We have consulted as appropriate with each on these proposals – particularly with DCAL.

6. Who is the policy/legislation likely to impact upon? What data is available to facilitate the screening exercise?

Anyone who attends specified matches and who would potentially engage in the sorts of misbehaviour being targeted by the policy.

Data are very limited. A 2004 survey, “The Fan’s Perspective”, found that 93% of Irish League soccer fans attending matches were male.

Results from the 2007/08 continuous household survey show that 43% of males had attended a sporting event in NI as a spectator, in comparison to 24% of females. (This includes all sports, not just soccer, GAA and rugby.)

7. Who will implement the policy?

Clubs, sports bodies and transport companies will have on-the-ground responsibilities.

Police Service of Northern Ireland will arrest / charge in relation to new offences.

Public Prosecution Service will prosecute alleged offenders.

Courts will try and sentence alleged offenders.

PART II

SCREENING ANALYSIS

- 1 Is there any evidence or indication of higher or lower participation or uptake by different groups? If so, please indicate below.**

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity	X		
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used.

The proposals target current and prospective spectators at designated soccer, GAA and rugby matches who would tend to engage in the sorts of behaviour addressed by the suggested new offences. Supporters tend predominantly to be male, so we would expect those who engage in the targeted misbehaviour to be predominantly male also.

The proposals aim to benefit all spectators.

We think that the proposals will not have an adverse differential impact on any group. Males who are deterred from misbehaviour will also be advantaged by our proposals, and offenders will be confronted by their misbehaviour.

- 2. Is there any evidence or indication that different groups have different needs, experiences, issues or priorities in relation to the particular policy?**

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	

Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

We intend that all spectators should enjoy a safer, more comfortable experience without the sorts of behaviour targeted by the proposals happening around them.

3 Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

The policy as it stands seeks to tackle certain kinds of anti-social behaviour which have the potential to harm community relations, which can be exacerbated by the irresponsible consumption of alcohol and the provocative impact of flares and missiles in the context of competitive sports. Removing the aggravating factors of alcohol, flares and other items should lead to a reduction in these behaviours and thus help to improve community relations.

4 Equality Commission guidance states that the screening process should include pre-consultation with those who may be affected by the policy. Have consultations with relevant groups, organisations

or individuals indicated that the policy may create problems, which are specific to them?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, and details of any consultations that have taken place:

No consultations have yet taken place with any section 75 groups on the drafting of the policy so far. The proposals are now being published for comments, and relevant groups are being informed about them with that in mind.

It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below:

PART III

OBLIGATIONS UNDER THE DISABILITY DISCRIMINATION ORDER

Under section 49A of the Disability Discrimination Act 1995, public authorities, when carrying out their functions must have due regard to the need to:

- **promote positive attitudes towards disabled people; and**
- **encourage participation by disabled people in public life.**

Questions 5 and 6 below relate to these two areas.

Consideration of Disability Duties

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

Explain your assessment in full

We believe that helping relevant sports clubs to create a more welcoming, less intimidating atmosphere at matches should also help them better to promote these spectator sports to disabled people.

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

Explain your assessment in full

We think our policy proposals will offer relevant sports clubs this opportunity.

PART IV

EQUALITY IMPACT ASSESSMENT RECOMMENDATION

Equality impact assessment procedures are confined to those policies considered likely to have significant implications for equality of opportunity.

- 1 If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?**

Please tick.

Significant impact	Low impact
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- 2 Do you consider that this policy needs to be submitted to a full equality impact assessment?**

YES	NO
	X

If NO but the policy has significant impact, please give reasons for your recommendation:

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- 3. What data do you believe may be required to ensure effective monitoring of the policy in the future?**

The number of prosecutions and convictions related to the proposed offences.

Data around spectators' sense of safety and comfort.

Numbers and profile of spectators at designated matches.

CRIMINAL LAW BRANCH, NIO

PART I

1. SCOPING THE POLICY

Definition of Policy

There have been some difficulties in defining what constitutes a policy in the context of Section 75. To be on the safe side it is recommended that you consider any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if a further EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

Overview of Policy Proposals

The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the S75 categories.

1. Title of policy

New sports ground offences of missile throwing, offensive chanting and pitch incursion.

2. Brief description of policy. Do any other policies interact with this policy?

New offences in relation to behaviour inside certain grounds for soccer, GAA and rugby:

- to throw anything at or towards the playing area, or any area where spectators are present;
- to engage or take part in chanting of an indecent or racist nature;
- to go, unauthorised, on to the playing area or any adjacent area where spectators are not generally admitted.

3. Aims of policy

The overall policy is to help increase safety and comfort at sporting events and tackle sport-related disorder. The three proposed offences are targeted at behaviours that are particularly unwelcome / dangerous.

*It is essential that **all** the aims of the policy be clearly and fully defined.*

4. Who is responsible for devising and delivering the policy?

Criminal Law Branch of the Northern Ireland Office, with significant input from the Department of Culture, Arts & Leisure, is devising the policy. New offences would be enforced by the police, PPS and courts.

Delivering the policy generally will fall to clubs and sports bodies.

5. Are there any linkages to NI Departments or NDPBs in relation to this policy/legislation? How are these interfaces managed?

Department of Culture, Arts & Leisure.

We have been consulting closely with DCAL.

6. Who is the policy/legislation likely to impact upon? What data is available to facilitate the screening exercise?

Anyone who attends specified matches and who would potentially engage in the sorts of misbehaviour being targeted by the policy.

Data are very limited. A 2004 survey, "The Fan's Perspective", found that 93% of Irish League soccer fans attending matches were male.

Results from the 2007/08 continuous household survey show that 43% of males had attended a sporting event in NI as a spectator, in comparison to 24% of females. (This includes all sports, not just soccer, GAA and rugby.)

7. Who will implement the policy?

Clubs and sports bodies will have on-the-ground responsibilities. Police Service of Northern Ireland will arrest / charge in relation to new offences.

Public Prosecution Service will prosecute alleged offenders.

Courts will try and sentence alleged offenders.

PART II

SCREENING ANALYSIS

- 1 Is there any evidence or indication of higher or lower participation or uptake by different groups? If so, please indicate below.

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity	X		
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used.

The proposals target current and prospective spectators at designated soccer, GAA and rugby matches who would tend to engage in the sorts of behaviour addressed by the suggested new offences. Supporters tend predominantly to be male, so we would expect those who engage in the targeted misbehaviour to be predominantly male also.

The proposals aim to benefit all spectators.

We think that the proposals will not have an adverse differential impact on any group. We believe most males who attend designated sport matches do not engage in the sort of misbehaviour targeted by the proposed measures. They would therefore benefit from the measures. Males who are deterred from misbehaviour will also be advantaged by our proposals, and offenders will be confronted by their misbehaviour.

2. Is there any evidence or indication that different groups have different needs, experiences, issues or priorities in relation to the particular policy?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

We intend that all spectators should enjoy a safer, more comfortable experience without the sorts of behaviour targeted by the proposals happening around them.

3 Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

The policy as it stands promotes better community relations and equality of opportunity, in particular the new offence of offensive chanting. The offence will include chanting that is sectarian or which targets a person's sexuality or

disability, therefore people who may have been subject to this previously may now be more inclined to attend relevant matches.

4 Equality Commission guidance states that the screening process should include pre-consultation with those who may be affected by the policy. Have consultations with relevant groups, organisations or individuals indicated that the policy may create problems, which are specific to them?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, and details of any consultations that have taken place:

No consultations have yet taken place with any section 75 groups on the drafting of the policy so far. The proposals are now being published for comments, and relevant groups are being informed about them with that in mind.

It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below:

PART III

OBLIGATIONS UNDER THE DISABILITY DISCRIMINATION ORDER

Under section 49A of the Disability Discrimination Act 1995, public authorities, when carrying out their functions must have due regard to the need to:

- **promote positive attitudes towards disabled people; and**
- **encourage participation by disabled people in public life.**

Questions 5 and 6 below relate to these two areas.

Consideration of Disability Duties

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

Explain your assessment in full

We believe that helping relevant sports clubs to create a more welcoming atmosphere at matches should also help them better to promote these spectator sports to disabled people.

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

Explain your assessment in full

We think our policy proposals will offer relevant sports clubs this opportunity.

PART IV

EQUALITY IMPACT ASSESSMENT RECOMMENDATION

Equality impact assessment procedures are confined to those policies considered likely to have significant implications for equality of opportunity.

- 1 If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?**

Please tick.

Significant impact	Low impact
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- 2 Do you consider that this policy needs to be submitted to a full equality impact assessment?**

YES	NO
	X

If NO but the policy has significant impact, please give reasons for your recommendation:

- 3. What data do you believe may be required to ensure effective monitoring of the policy in the future?**

The number of prosecutions and convictions related to the proposed offences.

Data around spectators' sense of safety and comfort.

Numbers and profile of spectators at designated matches.

Criminal Law Branch, NIO

PART I

1. SCOPING THE POLICY

Definition of Policy

There have been some difficulties in defining what constitutes a policy in the context of Section 75. To be on the safe side it is recommended that you consider any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if a further EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

Overview of Policy Proposals

The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the S75 categories.

1. Title of policy

Offence of ticket touting for certain categories of soccer match.

2. Brief description of policy. Do any other policies interact with this policy?

Policy will tackle the issue of the sale of tickets by touts which can undermine measures taken by clubs to separate opposing fans within grounds. This will apply only to soccer matches.

3. Aims of policy

The overall aim of the policy is to help enhance safety and comfort at certain sporting events and tackling sport-related disorder. The specific aim of the anti-touting measures is to contribute to crowd safety at certain soccer matches.

*It is essential that **all** the aims of the policy be clearly and fully defined.*

4. Who is responsible for devising and delivering the policy?

Criminal Law Branch, Northern Ireland Office, with significant input from the Department of Culture, Arts & Leisure, is devising the policy.

The new offence will be enforced by the police, PPS and courts.

Those who are authorised to sell tickets will also help to deliver the policy.

5. Are there any linkages to NI Departments or NDPBs in relation to this policy/legislation? How are these interfaces managed?

Department of Culture, Arts & Leisure.

6. Who is the policy/legislation likely to impact upon? What data is available to facilitate the screening exercise?

Anyone who would potentially engage in ticket touting for the soccer matches concerned.

7. Who will implement the policy?

Soccer clubs / bodies who sell tickets.

Police, prosecution and courts.

PART II

SCREENING ANALYSIS

- 1 Is there any evidence or indication of higher or lower participation or uptake by different groups? If so, please indicate below.**

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity	X		
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age	X		
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used.

The proposals target behaviour likely to be carried out predominantly by young males – these are the people who, we understand, have tended to engage in the behaviour targeted by the equivalent policy in England & Wales. Though soccer supporters come predominantly from the protestant / unionist community, it is not necessarily the case that ticket touts also come predominantly from that community.

Nonetheless, we believe that the great majority of young males (and others) will benefit from the effect of the proposed measures through enhanced safety at designated soccer matches. There is therefore unlikely to be an adverse differential impact of the policy on any group.

- 2. Is there any evidence or indication that different groups have different needs, experiences, issues or priorities in relation to the particular policy?**

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	

Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

No evidence in relation to the outlawing of soccer ticket touting.

3 Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

In principle it would be possible to extend the scope of the proposals to cover ticket touting at other designated sporting events, including GAA and rugby. However, that would not be justified in crowd safety terms; it would undermine the rationale for applying the offence to soccer; it would be an unnecessary regulatory control involving serious criminal law sanctions; and it would raise issues of consistency with the treatment of other ticketed entertainments.

4 Equality Commission guidance states that the screening process should include pre-consultation with those who may be affected by the policy. Have consultations with relevant groups, organisations or individuals indicated that the policy may create problems, which are specific to them?

CATEGORY	YES	NO	DON'T KNOW
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Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, and details of any consultations that have taken place:

We have not tried to consult with anyone currently engaged in the activity being targeted by the proposed measure.

We have had initial discussions with the IFA.

5 It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below:

PART III

OBLIGATIONS UNDER THE DISABILITY DISCRIMINATION ORDER

Under section 49A of the Disability Discrimination Act 1995, public authorities, when carrying out their functions must have due regard to the need to:

- **promote positive attitudes towards disabled people; and**
- **encourage participation by disabled people in public life.**

Questions 5 and 6 below relate to these two areas.

Consideration of Disability Duties

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

Explain your assessment in full

We believe that the proposed measure, by protecting spectators against disorder at soccer matches, will help clubs and other authorities better to promote spectating at soccer matches amongst disabled people.

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

Explain your assessment in full

We think our proposal will offer this opportunity to clubs and the other responsible bodies.

PART IV

EQUALITY IMPACT ASSESSMENT RECOMMENDATION

Equality impact assessment procedures are confined to those policies considered likely to have significant implications for equality of opportunity.

- 1 If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?**

Please tick.

Significant impact	Low impact
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- 2 Do you consider that this policy needs to be submitted to a full equality impact assessment?**

YES	NO
	X

If NO but the policy has significant impact, please give reasons for your recommendation:

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- 3. What data do you believe may be required to ensure effective monitoring of the policy in the future?**

The number of prosecutions and convictions for ticket touting.

Also monitoring the instances where segregated ticketing at matches has, or may have, failed.

CRIMINAL LAW BRANCH, NIO

PART I

1. SCOPING THE POLICY

Definition of Policy

There have been some difficulties in defining what constitutes a policy in the context of Section 75. To be on the safe side it is recommended that you consider any new initiatives, proposals, schemes or programmes as policies or changes to those already in existence. It is important to remember that even if a full EQIA has been carried out in an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if a further EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

Overview of Policy Proposals

The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the S75 categories.

1. Title of policy

Soccer Banning Orders

2. Brief description of policy. Do any other policies interact with this policy?

Introduction of a system in which, when a person is found guilty of a relevant offence, the courts have the power to make a football banning order. This prohibits a person from attending specified matches for a period set by the court. Breach of a banning order would be a criminal offence. The proposal applies only to specified soccer matches.

3. Aims of policy

The overall policy aim is to help increase safety and comfort at sporting events and tackle sport-related disorder. The proposal aims to deter and address the misbehaviour of certain soccer “fans” by denying them the enjoyment of attending matches in NI and elsewhere in the UK and Europe.

*It is essential that **all** the aims of the policy be clearly and fully defined.*

PART I

4. Who is responsible for devising and delivering the policy?

Criminal Law Branch of the Northern Ireland Office, with significant input from the Department of Culture, Arts & Leisure, is devising the policy. The policy will be delivered by the courts in the first instance, and compliance will be monitored by the police, with the co-operation of clubs, etc. Police and prosecution will put alleged instances of breach of a banning order before the courts.

5. Are there any linkages to NI Departments or NDPBs in relation to this policy/legislation? How are these interfaces managed?

Department of Culture, Arts & Leisure.
We are consulting closely with DCAL.

6. Who is the policy/legislation likely to impact upon? What data is available to facilitate the screening exercise?

All those who have committed a relevant offence and for whom the courts believe the imposition of a banning order would be likely to prevent violence or disorder at specified soccer matches.

Data are very limited. A 2004 survey, "The Fan's Perspective", found that 93% of Irish League soccer fans attending matches were male.

Results from the 2007/08 continuous household survey show that 43% of males had attended a sporting event in NI as a spectator, in comparison to 24% of females. (This includes all sports, not just soccer, GAA and rugby.)

7. Who will implement the policy?

Courts will impose banning orders in appropriate cases.
Police Service of Northern Ireland will arrest / charge in relation to breach of orders.
Public Prosecution Service will prosecute alleged offenders for breach.

PART II

2. SCREENING ANALYSIS

1 Is there any evidence or indication of higher or lower participation or uptake by different groups? If so, please indicate below.

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity	X		
Sexual orientation		X	
Religion	X		
Political opinion	X		
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used.

Banning orders will be available against individuals who have been convicted of certain violent offences, and where the court believes the imposition of a banning order would be likely to prevent violence or disorder at designated soccer matches.

We believe that the recipients of banning orders are likely to be predominantly males from the protestant / unionist community. This is because males make up the clear majority of supporters attending soccer matches and because we understand such supporters are disproportionately from the protestant / unionist community.

However, we think that the proposals will not have an adverse differential impact on any group. We believe that most males/ protestants / unionists who attend (or might attend) designated soccer matches do not engage in violence or disorder, and they would therefore benefit from the proposals. Those who are deterred from misbehaviour will also be advantaged by our proposals, and offenders will be confronted by their misbehaviour.

2. Is there any evidence or indication that different groups have different needs, experiences, issues or priorities in relation to the particular policy?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

We intend that all spectators should enjoy a safer, more comfortable experience without violence or disorder happening around them.

3 Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, including sources of data used:

The proposals are part of a wider scheme of measures designed to make sports grounds in Northern Ireland safer and sports events at those grounds more attractive to spectators of all section 75 groups and others. This includes those who currently attend sporting events as well as those who may do so in

future as a result of the broad package of measures being proposed.

In relation to banning orders, we wish to limit their application to those convicted of soccer-related offences in Northern Ireland, because it is only soccer-related disorder that presents a significant challenge in this jurisdiction. Banning orders substantially limit the freedom of individuals to attend relevant matches and we wish such a disposal to be available only where it is needed. Given the supporter base of soccer in this jurisdiction, we expect that the policy will have a disproportionate (but not an adverse) impact on males from the protestant, unionist community. Extending the scope of banning orders to allow their application to offences related to GAA or rugby or other sports would be a disproportionate response to any disorder that might be associated with those sports.

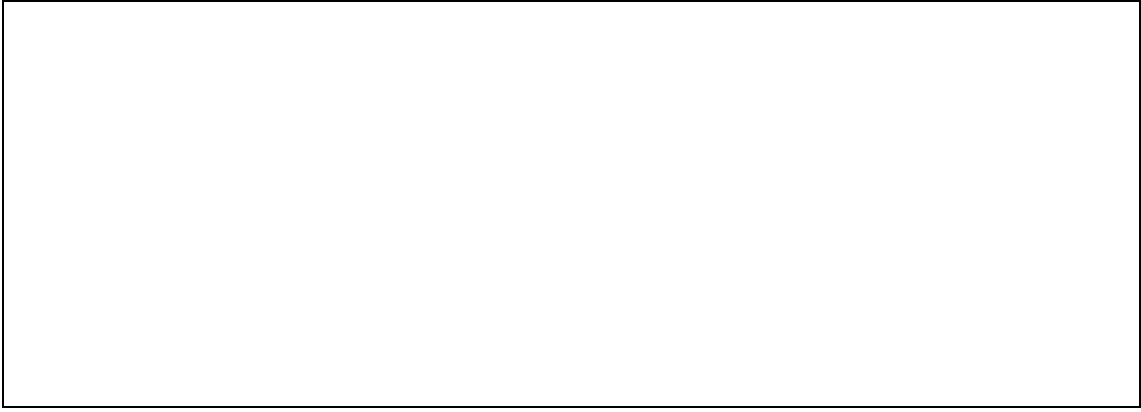
4 Equality Commission guidance states that the screening process should include pre-consultation with those who may be affected by the policy. Have consultations with relevant groups, organisations or individuals indicated that the policy may create problems, which are specific to them?

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital/Civil Partnership status		X	

Please give reasons for your answer, and details of any consultations that have taken place:

The governing authority for soccer has supported the overall proposals in principle.

It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below:



PART III

OBLIGATIONS UNDER THE DISABILITY DISCRIMINATION ORDER

Under section 49A of the Disability Discrimination Act 1995, public authorities, when carrying out their functions must have due regard to the need to:

- **promote positive attitudes towards disabled people; and**
- **encourage participation by disabled people in public life.**

Questions 5 and 6 below relate to these two areas.

Consideration of Disability Duties

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

Explain your assessment in full

We believe that helping relevant sports clubs to create a more welcoming, less intimidating atmosphere at matches should also help them better to promote these spectator sports to disabled people.

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

Explain your assessment in full

We think our policy proposals will offer relevant sports clubs this opportunity.

PART IV

EQUALITY IMPACT ASSESSMENT RECOMMENDATION

Equality impact assessment procedures are confined to those policies considered likely to have significant implications for equality of opportunity.

- 1 If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?**

Please tick.

Significant impact	Low impact	X
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- 2 Do you consider that this policy needs to be submitted to a full equality impact assessment?**

YES	NO
	X

If NO but the policy has significant impact, please give reasons for your recommendation:

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- 3. What data do you believe may be required to ensure effective monitoring of the policy in the future?**

The number of banning orders handed down.

The number of prosecutions and convictions for breach of a banning order and for other soccer-related offences to be created under the wider proposals.

Data around spectators' sense of safety and comfort.

Numbers and profile of spectators at designated matches.

Criminal Law Branch, NIO

**MAIN GROUPS IDENTIFIED AS RELEVANT TO THE SECTION 75
CATEGORIES**

Category	Main Groups
Religious belief	Protestants; Catholics; people of other religious belief; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Afro Caribbean people; people of mixed ethnic group, other groups
Men and Women generally	Men (including boys); women (including girls); trans-gender and trans-sexual people
Marital/Civil Partnership status	Married people; unmarried people; divorced or separated people; widowed people; civil partnerships
Age	For most purposes, the main categories are: children under 18; people aged between 18 and 65. However the definition of age groups will need to be sensitive to the policy under consideration. For example, for some employment policies, children under 16 could be distinguished from people of working age
Persons with a disability and persons without	Persons with a physical, sensory or learning disability as defined in Schedules 1 and 2 of the Disability Discrimination Act 1995.
Persons with dependants and persons without	Persons with primary responsibility for the care of a child; persons with personal responsibility for the care of a person with a disability; persons with primary responsibility for a dependent elderly person.
Sexual orientation	Heterosexuals; bisexual people; gay men; lesbians