



Department of  
**Justice**  
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**DOJ**

## **REGULATORY IMPACT ASSESSMENT SCREENING FORM**

**Title of Policy: Proposals to amend the 2009 Magistrates' and County Court Appeal Rules following the second statutory review**

**Proposals to amend the 2009 Magistrates' and County Court Appeal Rules following the second statutory review**

**Regulatory Impact Assessment Screening**

Screening Options	Response to Screening Questions		Full Impact Assessment Required?		Justifications/Key issues and groups to focus on
	Yes	No	Yes	No	
Is the policy or amendment to the policy likely to have a direct or indirect impact on businesses?	x			x	The DOJ has a statutory obligation to review the 2009 Rules at least once in every review period. The key areas of focus of this, the second statutory review, have been the appropriateness of fee levels, as well as the identification of any gaps in provision. The key groups to focus on are assisted persons and legal representatives.
Is the Policy or amendment to the policy likely to have a direct or indirect impact on the voluntary/community sector?		x		x	
<p><b>Conclusion:</b> The policy is likely to have a direct impact on legal aid provision for assisted persons in the criminal courts, and therefore an indirect impact on the solicitors firms and barristers who represent them. However, whilst the proposals may introduce new fees or adjust existing fees in the 2009 Rules, applicants' eligibility for assistance will not be affected.</p>			<p><b>Conclusion:</b> The proposals will not impose any additional costs or savings on businesses or the voluntary/community sector. Instead, the aim of the proposals is to ensure that adequate remuneration arrangements are in place for criminal proceedings at the magistrates' court and the county court on appeal. As this policy will impose no additional costs on businesses, charities or the voluntary sector it has been screened out and a full regulatory impact assessment is not required.</p>		

### **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.