



DOJ Section 75

EQUALITY SCREENING FORM

Title of Policy: Development of an Adult Restorative Justice Strategy

Revised Feb 2018

FORM CONTENTS

	Page No
The Legal Background	3
Introduction	3
Screening decisions	5
Screening and good relations duty	5
Part 1	
Definition of a Policy	6
Overview of Policy Proposals	6
Policy Scoping	6
Information about the Policy	7
Implementation Factors	7
Main stakeholders affected	8
Other policies with a bearing on this policy	8
Available evidence	9
Needs, experiences and priorities	10
Part 2	
Screening Questions	11
Introduction	11
In favour of 'none'	11
In favour of a 'major' impact	11
In favour of a 'minor' impact	12
Screening questions	13
Additional considerations - Multiple identity	16
Part 3	
Screening decision	17
Timetabling and prioritising	18
Part 4	
Monitoring	20
Part 5	
Formal record of screening decision	21
Part 6	
Approval and authorisation	22
Annex	
A – Screening Flowchart	23
B – Main Groups identified as relevant to the Section 75 categories	24

The Legal Background

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

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

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

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

Introduction

1. This form should be read in conjunction with the Equality Commission's revised Section 75 guidance, "Effective Section 75 Equality Assessments: Screening and Equality Assessments" which is available on the Equality Commission's website.

<http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/S75Advice-ScreeningEQIA.pdf>

Section 75 statutory duties apply to **internal policies** (relating to people who work for department), as well as **external policies** (relating to those who are, or could be, served by the department).

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.

¹A list of the main groups identified as being relevant to each of the section 75 categories is at Annex B 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. Where data/evidence gaps exist consider engaging with the main representative groups directly, for example Disability Action, Rainbow, and NICCY to find out what you need to know. Bring stakeholders together to discuss policy or link up with other UK bodies who may have similar policies.

7. 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.

8. Contact EqualityandStaffSupportServices@justice-ni.x.gsi.gov.uk at any stage of the process for support or guidance.

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.

Part 1: Policy Scoping

11. Information about the policy

Name of the Policy/ decision to be screened

Development of an Adult Restorative Justice Strategy

Is this an existing, revised or a new policy / decision?

A new policy, drawing on the success of restorative justice in the youth justice system.

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

The objectives of the Strategy will be to:

- Reduce the level of harm experienced by victims through a restorative process.
- Reduce the number of victims by intervening earlier and more effectively.
- Promote safe and timely victim involvement in criminal justice processes and increase rates of victim satisfaction and confidence in the justice system.
- Create opportunities for improved community safety and cohesion by promoting understanding of restorative justice and enabling a dialogue which repairs harm and restores confidence in the justice system.
- Hold individuals accountable for the harm caused and seek them to make acceptable and appropriate reparation, whether financial or otherwise.
- Contribute to a reduction in the number of first time adult entrants to the justice system.
- Promote desistance from offending by delivering person-centred, flexible, restorative, and bespoke interventions with individuals to assist them to address their offending behaviour, repair the harm caused to others, and deter further involvement in offending.
- Allow us to increase understanding and promote the sharing of knowledge and skills in the use of restorative approaches between restorative justice providers.
- Assist in the further development and delivery of a range of quality restorative practice approaches and services within the criminal justice system and its organisations, and within communities.
- Extend the geographical coverage of community based and other statutory

restorative justice interventions beyond the current localities.

- Provide value for money through greater co-ordination of restorative justice services and greater utilisation of opportunities for joint funding and partnership working both inside and outside of the justice system.

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

There is potential for the following benefits to arise from the intended policy once implemented:

- Adults** (age 18+) who are involved in offending or anti-social behaviour will benefit from the introduction of alternative and additional methods of dealing with these incidents, which already exist for under-18s.
- Adult **Males** are particularly likely to benefit. This is due to the fact that the proportion of males in the criminal justice system is significantly higher than females; in establishing restorative justice approaches which may, in some instances, remove the need for formal criminal justice interventions, the potential exists to prevent some adult males from entering the formal prosecutorial system. In doing so, longer-term outcomes for this gender grouping could be improved where issues are dealt with without a criminal record being received.

Who initiated or wrote the policy?

The Department of Justice

Who owns and who implements the policy?

The Department of Justice, in partnership with a number of other statutory and community sector organisations.

12. Implementation factors

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

If yes, are they

- financial: the availability of funding for the Community Based Restorative Justice organisations is essential to enable these community partners to deliver restorative work as part of the Strategy.
- legislative: it is possible that legislative changes may be required to fully implement an Adult Restorative Justice Strategy in the same way that legislation was introduced to benefit the youth justice system. This will be considered following a public consultation and as the work progresses.

- other, please specify: Aside from financial aspects, availability of resources generally (in particular, staff trained in restorative practices) may have an impact on the actions arising from the Strategy, as restorative interventions can be resource-intensive if they are to be delivered effectively.

13. Main stakeholders affected

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 _____

14. Other policies with a bearing on this policy

what are they?

- Desistance Strategy
- Strategic Framework for Reducing Offending
- Sentencing Policy Review
- Policy on Criminal Records
- Tackling Paramilitarism Programme
- Victims and Witnesses Strategy
- Community Safety Strategy

who owns them?

The Department of Justice

15. Available Evidence

Evidence to help inform the screening process may take many forms. Set out all evidence /data (both *qualitative and quantitative) below along with details of the different groups you have met and / or consulted with to help inform your screening assessment. Specify details for each of the Section 75 categories.

In developing our policy, we examined the use of restorative justice (RJ) as a key principle underpinning the youth justice system in NI. Restorative approaches were introduced into youth justice legislation as a statutory disposal, called Youth Conferencing, and are now firmly embedded in both pre-court and court-ordered sanctions. An independent review of the Youth Justice System in 2011 concluded, "*youth conferencing in NI has proved highly successful...and is an achievement of which NI can be rightly proud.*"¹ Similarly, a CJINI report in 2015 stated that, "*Youth conferencing in its present format has delivered positive outcomes for the clear majority of young people who had been through this method of disposal.*"² This being the case, there would appear to be a strong rationale for introducing a similar restorative type of approach to the adult system here.

We also examined the experience of other jurisdictions in implementing restorative justice. The most comprehensive evaluation in the UK was undertaken by the Ministry of Justice, who commissioned the University of Sheffield to evaluate three restorative justice schemes between 2001 and 2008. The results of the research, published in four reports, were resoundingly positive and proved that restorative justice benefits victims, offenders and communities.

Key findings from the evaluation included that:

- Restorative justice led to a 14% reduction in the rate of reoffending.
- 85% of victims were satisfied with the process of meeting their offender face to face, and 78% would recommend it to other people in their situation.
- 62% of victims felt that restorative justice had made them feel better after an incident of crime while just 2% felt it had made them feel worse.
- For every £1 spent on delivering a face to face meeting, £8 was saved through reductions in reoffending.

Similarly, a 2011 report by Her Majesty's Inspectorate of Constabularies and the Crown Prosecution Service Inspectorate on out-of-court disposals, which account for one in three of the 1.29 million offences brought to justice each year, concluded that "*restorative justice appears to work well, and is well-liked by operational police officers. Restorative justice disposals in the review showed low reoffending rates, high satisfaction rates and were relatively time-efficient compared to most other out-of-court disposals.*"

The report recommended that "*all forces should review their use of restorative justice disposals and consider an extension of their use to include adult offenders.*"

Police recorded crime figures³ show that in 2017/18, there were more than 100,000 total recorded crime incidents (including fraud cases which are collected by Action Fraud). This represents tens of thousands of victims who could potentially benefit from the use of a restorative approach at some stage through the justice process. Given the higher satisfaction levels and feelings of improved wellbeing shown in the

¹ "A Review of the Youth Justice System in Northern Ireland", (September 2011)

² "The Effectiveness of Youth Conferencing", (March 2015)

³ "Trends in Police Recorded Crime 1998/99 to 2017/18", (October 2018)

MoJ evaluations above, this could help significant numbers of victims come to terms with what had happened to them.

In 2018, Northern Ireland Magistrates Courts dealt with 38,837 adult defendants. Whilst these disposals have decreased by 28% between 2011 and 2018, this still represents a substantial caseload⁴. Developments in the youth justice system, including restorative interventions, have led to a 52% decrease in youth defendants disposed of in the youth court⁵ between 2011 and 2018; it would therefore be remiss of any RJ Strategy to not examine opportunities which could exist to reduce adult court caseloads through the use of diversionary restorative options.

Longer-term, such an approach could deliver numerous benefits, aside from any financial savings made from reducing court caseloads. It could impact on delay, with fewer cases moving through the system more quickly and thus providing swifter justice for victims of crime. Diverting individuals from prosecution also benefits them as contact with the formal justice system often leads to poorer outcomes, criminal records, and increased reoffending rates.

Section 75 Category	Details of evidence/information
Religious belief	There is limited data available on religious background in relation to both the overall offending cohort and victims of crime.
Political opinion	There is limited data available on political opinion in relation to both the overall offending cohort and victims of crime.
Racial group	<p>In the 12 months to 31st March 2019, there were 1,124 racist incidents recorded by the police in Northern Ireland, 99 higher than for the previous 12 months.</p> <p><i>Source: Incidents and Crimes with a Hate Motivation Recorded by the Police in Northern Ireland; PSNI Statistics Branch</i></p>
Age	<p><u>Victims</u> In 2017/18, 12% of victims were recorded as children (under 18) at date of offence, with 88% of victims recorded as adult.</p> <p><i>Source: Trends in Police Recorded Crime in Northern Ireland 1998/99 to 2017/18; PSNI Annual Bulletin, Oct 2018</i></p> <p><u>Offenders</u> Of the total number of convictions at court during 2018,</p>

⁴ “Judicial Statistics 2018”, Northern Ireland Courts and Tribunals Service (June 2019)

⁵ *Ibid*

	<p>97% of them (24,162) were for adults.</p> <p>Of the total number of diversionary disposals given during 2018, 77% of them (3,368) were given to adults.</p> <p><i>Source: Court Prosecutions, Convictions and Out of Court Disposals Statistics for Northern Ireland, 2018 (revised); DoJ Analytical Services Group, August 2019;</i></p> <p>In 2017/18, 91% of all first offences (7,489) were committed by adults.</p> <p>Of the 19,845 further offences committed in 2017/18, 94% of them were committed by adults.</p> <p><i>Source: First Time Entrants to the Criminal Justice System in Northern Ireland 2017/18; DoJ Analytical Services Group, August 2019;</i></p>
Marital status	<p>There is limited data available on marital status in relation to both the overall offending cohort and victims of crime.</p>
Sexual orientation	<p>In the 12 months to 31st March 2019, there were 281 homophobic incidents recorded by the police in Northern Ireland, 14 more than the previous 12 months.</p> <p><i>Source: Incidents and Crimes with a Hate Motivation Recorded by the Police in Northern Ireland; PSNI Statistics Branch</i></p>
Men and Women generally	<p><u>Victims</u></p> <p>In terms of overall rates of crime as recorded by PSNI, there is no significant difference in the number of men and women who are victims of crime. For the 12 months to 31 Aug 2018, 50.5% of victims were male, 49.4% of victims were female. For the following 12 months to 31 Aug 2019, 50.2% of victims were male, 49.7% of victims were female.</p> <p><i>Source: Police Recorded Crime in Northern Ireland: Update to 31 August 2019; PSNI Statistics Branch</i></p> <p><u>Offenders</u></p> <p>Of the total number of convictions at court during 2018, 82% of them were for males.</p> <p>Of the total number of diversionary disposals given during 2018, 76% of them were given to males.</p> <p><i>Source: Court Prosecutions, Convictions and Out of</i></p>

	<p><i>Court Disposals Statistics for Northern Ireland, 2018 (revised); DoJ Analytical Services Group, August 2019;</i></p> <p>In 2017/18, 71% of first time entrants to the criminal justice system were male.</p> <p><i>Source: First Time Entrants to the Criminal Justice System in Northern Ireland 2017/18; DoJ Analytical Services Group, August 2019;</i></p>
Disability	There is limited data available on disability in relation to both the overall offending cohort and victims of crime.
Dependants	There is limited data available on the existence of dependents in relation to both the overall offending cohort and victims of crime.

***Qualitative data** – refers to the experience of individuals related in their own terms, and based on their own experience and attitudes. Qualitative data is often used to complement quantitative data to determine why policies are successful or unsuccessful and the reasons for this.

Quantitative data – refers to numbers (that is quantities), typically derived from either a population in general or samples of that population. This information is often analysed either using descriptive statistics (which summarise patterns), or inferential statistics (which are used to infer from a sample about a wider population).

16. 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 for each of the Section 75 categories.

Section 75 Category	Details of evidence/information
Religious belief	<p>It is not considered that the proposal for an adult restorative justice strategy will have a significant differential effect on the needs, experiences and priorities of this category. Victims and perpetrators of crime come from all sections of the community who hold differing religious beliefs, or none.</p>
Political opinion	<p>It is not considered that the proposal for an adult restorative justice strategy will have a significant differential effect on the needs, experiences and priorities of this category. Victims and perpetrators of crime come from all sections of the community who hold differing political opinions, or none.</p>
Racial group	<p>PSNI statistics show that there are an increasing number of victims of hate crime due to race. Restorative approaches are already being piloted in some communities as a means of addressing hate incidents and increasing understanding. Judge Marrinan is undertaking a review of Hate Crime Legislation in Northern Ireland, and has indicated that the increased use of restorative justice will be one issue under consideration. The proposal for an adult restorative justice strategy would strengthen these arrangements and provide positive opportunities to improve race relations/reduce hate crimes.</p>
Age	<p><u>Victims</u></p> <p>Currently where perpetrators of criminal offences are under 18, there exists a number of opportunities for them to engage in restorative approaches with their victims (or surrogate victims) as part of the justice process. No such provision exists where the perpetrator is an adult (over 18) therefore the needs of their victims and the potential benefits of such an approach are not addressed in any consistent manner. The proposal for an adult restorative justice strategy will address this inconsistency.</p> <p><u>Offenders</u></p> <p>The figures in section 15 above show that the vast</p>

	majority of crimes are committed by adults. That being the case, any application of the proposals for an adult restorative justice strategy would impact more on this age group. Evidence demonstrates that engagement of offenders in a restorative disposal results in more positive outcomes for all parties, and a reduction in future offending. By not currently providing a justice system whereby offenders can be offered access to restorative interventions, older age groups are being disadvantaged in terms of their rehabilitation compared to under 18s who have the option of restorative disposals. The proposal for an adult restorative justice strategy would alleviate this.
Marital status	It is not considered that the proposal for an adult restorative justice strategy will have a significant differential effect on the needs, experiences and priorities of this category. Victims and perpetrators of crime come from all sections of the community with differing marital status.
Sexual orientation	PSNI statistics show that there are an increasing number of victims of hate crime due to sexual orientation. There is potential for restorative approaches to be used as a means of addressing these hate incidents and increasing understanding. The proposal for an adult restorative justice strategy would assist with this.
Men and Women generally	<u>Offenders</u> Statistics have shown that men are significantly more likely to be perpetrators of offences than women. That being the case, any application of the proposals for an adult restorative justice strategy would impact more on this group. However, taking into account the evidence from research, any impact is likely to be a positive one, as restorative approaches help to keep individuals out of the formal justice system, thereby lessening the future impact of any criminal record, and reduce reoffending.
Disability	It is not considered that the proposal for an adult restorative justice strategy will have a significant differential effect on the needs, experiences and priorities of this category. Victims and perpetrators of crime come from all sections of the community; they may or may not experience a disability.
Dependants	It is not considered that the proposal for an adult

	<p>restorative justice strategy will have a significant differential effect on the needs, experiences and priorities of this category. Victims and perpetrators of crime come from all sections of the community; they may or may not have dependants.</p>
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Part 2

SCREENING DECISIONS

17. **Decision - In favour of none**

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.

➤ **Considerations –**

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

18. **Decision - In favour of a 'major' impact**

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 (EQIA).

➤ **Considerations-**

- Is the policy significant in terms of its strategic importance?
- The 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;
- The 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;
- 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;
- The policy is likely to be challenged by way of judicial review;
- The policy is significant in terms of expenditure.

19. **Decision - In favour of 'minor' impact**

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.

➤ **Considerations –**

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

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

Part 2 Screening questions

2.1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?		
Section 75 category	Details of policy impact	Level of impact? Minor/Major/None
Religious belief	As any new restorative justice policy would apply equally to all within this s75 category, it is not considered that there would be any adverse impact on equality of opportunity for this category.	None
Political opinion	As any new restorative justice policy would apply equally to all within this s75 category, it is not considered that there would be any adverse impact on equality of opportunity for this category.	None
Racial group	As any new restorative justice policy would apply equally to all within this s75 category, it is not considered that there would be any adverse impact on equality of opportunity for this category.	None
Age	This policy directly affects adults who have come to the attention of police due to anti-social or offending behaviour. In doing so, it will provide positive opportunities for their offending to be dealt with in a wider range of ways than currently exist, as appropriate. It will allow for victims – the majority of whom are also over 18 – to be engaged in a restorative process, and it brings the adult system in line with arrangements currently in place for children.	Major (positive, not adverse)
Marital status	As any new restorative justice policy would apply equally to all within this s75 category, it is not considered that there would be any adverse impact on equality of opportunity for this category.	None

Sexual orientation	As any new restorative justice policy would apply equally to all within this s75 category, it is not considered that there would be any adverse impact on equality of opportunity for this category.	None
Men and Women generally	This policy will affect adult males in particular, as this grouping represents the higher proportion of adults entering the justice system. Again, the policy will provide positive opportunities.	Minor (positive, not adverse)
Disability	There will be no impact on equality of opportunity for persons in this category	None
Dependants	There will be no impact on equality of opportunity for persons in this category	None

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

Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief		No, the Restorative Justice Strategy will apply to all individuals in contact with the criminal justice system.
Political opinion		As Above
Racial group		As Above
Age	Equality of opportunity promoted, as noted under Table 2.1	
Marital status		As Above
Sexual orientation		As Above
Men and Women generally		As Above
Disability		As Above
Dependants		As Above

2.3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?		
Good relations category	Details of policy impact	Level of impact Minor/Major/None
Religious belief	This policy will not impact on good relations between people of different religious beliefs.	None
Political opinion	This policy will not impact on good relations between people of different political opinion.	None
Racial group	This policy will not impact on good relations between people of different racial groups.	None

2.4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?		
Good relations category	If Yes, provide details	If No, provide reasons
Religious belief	There is potential for restorative approaches to be used as a means of addressing hate crime incidents and increasing understanding. The proposal for an adult restorative justice strategy would assist with this, and could therefore have a positive impact on good relations between people of different religious beliefs.	
Political opinion	There is potential for restorative approaches to be used as a means of addressing hate crime incidents and increasing understanding. The proposal for an adult restorative justice strategy would assist with this, and could therefore have a	

	<p>positive impact on good relations between people of different political opinions</p>	
<p>Racial group</p>	<p>There is potential for restorative approaches to be used as a means of addressing hate crime incidents and increasing understanding. The proposal for an adult restorative justice strategy would assist with this, and could therefore have a positive impact on good relations between people of different racial groups.</p>	

Additional Considerations

Multiple Identity

20. 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? **None**

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

21. 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

3.1. Screened In - If the decision is to conduct an equality impact assessment, please provide details of the rationale and relevant evidence to support this decision.

3.2. Screened Out – No EQAI necessary (no impact)

If the decision is not to conduct an equality impact assessment, please provide details of the rationale and relevant evidence to support this decision.

We have not identified any potential for adverse impact on any Section 75 group as a result of the Strategy being proposed. Rather, the application of an Adult Restorative Justice Strategy will have a positive impact on some groups, both for victims and perpetrators of crime.

The decision therefore is not to conduct a further equality impact assessment.

3.3. Screened Out – Mitigating Actions (minor impacts)

When the decision is that the likely impact is 'minor' and an equality impact assessment is not to be conducted, you 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?

If so, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy. Explain how these actions will address the inequalities.

As discussed during the screening questions above, the policy proposals as they now stand have an impact on a small number of Section 75 groups. However, this impact is a beneficial, rather than an adverse, one and falls into the rationale as set out in paragraph 19 above, namely:

- 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;

We do not therefore propose to mitigate or amend the policy further.

Timetabling and Prioritising

22. Factors to be considered in timetabling and prioritising policies for equality impact assessment.

23. 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.

24. 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	Rating (1-3)
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 in timetabling. Details of the Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

25. Is the policy affected by timetables established by other relevant public authorities?

➤ If yes, please provide details.

Part 4 Monitoring

26. Section 75 places a requirement on the Department to have equality monitoring arrangements in place in order to assess the impact of policies and services etc. and to help identify barriers to fair participation and to better promote equal opportunity.
27. Effective monitoring will help 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.
28. Outline what data you will collect in the future in order to monitor the impact of this policy/ decision on equality, good relation and disability duties.

Equality	The data to be collected in future will be dependent on actions arising from an agreed Adult Restorative Justice Strategy. It is too early at this stage to know what those might be.
Good relations	The data to be collected in future will be dependent on actions arising from an agreed Adult Restorative Justice Strategy. It is too early at this stage to know what those might be.
Disability Duties	The data to be collected in future will be dependent on actions arising from an agreed Adult Restorative Justice Strategy. It is too early at this stage to know what those might be.

Part 5 Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened

Development of an Adult Restorative Justice Strategy

I can confirm that the proposed policy/decision has been screened for –

<input checked="" type="checkbox"/>	Equality of opportunity
<input checked="" type="checkbox"/>	Good Relations
<input checked="" type="checkbox"/>	Disability duties

On the basis of the answer to the screening questions, I recommend that this policy /decision is –

<input type="checkbox"/>	Screened in – necessary to conduct a full EQIA
<input checked="" type="checkbox"/>	Screened Out – no EQIA necessary (no impacts)
<input type="checkbox"/>	Screened Out – mitigating actions (minor impacts)

Part 6 Approval and Authorisation

(Have you sent this document to the Equality Unit prior to obtaining signature?)

Screened/completed by:	Grade	Date
Lisa Higgins	SO	22 October 2019
Approved by (Grade 7 or above):		
Name Steven McCourt	Gd6	22 October 2019

Quality Assurance

Prior to final approval the Screening Form should be forwarded to EqualityandStaffSupportServices@justice-ni.x.gsi.gov.uk for comment/quality assurance. Contact the branch should you require advice or have any queries prior to this stage.

Any NIPS forms should be forwarded to Peter.Grant@justice-ni.x.gsi.gov.uk

When you receive a response and there are no further considerations required, the form should be 'signed off' and approved by a senior manager responsible for the policy, this would normally be at least grade 7.

The completed Screening Form should be placed on the DOJ Website where it will be made easily accessible to the public and be available on request. In addition, it will be included in a quarterly listing of all screenings completed during each 3 month period and issued to consultees.

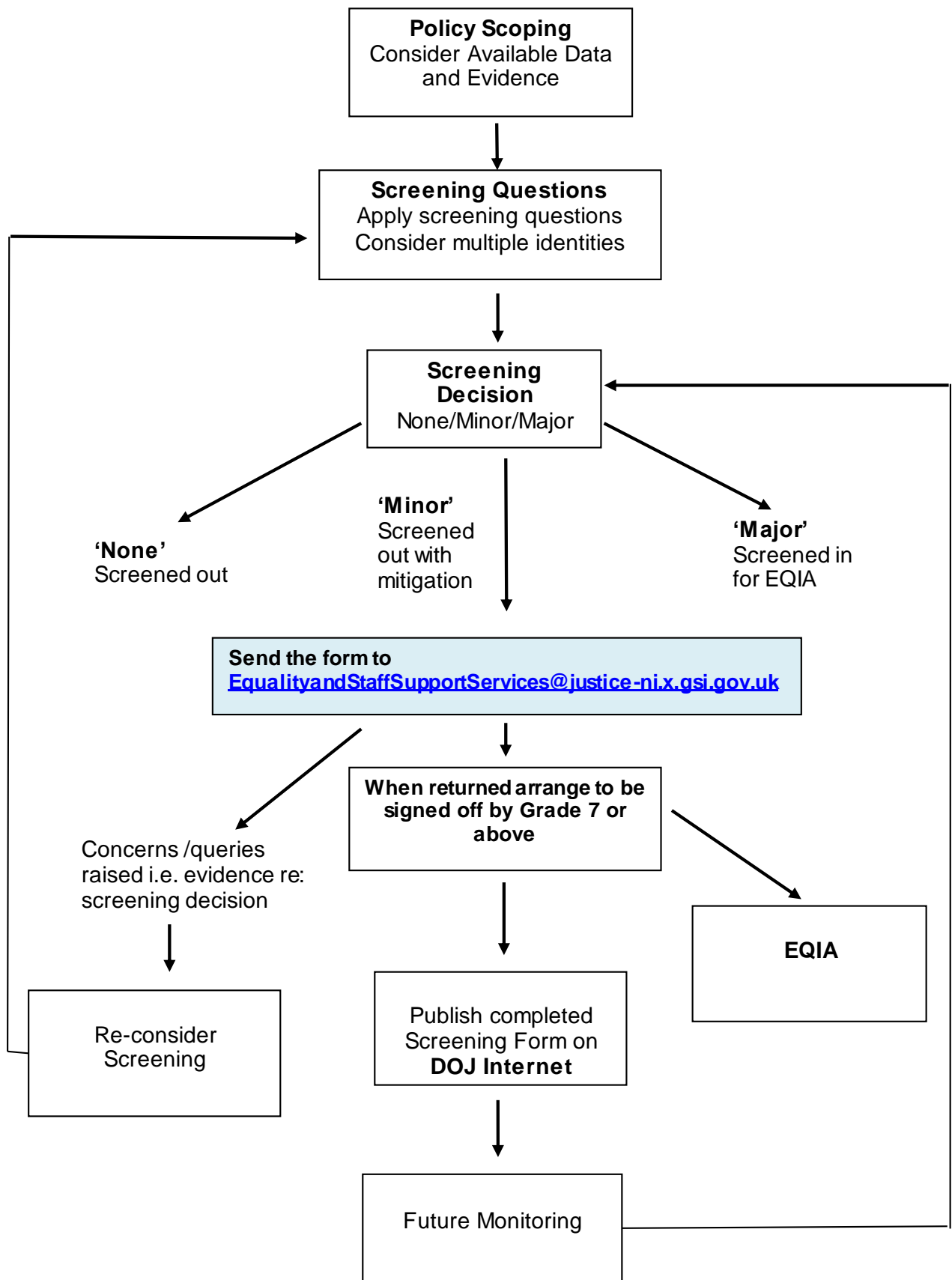
The Screening exercise is now complete.

Please retain a record in your branch and send a copy for information to:-

Equality and Staff Support Services (ESSS)
Room 3.4, Castle Buildings
Stormont Estate
BELFAST
BT4 3SG
Tel: 02890 522611

or e-mail to EqualityandStaffSupportServices@justice-ni.x.gsi.gov.uk

**ANNEX A
SCREENING FLOWCHART**



ANNEX B

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.