Department of Justice | An Roinn Dlí agus Cirt | Männystrie o tha Laa

**DOJ Section 75**

# EQUALITY SCREENING FORM

**Title of Policy: Department of Justice, NICTS - Future of Magherafelt Courthouse**

**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 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; and**

- **meet legislative obligations under the Disability Discrimination Order.**

## 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.

**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 to introduce measures 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. Approval and authorisation** – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

## 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:**

Department of Justice, NICTS – Future of Magherafelt Courthouse

**Is this an existing, revised or a new policy?**

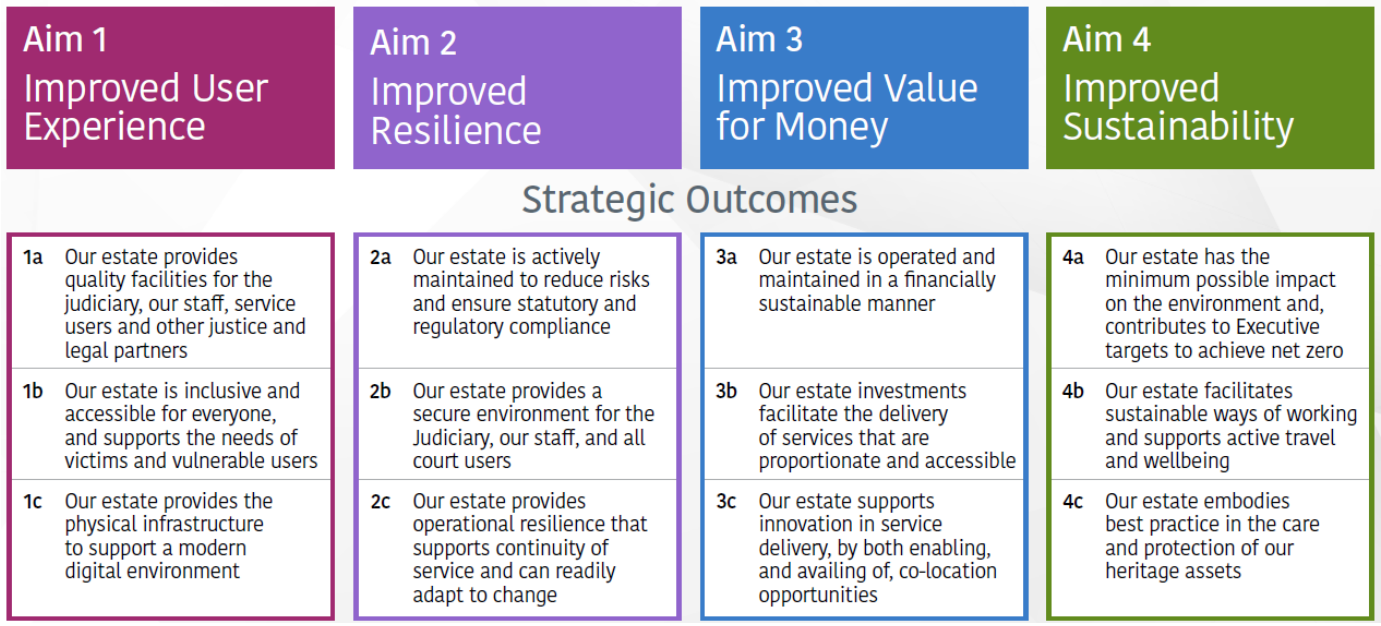
This is a new policy

Although this is a new policy it builds on existing NICTS Strategies, Programmes and previous consultations.

NICTS established the Vision 2030 Portfolio in 2021. This is an ambitious and complex programme of work that will incrementally modernise Northern Ireland's courts and tribunals services, and their administration. The work of the Portfolio is being delivered through two programmes: Estate Modernisation with responsibility for delivery of the NICTS Estate Strategy and the Themis Programme, with responsibility for enhanced service design, business transformation and digital modernisation. Collectively Vision 2030 will deliver enhanced services, modernised digital systems, transformed business administration and a reconfigured physical Estate that will provide a consistent and sustainable standard of accommodation.

The NICTS Estate Strategy 'Making the Place for Justice' was published in December 2023. The Strategy is structured around 4 Improvement Aims, and 12

Strategic Outcomes, that if realised, will result in a courts and tribunals estate that is capable of providing modernised and improved facilities for all citizens of Northern Ireland. They are:




**What is it trying to achieve? (Intended aims/outcomes)**

The primary objective of this policy is to support the implementation of the NICTS Estate Strategy, through our strategic aims and outcomes focused on Improved User Experience, Improved Resilience, Improved Value for Money and Improved Sustainability. This will enable NICTS to continue to provide court users in the Magherafelt area with access to buildings and services that meet modern expectations and fundamental requirements including dignity and accessibility, whilst continuing to safeguard service delivery; ensure the health and safety of all those who use our buildings and facilities; and ensure the overall NICTS estate is operated and maintained in a financially sustainable manner.

This policy proposes the permanent closure of Magherafelt Courthouse, resulting in the permanent reallocation of Magherafelt Court business to an alternative courthouse in the NICTS estate.

**Are there any Section 75 categories which might be expected to benefit from the intended policy?**
**If so, explain how.**

Through the ongoing delivery of the Estate Strategy, NICTS is committed to ensuring that all court users have access to accommodation that meets their needs, particularly vulnerable users. This policy will provide access to higher quality, safer, more modern and more accessible facilities at alternative courthouses which will benefit all users. The policy will also enable more targeted investment within the NICTS budget to enhance the future delivery of court services.

Improved facilities for disabled people

Court staff, judiciary and users, particularly those within the Section 75 Disability category, will benefit from the elimination of risks relating to identified severe barriers, or health and safety hazards, to disabled people within Magherafelt Courthouse. Through the permanent reallocation of Magherafelt business to alternative courthouses, they will also benefit from improved quality of accommodation which better meets the obligations and reasonable adjustments under the Disability Discrimination Act, such as the provision of accessible toilet facilities and improved access to, and navigation within, the building for wheelchair or non-ambulant users.

Improved facilities for all court users, particularly vulnerable people

The HMCTS Court and Tribunal Design Guide is a best practice standard which focuses on creating and maintaining an environment in which the overall design and performance of a building contributes to the safe and efficient working of courts and tribunals. Other policy and legislation such as Article 5(4) of the Criminal Evidence (Northern Ireland Order) 1999, the NI Victims and Witnesses Strategy (DoJ), the Domestic and Sexual Abuse Strategy (DoJ / DoH) and the Victims and Witness Charters (DoJ) set expectations in relation to courtroom facilities such as:

- The segregation of different parties to proceedings and reduce the risk of anticipatory anxiety or re-traumatisation.
- Special measures in court to assist vulnerable witnesses and individuals during legal proceedings including:
    - the use of screens in court to shield the witness from the defendant
    - giving evidence from outside the courtroom – for example pre-recorded evidence or the use of video link.

Accommodation in Magherafelt Courthouse does not meet these expectations and a number of special measures cannot be accommodated within the building to support vulnerable court users, specifically:

- When the building was in operational use, there was no designated separate waiting room for victims and witnesses. Access from the custodial suite to the courtroom is through the public area. While staff will put in place arrangements to seek to avoid the defendants meeting victims and witnesses in the courthouse, there is an inherent risk that this could occur due to the layout of the building.
- The entrance area and public waiting area are small, significantly limiting the capacity for different parties to avoid each other before entering court.
- There are no video link facilities within the Courthouse to allow victims and witnesses to give evidence from outside of the courtroom.
- There is no technology available in the courtroom to enable pre-recorded video evidence to be heard in court.

It is not feasible to address these issues due to structural and financial constraints.

This policy is expected to be of particular benefit to people in Section 75 categories of Age, Men/Women and Disability. While there is no general presumption that people with Section 75 characteristics are vulnerable, some Section 75 characteristics are considered a contributing factor in terms of the vulnerability.

Vulnerable witnesses are defined as:

- All child witnesses (under 18 years)
- Any witness whose quality of evidence is likely to be diminished because they:
  - Are suffering from a mental health disorder as defined by the Mental Health (Northern Ireland) Order 1986;
  - Have a significant impairment of intelligence and social functioning; or
  - Have a physical disability or are suffering from a physical disorder.

The Report on Crime and Justice, ‘The Experience of Older People in Northern Ireland (COPNI)’ states that accessibility and the suitability of courtrooms stood out as areas where improvements could be made. The report also considered why police outcome rates for older people are not as favourable when compared to other age groups and identified a number of contributory factors relating to a reluctance to participate in the criminal justice system beyond reporting a crime to police, including a reluctance to give evidence in court. The geographic location of the court was not highlighted as a specific contributory factor in this matter. Report recommendations to better support older people to feel safer and more secure

focused on the need for consideration to be given to the introduction of a presumption in favour of special measures for older people, as is currently the case for other categories of victims and witnesses.

In relation to complaints in Sexual Offences, in accordance with Article 5(4) of the Criminal Evidence (Northern Ireland) Order 1999, a witness who is the complainant in respect of a sexual offence is automatically eligible for special measures, unless the witness informs the court that they do not wish to be eligible.

Published crime statistics indicate an over representation of female victims and young people in relation to sexual offences – therefore females and young people are more likely to benefit from access to accommodation which can facilitate special measures for which they are automatically eligible for if they are a complainant in relation to a sexual offence. (See Table below)

| Official Statistics / Published Data Sources | Commentary |
|---|---|
| PSNI Recorded Crime Statistics 1998/99 to 2024/25<br>https://www.psni.police.uk/about-us/our-publications-and-reports/official-statistics/police-recorded-crime-statistics<br><br>Accessed from Pivot Table 3 Police recorded crime, sanction outcomes and population rates by victim gender, victim age and crime type. | This indicates that, in the 2024/25 dataset, females are over-represented as victims in the following grounds of crime: stalking and harassment, sexual offences, criminal damage and other crimes against society – where females are 64%, 75%, 51% and 62% of all victims in these grounds of crime. (In the 2021 census 50.8% of the NI population were female while 49.2% were male.) |
| PSNI Recorded Crime Statistics 1998/99 to 2024/25<br><br>Accessed from Table 4.3 Online crime by gender of victim | There were 279 online sexual offences in 2024-25, demonstrating an over-representation of female victims.<br><br>279 were female victims (60%)<br>142 were male victims (31%)<br>44 were victims where the gender was unknown or gender not applicable. (9%) |
| PSNI Recorded Crime Statistics 1998/99 to 2024/25<br>https://www.psni.police.uk/about-us/our-publications-and- | In the 2024/25 dataset, of the 4,165 victims of sexual offences, 2,219 (53%) were under the age of 18. This indicates people under 18 experience disproportionately more sexual |

| | |
|---|---|
| reports/official-statistics/police-recorded-crime-statistics<br><br>Accessed from Pivot Table 3 Police recorded crime, sanction outcomes and population rates by victim gender, victim age and crime type. | offences than older people.<br><br>Of the 2,219 victims of sexual offences who are under the age of 18, 1,506 (68%) were female, 710 (32%) were male and 3 (0.1%) were gender unknown. This indicates that females under 18 experience disproportionately more sexual offences that males under 18. |

The permanent reallocation of business to an alternative courthouse which can better meet the needs and expectations of all court users is beneficial to all court users and better serves the interests of access to justice overall.

Court users and staff across all Section 75 categories will benefit from having access to justice through a more secure environment, eliminating notable security risks within Magherafelt Courthouse such as insufficient segregation and the absence of a vehicle dock for prison vehicles.

Some court users with Section 75 characteristics are expected to experience a greater benefit, compared to the general population of court users in that area:

- Court users, particularly women and young people within the Section 75 Men/Women and Age categories, will benefit from improved victim and witness facilities at an alternative court venue which can facilitate special measures and higher quality waiting areas and consultation rooms, and can facilitate the segregation of different parties to proceedings to reduce the risk of anticipatory anxiety or re-traumatisation.

- Court users, particularly within the Section 75 Disability, Age and Dependants categories, will benefit from improved access to a modern digital environment which may facilitate remote or hybrid courtroom attendance where that is deemed appropriate by the judge, and access to wifi and digitally enabled consultation and witness rooms within the building.

While these benefits have been realised through the temporary administrative reallocation of Magherafelt business to an alternative court venue since 2020, this new policy removes the risk of these benefits being lost should Adult Magistrates

business be returned to Magherafelt Courthouse in the future.

**Who initiated or wrote the policy?**

The policy is being developed by the Estate Strategy Delivery Team within the Northern Ireland Courts and Tribunals Service (NICTS), which is an Agency of the Department of Justice (DoJ).

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

The Minister of Justice and the Department of Justice own the policy. The NICTS Chief Executive and Accounting Officer is responsible for implementing the policy, supported by officials in the NICTS Estate Strategy Delivery Team.

## Implementation factors

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

Yes

**If yes, are they (please delete as**

**appropriate)**

Financial.

~~legislative~~

**other, please specify:**

Political interest. Extensive stakeholder engagement will be required throughout the process to provide assurance that the policy aligns with the strategic objectives of NICTS and supports the better use of a heritage asset within this area.

## Main stakeholders affected

**Who are the internal and external stakeholders (actual or potential) that the policy will impact upon? (please delete as appropriate)**

Court users

Staff

Judiciary

Legal Profession

The general public

other public sector organisations

voluntary/community/trade unions

**other, please specify:**

## Other policies with a bearing on this policy

- **what are they?**

  - NICTS Modernisation Vision Statement (Vision 2030 Portfolio)
  - NICTS Estate Strategy (Vision 2030 Portfolio)
  - NICTS Digital Strategy (Vision 2030 Portfolio)
  - Access to Justice Reviews (DoJ)
  - Gillen Reviews on Civil and Family Justice (DoJ)
  - Criminal Justice Inspection Northern Ireland (CJINI) Inspection Reports in relation to the NICTS Estate
  - NI Victims and Witnesses Strategy (DoJ);
  - Domestic and Sexual Abuse Strategy (DoJ / DoH):
  - Victims and Witness Charters (DoJ);
  - Ending Violence Against Women and Girls Strategy (TEO)
  - Crime and Justice: The Experience of Older People in Northern Ireland (COPNI)

- **who owns them?**

  Owners of each Strategy are shown in brackets above

## 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.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

**NICTS Estates User Experience Survey 2025:** In Autumn 2025, NICTS carried out a survey of court users with the aim of gathering feedback on NICTS buildings and facilities. Information from court users was gathered in relation to Section 75 monitoring, as outlined below.

**2021 NI Census:** We considered the results of the 2021 Northern Ireland Census, where relevant, as this represents the wider population of Northern Ireland and therefore includes information on potential future court users. Census data has been used to identify the population within the affected Magherafelt wards. Census data also showed that 89% of households in the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt) have 1 or more cars or vans available.

**Travel Impact Assessment:** Using OSNI data and an online journey planner, NICTS has undertaken a travel impact assessment to understand the impact of relocating business from Magherafelt Courthouse to Londonderry Courthouse. Full details are published on the Department of Justice website. The Travel Impact Assessment considered both driven journeys, public transport journeys and a range of mitigating factors. Mitigations include:

- The number of court users experiencing increased travel will be low
- Attendance at a courthouse is an infrequent occurrence for most people
- Policy and technological changes are expected to result in a reducing requirement for courthouse attendance in future
- The 2021 NI Census showed that 89% of households within the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt) have access to at least one car or van. NICTS data shows that 57% of Magherafelt Adult Magistrates Court business disposals in 2025 related to motoring offences. There is a reasonable assumption that the majority of court users are likely to travel by car or van, with a lesser impact than those travelling by public transport

- The analysis of public transport journeys was based on solely using public transport (and walking where necessary). Some court attendees will use a mixed mode of travel, and this will reduce the travel time overall
- The Disability Action Transport Scheme[1] (DATS), funded through grant assistance provided by the Department for Infrastructure, is a local transport service for disabled people, older individuals and those who find it difficult to use public transport. While DATS cannot facilitate travel from Magherafelt to Londonderry, they can facilitate easier access to public transport links in Magherafelt.
- Older people over 60 are eligible for free travel on public transport across NI through the Translink Smartpass
- The increased travel aligns with travel requirements for users in the Magherafelt area who attend court for other tiers of court business
- Remote attendance at court can be facilitated (Subject to judicial approval)
- Video evidence at court can be facilitated (Subject to judicial approval)
- Later start times can be facilitated by exception (Subject to judicial approval)
- When the Public Prosecution Service (PPS) calls victims and witnesses of crime to court to give evidence in the prosecution of cases, the PPS will pay travel and subsistence expenses and compensation for loss of earnings in attending, subject to daily capped rates. Claims can also be made in relation to childcare costs.[2]

**Policy and legislation:** such as Article 5(4) of the Criminal Evidence (Northern Ireland Order) 1999, the NI Victims and Witnesses Strategy (DoJ), the Domestic and Sexual Abuse Strategy (DoJ / DoH) and the Victims and Witness Charters (DoJ) set expectations in relation to courtroom facilities such as:

- The segregation of different parties to proceedings and reduce the risk of anticipatory anxiety or re-traumatisation.
- Special measures in court to assist vulnerable witnesses and individuals during legal proceedings including:
    - the use of screens in court to shield the witness from the defendant
    - giving evidence from outside the courtroom – for example pre-recorded evidence or the use of video link.

[1] https://www.disabilityaction.org/Pages/Category/transport
[2] https://www.ppsni.gov.uk/witness-expenses

While there is no general presumption that people with Section 75 characteristics are vulnerable, some Section 75 characteristics are considered a contributing factor in terms of the vulnerability.

Vulnerable witnesses are defined as:

- All child witnesses (under 18 years)
- Any witness whose quality of evidence is likely to be diminished because they:
  - Are suffering from a mental health disorder as defined by the Mental Health (Northern Ireland) Order 1986;
  - Have a significant impairment of intelligence and social functioning; or
  - Have a physical disability or are suffering from a physical disorder.

In relation to complaints in Sexual Offences, in accordance with Article 5(4) of the Criminal Evidence (Northern Ireland) Order 1999, a witness who is the complainant in respect of a sexual offence is automatically eligible for special measures, unless the witness informs the court that they do not wish to be eligible.

**PSNI Record Crime Statistics (see page 8)**: Published crime statistics indicate an over representation of female victims and young people in relation to sexual offences – therefore females and young people are more likely to benefit from access to accommodation which can facilitate special measures for which they are automatically eligible for if they are a complainant in relation to a sexual offence.

| **Section 75 Category** | **Details of evidence / information** |
|---|---|
| Religious Belief | In terms of the whole population, the 2021 census data indicates that 42.31% of all usual residents in NI gave their religion, or the religion they were brought up in as Catholic, and 37.36% as Protestant or other Christian. Other religions accounted for 1.34%, while 18.99% cited either having no religion or not having been brought up in a religion.<br><br>The 2021 NI Census showed that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt), 63.19% were Catholic, 28.04% were Protestant or Other Christian, 0.61% were other religion and 8.16% were of no religion or was not stated.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 45% were Catholic, 31% were |

| | |
|---|---|
| | Protestant, 2% were another religion, 16% were of no religion and 6% preferred not to say. |
| Political Opinion | In terms of the whole population, evidence from first preference votes per party in NI Assembly Elections 2022 indicates the following:<br>Sinn Fein 250,385 29.0%<br>DUP 184,002 21.3%<br>Alliance 116,681 13.5%<br>UUP 96,390 11.2%<br>SDLP 78,237 9.1%<br>TUV 65,788 7.6%<br>Other 71,217 8.2%<br>Source: The Electoral Office of Northern Ireland - EONI, 2022<br><br>In terms of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt), evidence from first preference votes per party in NI Assembly Elections 2022 indicates the following:<br>Sinn Fein – 52.74%<br>DUP – 16.49%<br>SDLP – 9.95%<br>TUV – 7.39%<br>UUP – 4.24%<br>Alliance – 4.14%<br>Aontú – 2.52%<br>Independent – 1.70%<br>PBPA – 0.35%<br>Green – 0.27%<br>The Workers Party – 0.21%<br>Resume NI – 0.03%<br>Source: The Electoral Office of Northern Ireland - EONI, 2022 |
| Racial Group | According to the 2021 census data, 96.55% of all usual residents in Northern Ireland are of a white ethnic group. 0.76% of all usual residents are of a mixed 8 ethnic group, 0.52% of an Indian ethnic group with a further 0.50% Chinese. 0.14% is of an Irish Traveller ethnic group.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 87% described their country of birth as Northern Ireland, 4% England, 1% Scotland, 4% Ireland, 4% Elsewhere and 1% preferred not to say.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 33% described their national identity as British, 39% Irish, 25% Northern Irish, 1% English, 1% Scottish, 4% Other and 1% preferred not to say. |

| | |
|---|---|
| | The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 96% described their ethnic group as white, 1% as Irish Traveller, 1% as Mixed/Multiple Ethnic Groups, 1% as Pakistani and 1% as Other.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 96% described English as their first language of communication.<br><br>The 2021 NI Census showed that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt), 98.56% were white with the remainder comprised of Irish Traveller (0.13%), Roma (0.02%), Indian (0.12%), Chinese (0.19%), Filipino (0.09%), Pakistani (0.02%), Arab (0.11%), Other Asian (0.07%), Black – African (0.12%), Black – Other (0.04%), Mixed (0.43%) and Other (0.10%). |
| Age | According to the 2021 Census, Northern Ireland has a population of just over 1.9 million people.<br><br>Number (percentage) of population by age group in 2021:<br>0-14: 365,213 (19.19%)<br>15-64: 1,211,486 (63.66%)<br>65-84: 287,084 (15.08%)<br>85+: 39,391 (2.07%)<br><br>The 2021 NI Census showed that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt), 23.1% were 0-15, 29.9% were aged 16 to 39, 31.6% were aged 40-64 and 15.4% were over 65 years old.<br><br>The court user figures differ from the 2021 NI Census as the census captures the overall population whereas the court user survey has a different age demographic.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 7% were over 65 years, 11% were 56-65 years, 20% were 46-55 years, 23% were 36-45 years, 23% were 26-35 years, 16% were 17 to 25 years, 1% were under 17 years and 1% preferred not to say.<br><br>The Report on Crime and Justice: The Experience of Older People in Northern Ireland (COPNI) states that accessibility and the suitability of courtrooms stood out as areas where improvements could be made. The report also considered why police outcome rates for older people are not as favourable when compared to other age groups |

| | |
|---|---|
| | and identified a number of contributory factors relating to a reluctance to participate in the criminal justice system beyond reporting a crime to police, including a reluctance to give evidence in court. Report recommendations to better support older people to feel safer and more secure focused on the need for consideration to be given to the introduction of a presumption in favour of special measures for older people, as is currently the case for other categories of victims and witnesses. The geographic location of the court or the travel distance to court was not highlighted as a specific contributory factor in this matter.<br><br>Published crime statistics indicate an over representation of young people in relation to sexual offences. Although Magherafelt Courthouse did not deal with family proceedings, children and young people can be court users in Youth Court or in Adult Magistrates' Courts in a victim or witness capacity. Child witnesses (under 18 years old) are considered to be vulnerable witnesses and are therefore more likely to request special measures to support their participation in court business. |
| Marital Status | The 2021 census reports that 48.76% of all usual residents aged 16 or over are married; 35.71% are single (never married or registered in a same sex civil partnership); 9.04% as either separated or divorced; 6.32 as widowed or surviving partner from a civil partnership and 0.17% are in a registered same-sex partnership.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 49% were single, 30% married or in a legally registered civil partnership, 8% separated, 7% divorced or separated or in a civil partnership which is now legally dissolved, 2% widowed or surviving member of a legally registered civil partnership and 4% preferred not to say.<br><br>Th 2021 NI Census showed that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt) over 16 years old (26,940), 34.74% were single, 52.37% were married, 0.10% were in a civil partnership, 2.96% were separated, 4.00% were divorced/formally in a civil partnership now legally dissolved and 5.83% were widowed/surviving partner from a civil partnership. |
| Sexual Orientation | According to the 2021 census for Northern Ireland, 90.04% respondents indicated that they were either straight or heterosexual; 1.17%, gay or lesbian; 0.75%, bisexual; 0.17% other sexual orientation; 4.58% prefer not to say; and 3.30% did not state their sexual orientation. |

| | |
|---|---|
| | The 2021 NI Census showed that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt), 92.3% were straight or heterosexual, 1.0% were gay, lesbian, bisexual or other sexual orientation and 6.7% preferred not to say.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 96% were straight or heterosexual, 2% gay or lesbian, 1% bisexual, and 1% preferred not to say. |
| Men & Women generally | According to the 2021 NI census, the 1,903,175 population of Northern Ireland comprised of 967,047 females and 936,125 males, representing 51% and 49% respectively.<br><br>The 2021 NI Census showed that that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt), 50.2% were female and 49.8% were male.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 54% were male and 46% were female. 99% said their gender was the same as their sex registered at birth.<br><br>Published crime statistics indicate an over representation of young people in relation to sexual offences – therefore females and are more likely to benefit from access to accommodation which can facilitate special measures for which they are automatically eligible for if they are a complainant in relation to a sexual offence. |
| Disability | The NI Census 2021 indicates that 24.33% of the population have their day-to-day activities limited by a health problem or disability.<br><br>The 2021 NI Census did not capture those who were registered or classed as disabled however it did capture that 21.2% that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt) had a limiting long term health problem or disability.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 19% considered themselves to have a disability in accordance with the Disability Discrimination Act 1995.<br><br>While there is no general presumption that people with Section 75 characteristics are vulnerable, some Section 75 characteristics are considered a contributing factor in terms of the vulnerability. This includes:<br><br>• Any witness whose quality of evidence is likely to be |

| | |
|---|---|
| | diminished because they:<br>- Are suffering from a mental health disorder as defined by the Mental Health (Northern Ireland) Order 1986;<br>- Have a significant impairment of intelligence and social functioning; or<br>- Have a physical disability or are suffering from a physical disorder.<br><br>Vulnerable witnesses and are more likely to request special measures to support their participation in the criminal justice system.<br><br>The Criminal Justice Inspection Northern Ireland (CJINI) inspection reports in relation to the NICTS Estate highlighted a number of deficiencies in relation to meeting obligations and reasonable adjustments in relation to the Disability Discrimination Act.<br><br>The impact of increased travel time to an alternative court venue has been considered in relation to equality of opportunity for the Section 75 category of Disability. In The NI Census 2021, 24% of people living in a household whose day-to-day activities are limited do not have a car or van available for use. The continuous Household Survey 2021/22 indicated that for satisfaction with public transport facilities, there was no significant difference between responses for those with disability (78%) and those without a disability (80%). |
| Dependants | The 2021 NI Census showed that of the overall population of the 3 District Electoral Areas associated with the Magherafelt Catchment area (Carntogher, Moyola and Magherafelt), 26.7% of households had a dependant child/children. No data was collected in relation to dependant adults.<br><br>The 2025 NICTS Estates User Experience Survey showed that of those court users interviewed, 34% had caring responsibilities for a dependant. 3% had a child or dependant accompanying them to the courthouse during their attendance.<br><br>Where an adult is attending Adult Magistrates Court, responsibility for a dependant can make attendance at court more challenging, in terms of difficulties and/or increased cost in arranging childcare for absences due to court attendance. Children and young people not directly involved in court proceedings may accompany an adult court attendee where alternative childcare arrangements are not available. This can impact time absent from school for the child, and travel cost for the adult. |

## 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:

| Section 75 Category | Details of evidence / information |
|---|---|
| Religious Belief | There is no evidence within the data that suggests that those with different religious beliefs may have different needs, experiences and priorities in relation to the proposed closure of Magherafelt Courthouse. |
| Political Opinion | There is no evidence within the data that suggests that people of different political opinion may have different needs, experiences and priorities in relation to the proposed closure of Magherafelt Courthouse. |
| Racial Group | There is no evidence within the data that suggests that people of different racial groups may have different needs, experiences and priorities in relation to the proposed closure of Magherafelt Courthouse. |
| Age | Taking into account the information referred to above, court users who are under 18 and older people are more likely to need or experience special measures to support their engagement with the criminal justice system.<br><br>Special measures cannot be effectively met within Magherafelt Courthouse. The new policy therefore better meets the needs of this group in terms of access to justice and supporting the needs of vulnerable court users.<br><br>Some court users will experience increased travel requirements as a result of this policy. The Report on Crime and Justice: The Experience of Older People in Northern Ireland (COPNI) did not highlight the geographic location of the court or the travel distance to court as areas where improvements could be made.<br><br>As outlined in the Travel Impact Assessment, taking into account a number of mitigating factors, NICTS considers that the travel impact is reasonable and justified by the legitimate aim of implementing the |

| | |
|---|---|
| | NICTS Estate Strategy and providing Magherafelt Court users with access to higher quality, safer, more modern and more accessible courthouse facilities. |
| Marital Status | There is no evidence within the data that suggests that people of different marital status may have different needs, experiences and priorities in relation to the proposed closure of Magherafelt Courthouse. |
| Sexual Orientation | There is no evidence within the data that suggests that people of different sexual orientation may have different needs, experiences and priorities in relation to the proposed closure of Magherafelt Courthouse. |
| Men & Women generally | Taking into account the information referred to above, women are more likely to need or experience special measures to support their engagement with the criminal justice system.<br><br>Special measures cannot be effectively met within Magherafelt Courthouse. The new policy therefore better meets the needs of this group in terms of access to justice and supporting the needs of vulnerable court users. |
| Disability | Taking into account the information referred to above, people with a disability are more likely to rely on public transport to travel to the courthouse. (24% of people living in a household whose day-to-day activities are limited do not have access to a car or van, compared to 16% of the general population). The continuous Household Survey 2021/22 indicated that for satisfaction with public transport facilities, there was no significant difference between responses for those with disability (78%) and those without a disability (80%).<br><br>As outlined in the travel impact assessment, taking into account a number of mitigating factors, NICTS considers that the travel impact is reasonable and justified by the legitimate aim of implementing the NICTS Estate Strategy and providing Magherafelt Court users with access to higher quality, safer, more modern and more accessible courthouse facilities.<br><br>Neither special measures, nor the obligations and reasonable adjustments under the Disability Discrimination Act, can be effectively met within Magherafelt Courthouse. The new policy therefore better meets the needs of this group in terms of access to justice and supporting the needs of vulnerable court users. |
| Dependants | Taking into account the information referred to above, some people with dependants may experience difficulties and/or increased cost in arranging childcare for absences due to court attendance. Children and young people not directly involved in court proceedings may |

| | |
|---|---|
| | accompany an adult court attendee where alternative childcare arrangements are not available. This can impact time absent from school for the child, and travel cost for the adult.<br><br>As outlined in the travel impact assessment, taking into account a number of mitigating factors, NICTS considers that the travel impact is reasonable and justified by the legitimate aim of implementing the NICTS Estate Strategy and providing Magherafelt Court users with access to higher quality, safer, more modern and more accessible courthouse facilities. |

## 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 which are detailed below.

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**

a) The policy is significant in terms of its strategic importance;

b) 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;

c) 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;

d) 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;

e) The policy is likely to be challenged by way of judicial review;

f) The policy is significant in terms of expenditure.

**In favour of 'minor' impact**

a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;

b) 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;

c) 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;

d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

**In favour of none**

a) The policy has no relevance to equality of opportunity or good relations.

b) 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.

| Section 75 Category | Details of Policy Impact | Level of Impact Minor/Major/None |
|---|---|---|
| Religious Belief | The closure of Magherafelt Courthouse will impact all court users regardless of their religious beliefs and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on religious beliefs. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported impacts on this S75 group. |
| Political Opinion | The closure of Magherafelt Courthouse will impact all court users regardless of their political opinion and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on political opinion. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported impacts on this S75 group. |
| Racial Group | The closure of Magherafelt Courthouse will impact all court users regardless of their racial group and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on racial group. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported impacts on this S75 group. |
| Age | The closure of Magherafelt Courthouse will impact all court users regardless of their age and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on age.<br><br>The policy will have a positive impact on equality of opportunity by ensuring court users within this category can avail of special measures to facilitate improved | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported negative impacts on this S75 group. |

| | | |
|---|---|---|
| | access to justice where appropriate. | |
| Marital Status | The closure of Magherafelt Courthouse will impact all court users regardless of their marital status and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on marital status. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported impacts on this S75 group. |
| Sexual Orientation | The closure of Magherafelt Courthouse will impact all court users regardless of their sexual orientation and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on sexual orientation. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported impacts on this S75 group. |
| Men & Women generally | The closure of Magherafelt Courthouse will impact all court users regardless of men & women generally and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on men and women generally.<br><br>The policy will have a positive impact on equality of opportunity by ensuring court users within this category can avail of special measures to facilitate improved access to justice where appropriate. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported negative impacts on this S75 group. |
| Disability | The closure of Magherafelt Courthouse will impact all court users regardless of their disability and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on disability.<br><br>The policy will have a positive impact on equality of opportunity by ensuring court users within this category can avail of special measures to facilitate improved access to justice where appropriate, and can access the courthouse building and facilities more easily. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported negative impacts on this S75 group. |

| | | |
|---|---|---|
| Dependants | The closure of Magherafelt Courthouse will impact all court users regardless of dependants and therefore we are not aware of any evidence that suggests it will have any differential impact on equality of opportunity based on dependants. | None.<br><br>Magherafelt business has been reallocated to other venues since 2020 and there have been no reported impacts on this S75 group. |

What is the level of impact? Minor / Major / None (Underline as appropriate)

2. **Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?** Yes/No

   Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

| **Section 75 Category** | **If Yes, provide details** | **If No, provide reasons** |
|---|---|---|
| Religious Belief | | No specific opportunities have been identified in relation to this Section 75 category. The policy is expected to provide all Magherafelt Court users with access to higher quality, safer, more modern and more accessible courthouse facilities. |
| Political Opinion | | As above |
| Racial Group | | As above |
| Age | Minor - alternative courthouses offer a better standard of accommodation and improved access to special measures, particularly for young people who are considered as vulnerable victims or witnesses | |
| Marital Status | | As above |
| Sexual Orientation | | As above |
| Men & Women generally | Minor - alternative courthouses offer a better standard of accommodation and improved access to special measures, particularly for women who are more likely to attend court as victims or witnesses | |
| Disability | Minor - alternative courthouses offer a better standard of accommodation, improved accessible facilities and improved access to special measures, particularly for disabled people who are considered vulnerable victims or witnesses due to a mental health disorder, impairment of intelligence and social functioning, or have a physical disability or suffering from a physical disorder. | |

| | | |
|---|---|---|
| Dependants | | As above |

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

   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.

| Good Relations Category | Details of Policy Impact | Level of Impact |
|---|---|---|
| Religious Belief | NICTS does not consider that the policy is likely to have a differential impact on good relations between people of different religious beliefs. | None |
| Political Opinion | NICTS does not consider that the policy is likely to have a differential impact on good relations between people of different political opinion. | None |
| Racial Group | NICTS does not consider that the policy is likely to have a differential impact on good relations between people of different racial groups. | None |

4. **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:

| Good Relations Category | Details of Policy Impact | Level of Impact |
|---|---|---|
| Religious Belief | This policy considers the best interests of NI citizens at a regional level, which could create a shared sense of representation. This may result in a minor positive impact on better promoting good relations between people of different religious belief. | Minor |

| | | |
|---|---|---|
| Political Opinion | This policy considers the best interests of NI citizens at a regional level, which could create a shared sense of representation. This may result in a minor positive impact on better promoting good relations between people of different political opinion. | Minor |
| Racial Group | This policy considers the best interests of NI citizens at a regional level, which could create a shared sense of representation. This may result in a minor positive impact on better promoting good relations between people of different racial group. | Minor |

## 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?
(*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

| |
|---|
| NICTS's proposal to close Magherafelt Courthouse will be a positive move to reallocate court services to safer, more accessible, flexible and modern buildings capable of meeting modern expectations aligned to the NICTS Estate Strategy therefore there are no differential impacts to those with multiple identities. |

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

## Part 3. Screening decision

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

NICTS has a duty to consider how the proposed policy is likely to impact on Section 75 groups and take proportionate steps to mitigate or justify any negative impacts and enhance any positive impacts from the policy.

This initial assessment is that the policy is not directly discriminatory to any of the Section 75 groups as it applies equally to all court users irrespective of whether or not they are part of a Section 75 group. NICTS does not consider that the policy would result in people being treated less favourably because of their Section 75 status when compared to the Northern Ireland population as a whole.

Based on this analysis it is concluded that a full equality impact assessment is not necessary as there is no differential impact of the policy on Section 75 groups.

NICTS acknowledges that the permanent closure of Magherafelt Courthouse will require some court users in this area to travel further to access to court services, however as outlined in the Travel Impact Assessment, NICTS considers that the impacts are reasonable and justified by the legitimate aim of implementing the NICTS Estate Strategy and providing Magherafelt Court users with access to higher quality, safer, more modern and more accessible courthouse facilities.

In practice, Magherafelt Courthouse business has been sitting at Londonderry Courthouse since 2020, and there has been no evidence of a differential impact on Section 75 groups during this time. Attending court is typically a rare event for most people and the volume of cases affected by the policy is very small. Specific reasonable adjustments and special measures requests can be considered on a case-by-case basis as required in exceptional circumstances.

The policy represents a proportionate response to meeting the needs of NICTS in terms of providing access to court and tribunal services to all court users in line with the aims of the NICTS Estate Strategy.

**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.**

A public consultation in relation to the proposed closure of Magherafelt Courthouse will be undertaken. Any new evidence from consultation responses will be considered, and the Equality Screening updated as appropriate.

This policy supports the implementation of the NICTS Estates Strategy 'Making the Place for Justice'. In doing so, it will help to contribute towards the 4 Strategic Aims and 12 Strategic Outcomes which underpin the NICTS Estate Strategy. (See detail of Aims and Outcomes in Part 1).

We recognise that in support of an effective, modern and financially sustainable NICTS estate, we also need to continue to modernise and improve the way we deliver front line services and to make the most of technological advancements and efficiencies. We also need to continue to provide reasonable adjustments for court users to ensure access to justice is maintained. There are a number of mitigations that we are either considering, or are already in place that will help to minimise the impact of court closures on court users. The list below provides examples that although not all of these will be of direct relevance to Magherafelt Courthouse, they are of wider benefit to NICTS and will improve access to justice as a whole. These mitigations include the following:

- All guidance material, together with information about processes, are made available online through nidirect.gov.uk and the Justice website. This includes the location, directions to and available facilities of the relevant court or tribunal, guidance on mediation, how to make a claim, how to appeal, and how to make a complaint. In addition, these websites provide useful links and signposts to other related websites such as: Victim Support NI, NSPCC Young Witness Service, Victim and Witness Care Unit amongst others. Public information is reviewed regularly.
- Alternative Dispute Resolution is promoted where appropriate, which reduces reliance on court hearings.
- Policy and technological changes are expected to result in a reducing requirement for courthouse attendance in future.

- Reasonable adjustments are undertaken in courts in accordance with the existing reasonable disability adjustments policy. Examples of adjustments relevant to this decision included:
    - identification of blue badge parking near the receiving court for those with mobility difficulties.
    - use of the staff car park where necessary for disabled users; and consideration of an alternative venue where access is problematic.
- Remote attendance at court can be facilitated (Subject to judicial approval)
- Video evidence at court can be facilitated (Subject to judicial approval)
- Later start times can be facilitated by exception (Subject to judicial approval)
- Assisted digital provision will support the digital access needs of individuals who are currently not able to easily engage with online services to ensure reasonable adjustments are made.
- Facilities and provisions at the remaining sites can include disabled access, hearing enhancement facilities, baby changing facilities and video conferencing and prison link facilities. The exact facilities available at a court site can be found on our website: https://www.justice-ni.gov.uk/publications/court-office-information-leaflets. If appropriate facilities are not available arrangements can be made by contacting the court to determine reasonable adjustments that might be made, including, where necessary, use of an alternative venue.
- The Disability Action Transport Scheme is a local transport service which is already in place for disabled people, older people and those who find it difficult to use public transport. The service is funded by the Department for Infrastructure which will continue while long-term transport solutions are being reviewed.

**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: Practical Guidance on Equality Impact Assessment.

## 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?

N/A

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** [Author pick 1, 2 or 3 if a full EQIA is to take place]

Effect on equality of opportunity and good relations

Social need

Effect on people's daily lives

Relevance to a public authority's functions

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

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

Further advice on monitoring can be found at: ECNI Monitoring Guidance for Public Authorities

## Part 5 - Approval and authorisation

Screened by: Claire Jordan
Position/Job Title: Grade 7 / NICTS Estate Strategy Delivery Manager
Date:

Approved by: Francis Drain
Position/Job Title: Director of Modernisation, Digital and Estates
Date: 3.11.2026