

# NIO POLICY EQUALITY SCREENING FORM

## PART I

### 1. SCOPING THE POLICY

#### **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 a further 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.

#### **1. Title of policy**

The Explosives (Amendment) Regulations (Northern Ireland)

#### **2. Brief description of policy. Do any other policies interact with this policy?**

To revoke the provision relating to the prohibition on the storage of explosives overnight in the Explosives Regulations (Northern Ireland) 1970 and the fit and responsible person requirement in the Explosives (No. 2) Regulations (Northern Ireland) 1976. The policy on the devolution of explosives policy, legislation and statutory functions interacts with this policy as does the PSNI policy to withdraw police presence at quarries where appropriate to do so.

#### **3. Aims of policy**

The Explosives Regulations (Northern Ireland) 1970 are a set of security-related Regulations and it is intended that they will therefore remain reserved to the Secretary of State on the devolution of Policing and Justice. If the proposed Explosives (Amendment) Regulations (Northern Ireland) were not

made, this would mean that persons wishing to keep explosives overnight in a store or registered premises would have to apply to the Secretary of State for a certificate of exemption to do so as well as applying to the new Department of Justice for a licence or certificate of registration under the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006. This is considered to be an undesirable consequence of devolution. Therefore, having consulted with the PSNI and been given its assurances that the prohibition on the storage of explosives overnight in a store or registered premises except under a certificate of exemption granted by the Secretary of State is no longer considered a necessary safeguard given the improving security situation, it is proposed to revoke the prohibition.

At present police officers take receipt of detonators on their delivery at quarries and retain control of them until shot firers are ready to use them in a blast. However, the PSNI is working towards reducing police presence at quarries as appropriate given local circumstances. As one of a number of measures to reassure the police that detonators can be entrusted to shot firers, they have requested that shot firers should be subject to a counter terrorist check (done by way of administrative vetting) rather than the fit and responsible person test that is currently contained in the Explosives (No. 2) Regulations (Northern Ireland) 1976 (the Shot Firer Regulations). It is therefore proposed to revoke the statutory requirement that the police Area Commander is satisfied that the applicant is a fit and responsible person before the Secretary of State will grant a shot firer's licence. At the same time as the revocation taking effect, shot firers will be subject to the administrative vetting process.

#### **4. Who is responsible for devising and delivering the policy?**

Firearms and Explosives Branch

#### **5. Are there any linkages to NI Departments or NDPBs in relation to this policy/legislation? How are these interfaces managed?**

No

#### **6. Who is the policy/legislation likely to impact upon? What data is available to facilitate the screening exercise?**

Persons keeping explosives overnight in a store or registered premises, and shot firers.  
Data from the Manufacture and Storage of Explosives Licensing and the Shot Firers databases.

## 7. Who will implement the policy?

Firearms and Explosives Branch

## PART II

### 2. SCREENING ANALYSIS

#### Answering the Four Screening Questions

The following four questions ask for evidence in relation to the Section 75 dimensions. You should not think of the “don’t know” column in the form as the easy option to respond to any of the questions. In cases where you don’t know and you don’t have data, you will need to make a judgement based on experience as to whether the policy you are screening is likely to have an impact on any of the nine dimensions. If your judgement is that the policy may have a differential adverse impact in relation to any of the Section 75 dimensions (i.e. it affects some groups differently and less favourably than other groups), you should seek to obtain evidence. You should note that evidence can be qualitative – i.e. drawn from the experience of individuals from their perspective – as well as quantitative. Staff must give consideration to steps that they could reasonably be expected to take to obtain evidence and thereby inform their decision-making. Such steps could include meeting with a representative group or selective consultation.

**Where there is little or no evidence, and common sense indicates that the impact of your policy may be different for different groups of people, you should discuss this with staff from the Equality Unit ☎ 27062.**

The Northern Ireland Statistics and Research Agency web-site gives details of data sets (<http://www.nisra.gov.uk>) and information on other sources of data may be found on the NIO Intranet under About the NIO/Diversity and Equality.

## PART II

### 1 Is there any evidence or indication of higher or lower participation or uptake by different groups? If so, please indicate below.

CATEGORY	YES	NO	DON'T KNOW
Gender	X		
Sexual orientation			X
Religion			X
Political opinion			X
Disability (physical and learning)			X
Race or ethnic origin (includes			X

Travellers)			
Age			X
Dependant responsibilities			X
Marital status			X

Please give reasons for your answer, including sources of data used:

Information held on database indicates that shot firers are predominantly male.

**2. Is there any evidence or indication that different groups have different needs, experiences, issues or priorities in relation to the particular policy?**

CATEGORY	YES	NO	DON'T KNOW
Gender		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital status		X	

Please give reasons for your answer, including sources of data used:

Issues regarding needs, experiences, issues or priorities have not been brought to our attention to date.

Any additional comments:

No

**3 Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?**

CATEGORY	YES	NO	DON'T KNOW
Gender		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital status		X	

Please give reasons for your answer, including sources of data used:

The policy has no impact on equality of opportunity or community relations.

**4 Equality Commission guidance states that the screening process should include pre-consultation with those who may be affected by the policy. Have consultations with relevant groups, organisations or individuals indicated that the policy may create problems, which are specific to them?**

CATEGORY	YES	NO	DON'T KNOW
Gender		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital status		X	

Please give reasons for your answer, and details of any consultations that have taken place:

The PSNI has had discussions with the Quarry Products Association about the proposed introduction of the administrative vetting process and the Association has not indicated that this may create problems.

## Have you answered YES?

If the answer to **any** of the questions in respect of any of the categories is “**YES**”, then you – in discussion with the Equality Unit – will need to consider whether the policy has a significant impact on equality of opportunity and, therefore, should be subject to an equality impact assessment.

If the answer to **all** the questions in section 2 is **NO** an equality impact assessment is not required.

If the answer to any of the above questions is **DON'T KNOW**, and common sense and experience indicate that a differential impact may be expected, you will need to discuss this with the staff in the Equality Unit.

**It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below and contact the Equality Unit if you are in doubt:**

The policy does not have a significant impact on equality of opportunity and does not therefore need to be subject to an equality impact assessment.

## PART III

### EQUALITY IMPACT ASSESSMENT RECOMMENDATION

Equality impact assessment procedures are confined to those policies considered likely to have significant implications for equality of opportunity.

#### 1 If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?

Please tick.

Significant impact	Low impact
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#### 2 Do you consider that this policy needs to be submitted to a full equality impact assessment?

YES	NO
	X

If NO but the policy has significant impact, please give reasons for your recommendation:

**3. What data do you believe may be required to ensure effective monitoring of the policy in the future?**

N/A

**Signed:** Eric Kingsmill

**Grade:** B1

**Branch/Division:** Firearms and Explosives Branch, Security and Protection Division

**Date:** 8 July 2008

**Agreed by Head of Division -**

**Signed:** Peter May

**Date:** 24 July 2008

**Copy to Divisional Equality Driver and Equality Unit**