



DOJ

REGULATORY IMPACT ASSESSMENT SCREENING FORM

**Public Consultation Improving Impact and Value for Money by
Reforming Legal Aid Merits and Scope**

Regulatory Impact Assessment Screening

Screening Options			Full Impact Assessment Required?		Justifications/Key issues and groups to focus on	
Screening Options	Yes	No	Yes	No		
Is the policy or amendment to the policy likely to have a direct or indirect impact on businesses?		x		x		
Is the Policy or amendment to the policy likely to have a direct or indirect impact on the voluntary/community sector?		x		x		
Conclusion: It is considered that a full Regulatory Impact Assessment (RIA) is not necessary in this case. The proposals relate principally to the administration of legal aid and the criteria governing eligibility for publicly funded legal services. They do not introduce new regulatory requirements, compliance obligations, reporting duties or enforcement mechanisms for businesses, nor do they create a new regulatory regime. Instead, the proposals affect the circumstances in which legal aid may be granted and the assessment of applications by the Legal Services Agency. In accordance with the RIA guidance, a full RIA is only required where a policy is expected to have a direct or indirect impact on the wider business community. While some legal practitioners may experience changes in the volume or nature of legally aided work arising from the reforms, these impacts are consequential to changes in legal aid			Conclusion: Northern Ireland Regulatory Impact Assessment Guidance instructs, "Screen Out if policy will not result in regulation", and: <i>"If being screened out a reason must be stated and approved by a Minister or Senior Civil Service official. The reason must clearly demonstrate that the intervention is outside the scope of the NI Better Regulation Strategy."</i> As noted opposite, this is an administrative change that makes no change to existing legal aid provision. The proposals do not have any direct or indirect impact on businesses or the voluntary sector and they are therefore outside the scope of a full Regulatory Impact Assessment.			

policy rather than the imposition of regulatory burdens on businesses. The proposals do not require solicitors, barristers or other organisations to alter business processes, incur compliance costs, provide additional information, or meet new regulatory standards. On this basis, the proposals can reasonably be screened out of the full RIA process. Any impacts are primarily on applicants for legal aid, the Legal Services Agency and public expenditure on legal aid, rather than on the wider business community. It is therefore considered that a proportionate approach would be to record the screening decision and rationale, rather than undertake a full Regulatory Impact Assessment.		
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When Is a Regulatory Impact Assessment Required?

If the answer to any of the above questions is yes, consideration should be given to undertaking a Regulatory Impact Assessment. However, the level of appraisal should be proportionate to the costs involved.

A Regulatory Impact Assessment is not required for:

- i. Proposals which impose **no costs or no savings**, or negligible costs or savings on business, charities, social economy enterprises or the voluntary sector;
- ii. Increases in statutory fees by a predetermined formula such as the rate of inflation; or Road closure orders.