



Department of  
**Justice**

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## **DoJ Section 75**

# **EQUALITY SCREENING FORM**

### **Title of Policy:**

- 1 – Domestic Abuse Offence
- 2 – Domestic Violence Disclosure Scheme



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## 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<sup>1</sup>.

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

1. This form should be read in conjunction with the Equality Commission's revised Section 75, "A Guide for Public Authorities" April 2010, which is available on the Equality Commission's website ([www.equalityni.org](http://www.equalityni.org)). **Staff should complete a form for each new or revised policy for which they are responsible (see page 6 for a definition of policy in respect of section 75).**
2. The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and/or good relations and so determine whether an Equality Impact Assessment (EQIA) is necessary. Screening should be introduced at an early stage when developing or reviewing a policy.

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

3. The lead role in the screening of a policy should be taken by the policy decision-maker who has the authority to make changes to that policy and should involve, in the screening process:
  - other relevant team members;
  - those who implement the policy;
  - staff members from other relevant work areas; and
  - key stakeholders.

A flowchart which outlines the screening process is provided at Annex A.

4. The first step in the screening exercise, is to gather evidence to inform the screening decisions. Relevant data may be either quantitative or qualitative or both (this helps to indicate whether or not there are likely equality of opportunity and/or good relations impacts associated with a policy). Relevant information will help to clearly demonstrate the reasons for a policy being either 'screened in' for an equality impact assessment or 'screened out' from an equality impact assessment.
5. The absence of evidence does not indicate that there is no likely impact but if none is available, it may be appropriate to consider subjecting the policy to an EQIA.
6. Screening provides an assessment of the likely impact, whether 'minor' or 'major', of its policy on equality of opportunity and/or good relations for the relevant categories. In some instances, screening may identify the likely impact is none.
7. The Commission has developed a series of four questions, included in Part 2 of this screening form with supporting sub-questions, which should be applied to all policies as part of the screening process. They identify those policies that are likely to have an impact on equality of opportunity and/or good relations.

## Screening decisions

8. Completion of screening should lead to one of the following three outcomes. The policy has been:
  - i. 'screened in' for equality impact assessment;
  - ii. 'screened out' with mitigation or an alternative policy proposed to be adopted;  
or
  - iii. 'screened out' without mitigation or an alternative policy proposed to be adopted.

## Screening and good relations duty

9. The Commission recommends that a policy is 'screened in' for equality impact assessment if the likely impact on **good relations** is 'major'. While there is no legislative requirement to engage in an equality impact assessment in respect of good relations, this does not necessarily mean that equality impact assessments are inappropriate in this context.

## Part 1

### Definition of Policy

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

### Overview of Policy Proposals

The aims and objectives of the policy must be clear and terms of reference well defined. You must take into account any available data that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the s75 categories.

### Policy Scoping

10. 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.
11. 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

- 1 – Domestic Abuse Offence
- 2 – Domestic Violence Disclosure Scheme (DVDS)

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

#### 1 – Domestic Abuse Offence

This would be a new policy as there is no specific offence of domestic abuse outlining that coercive and controlling behaviour in an intimate relationship is criminal. It has been argued that this means the law is ambiguous and perpetrators of domestic abuse are committing criminal acts but not being brought to justice.

#### 2 – DVDS

There are four options considered in the consultation document. The potential models for a disclosure scheme would be a new policy as there is not currently a DVDS in Northern Ireland.

### What is it trying to achieve? (intended aims/outcomes)

#### 1 – Domestic Abuse Offence

To ensure the legislative framework in Northern Ireland covers the psychological aspect of domestic abuse, particularly controlling and coercive behaviour, in intimate relationships. This will send a clear message and assist the public in understanding that domestic abuse, including coercive and controlling behaviour, is illegal and perpetrators will be held to account for their actions and behaviour. We anticipate the outcome to this will include increased reporting of incidents, more prosecutions and ultimately a reduction in incidents when all measures are fully embedded.

To provide further protection for victims and further tools for the Police Service Of Northern Ireland (PSNI) by creating a specific offence of 'domestic abuse' outlining that coercive and controlling behaviour in an intimate relationship is criminal.

It would also send a clear message that Domestic violence and abuse will not be tolerated in Northern Ireland.

A number of existing offences capture a range of behaviours associated with domestic violence and abuse. Violence in a domestic context is clearly criminal through offences that apply equally in a non-domestic setting, including common assault, assault occasioning actual bodily harm, wounding with intent to cause grievous bodily harm, sexual assault and rape. In 2014/15 PSNI recorded 3,801 crimes with a domestic abuse motivation under the heading 'violence with injury'.

Offences extend to non-physical violence where there is a threat of imminent violence. Non-violent coercive and controlling behaviour is also captured by legislation that covers harassment however this does not explicitly apply to coercive and controlling behaviour in intimate relationships. PSNI recorded 5,697 crimes with a domestic abuse motivation in 2014/15 under the heading 'violence without injury'.

An offence capturing coercive and controlling behaviour in an intimate relationship

would link specifically to domestic abuse and criminalise this harmful behaviour.

It will also be in line with the new definition of Domestic Violence and Abuse which includes coercive and controlling behaviour, contained within the forthcoming *Stopping Domestic and Sexual Violence and Abuse Strategy*.

## 2 – DVDS

Public safety and protection of the public. The main aims of a domestic violence disclosure policy would be:

- To reduce/prevent incidents of domestic violence and abuse
- To reduce the costs to the Northern Ireland Executive related to domestic violence and abuse. The majority of costs would be associated with Justice and Health.
- To strengthen the powers the police have to provide appropriate protection and support to victims at risk of domestic violence and abuse. [Multi-agency partnership working across sectors will be required to achieve this aim.]

Ultimately a disclosure scheme will enable new partners of previously violent suspects to make informed choices about how and whether they take forward that relationship.

There are four options considered in the consultation document.

Option 1: Do nothing, continue current arrangements under existing law.

Option 2: A *right to ask* scheme to enable the public to ask the PSNI about another person's history of domestic violence and abuse or violent acts;

Option 3: A *right to know* scheme where the PSNI would proactively disclose information in specific circumstances to potential victims relating to a subject's previous history of domestic violence and abuse or violent acts; and finally

Option 4: A combined *right to ask* and a *right to know* scheme

There are other public protection arrangements currently in place however they do not include a disclosure scheme as set out in the consultation document. It is envisaged any model, if taken forward, will bolster and dovetail with current protection arrangements in place.

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

### 1 – Domestic Abuse Offence

All Section 75 categories are expected to benefit from this policy, in particular *women generally*. This is because a proportionately high percentage of victims of domestic violence and abuse recorded crime in 2014/15, as in all other years, are women. The policy will however benefit all victims of domestic violence and abuse.

### 2 – DVDS

All Section 75 categories are expected to benefit from this policy, in particular *women generally*. As previously noted a proportionately high percentage of victims of domestic violence and abuse recorded crime are women. The policy will however benefit all victims of domestic violence and abuse.

Further relevant information is included under '*Available Evidence*'.

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### Who initiated or wrote the policy?

The consultation document was drafted by the Department of Justice (DOJ) and informed by the consultation on a DVDS and a Domestic Abuse Offence consultation and initial evaluation of the DVDS conducted by the Home Office. These proposed initiatives have been welcomed by a number of stakeholders and respondents to the *Stopping Domestic and Sexual Violence and Abuse Strategy* consultation.

Within the draft action plan associated with this draft strategy document DOJ have a number of actions including consulting on a Domestic Abuse Offence and a DVDS . As the result of a delay in the publication of the Strategy the Minister of Justice instructed officials to progress these actions in the interim.

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### Who owns and who implements the policy?

This policy is owned by DOJ however it will have implications for and be implemented by other named partners including PSNI, Northern Ireland Courts and Tribunal Service, Probation Board for Northern Ireland, Public Prosecution Service, Office of the Lord Chief Justice.

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### Implementation factors

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

If yes, are they

- financial**
- legislative**
- other, please specify:** Partnership working

### Main stakeholders affected

13. Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

- staff**
- service users**
- other public sector organisations**
- voluntary/community/trade unions**

**other, please specify:**

1 - The General Public

2 - Everyone who has been/will be affected by Domestic Violence and Abuse

Like the remainder of the United Kingdom, Northern Ireland has significant crime levels relating to Domestic Violence and Abuse. These policies will impact on staff within DOJ and relevant agencies, named previously.

Service Users in relation to these policies would be potential victims/victims and survivors of Domestic Violence and Abuse. For the policies to be successfully implemented assistance may be required from key stakeholders in all sectors, this will impact on the voluntary and community sectors.

As Domestic Violence and Abuse can affect anyone we would consider that the policies would therefore impact the general public and everyone affected by Domestic Violence and Abuse in Northern Ireland.

**Other policies with a bearing on this policy**

- what are they?

There are a range of policies, strategies and legislation that have a bearing on these policies, these include:

- *Tackling Violence at Home: a strategy for addressing Domestic Violence and Abuse in Northern Ireland*
- *Draft Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy*
- International, European, National and Regional legislation, strategies, policies, and guidelines regarding and relevant to domestic violence and abuse, e.g.:
  - International Human Rights Standards and Obligations
  - 2010 Council Conclusions on the Eradication of Violence against Women in the European Union

- Beijing Declaration and Platform for Action (UN Commission on Status of Women CSW) 1995
    - Convention on the Elimination of all Forms of Discrimination against Women; and
    - this includes the consultations on a DVDS and a Domestic Abuse Offence and initial evaluation of the DVDS conducted by the Home office.
  - *Building Safer, Shared and Confident Communities - A Community Safety Strategy for Northern Ireland 2012-2017*
  - *'Making a difference to victims and witnesses of crime - Improving access to justice, services and support - a five-year Strategy*
  - *Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland)*
  - Policing Plan 2015-16;
  - Policing with the Community 2020 Strategy
- who owns them?
    - Some are owned by DOJ whilst others are jointly owned with DHSSPS.
    - The latter documents are owned by the Policing Board and the PSNI.
    - In relation to the wider context this includes the Home Office, the Council of the European Union, the Commission on the Status of Women and the UN General Assembly.

## Available evidence

14. Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data.
15. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 Category	Details of evidence/information
Religious belief	<p>There is little specific data available however evidence collated for the development of the draft <i>Stopping Domestic and Sexual Violence and Abuse Strategy</i> and information gained from stakeholders indicates that Domestic violence is not confined to any one religious belief system.</p> <p><b><u>Home Office consultations</u></b></p> <p>There is no data relevant to this group with regards to the consultation by the Home Office on strengthening the law to include a domestic abuse offence.</p> <p>During the Home Office consultation on DVDS evidence was sought on the potential impact a disclosure scheme would have on particular groups. Of the 259 responses analysed, the majority of respondents felt that no specific group would be overtly affected by a DVDS in an adverse way. However, the following issue was flagged for further consideration when designing a suitable disclosure scheme and we would consider that this would also relate to the Northern Ireland context and may be linked to this category:</p> <ul style="list-style-type: none"> <li>• where intelligence suggested that A was at risk of honour-based violence, appropriate and sensitive safety planning would be required for A.</li> </ul> <p><b><u>Outcome</u></b></p> <p>As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are seeking evidence within this public consultation and we will ensure the issue noted by the Home Office above is considered and appropriate action taken.</p>

Political opinion

There is little data available however evidence collated for the development of the draft *Stopping Domestic and Sexual Violence and Abuse Strategy* and information gained from stakeholders indicates that Domestic violence is not confined to any one political opinion.

**Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are seeking evidence within this public consultation.

Racial group

There is some data available however evidence collated for the development of the draft *Stopping Domestic and Sexual Violence and Abuse Strategy* and information gained from stakeholders indicates that Domestic violence is not confined to any one racial group. Further information is provided below.

**PSNI data**

Table 5.3 Domestic abuse crimes recorded by ethnicity and nationality of victim, 2010/11 to 2014/15

Ethnicity (Nationality)	Numbers				
	2010/11	2011/12	2012/13	2013/14	2014/15
<b>Asian: of which</b>	<b>38</b>	<b>43</b>	<b>48</b>	<b>60</b>	<b>88</b>
<i>UK and Ireland</i>	10	12	9	15	17
<i>All other nationalities</i>	28	25	33	42	66
<i>Nationality missing</i>	0	6	6	3	5
<b>Black: of which</b>	<b>39</b>	<b>34</b>	<b>39</b>	<b>69</b>	<b>76</b>
<i>UK and Ireland</i>	9	14	9	18	27
<i>All other nationalities</i>	29	16	26	47	41
<i>Nationality missing</i>	1	4	4	4	8
<b>Mixed/Other: of which</b>	<b>26</b>	<b>30</b>	<b>38</b>	<b>48</b>	<b>62</b>
<i>UK and Ireland</i>	13	12	14	20	29
<i>All other nationalities</i>	13	18	22	26	26
<i>Nationality missing</i>	0	0	2	2	7
<b>White: of which</b>	<b>7,964</b>	<b>8,396</b>	<b>9,040</b>	<b>10,797</b>	<b>11,267</b>
<i>UK and Ireland</i>	7,233	7,420	8,114	9,758	10,031
<i>Poland</i>	116	107	109	181	224
<i>Lithuania</i>	70	96	106	94	117
<i>Latvia</i>	24	31	30	31	41
<i>Portugal</i>	16	20	20	23	25
<i>All other nationalities</i>	63	78	93	114	120
<i>Nationality missing</i>	442	644	568	596	709
<b>Ethnicity Missing/Unknown Person: of which</b>	<b>577</b>	<b>899</b>	<b>1,052</b>	<b>696</b>	<b>883</b>
<i>UK and Ireland</i>	355	401	431	381	535
<i>All other nationalities</i>	22	33	61	42	42

<i>Nationality missing</i>	200	465	560	273	306
<b>Total (person victims)</b>	<b>8,644</b>	<b>9,402</b>	<b>10,217</b>	<b>11,670</b>	<b>12,376</b>

Table 5.7 Ethnicity/Nationality of offender (domestic abuse detected crimes), 2010/11 to 2014/15

Ethnicity (Nationality)	Numbers				
	2010/11	2011/12	2012/13	2013/14	2014/15
<b>Asian: of which</b>	<b>22</b>	<b>20</b>	<b>18</b>	<b>16</b>	<b>22</b>
<i>UK and Ireland</i>	5	4	6	3	6
<i>All other nationalities</i>	17	16	11	13	16
<i>Nationality missing</i>	0	0	1	0	0
<b>Black: of which</b>	<b>32</b>	<b>23</b>	<b>34</b>	<b>36</b>	<b>22</b>
<i>UK and Ireland</i>	8	5	7	7	8
<i>All other nationalities</i>	23	18	27	29	13
<i>Nationality missing</i>	1	0	0	0	1
<b>Mixed/Other: of which</b>	<b>19</b>	<b>26</b>	<b>17</b>	<b>26</b>	<b>19</b>
<i>UK and Ireland</i>	11	7	2	6	1
<i>All other nationalities</i>	8	19	14	20	17
<i>Nationality missing</i>	0	0	1	0	1
<b>White: of which</b>	<b>3,677</b>	<b>3,817</b>	<b>3,475</b>	<b>3,528</b>	<b>3,443</b>
<i>UK and Ireland</i>	3,473	3,573	3,294	3,295	3,201
<i>Poland</i>	66	70	42	83	92
<i>Lithuania</i>	26	56	46	41	39
<i>Latvia</i>	16	19	13	9	12
<i>Portugal</i>	8	15	8	18	10
<i>All other nationalities</i>	40	34	26	34	33
<i>Nationality missing</i>	48	50	46	48	56
<b>Ethnicity Missing/Unknown Person: of which</b>	<b>735</b>	<b>583</b>	<b>584</b>	<b>485</b>	<b>728</b>
<i>UK and Ireland</i>	410	411	384	371	595
<i>All other nationalities</i>	37	39	36	45	58
<i>Nationality missing</i>	288	133	164	69	75
<b>Total (offenders)</b>	<b>4,485</b>	<b>4,469</b>	<b>4,128</b>	<b>4,091</b>	<b>4,234</b>

Source: PSNI - Financial year trends in domestic abuse – statistical bulletin for 2014/15 – summary tables  
[http://www.psni.police.uk/index/updates/updates\\_statistics/updates\\_domestic\\_abuse\\_statistics-2.htm](http://www.psni.police.uk/index/updates/updates_statistics/updates_domestic_abuse_statistics-2.htm)

## MARAC Statistics – November 2015

Categories	Criteria	Month Total	Cumulative Total From Jan 2015	2014 Totals	Cumulative Total From Jan 2010
<b>Number of</b>	Cases Discussed	86	1442	1715	9337
	Repeat Cases	25	426	459	2092
	Children in Household	113	1831	2008	12143
<b>Victim profile S75 grouping</b>	<b>BME cases</b>	<b>6</b>	<b>44</b>	<b>93</b>	<b>438</b>
	Female	6	43	91	
	Male	0	1	2	

### 24 Hour Domestic & Sexual Violence Helpline

In 2014/15 a total number of 34,420 calls were managed by the Helpline.

A total number of 27,923 calls were answered during the year.

A total number of 262 calls were from foreign nationals and black and minority ethnic women. This equates to 1% of calls answered.

*Source: Women's Aid Federation Northern Ireland – Annual Report 2014-2015*

### Research - Black and Minority Ethnic Women's experiences

An analysis into Black and Minority Ethnic Women's experiences in Northern Ireland considered there are structural failings leading to financial dependence on abusive partners and no recourse to public funds, citing the following barriers:

- Dependence of some BME women on male partners for their immigration status and/or official leave to remain in the UK;
- Lack of knowledge of their own legal entitlements in the UK;
- Reluctance to involve Social Services due to fear of children being removed;
- Reluctance to seek help from public authorities or 'outside' support agencies due to lack of culturally sensitive services;
- Community pressure to remain in the family home and the stigma and shame attached to leaving the partner;
- Internalising religion and cultural beliefs that view domestic violence as permissible rather than criminal; and
- a legacy of poor police response from previous experience in their home country, and on occasion, in Northern Ireland.

*Source: Monica McWilliams and Priyamvada Yarnell (June 2013) The Protection and Rights of Black and Minority Ethnic Women Experiencing Domestic Violence in Northern Ireland, NICEM, Available at: <http://nicem.org.uk/wp-content/uploads/2014/03/PRBMEWEDVNI-1.pdf>*

### Home Office consultations

With regard to the Domestic Abuse Offence consultation some respondents

outlined the importance of any new offence capturing inter-familial abuse as well as intimate partner abuse.

*“The law should be strengthened as suggested within intimate, but should include non-intimate relationships to capture the experiences of BME women above the age of 16 within the extended family.”*

During the Home Office consultation on DVDS evidence was sought on the potential impact a disclosure scheme would have on particular groups. Of the 259 responses analysed, the majority of respondents felt that no specific group would be overtly affected by a Domestic Violence Disclosure Scheme in an adverse way. However, the following issues were flagged for further consideration when designing a suitable disclosure scheme and we would consider that this would also relate to the Northern Ireland context:

- where intelligence suggested that A was at risk of honour-based violence, appropriate and sensitive safety planning would be required for A;
- where English was not the first language of A, the authorities responsible for disclosing information would need to ensure that appropriate mechanisms were in place to ensure that A clearly understood the significance of the information disclosed and the follow-up safety planning; and
- where certain groups (e.g. BME) perceived they had a poor relationship with the local police, appropriate outreach work would be required to win the confidence of these groups.

### **Pilot Assessment by Home Office**

In the *Domestic Violence Disclosure Scheme (DVDS) Pilot Assessment*, extracted table below, conducted by the Home Office demographic information was provided by police monitoring data about the “person at risk” (individual for whom a disclosure was requested) and the “subject of request” (individual who information was requested about).

*Please note total percentages may not add up to 100 due to rounding.*

**Table A2: Ethnicity of person at risk**

	n	%
White	321	83
Other	18	5
Ethnicity unknown/not recorded	47	12
<b>Total</b>	<b>386</b>	<b>100</b>

**Table A6: Ethnicity of subject of request**

	n	%
White	309	80
Other	35	9
Ethnicity unknown/not recorded	42	11
<b>Total</b>	<b>386</b>	<b>100</b>

**Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are seeking evidence within this public consultation and we will ensure the issues noted by the Home Office above are considered and appropriate action taken.

Age

There is some data available however evidence collated for the development of the draft *Stopping Domestic and Sexual Violence and Abuse Strategy* and information gained from stakeholders indicates that Domestic violence is not confined to any age group.

**PSNI data**

Table 3.3 Domestic abuse crimes recorded by age of victim and type of crime, 2004/05 to 2014/15

In 2014/05 there were 13,426 domestic abuse crimes records:  
 57.24% [7,685] involved female adult victims (18+)  
 23.14% [3,107] involved male adult victims (18+)  
 11.73% [1,575] victims were under 18

Table 5.2 Domestic abuse crimes recorded by age of victim, 2010/11 to 2014/15

Age	Numbers				
	2010/11	2011/12	2012/13	2013/14	2014/15
Under 18	898	979	1,233	1,568	1,575
18 and over	7,713	8,398	8,980	10,088	10,793
Unknown/Missing	33	25	4	14	8
<b>Total (person victims)</b>	<b>8,644</b>	<b>9,402</b>	<b>10,217</b>	<b>11,670</b>	<b>12,376</b>

Table 5.6 Age of offender (domestic abuse detected crimes), 2010/11 to 2014/15

Numbers

Age	2010/11	2011/12	2012/13	2013/14	2014/15
Under 18	281	56	123	217	193
18 and over	3,941	4,274	3,844	3,813	3,975
Unknown/Missing	263	139	161	61	66
<b>Total (offenders)</b>	<b>4,485</b>	<b>4,469</b>	<b>4,128</b>	<b>4,091</b>	<b>4,234</b>

Source: PSNI - Financial year trends in domestic abuse – statistical bulletin for 2014/15 – summary tables – available at [http://www.psnipolice.uk/index/updates/updates\\_statistics/updates\\_domestic\\_abuse\\_statistics-2.htm](http://www.psnipolice.uk/index/updates/updates_statistics/updates_domestic_abuse_statistics-2.htm)

### **MARAC Statistics – November 2015**

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	Children in Household	113	1831	2008	12143

### **Northern Ireland Crime Survey**

The Northern Ireland Crime Survey (NICS) 2010/11 estimate that ‘15.7% of people aged 16-64 have experienced at least one form of domestic violence, by a partner, since age 16, with women (19.3%) displaying a higher prevalence rate than men (11.5%).’

The Survey went on to highlight that 6.2% of people aged 16-64 have experienced at least one form of domestic violence and abuse, by a family member (other than a partner), since age 16, with women (7.7%) displaying a higher prevalence rate than men (4.5%).

### **Home Office consultations**

With regard to the Domestic Abuse Offence consultation several respondents highlighted the disparity between the age range covered by the current Government definition of domestic abuse (16 years old and over), and the standard age of criminal liability (10 years old and over).

*“The proposals in the consultation and the non-statutory definition are based on a narrow understanding of domestic abuse – that it takes place between two people in an intimate relationship aged 16 +. There are, however, unique and complex features surrounding children and young people's involvement in domestic abuse.”*

Some respondents outlined the importance of any new offence capturing inter-familial abuse as well as intimate partner abuse.

*“Domestic abuse approaches to date have tended to highlight partner violence, however there is a need to consider the impact of family and intergenerational forms of domestic abuse that particularly affect older people.”*

During the Home Office consultation on DVDS evidence was sought on the potential impact a disclosure scheme would have on particular groups. Of the 259 responses analysed, the majority of respondents felt that no specific group would be overtly affected by a Domestic Violence Disclosure Scheme in an adverse way. However, the following issue was flagged for further consideration when designing a suitable disclosure scheme and we would consider that this would also relate to the Northern Ireland context:

- that the needs of people aged under 18 were catered for where, following an appropriate risk assessment, disclosure was made to an appropriate adult or responsible carer.

### **Pilot Assessment by Home Office**

In the *Domestic Violence Disclosure Scheme (DVDS) Pilot Assessment*, extracted table below, conducted by the Home Office demographic information was provided by police monitoring data about the “person at risk” (individual for whom a disclosure was requested) and the “subject of request” (individual who information was requested about).

*Please note total percentages may not add up to 100 due to rounding.*

**Table A3: Age of person at risk**

	n	%
0-18	12	3
19-30	173	45
31-50	160	41
51 and over	17	4
Age unknown/not recorded	24	6
<b>Total</b>	<b>386</b>	<b>100</b>

**Table A7: Age of subject of request**

	n	%
0-18	4	1
19-30	135	35
31-50	192	50
51 and over	27	7
Age unknown/not recorded	28	7
<b>Total</b>	<b>386</b>	<b>100</b>

**Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are seeking evidence within this public consultation and we will ensure the issue noted by the Home Office above is considered and appropriate action taken.

There is limited data available however evidence collated for the development of the draft *Stopping Domestic and Sexual Violence and Abuse Strategy* and information gained from stakeholders indicates that Domestic violence is not confined to a particular marital status.

**PSNI data**

Table 5.8 Victim / offender relationship (domestic abuse detected crimes), 2010/11 to 2014/15

Victim/Offender Relationship <sup>1</sup>	Numbers				
	2010/11	2011/12	2012/13	2013/14	2014/15
Current spouse, partner, girlfriend, boyfriend etc	1,071	1,092	958	1,096	1,078
Ex spouse, partner, girlfriend, boyfriend etc	1,081	967	1,068	927	1,092
Parent and child	731	739	817	862	945
Grandparent and grandchild	17	31	40	21	36
Sibling	227	270	294	277	276
Other family relationship	95	88	110	123	115
Unknown/Missing	1,263	1,282	841	785	692

Marital status

<b>Total (all offenders)</b>	<b>4,485</b>	<b>4,469</b>	<b>4,128</b>	<b>4,091</b>	<b>4,234</b>
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<sup>1</sup>Although breach of a non-molestation order is an offence against the state, where a victim offender relationship has been supplied in relation to this offence it has been included in the figures above.

Source: PSNI - Financial year trends in domestic abuse – statistical bulletin for 2014/15 – summary tables – available at [http://www.psni.police.uk/index/updates/updates\\_statistics/updates\\_domestic\\_abuse\\_statistics-2.htm](http://www.psni.police.uk/index/updates/updates_statistics/updates_domestic_abuse_statistics-2.htm)

**Research**

Research and analysis has recognised patterns and factors that are of particular note in relation to domestic violence and abuse, for example Lees, S (2000), ‘Marital rape and marital murder’ highlights that victims of domestic violence and abuse are at greatest risk of homicide at the point of separation or after leaving a violent partner.

**Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are seeking evidence within this public consultation.

There is limited data available however evidence collated for the development of the draft *Stopping Domestic and Sexual Violence and Abuse Strategy* and information gained from stakeholders indicates that Domestic violence is not confined to a particular sexual orientation.

**MARAC Statistics – November 2015**

Sexual orientation

Categories	Criteria	Month Total	Cumulative Total From Jan 2015	2014 Totals	Cumulative Total From Jan 2010
<b>Number of</b>	Cases Discussed	86	1442	1715	9337
	Repeat Cases	25	426	459	2092
	Children in Household	113	1831	2008	12143
	<b>LGBT cases</b>	<b>1</b>	<b>7</b>	<b>6</b>	<b>41</b>
	Lesbian	1	3	4	
	Gay	0	4	2	
	Bisexual female	0	0	0	
	Bisexual	0	0	0	

	male				
	Transgender female	0	0	0	
	Transgender male	0	0	0	

**24 Hour Domestic & Sexual Violence Helpline**

In 2014/15 a total number of 34,420 calls were managed by the Helpline. A total number of 27,923 calls were answered during the year. A total number of 35 calls were from the LGB&T community.  
*Source: Women’s Aid Federation Northern Ireland – Annual Report 2014-2015*

**Research – LGB&T community**

Research amongst the LGB&T community within Northern Ireland noted that ‘Lesbian/gay/bisexual females are more likely to be victim of incidents involving other LGB females, partners, friends and/or co-workers. This follows a trend in society where females are statistically more likely to be victim of domestic abuse and workplace harassment.’ ‘Males are more likely to be victims of incidents involving family members. Homophobic incidents within the home can range from physical to psychological. Males appear more likely to be victim of homophobic domestic abuse from family members and females more likely to be victim of domestic abuse from partners.’ ‘Females are substantially more likely to suffer from unwanted sexual contact, most commonly from heterosexual males who feel that they can ‘turn’ LGB females heterosexual.’ 11% of all LGB female respondents experienced unwanted sexual contact. 29% of females who were victim of a homophobic incident in the last three years suffered unwanted sexual contact.’

*Source: John O’Doherty (June 2009) Through Our Eyes - Perceptions and Experiences of Lesbian, Gay and Bisexual People towards Homophobic Hate Crime and Policing in Northern Ireland, The Rainbow Project, Available at: [http://www.rainbow-project.org/assets/publications/through\\_our\\_eyes.pdf](http://www.rainbow-project.org/assets/publications/through_our_eyes.pdf)*

**Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are seeking evidence within this public consultation.

Men and Women generally

There is little data available however evidence collated for the development of the draft *Stopping Domestic and Sexual Violence and Abuse Strategy* and information gained from stakeholders indicates that Domestic violence is not confined to one gender/ gender identity. As previously noted a proportionately high percentage of victims of domestic violence and abuse recorded crime are women.

Research and analysis has recognised patterns and factors that are of

particular note in relation to domestic violence and abuse, with regards to this category:

- most victims of domestic and sexual violence and abuse are women; and
- domestic abuse often starts or escalates during pregnancy [*Royal College of Obstetricians and Gynaecologists (2013)*]

### PSNI data

Table 3.3 Domestic abuse crimes recorded by age of victim and type of crime, 2004/05 to 2014/15

In 2014/05 there were 13,426 domestic abuse crimes records:  
 57.24% [7,685] involved female adult victims (18+)  
 23.14% [3,107] involved male adult victims (18+)  
 The remainder included under 18, age and gender unknown and state based offences.

Table 5.1 Domestic abuse crimes recorded by gender of victim

Gender	Numbers				
	2010/11	2011/12	2012/13	2013/14	2014/15
Male	2,216	2,665	3,029	3,513	3,765
Female	6,414	6,724	7,178	8,156	8,607
Unknown/Missing	14	13	10	1	4
<b>Total (person victims)</b>	<b>8,644</b>	<b>9,402</b>	<b>10,217</b>	<b>11,670</b>	<b>12,376</b>

Table 5.5 Gender of offender (domestic abuse detected crimes), 2010/11 to 2014/15

Gender	Numbers				
	2010/11	2011/12	2012/13	2013/14	2014/15
Male	3,808	3,832	3,492	3,545	3,611
Female	416	499	475	488	558
Unknown/Missing	261	138	161	58	65
<b>Total (offenders)</b>	<b>4,485</b>	<b>4,469</b>	<b>4,128</b>	<b>4,091</b>	<b>4,234</b>

Source: PSNI - Financial year trends in domestic abuse – statistical bulletin for 2014/15 – summary tables  
[http://www.psni.police.uk/index/updates/updates\\_statistics/updates\\_domestic\\_abuse\\_statistics-2.htm](http://www.psni.police.uk/index/updates/updates_statistics/updates_domestic_abuse_statistics-2.htm)

### MARAC Statistics – November 2015

Month	Categories	Criteria	Month	Cumulative	2014	Cumulative
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			Total	Total From Jan 2015	Totals	Total From Jan 2010
Nov 2015	Number of	Cases Discussed	86	1442	1715	9337
		Repeat Cases	25	426	459	2092
		Children in Household	113	1831	2008	12143
	Victim profile	<b>Female</b>	<b>82</b>	<b>1352</b>	<b>1623</b>	<b>8875</b>
		<b>Male</b>	<b>4</b>	<b>90</b>	<b>92</b>	<b>462</b>
	S75 grouping	<b>BME cases</b>	<b>6</b>	<b>44</b>	<b>93</b>	<b>438</b>
		Female	6	43	91	
		Male	0	1	2	
		<b>LGBT cases</b>	<b>1</b>	<b>7</b>	<b>6</b>	<b>41</b>
		Lesbian	1	3	4	
		Gay	0	4	2	
		Bisexual female	0	0	0	
		Bisexual male	0	0	0	
		Transgender female	0	0	0	
		Transgender male	0	0	0	
		<b>Disability cases</b>	<b>3</b>	<b>29</b>	<b>25</b>	<b>144</b>
		Female	2	27	23	
		Male	1	2	2	

### **24 Hour Domestic & Sexual Violence Helpline**

In 2014/15 a total number of 34,420 calls were managed by the Helpline. A total number of 27,923 calls were answered during the year.

56.8% of callers were from female victims.

2.2% of callers were from male victims

A total number of 35 calls were from the LGB&T community.

*[The majority of the remaining calls were from organisations across the sectors.]*

*Source: Women's Aid Federation Northern Ireland – Annual Report 2014-2015*

### **Northern Ireland Crime Survey**

The Northern Ireland Crime Survey (NICS) 2010/11 estimate that '15.7% of people aged 16-64 have experienced at least one form of domestic violence, by a partner, since age 16, with women (19.3%) displaying a higher prevalence rate than men (11.5%).'

The Survey went on to highlight that 6.2% of people aged 16-64 have experienced at least one form of domestic violence and abuse, by a family member (other than a partner), since age 16, with women (7.7%) displaying a higher prevalence rate than men (4.5%).

### **World Health Organisation – female victims**

- Recent global prevalence figures indicate that 35% of women worldwide

have experienced either intimate partner violence or non-partner sexual violence in their lifetime.

- On average, 30% of women who have been in a relationship report that they have experienced some form of physical or sexual violence by their partner.
- Globally, as many as 38% of murders of women are committed by an intimate partner.

*Source - World Health Organisation - Violence against women - Intimate partner and sexual violence against women - Fact sheet N°239 - November 2014*

### **Research – male victims**

In 2010 a publication by Men’s Advisory Project<sup>1</sup> exploring local evidence of the attitudes and needs of male victims of domestic violence and abuse noted that ‘men can experience a wide range of domestic violence and abuse as can women. It also noted that this abuse has a wide ranging negative effect on their lives, just as it has with women.’ The document cited that ‘the nature of abuse experienced by male victims in this study was primarily emotional and psychological abuse, which is of concern given the research which shows the long term negative consequences of these forms of abuse’ ‘However reports of physical violence were also very common and the use of weapons and other serious physical incidents mirror the experiences reported in other pieces of research on male victims’. The study also highlighted that men showed a reluctance to report domestic abuse for a number of reasons, including protecting children, fear of disbelief and a lack of awareness of services.

*Source: MAP Belfast (2010) Towards Gender Equality: Exploring the evidence of the attitudes towards and the needs of male victims of domestic violence and abuse in Northern Ireland with recommendations for change, Available at: <http://www.mapni.co.uk/ucontrol/resources/researchreport-1.pdf>*

### **Home Office consultation**

Police monitoring data shows that between July 2012 and September 2013: there were 386 applications for a disclosure, made up of 231 Right to Ask requests initiated by members of the public (mostly from individuals who had concerns about their partner) and 155 Right to Know requests initiated by police and statutory or voluntary services.

The majority of applications requested information about the previous history of a woman’s male partner. The most common reported trigger for requesting a disclosure was due to the behaviour of a partner.

During the Home Office consultation on DVDS evidence was sought on the potential impact a disclosure scheme would have on particular groups. Of the 259 responses analysed, the majority of respondents felt that no specific group would be overtly affected by a DVDS in an adverse way. However, the following issue was flagged for further consideration when designing a suitable disclosure scheme and we would consider that this would also relate to the

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<sup>1</sup> MAP Belfast (2010) *Towards Gender Equality: Exploring the evidence of the attitudes towards and the needs of male victims of domestic violence and abuse in Northern Ireland with recommendations for change*, Available at: <http://www.mapni.co.uk/ucontrol/resources/researchreport-1.pdf> (Accessed 19 January 2015)

Northern Ireland context:

- that it was clearly advertised that the disclosure scheme is gender-neutral so that both female and male victims of domestic violence could benefit.

### **Pilot Assessment by Home Office**

In the *Domestic Violence Disclosure Scheme (DVDS) Pilot Assessment*, extracted table below, conducted by the Home Office demographic information was provided by police monitoring data about the “person at risk” (individual for whom a disclosure was requested) and the “subject of request” (individual who information was requested about).

*Please note total percentages may not add up to 100 due to rounding.*

**Table A1: Gender of person at risk**

	n	%
Females	380	98
Males	5	1
Gender unknown/not recorded	1	0
<b>Total</b>	<b>386</b>	<b>100</b>

**Table A5: Gender of subject of request**

	n	%
Females	5	1
Males	380	98
Gender unknown/not recorded	1	0
<b>Total</b>	<b>386</b>	<b>100</b>

### **Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are however seeking evidence within this public consultation and we will ensure the issue noted by the Home Office above is considered and appropriate action taken.

Disability

There is little data available however evidence collated for the development of the draft *Stopping Domestic and Sexual Violence and Abuse Strategy* and information gained from stakeholders indicates that Domestic violence is not confined to individuals with a disability or individuals without.

### **MARAC Statistics – November 2015**

Categories	Criteria	Month Total	Cumulative Total From Jan 2015	2014 Totals	Cumulative Total From Jan 2010
<b>Number of</b>	Cases Discussed	86	1442	1715	9337
	Repeat Cases	25	426	459	2092
	Children in Household	113	1831	2008	12143
<b>Victim profile</b>	<b>Female</b>	<b>82</b>	<b>1352</b>	<b>1623</b>	<b>8875</b>
	<b>Male</b>	<b>4</b>	<b>90</b>	<b>92</b>	<b>462</b>
	<b>Disability cases</b>	<b>3</b>	<b>29</b>	<b>25</b>	<b>144</b>
<b>S75 grouping</b>	Female	2	27	23	
	Male	1	2	2	

### **24 Hour Domestic & Sexual Violence Helpline**

In 2014/15 the Helpline also recorded the percentage of women who disclosed additional complex needs to a Helpline worker:

Mental Health: 58%

Learning disability/difficulty: 2%

Physical Health and Disability: 24%

*Source: Women's Aid Federation Northern Ireland – Annual Report 2014-2015*

During the Home Office consultation on DVDS evidence was sought on the potential impact a disclosure scheme would have on particular groups. Of the 259 responses analysed, the majority of respondents felt that no specific group would be overtly affected by a DVDS in an adverse way. However, the following issue was flagged for further consideration when designing a suitable disclosure scheme and we would consider that this would also relate to the Northern Ireland context:

- that the needs of adults with disabilities were catered for where, following an appropriate risk assessment, disclosure was made to an appropriate adult or responsible carer.

### **Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this category will be adversely affected. We are however seeking evidence within this public consultation and we will ensure the issue noted by the Home Office above is considered and appropriate action taken.

Dependants

Evidence provided throughout the Strategy and information gained from stakeholders indicates that dependants are not by definition more vulnerable to

Domestic and Sexual violence.

### **MARAC Statistics – November 2015**

<b>Categories</b>	<b>Criteria</b>	<b>Month Total</b>	<b>Cumulative Total From Jan 2015</b>	<b>2014 Totals</b>	<b>Cumulative Total From Jan 2010</b>
<b>Number of</b>	Cases Discussed	86	1442	1715	9337
	Repeat Cases	25	426	459	2092
	Children in Household	113	1831	2008	12143

During the Home Office consultation on DVDS evidence was sought on the potential impact a disclosure scheme would have on particular groups. Of the 259 responses analysed, the majority of respondents felt that no specific group would be overtly affected by a Domestic Violence Disclosure Scheme in an adverse way. However, the following issue was flagged for further consideration when designing a suitable disclosure scheme and we would consider that this would also relate to the Northern Ireland context:

- that the needs of people aged under 18 and adults with disabilities were catered for where, following an appropriate risk assessment, disclosure was made to an appropriate adult or responsible carer.

### **Pilot Assessment by Home Office**

In the *Domestic Violence Disclosure Scheme (DVDS) Pilot Assessment*, extracted table below, conducted by the Home Office demographic information was provided by police monitoring data about the “person at risk” (individual for whom a disclosure was requested) and the “subject of request” (individual who information was requested about).

*Please note total percentages may not add up to 100 due to rounding.*

**Table A4: Children of person at risk**

	<b>n</b>	<b>%</b>
Number with children	245	63
Number with no children	108	28
Number where children unknown/not recorded	33	9
<b>Total</b>	<b>386</b>	<b>100</b>

### **Outcome**

As we anticipate that the policies will apply and be accessible equally to all groups/individuals we do not consider there is evidence to indicate that this

	<p>category will be adversely affected. We are however seeking evidence within this public consultation and we will ensure the issue noted by the Home Office above is considered and appropriate action taken.</p>
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## Needs, experiences and priorities

16. 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 for each of the Section 75 categories.

Section 75 Category	Details of evidence/information
Religious belief	<p>DOJ have no reason to believe the policies will have an effect on the needs, experiences and priorities of this group.</p> <p>As noted previously where intelligence suggested that A was at risk of honour-based violence, appropriate and sensitive safety planning would be required for A.</p> <p>However appropriate and sensitive safety planning would be provided to each potential victim of domestic abuse and/or violence.</p>
Political opinion	<p>DOJ have no reason to believe the policies will have an effect on the needs, experiences and priorities of this group.</p>
Racial group	<p>DOJ have no reason to believe the policies will have a significant effect on the needs, experiences and priorities of this group. As noted by the Home Office a few issues should be considered when developing in model in relation to this group.</p> <p>As noted previously where intelligence suggested that A was at risk of honour-based violence, appropriate and sensitive safety planning would be required for A.</p> <p>However appropriate and sensitive safety planning would be provided to each potential victim of domestic abuse and/or violence.</p> <p>As stated previously, where English was not the first language of A, the authorities responsible for disclosing</p>

	information would need to ensure that appropriate mechanisms were in place to ensure that A clearly understood the significance of the information disclosed and the follow-up safety planning; and, where certain groups (e.g. BME) perceived they had a poor relationship with the local police, appropriate outreach work would be required to win the confidence of these groups.
Age	Both adults and children may benefit from these policies with regards to a reduction in incidents and re-victimisation.
Marital status	DOJ have no reason to believe the policies will have an effect on the needs, experiences and priorities of this group.
Sexual orientation	DOJ have no reason to believe the policies will have an effect on the needs, experiences and priorities of this group.
Men and Women generally	Both men and women may benefit from these policies with regards to a reduction in incidents and re-victimisation.
Disability	DOJ have no reason to believe the policies will have an effect on the needs, experiences and priorities of this group. The service would be tailored to the needs of the individual and as noted previously the needs of adults with disabilities should be catered for where, following an appropriate risk assessment, disclosure is made to an appropriate adult or responsible carer.
Dependants	DOJ have no reason to believe the policies will have an effect on the needs, experiences and priorities of this group.

The needs, experiences and priorities of all nine Section 75 categories have been considered during the development of this Strategy and will be considered further during the implementation of the Strategy and through the development of action plans.

## Part 2

### SCREENING QUESTIONS

#### Introduction

17. In making a decision as to whether or not there is a need to carry out an equality impact assessment, consider questions 1-4 listed below.
18. If the conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the decision may be to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, give details of the reasons for the decision taken.
19. If the 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.
20. If the 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

- 21 (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**

- 22 (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**

23 (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.

24. 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

<p>1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? Minor/Major/None</p>		
Section 75 category	Details of policy impact	Level of impact? Minor/Major/None
Religious belief	DOJ has no reason to believe the policies will have an adverse effect on equality of opportunity for this category.	None
Political opinion	As above	None
Racial group	As above	None
Age	As above	None
Marital status	DOJ has no reason to believe the policies will have an adverse effect on equality of opportunity for this category.	None
Sexual orientation	As above	None
Men and Women generally	Policies should have a positive effect on equality of opportunity for both men and women.	None
Disability	DOJ has no reason to believe the policies will have an adverse effect on equality of opportunity for this category.	None
Dependants	As above	None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

<b>Section 75 category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
Religious belief		No
Political opinion		No
Racial group		No
Age		No
Marital status		No
Sexual orientation		No
Men and Women generally		No
Disability		No
Dependants		No

<p><b>3.</b> To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? Minor/Major/None</p>		
<b>Good relations category</b>	<b>Details of policy impact</b>	<b>Level of impact Minor/Major/None</b>
Religious belief	The policies are likely to have little impact on good relations.	None
Political opinion	The policies are likely to have little impact on good relations.	None
Racial group	<p>The policies are likely to have little impact on good relations</p> <p>However it should be noted, as previously stated by the Home Office following consultation where certain groups (e.g. BME) perceived they had a poor relationship with the local police, appropriate outreach work would be required to win the confidence of these groups.</p>	None

<p><b>4.</b> Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?</p>		
<b>Good relations category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
Religious belief		No, there are no significant opportunities of promoting good relations between groups particularly given the complex and sensitive nature of Domestic Violence and Abuse.
Political opinion		No, see above

Racial group		No, see above
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### **Additional considerations**

#### **Multiple identity**

25. 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?

While there may be potential for victims to present with multiple identities these policies apply to all potential victims of domestic violence and abuse irrespective of ethnicity, religion, gender, gender identity, sexual orientation or any form of disability or any combination of these categories. Children will also benefit from the policies.

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

N/A

### Part 3

#### Screening decision

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

DOJ does not consider that the policies will impact on equality of opportunity for any of the Section 75 groups. However the public consultation document seeks evidence in respect of the impact on Section 75 groups and following the public consultation these policies will be rescreened to take cognisance of any new evidence provided.

28. If the decision is not to conduct an equality impact assessment, consider if the policy should be mitigated or an alternative policy be introduced.

This is not considered appropriate or necessary at this time. However as noted previously the public consultation document seeks further evidence in respect of the impact on Section 75 groups.

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

Not applicable

30. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

### **Mitigation**

31. 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.
32. Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?
33. If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

Not applicable.

## Timetabling and prioritising

34. Factors to be considered in timetabling and prioritising policies for equality impact assessment.
35. 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.
36. 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.

<b>Priority criterion</b>	<b>Rating (1-3)</b>
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

37. 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.
38. Is the policy affected by timetables established by other relevant public authorities?
39. If yes, please provide details.

## Part 4

### Monitoring

40. Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).
41. 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).
42. 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.

## Part 5

### Approval and authorisation

<b>Screened by:</b>	<b>Position/Job Title</b>	<b>Date</b>
<b>Joanne McPadden</b>	<b>Policy Official, Crime Reduction Branch</b>	<b>05.01.16</b>
<b>Approved by:</b>		
<b>Martine McKillop</b>	<b>Head of Crime Reduction Branch</b>	<b>12.01.16</b>

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.

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

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

## Human Rights

Please complete the table below to indicate whether the policy / decision affects anyone's Human Rights?

ARTICLE	POSITIVE IMPACT	NEGATIVE IMPACT = human right interfered with or restricted	NEUTRAL IMPACT
Article 2 – Right to life			✓
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment	The DVDS will have a positive impact in enhancing the right of A to freedom from degrading treatment.		
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			✓
Article 5 – Right to liberty & security of person			✓
Article 6 – Right to a fair & public trial within a reasonable time			✓
Article 7 – Right to freedom from retrospective criminal law & no punishment without law.			✓
Article 8 – Right to respect for private & family life, home and correspondence.		The DVDS has the potential for challenge from B that a disclosure would breach their right to privacy.	
Article 9 – Right to freedom of thought,			✓

conscience & religion			
Article 10 – Right to freedom of expression			✓
Article 11 – Right to freedom of assembly & association			✓
Article 12 – Right to marry & found a family			✓
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights			✓
1 <sup>st</sup> protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			✓
1 <sup>st</sup> protocol Article 2 – Right of access to education			✓

**If you have identified a likely negative impact who is affected and how?**

It could be argued in relation to a DVDS that there would be implications in relation to Human Rights for 'B' and specifically the right to respect for private & family life, home and correspondence.

This would however be balanced by the rights of 'A' relating to the right to freedom from torture, inhuman or degrading treatment or punishment.

*At this stage we would recommend that you consult with your line manager to determine whether to seek legal advice and to refer to Human Rights Guidance to consider:*

- *whether there is a law which allows you to interfere with or restrict rights*
- *whether this interference or restriction is necessary and proportionate*
- *what action would be required to reduce the level of interference or restriction in order to comply with the Human Rights Act (1998).*

Outline any actions which could be taken to promote or raise awareness of human rights or to ensure compliance with the strategy in relation to the policy/decision.

No actions considered necessary at this time.

## Approval and authorisation of addition

<b>Screened by:</b>	<b>Position/Job Title</b>	<b>Date</b>
<b>Joanne McPadden</b>	<b>Policy Official, Crime Reduction Branch</b>	<b>05.01.16</b>
<b>Approved by:</b>		
<b>Martine McKillop</b>	<b>Head of Crime Reduction Branch</b>	<b>12.01.16</b>