



Department of  
**Justice**

An Roinn Dlí agus Cirt  

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Máinnystrie o tha Laa

**DOJ Section 75**

**EQUALITY SCREENING FORM**

**Title of Policy: Enabling Access to Justice Programme Delivery Plan**

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

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

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

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

## **Introduction**

**Part 1. Policy scoping** – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

**Part 2. Screening questions** – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

**Part 3. Screening decision** – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the

likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

**Part 4. Monitoring** – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

**Part 5. Approval and authorisation** – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

The [flowchart](#) details the equality screening process.

## **Part 1. Policy scoping**

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

### **Information about the policy**

**Name of the policy:**

**Enabling Access to Justice Legal Aid Reform Programme**

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

**New Policy**

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

The Department of Justice has launched an Enabling Access to Justice Programme delivery plan. The overall aim of the programme is to ensure Access to Justice for citizens by creating a sustainable effective legal aid system.

The Department will publish and consult upon the delivery plan for the programme. Providing an opportunity to comment on the order of delivery/priority.

The reform programme highlights five priority areas for publicly funded legal services:

**1) Improving Access to Justice**

The Department seeks to ensure simpler, fairer and more generous, harmonised, eligibility rules for the provision of legal aid support. The Department will also seek

to ensure the scope of support targets areas of greatest need while ensuring that processes are fair, proportionate and efficient.

## **2) Ensuring Appropriate Quality Services**

The Department will ensure there is availability of an integrated system of targeted support and resolution that addresses the diverse range of access to Justice needs. The deliverables will also ensure effective mechanisms exist for monitoring the quality of service provision and robustness and transparency or associated redress mechanisms.

## **3) Ensuring Value**

To ensure value in publicly funded legal services the Department will ensure that policies and procedures enable resources to be directed to areas of greatest impact and are easily understood. The Department will also ensure that sustainable models are in place for the provision of advice and representation.

## **4) Managing Public Funds**

The Department will ensure that legal aid policy will protect public funds and ensure resources are allocated on the basis of need and value.

## **5) Oversight and Assurance**

The Department will ensure the delivery framework is robust and sustainable and effectively meets the needs and expectations of citizens and will ensure effective mechanisms are in place for monitoring impact.

The priority areas will be taken forward by the initiation of a number of projects to deliver within different spheres of legal aid.

The projects will develop evidence based policy proposals that will be consulted upon.

This equality screening document has been prepared in respect of the delivery plan (order of priority). The individual projects will consider the impact of the individual proposals.

As part of the engagement process prior to the launch of the programme the Department has engaged with a number of stakeholders who may be impacted by the programme. Engagement with key stakeholders will continue throughout the lifetime of the programme and a steering group will be established.

Recent engagement has taken place with the Equality Commission who will be represented on the steering group. Engagement has also taken place with Disability Action and Voice of Young People in Care who are represented on the reference fora.

Engagement has also taken place with the Northern Ireland Human Rights Commission.

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

**It is anticipated that the reform programme will improve access to publicly funded legal services for citizens with each individual area delivering benefits. The benefits and impact on Section 75 groups will be considered within the individual reform projects.**

**Who initiated or wrote the policy?**

**The Enabling Access to Justice Division of the Department of Justice, Northern Ireland**

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

**The Enabling Access to Justice Division of the Department of Justice, Northern Ireland**

### **Implementation factors**

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

If yes, are they (please delete as appropriate)

- **financial**
- **legislative**
- Support of the key stakeholders including the professional bodies, The Law Society of Northern Ireland and The Bar Council. Engagement with key stakeholders will continue throughout the lifetime of the Programme and a stakeholder steering group will be established.

## Main stakeholders affected

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

- **Staff**
- **Service users**
- **Legal Profession**
- **Other public sector organisations**
- **Voluntary/community**

## Other policies with a bearing on this policy

- what are they?

**Any cross cutting areas and repercussive impacts (if relevant) will be considered by the individual policy areas.**

- who owns them?

**N/A**

## Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The Commission has produced this guide to [signpost to S75 data](#).

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

**Religious belief** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

**Political Opinion** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

**Racial Group** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

**Age** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

**Marital Status** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

**Sexual Orientation** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

**Men & Women generally** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**



**Disability** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

**Dependants'** evidence / information:

**At present there is no evidence to indicate that this Section 75 category will be adversely impacted. The impact on this group will be considered by the individual reform projects.**

## Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

Specify details of the needs, experiences and priorities for each of the Section 75 categories below:

### **Religious belief:**

**There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.**

### **Political Opinion:**

**There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.**

### **Racial Group:**

**There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.**

### **Age:**

**There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.**

**Marital status:**

There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.

**Sexual orientation:**

There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.

**Men and Women Generally:**

There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.

**Disability:**

There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.

**Dependants:**

There is nothing at present to indicate that the needs, experiences and priorities of this section 75 group will be adversely impacted. However, the individual projects to be taken forward for each element of the reform will be subject to equality impact assessments, which as they commence and progress will consider the need, experiences and priorities of this section 75 group in detail.

## **Part 2. Screening questions**

### **Introduction**

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 which are detailed below.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

### **In favour of a 'major' impact**

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;

- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

### **In favour of 'minor' impact**

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

### **In favour of none**

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

## Screening questions

### 1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?

Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

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

Details of the likely policy impacts on **Political Opinion**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

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

Details of the likely policy impacts on **Racial Group**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

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

Details of the likely policy impacts on **Age**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

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

Details of the likely policy impacts on **Marital Status**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

What is the level of impact? Minor / Major / None

(Underline as appropriate)

Details of the likely policy impacts on **Sexual Orientation**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

What is the level of impact? Minor / Major / None

(Underline as appropriate)

Details of the likely policy impacts on **Men and Women**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

What is the level of impact? Minor / Major / None

(Underline as appropriate)

Details of the likely policy impacts on **Disability**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

What is the level of impact? Minor / Major / None

(Underline as appropriate)

Details of the likely policy impacts on **Dependants**: **At present no policy impacts have been identified in respect of this S75 group. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will conduct individual Equality Screenings to consider the impact on S75 groups.**

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

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

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

**To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider all opportunities to promote equality of opportunity for people within each of the Section 75 categories.**

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

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**: **At present the impact on good relations between people of different religious beliefs has not been identified. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider the impact on good relations in respect of this S75 category.**  
What is the level of impact? Minor / Major / None  
(Underline as appropriate)

Details of the likely policy impacts on **Political Opinion**: **At present the impact on good relations between people of different Political Opinions has not been identified. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider the impact on good relations in respect of this S75 category.**  
(insert text here)  
What is the level of impact? Minor / Major / None  
(Underline as appropriate)

Details of the likely policy impacts on **Racial Group**: **At present the impact on good relations between people of different racial groups has not been identified. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider the impact on good relations in respect of this S75 category.**  
(insert text here)  
What is the level of impact? Minor / Major / None  
(Underline as appropriate)



**4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

**Religious Belief - At present opportunities to promote good relations between people of different religious beliefs have not been identified. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider the opportunities to promote good relations in respect of this S75 category.**

**Political Opinion - At present opportunities to promote good relations between people of different political opinions have not been identified. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider the opportunities to promote good relations in respect of this S75 category.**

**Racial Group - At present opportunities to promote good relations between people of different racial groups have not been identified. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider the opportunities to promote good relations in respect of this S75 category.**

## Additional considerations

### Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

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

**At present the impact on people who fall into more than one Section 75 category has not been identified. To give effect to the reforms in the programme a number of individual projects will be initiated. These projects will consider the impact on all S75 categories. (insert text here)**

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

### **Part 3. Screening decision**

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

**A decision has been taken not to conduct an Equality Impact of the delivery plan and it has been screened out. Each of the individual projects will consult on policy proposals as required and will consider in detail the impact of the proposals on Section 75 categories. Therefore, at this time it is considered reasonable to screen out and not conduct an impact assessment.**

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced - please provide details.

**The mitigation in this case is that impact assessments will be completed for the policy areas through individual projects. This will allow detailed assessment to take place. To try to conduct an impact assessment for the entire reform programme without the final proposals risks missing impacts in respect of the individual reform areas.**

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

All public authorities' equality schemes must state the authority's arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

## Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

If so, **give the reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

## Timetabling and prioritising

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

If the policy has been '**screened in**' for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

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

Effect on equality of opportunity and good relations

Social need

Effect on people's daily lives

Relevance to a public authority's functions

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

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

If yes, please provide details.

How much reduce payment times ]

## Part 4. Monitoring

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

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

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

Further advice on monitoring can be found at: [ECNI Monitoring Guidance for Public Authorities](#)

## Part 5 - Approval and authorisation

Screened by: Mary Smith  
Position/Job Title: Deputy Principal  
Date: 26 November 2024

Approved by: Bronagh O'Reilly  
Position/Job Title: Grade 7  
Date: 26 November 2024

**Prior to final approval** the Screening Form should be forwarded to [DOJESSS@justice-ni.gov.uk](mailto:DOJESSS@justice-ni.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 also be forwarded to [Peter.Grant@justice-ni.gov.uk](mailto:Peter.Grant@justice-ni.gov.uk)

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 DoJ website as soon as possible following completion and made available on request.

**Separately from undertaking screening of the policy, consideration must also be given in respect of undertaking a Rural Needs Impact Assessment (RNIA). This is to ensure that public authorities comply with their duty under Section 1(1) of the Rural Needs Act (NI) 2016. Full information including templates and a useful checklist are available on the [DAERA website](#).**