

## **ANNEX D**

### **FOI documentation re equality proofing**

Mr James H Allister QC MEP  
139 Hollywood Road  
Belfast  
BT4 3BE



Department of  
**Culture, Arts  
and Leisure**

[www.dcalni.gov.uk](http://www.dcalni.gov.uk)

AN ROINN  
Cultúir, Ealaíon  
agus Fóillíochta

MANNYSTRIE O  
Fowkgates, Airts an  
Aisedom

Interpoint  
20-24 York Street  
BELFAST BT15 1AQ

Tel.: 028 9025272  
Fax: 028 90258906  
Email: [dcal@dcalni.gov.uk](mailto:dcal@dcalni.gov.uk)

Ref.: RFI 84/06

22 January 2006

Dear Mr Allister

***FREEDOM OF INFORMATION ACT 2000***

I am writing to confirm that the Department is conducting its search of the information you requested on 19 December 2006.

The documentation giving rise to the commitment made in the St Andrews Agreement for an Irish Language Bill is currently being considered for disclosure by the Department, and we will shortly respond to you in respect of this documentation.

In relation to your request for all documentation pertaining to the Equality Impact Assessment contained with the Consultation Paper on Proposed Irish Language Legislation, please find enclosed a copy of the relevant papers and associated schedule.

If you feel that the information we have provided does not fully meet your request, please write to:

Paul McAllister  
Department of Culture, Arts and Leisure  
Interpoint  
20-24 York Street  
BELFAST

BT15 1AQ

Telephone: 028 90254256

E-mail: [paul.mcallister@dcalni.gov.uk](mailto:paul.mcallister@dcalni.gov.uk)

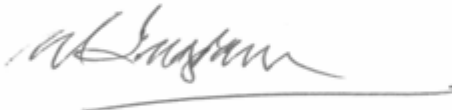
If you are still dissatisfied after completion of the internal review you may appeal to the:

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

who will undertake an independent review.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'M. Ingram', is written over a horizontal line.

**MARTIN INGRAM**

Tel.No.: 028 90254269

E-mail: [martin.ingram@dcalni.gov.uk](mailto:martin.ingram@dcalni.gov.uk)

FOI 84/06  
Schedule of information

Tab No.	Date of document/file	Author of Document	Addressee of document	Title of document	Brief Description of Information Covered	Exemption/Exception claimed
1	14/11/2006	Damian Brady	Margaret O'Keefe, Kim McCourt	Irish Language Bill – Equality Scheme	Information regarding conducting an EQIA	Disclosed
2	1/12/2006	Margaret O'Keefe	Kim McCourt	2 emails on the Irish Language Bill Consultation	Information regarding Equality aspects of the consultation paper on proposed Irish language legislation.	Disclosed
3	1/12/2006	Bernie Duffy	Patricia Carey	Draft Irish Language Consultation Paper	OFMDFM views on DCAL's draft consultation paper on proposed Irish language legislation.	Disclosed
4	1/12/2006	Margaret O'Keefe	Kim McCourt	Draft Irish Language Consultation	Discussion on the need to	Disclosed

					Paper	assess the equality impact of the consultation paper on proposed Irish language legislation.	
5	1/12/2006	Kim McCourt	Margaret O'Keeffe		Draft Irish Language Consultation Paper	Discussion on the need to assess the equality impact of the consultation paper on proposed Irish language legislation.	Disclosed
6	5/12/2006	Margaret O'Keeffe	Damian Brady		Draft Irish Language Consultation Paper.	Discussion on the need to assess the equality impact of the consultation paper on proposed Irish language legislation.	Disclosed
7	6/12/2006	Brian Smart	Damian Brady,		Equality Line to Take	Discussion on	Disclosed

			Judena Goldring, Margaret O'Keeffe, Niall McRory	for Consultation Paper on Proposed Irish Language Legislation for Northern Ireland	the need to assess the equality impact of the consultation paper on proposed Irish language legislation.	
8	6/12/2006	Damian Brady	Brian Smart; Judena Goldring; Margaret O'Keeffe; Niall McRory	Equality line to take for consultation paper on proposed Irish language legislation for Northern Ireland.	Discussion on the need to assess the equality impact of the consultation paper on proposed Irish language legislation.	Disclosed
9	6/12/2006	Brian Smart	Damian Brady, Judena Goldring, Margaret O'Keeffe, Niall McRory	Equality line to take for consultation paper on proposed Irish language legislation for Northern Ireland.	Discussion on the need to assess the equality impact of the consultation paper on proposed Irish language legislation.	Disclosed

10	6/12/2006	Judena Goldring	Brian Smart, Damian Brady, Margaret O'Keefe, Niall McRory	Equality line to take for consultation paper on proposed Irish language legislation for Northern Ireland.	Discussion on the need to assess the equality impact of the consultation paper on proposed Irish language legislation.	Disclosed
11	7/12/2006	Damian Brady	Judena Goldring, Brian Smart, Margaret O'Keefe, Niall McRory	Equality line to take for consultation paper on proposed Irish language legislation for Northern Ireland.	Discussion on the need to assess the equality impact of the consultation paper on proposed Irish language legislation.	Disclosed
12	7/12/2006	Margaret O'Keefe	Judena Goldring	DCAL Policy Screening Form	Equality Screen Form on Introduction of Irish language legislation.	Disclosed
13	7/12/2006	Kim McCourt	Margaret O'Keefe	EQIA Irish Language Act	Equality Branch's comments on draft EQIA on	Disclosed

							introduction of Irish language legislation.	
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From: Brady, Damian  
Sent: 14 November 2006 10:48  
To: McCourt, Kim; O'Keeffe, Margaret  
Cc: Heyburn, Robert; Douglas, Victor (DCAL)  
Subject: RE: Irish Language Bill - Equality Scheme

Margaret

There's no problem issuing an executive summary stating the full document is available to view/download on our website. You should also say 'As we aim to minimise the production of printed material whenever possible we are not planning to post a hard copy of this document to you unless you specifically request one. If you would like to receive a copy by post, or if the document is not in a format that meets your requirements, please contact me at the above address.'

The Department, in our equality scheme, are committed to consultation using 'a variety of consultation methods and although the press isn't mentioned specifically I think it would be a good idea to place an advert in both English and Irish.

I have no doubt the screening will lead to a full EQIA but as you are already going out to consult on the policy this can be attached. You are also required to proof new policies for environmental, rural, regulatory, health, and sustainable development impacts and the Integrated Impact Assessment (IIA) tool will assist - link attached. I would advise you speak to the Policy Innovation Unit, OFMDFM to see what is required in terms of the IIA for your policy.

<http://www.ofmdfmi.gov.uk/index/improving-public-services/policylink/policylink-integrated-impact-assessment.htm>

Finally, I would have some concern with your timescale. Do you have the necessary, up to date data at hand to clearly demonstrate why the policy is to be screened in or out? If a full EQIA is necessary there are 4 stages to complete in the process prior to consultation and with such a high profile policy open to scrutiny it is important that the Department is seen to be thorough in its approach.

Thanks

Damian

## TAB 2

From: O'Keeffe, Margaret  
Sent: 01 December 2006 10:15  
To: McCourt, Kim  
Subject: FW: IL Bill Consultation

Kim

Wording in initial para of the legislation section:

Government policy in relation to the provision of public services through the medium of Irish is informed and shaped by legislation, political agreements, and international obligations.....

Margaret

From: O'Keeffe, Margaret  
Sent: 01 December 2006 10:06  
To: McCourt, Kim  
Subject: IL Bill Consultation

Kim

I think this is what Bernie's looking for:

Northern Ireland Act 1998

The Section 75 equality provisions of the Northern Ireland Act 1998 and the Human Rights Act 1998 provide a general legal framework for the protection of the individual's right to express and celebrate his or her own culture.

Margaret

Margaret O'Keeffe  
Bill Team  
Department of Culture, Arts & Leisure  
3rd Floor, Interpoint  
20-24 York Street  
Belfast  
BT15 1AQ

Tel: 028 90254205  
Email: Margaret.O'Keeffe@dcalni.gov.uk

From: Bernie Duffy [mailto:Bernie.Duffy@ofmdfmi.gov.uk]  
 Sent: 01 December 2006 11:14  
 To: Patricia Carey  
 Cc: Kiera Lloyd; Martin McEvoy; McCourt, Kim  
 Subject: Re: Fw: URGENT: Fw: SUB/519/2006 Draft Irish language  
 Consultation Paper - URGENT DUE YESTERDAY

Patricia

I have had a very quick look through the consultation paper, and what is very concerning is that there is no mention of having screened or EQIA'd this policy. DCAL would need to be explicit in outlining their equality considerations in the document, which they have not done as yet. One would imagine, given the nature of the subject matter, that this would be screened in and a full EQIA required. In my view, it would make sense that any consultation would be within the context of the EQIA - otherwise one would have to consult twice. Once on options (what they are referring to as an "open" consultation in this case) and then again as part of an EQIA. If they go with option A as a result of the earlier consultation, and then found that there were potential adverse impacts, where would that leave the Dept? I have spoken to DCAL Equality Unit and I understand they have already provided advice along the lines of that outlined above, but it would appear not to have been heeded in this case.

The references to section 75/promoting equality of opportunity in the document are very vague. The line you have flagged up "the Section 75 equality provisions of the Northern Ireland Act 1998 and the Human Rights Act 1998 provide a general legal framework for the protection of the individual's right to express and celebrate his or her own culture" is completely erroneous. Section 75 does not protect individual's rights - it is a positive promotional duty on public authorities to promote equality of opportunity. There is a world of difference.

With regard to Human Rights, the above statement does not actually provide any information on the human rights engaged by the proposals. Without having the time to look at it in detail, it would appear that at the very least Art 10 (freedom of expression) is involved. Potentially there may be Art 9 (freedom of thought, conscience and religion) and Art 14 (prohibition of discrimination) issues also. DCAL need to undertake a Human Rights Impact Assessment on their proposals in order to ensure that they have fully considered all of the human rights issues. At the very least, there needs to be a more systematic consideration of the human rights implications.

In the section entitled The language scheme approach it says "In Northern Ireland there is already experience of applying similar statutory schemes in respect of equality of opportunity under section 75 of the Northern Ireland Act. What does this actually mean?

Also, there are numerous uses of a phrase "should be treated on a basis of equality" - what does this mean? When talking about s75 there is a need to

be explicit about what it is you mean. I would caution against using phrases like this which have no meaning in law and are very open to interpretation.

I would therefore suggest that DCAL are advised to revisit this document before it is issued. Key stakeholders with an interest in this area will be highly critical of the lack of explicit references to equality and Section 75 in particular. The first port of call should be for them to go to their Equality Unit and speak to them, and to listen to the advice that they have been given. As this is a highly sensitive subject it is likely to come in for a lot of scrutiny.

Happy to discuss.

Bernie

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Bernie Duffy  
Equality & Rights Unit  
OFMDFM  
Email: [bernie.duffy@ofmdfmni.gov.uk](mailto:bernie.duffy@ofmdfmni.gov.uk)  
Direct Line: 028 90 523143

From: O'Keeffe, Margaret  
Sent: 01 December 2006 12:21  
To: McCourt, Kim  
Subject: RE: Fw: URGENT: Fw: SUB/519/2006 Draft Irish language Consultation Paper - URGENT DUE YESTERDAY

Kim

Can you reconcile Bernie's comments that we have not heeded Equality Unit's advice, when Damian advised me yesterday that we can screen and conduct the EQIA on the policy proposal (which won't be determined until at least March 2007) and not on the options paper (he used the phrase 'pre-consultation' which is technically correct but not a phrase we intend to use to describe the paper)? I was not advised that 2 EQIAs should be conducted, which I think is what Bernie is suggesting.

The advice I got yesterday from Damian was passed directly to Judena, and the email below suggests that I either misinterpreted what he said (which I didn't), or that I have decided not to take his advice (his advice was as above).

Just so I am absolutely sure before Judena gets a response from HOCS - can I get a definite line from Equality Unit on whether or not we have to screen the current consultation paper, in accordance with current statutory duty? (Also - I have never heard of Human Rights Impact Assessment!)

Thanks  
Margaret

From: McCourt, Kim  
Sent: 01 December 2006 12:53  
To: O'Keeffe, Margaret  
Subject: RE: Fw: URGENT: Fw: SUB/519/2006 Draft Irish language Consultation Paper - URGENT DUE YESTERDAY

Margaret,

I haven't seen Damian's advice, so I can't comment on what he said, and he's not in until Tuesday. The advice I have seen is that the policy is likely to be screened in and an EQIA consultation could be attached to the consultation you are already committed to doing. This advice also contained a link to the Integrated Impact Assessment Tool

<http://www.ofmdfmi.gov.uk/index/improving-public-services/policylink/policylink-integrated-impact-assessment.htm> . The Human Rights Impact Assessment is part of this tool.

Having not seen the document it is impossible to advise on the content beyond the advice already offered, and I can't interpret it without knowing what this was. I wouldn't interpret Bernie's comments as 2 EQIAs, but 2 consultations - one now and one later for an EQIA if the proposal the Department chooses is screened in, as we have advised it is likely to be. Again, I haven't see the options, I can't be specific . Bernie's point is that if this consultation identifies an option which is not compatible with Section 75 the Department will be left in an awkward position if we did not consider Equality Implications of each of the options now. I don't know if the options have considered Equality Implications, I am being asked to reconcile comments on a document and on advice which I have not seen.

Damian's advice on 14 November did highlight the need to be thorough with regard to such a high profile policy. Bernie's concerns appear to echo this, again I don't know what the paper says so I can't comment if there is or isn't an explicit reference to equality considerations in developing any proposals.

Apologies for not being able to give a definite line on screening, I can't give a definite answer without all the facts.

Kim

From: O'Keeffe, Margaret  
Sent: 05 December 2006 11:24  
To: Brady, Damian  
Cc: McCourt, Kim; Heyburn, Robert  
Subject: FW: Fw: URGENT: Fw: SUB/519/2006 Draft Irish language Consultation Paper - URGENT DUE YESTERDAY

Damian

Further to the emails below - I have asked Judena if I can let you and Kim have sight of the draft consultation paper, in order for you to provide me with advice on way forward. I appreciate that it is difficult to advise when you have not had sight of it, and this is an issue for all Departments. While I still think that we are ok for equality screening (and I presume the complete IIA) at the policy proposal stage, as we discussed last week, Bernie's and Kim's emails have highlighted the need to be sure there are no equality implications for the options we are putting forward now, and which could have a knock-on effect. The other issue is that the consultation paper is still on course for publication by the end of the week or early next, and is not yet complete, so there will be a very tight timescale between the final version and publication.

Hopefully I will be able to provide you with a draft later today.

Margaret



**TAB 7**

From: Smart, Brian  
Sent: 06 December 2006 14:18  
To: Brady, Damian; Goldring, Judena (DCAL); O'Keeffe, Margaret;  
McRory, Niall  
Subject: Equality Line ToTake for Consultation Paper On Proposed Irish  
Language Legislation For Northern Ireland

Damien,  
Following our conversation this morning seeking your advise and LTT on  
equality issues, I would be grateful if we could have a response by lunch  
time tomorrow. Sorry for the tight deadline but as you will be aware we are  
working to a very tight deadline ourselves.  
Happy to discuss  
BS

From: Brady, Damian  
Sent: 06 December 2006 14:59  
To: Smart, Brian; Goldring, Judena (DCAL); O'Keeffe, Margaret; McRory, Niall  
Cc: McCourt, Kim; Douglas, Victor (DCAL); Heyburn, Robert  
Subject: RE: Equality Line ToTake for Consultation Paper On Proposed Irish Language Legislation For Northern Ireland

Brian

Our statutory duty under S75 requires the department to screen all policies to determine whether an EQIA is necessary. In this case I have no doubt that a screening will show a full EQIA necessary. The EQIA requires a thorough and systematic analysis of the policy, making reference to the nine equality categories as defined in S75 of the act. The primary function is to determine the extent of differential impact of the policy upon the groups and whether that impact is adverse. If adverse impact is identified we must then consider measures that might mitigate the adverse impact.

If we agree an EQIA is necessary then the first step in the process is the consideration of available data which will enable you to make a judgement of the extent of impact on the nine equality categories. There is a raft of information available from the work already completed by the department with the Irish Language Broadcast Fund and the European Charter. I would refer you to the consultation document on the Policy on Provision of Financial Support for Irish Language Film and TV Production dated June 2004 that can accessed on our internet site. This will give you an idea of the structure and format and should form an integral part of the consultation document.

I know time is not on your side but if you intend going out to full consultation without considering the equality implications the Department will be in breach of its equality scheme and open to a complaint. The thinking that you will complete the EQIA at a later stage when the policy is agreed will require a further 8 - 12 week consultation period at the end of the process and I would advise against this action.

I hope this is helpful but if you want to discuss things further please let me know.

Thanks

Damian

From: Smart, Brian  
Sent: 06 December 2006 15:12  
To: Brady, Damian; Goldring, Judena (DCAL); O'Keeffe, Margaret; McRory, Niall  
Cc: McCourt, Kim; Douglas, Victor (DCAL); Heyburn, Robert  
Subject: RE: Equality Line ToTake for Consultation Paper On Proposed Irish Language Legislation For Northern Ireland

Damien  
Many thanks for this.

Judena you will want to take stock of this advice and advise me of how you want to proceed, clearly our time scale does not envisage an EQIA at this stage but subsequent to the consultation exercise. Equality Section has advised against this.  
BS

**TAB 10**

From: Goldring, Judena (DCAL)  
Sent: 06 December 2006 15:21  
To: Smart, Brian; Brady, Damian; O'Keeffe, Margaret; McRory, Niall  
Cc: McCourt, Kim; Douglas, Victor (DCAL); Heyburn, Robert  
Subject: RE: Equality Line ToTake for Consultation Paper On Proposed  
Irish Language Legislation For Northern Ireland

All

This consultation paper does not favour a particular policy. It is suggesting a whole range of different approaches. There is therefore no preferred policy.

Does our equality scheme require us to proof all the different approaches put forward for discussion?

Judena

From: Brady, Damian  
Sent: 07 December 2006 09:52  
To: Goldring, Judena (DCAL); Smart, Brian; O'Keeffe, Margaret; McRory, Niall  
Cc: McCourt, Kim; Douglas, Victor (DCAL); Heyburn, Robert  
Subject: RE: Equality Line ToTake for Consultation Paper On Proposed Irish Language Legislation For Northern Ireland

Judena

Further to our conversation yesterday and the proposed way forward - to screen and EQIA the decision to implement the Irish Language Act and to include it in the consultation document - I have spoken to the Equality Commission this morning to discuss the matter. It is their view that the decision to implement the Act and the consultation on the options are two separate policies and therefore require separate screenings and impact assessments.

I explained our dilemma in that we do not have a specific policy to assess but rather a set of options that we are seeking consultee views on. They stated that we should assess the impacts on each of the options by examining data and research from each of the jurisdictions in which the model is operating and present this in the document to consultees.

We must also consult on our proposed EQIA on the decision to implement the act so it can still form part of consultation document for ease of consultation purposes and cost.

I don't know where this now leaves us but the Commission feels that if we go out without assessing the S75 options it is highly likely we will receive a complaint.

Damian

## DEPARTMENT OF CULTURE, ARTS AND LEISURE POLICY SCREENING FORM

### 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 persons 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 without.

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.

Schedule 9 of the Act requires the Department to 'assess and consult on the likely impact of policies adopted or proposed to be adopted on the promotion of equality of opportunity', i.e. carry out an equality impact assessment (EQIA).

### Screening

In order to determine whether an EQIA is necessary, all policies must be screened. The Department's business areas screened their existing policies in 2000-01 when the equality scheme was being prepared. Significant changes to existing policies and new or proposed policies should be screened for significant equality issues as they arise.

This form is intended to assist you in screening any revised or new 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 has an insignificant impact on equality of opportunity; or
- the policy being screened has (or is likely to have) a significant impact

Officials should complete this form for each of the new or revised policies for which they are responsible (see page 2 for a definition of policy). When you have completed the form it should be retained on file for record purposes.

## 1. POLICY TO BE SCREENED

### What is a policy?

The Equality Commission has defined 'policies' as '**all the ways a public authority carries out or proposes to carry out its functions relating to Northern Ireland**'. The Act defines 'functions' as 'including powers and duties'.

These are effectively catch-all definitions that cover all Departmental policies, strategies, schemes, procedures and functions. If in doubt please contact the Equality Unit for advice.

### 1.1 Title of policy to be screened:

Commitment in St Andrews Agreement to introduce an Irish Language Act reflecting on the experience of Wales and Ireland.

### 1.2 Aims of policy to be screened:

To introduce an Irish Language Bill, reflecting on the experience of Wales and Ireland.

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

### 1.3 Brief description of policy to be screened:

As above

All Government Departments and NDPBS  
All Public Bodies, including Local Government  
Irish Language Sector and language activists

### 1.5 Responsibility for devising and delivering policy:

Irish Language Bill Team, Department of Culture, Arts & Leisure is responsible for meeting the commitment given in the St Andrews Agreement to introduce an Irish Language Bill reflecting on the experience of Wales and Ireland and work with the Incoming Executive to enhance and protect the development of the Irish language.

## 2. SCREENING ANALYSIS

When proceeding to screening "proper", the Equality Commission has stated that there are four criteria to be considered. These are listed at 2.1- 2.4 below. You are asked to consider the criteria in relation to the Section 75 groups and to answer the questions accordingly.

### **"Don't know"?, "No evidence"?**

The questions ask for evidence in relation to the Section 75 categories. You should not think of the "don't know" column in the form as the easy option to respond to any of the questions. In cases where you don't know and you don't have data on file, you will need to make a pragmatic judgement based on experience as to whether the policy you are screening may have an impact on any of the categories. If your judgement is that the policy may have a differential adverse impact on any of the Section 75 groups (i.e. it affects them differently and less favourably than other groups), you should seek to obtain evidence. You should note that evidence can be qualitative – i.e. drawn from the experience of individuals from their perspective – as well as quantitative. Officials must give consideration to steps that they could reasonably be expected to take to obtain evidence and thereby inform their decision-making. Such steps could include meeting with a representative group or selective consultation.

**Where there is little or no evidence, and common sense indicates that a differential impact may be expected, you should discuss this with the Equality Unit.**

### 2.1 Is there any evidence of higher or lower participation or uptake

CATEGORY	YES	NO	DON'T KNOW
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Political opinion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Disability (physical and learning)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race or ethnic origin (includes Travellers)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Age	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dependant responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marital status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please elaborate:

Statistics reveals that people aged 12-15, Roman Catholics and nationalists were most likely to have some knowledge of Irish, and therefore, would have a higher participation or uptake of provision of services through Irish.

Give brief details of the evidence available/used:

Census 2001  
Life and Times Survey 1999

**2.2 Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?**

CATEGORY	YES	NO	DON'T KNOW
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Political opinion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability (physical and learning)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race or ethnic origin (includes Travellers)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dependant responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marital status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please elaborate:

Statistics reveals that people aged 12-15, Roman Catholics and nationalists were most likely to have some knowledge of Irish, and therefore, would have a higher participation or uptake of provision of services through Irish.

Give brief details of the evidence available/used:

Census 2001  
Life and Times Survey 1999

**2.3 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Political opinion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability (physical and learning)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race or ethnic origin (includes Travellers)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dependant responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marital status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please elaborate:

The policy aim to introduce an Irish Language Bill is only one of a number of policies and initiatives currently being undertaken by Government departments in respect indigenous and ethnic minority languages in Northern

Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems that are specific to them?

CATEGORY	YES	NO	DON'T KNOW
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Political opinion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability (physical and learning)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race or ethnic origin (includes Travellers)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dependant responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marital status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please elaborate:

It is anticipated that consultation on this policy will engage Irish language activists in the discussion on specific duties to be included in an Irish Language Act.

### 3. EQUALITY IMPACT ASSESSMENT RECOMMENDATION

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

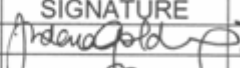

**3.1 In light of answers to the four questions above, do you consider that this policy has significant implications for equality of opportunity and therefore needs to be submitted to a full equality impact assessment?**

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>

As statistics reveal that people aged 12-15, Roman Catholics and nationalists were most likely to have some knowledge of Irish, and therefore, would have a higher participation or uptake of provision of services through Irish, this policy will have a significant impact on those particular S75 groups. It is

important to ensure that in introducing this policy, and light of the significant on certain groups, that no other groups are adversely impacted. A consultation on the equality impact of the introduction of this policy should be conducted.

Names and signatures of those completing this form:

NAME	BRANCH	SIGNATURE	DATE
J Golding	Director of RPA		December 2006
M O'Keeffe	Irish Language Bill Team		December 2006

Please ensure that a copy of this form is held by the Equality Unit

From: McCourt, Kim  
Sent: 07 December 2006 13:03  
To: O'Keeffe, Margaret  
Cc: Brady, Damian  
Subject: RE: EQIA Irish Language Act

Margaret,

This needs to be a separate document rather than a chapter, annexed to the Consultation document you have already prepared. The Document you already have should be refer to this EQIA on the Policy to introduce an Irish Language Bill in accordance with St Andrews Agreement.

We are also not happy with the Policy aim (3.2). As per the Equality Commission advice Damian sent to Judena this morning this EQIA should be on the policy to introduce a bill. Equality considerations of the four options need to be considered separately to the policy to have an Irish Language Bill at all. We would remove all reference to the range of options from this EQIA.

Happy to discuss.  
Kim

## **ANNEX E**

### **Correspondence with Nigel Dodds MP**



18<sup>th</sup> January 2007

**Tel: 028 9025 4272**

**Fax: 028 90258 951**

**Email: [Judena.goldring@dcalni.gov.uk](mailto:Judena.goldring@dcalni.gov.uk)**

Nigel Dodds MP  
210 Shore Road  
Belfast  
BT15 3QB



Dear Mr Dodds

### **PROPOSALS FOR IRISH LANGUAGE LEGISLATION**

During the course of our meeting on Friday 10 November 2006 you asked for details of consultation exercises conducted by DCAL which relate to the development and formulation of policy. I apologise for the delay in replying.

Whilst this Department has been engaged in a number of consultation exercises over the past two years, only one of these – The Safety at Sports Grounds (Northern Ireland) Order 2006 - has resulted in legislative change. The basis for this legislation was to introduce a safety certification scheme, similar to that which already exists in Great Britain for larger sports grounds and non-temporary spectator stands. The scheme will be administered and enforced by the District Councils in Northern Ireland.

An initial consultation was conducted between June and October 2004 and a policy proposal was issued in February 2005. Comments on a draft Order and Explanatory Notes were sought between June and September 2005 before The Safety at Sports Grounds (Northern Ireland) Order 2006 was laid in December 2005. The approval of Privy Council was granted in February 2006.

Details of other consultation exercises, undertaken by DCAL, are attached at **Annex A**.

I hope you find this reply helpful.

Yours sincerely

**JUDENA GOLDRING**

**Details of consultation exercises conducted by DCAL****Delivering Tomorrow's Libraries (9 months)**

The need for a policy for libraries and library standards was identified in the 'Tomorrow's Libraries' process, in line with practice elsewhere in the UK.

Formal consultation period	31 October 2005 – 31 January 2006
Publication of report of Consultation	5 May 2006
Launch of final document	26 July 2006

**Archives Policy (ongoing)**

The aim of the review of the policy was to provide direction for the future delivery of an archive service in Northern Ireland that would improve access, reach new audiences, raise the profile of archives, and ensure that the selection and preservation of archives in Northern Ireland is carried out to national standards and in co-ordinated fashion.

Consultation document issued for comment	late 2004
Responses to consultation analysed	March 2005
Final policy has not been published, as some issues are now being dealt with under RPA.	

**Irish Language Broadcast Fund (1 yr)**

A commitment to the establishment of an Irish Language Broadcast Fund was contained in the Joint Declaration and was reaffirmed in the Belfast Agreement.

Formal consultation period	28 June 2004 – 1 October 2004
Publication of responses to consultation	14 December 2004
Policy approved, and Fund operational	8 <sup>th</sup> June 2005

**Review of OSNI Map Revision Policy (10 months)**

OSNI's Map Revision Policy is the driver for our data collection activities. A review of the policy was carried out to allow OSNI to more effectively deliver customer requirements and expectations.

Formal consultation period	30 June 2005 – 23 September 2005
Revised policy signed off	24 November 2005
Implementation of policy	1 April 2006

**Community Festivals Fund and Policy Framework Guidance (11 months)**



This policy framework was introduced in recognition of the contribution that festivals can make to communities and wider government policy priorities.

Formal consultation period	13 February 2006 – 30 September 2006
Summary of response, and policy decision	Due December 2006

**'Unlocking Creativity - A Creative Region' strategy (10 months)**

Review of existing policy.

Formal consultation period	January 2004 - March 2004.
Launched as a virtual document	11 October 2004

**Equality Impact of Policies on Provision of Water Recreation and Public Angling Facilities (1 yr and 7 months)**

Review of existing policy.

Formal consultation period	November 2003 – February 2004
Summary of responses	March 2005
Summary report	May 2005

**Council of Europe Charter on Regional or Minority Languages – Guidance on Meeting UK Government Commitments in Respect of Irish and Ulster Scots (1 yr and 8 months)**

Consultation period	January – September 2004
Policy Adoption	3 August 2005

**Architecture and the Built Environment for Northern Ireland**

The current Northern Ireland initiative was stimulated by the publication in 2003 of 'Architecture and the Built Environment for Northern Ireland, Policies Strategies and Actions' by the Arts Council of Northern Ireland. The Northern Ireland policy followed similar developments elsewhere in the British Isles and Europe.

Consultation	1 April 2005 – 30 June 2005
Policy Published	June 2006