

Northern Ireland Affairs Committee

The Government's new approach to addressing the legacy of the past in Northern Ireland

Second Report of Session 2024–26

HC 586

Northern Ireland Affairs Committee

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Contents

Summary	1
Introduction	5
Background	5
Initial legal action	6
The new Government's approach	7
Our inquiry	7
1 Consultation	9
2 The Commission	12
Trust	12
Reform	14
Investigations	16
Case referral and initiation	20
Governance and oversight	22
Independence and conflicts of interest	30
Complaints	35
Resourcing the Commission and related organisations	37
Winding up the Commission	39
3 Troubles-related cases and inquests	40
Inquisitorial Mechanism	41
Outstanding inquests	44
Protections for veterans	47
Information disclosure	50
Disclosure to the Commission	52

4	Information retrieval	59
5	Cross-border co-operation and commitments by the Government of Ireland	65
	Omagh Bombing Inquiry	71
6	Reconciliation	73
	Reconciliation and the commission	73
	Memorialising the Troubles	76
	Societal reconciliation	77
	Conclusions and recommendations	80
	Formal minutes	87
	Witnesses	89
	Published written evidence	91
	List of Reports from the Committee during the current Parliament	95

Summary

Since the signing of the Belfast/Good Friday Agreement in 1998, successive governments have sought to address the legacy of Northern Ireland's past. The last such effort resulted in the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, which ended almost entirely the system of criminal prosecutions, inquests and civil claims associated with the Troubles. These were replaced by 'reviews', to be carried out by a new body, the Independent Commission for Reconciliation and Information Recovery (ICRIR).

In 2024, the courts ruled that certain provisions of the 2023 Act breached the European Convention on Human Rights and the Windsor Framework. In July 2024, the Labour Party was elected on a pledge to "repeal and replace" the 2023 Act. In December that year, the Secretary of State told the House he would lay a Remedial Order to remove various incompatible provisions from the 2023 Act and introduce primary legislation, when parliamentary time allowed, to reform ICRIR.

Following that announcement, we launched an inquiry into the Government's new approach. We planned to report in early summer but, instead, wrote to the Government in June with a summary of the evidence we had received. This was because of a seemingly imminent announcement of an agreement between the UK and Irish governments. The announcement was finally made in September, and was followed by the introduction of the Northern Ireland Troubles Bill in October. Since then, we have worked at pace to gather further evidence, and we are grateful to all those who have shared their time, insight and experiences—both at the outset of our inquiry and more recently.

Early on in our inquiry, it became clear that many stakeholders felt the Northern Ireland Office's consultation and communications strategy prior to the Joint Framework was poor. We heard how several stakeholders felt they had been informed of decisions rather than asked for input. Moving forward, the Government must implement a strategy whereby people feel genuinely consulted on policy proposals, not simply told what that policy will be.

It was also clear that, owing to its origins in the Legacy Act, ICRIR had struggled to build the trust and authority needed to operate effectively across Northern Ireland's communities. Fundamental reform was therefore inevitable. The Joint Framework and the Troubles Bill detail significant reforms to ICRIR's powers, operations and governance structures, including

changing its name to the ‘Legacy Commission.’ While the Government’s proposals have been cautiously welcomed by many, concerns remain, and there have been calls for greater clarity across a range of issues.

In relation to the Commission’s investigative approach, since publication of the Troubles Bill stakeholders have raised a series of concerns: the absence of a clear requirement for ECHR compliance; the effective exclusion from the Commission’s remit of most Troubles-related sexual crimes; fears that families’ questions could be disclosed in final reports; the risk that the Commission may present its findings solely in reference to the questions posed, and views expressed, by families; and the high threshold for including cases involving individuals with long-term injuries. The Commission itself has called for powers equivalent to those of a police service. Similarly, while stakeholders broadly support widening the pool of those who can refer cases to the Legacy Commission, they urge a more inclusive definition of “close family member” to account for the passage of time.

On governance and oversight of the Commission, the centralising of appointment powers in the Secretary of State was raised as an issue, with greater transparency and clear guidance around appointment processes needed to bolster confidence. Ministers will need to do more to communicate clearly to stakeholders how they intend to provide for independent oversight. Similarly, on the proposed victims and survivors advisory group, concerns have been raised regarding its composition, the process by which its members will be appointed, and the potential duplication of functions currently performed by the Commission for Victims and Survivors’ Victims Forum.

Additionally, there are concerns about the scope of the Secretary of State’s power to define conflicts of interest in relation to Commission staff, the process by which families can raise concerns about potential conflicts, how the proposed Oversight Board can adjudicate them, and whether senior commissioners should require commission officers to disclose information about them. In relation to the planned new co-directors of investigations, further clarity is needed on what constitutes ‘experience of conducting criminal investigations in Northern Ireland’. Moreover, it is not clear what procedure there is to complain about maladministration or service failure by the Commission—leaving an accountability gap that the government must address.

The Bill grants the Secretary of State large discretion to wind up the Commission, and there are concerns about its premature closure for political and other reasons. The resourcing of the Commission and those organisations responsible for disclosing information to it is also an issue. The Commission is due to assume greater responsibilities and

those providing it with information such as the PSNI and others will face new demands on their records. Without additional support for these organisations, these reforms risk failure.

The Government's plans for an enhanced inquisitorial mechanism through the Legacy Commission are seen by some as an improvement on the system introduced by the 2023 Act. But concerns persist that they could lead to a hierarchy in terms of investigative processes and standards for different families depending on the circumstances of their case and whether Article 2 of the ECHR is engaged. Proceedings must be demonstrably impartial. There are also still concerns about how practically independent judges can be who are appointed by the Secretary of State, rather than by the NI Judicial Appointments Commission

For veterans, there must be fairness under the law and safeguards to ensure that investigations do not become punitive in nature. The measures referred to by the Government as six new protections may go some way to address concerns raised by former armed forces personnel, but in packaging these as protections—rather than safeguards available to all—the Government risks undermining trust in this process among the very groups in which it hopes to instil confidence. Previously defective investigations should be reopened only where necessary for the purposes of ECHR compatibility or owing to new evidence.

Information disclosure has been—and remains—one of the most significant issues with legacy policy. The Troubles Bill assigns the Government a new role in balancing information disclosure with national security—something Ministers did not undertake under previous legacy measures before the 2023 Act or Operation Kenova—and thus concerns persist about trust, appeal rights, and how this provision will operate in practice.

Proposals to establish the Independent Commission on Information Retrieval (ICIR) have been broadly welcomed. The Government will, however, need to clarify the information-sharing relationship between the ICIR and the Legacy Commission, and strike a careful balance between safeguarding the confidentiality of information provided to the ICIR so that individuals have the confidence to engage with it, and verifying that information so that the public have confidence in its reports.

Contributors to our inquiry criticised the Republic of Ireland's previous reluctance to establish its own mechanisms for addressing legacy issues. The Joint Framework commits Ireland to establishing a legacy architecture of its own, and now it needs to demonstrate its commitment to establishing and completing human rights-compliant investigations, underpinned by legislation. There is also a lack of clarity on the proposed legacy unit in the Garda. Noting that both governments are signatories to the ECHR, we would urge Dublin to move at pace to show their commitment and mutual good

faith, and maximise confidence and the likelihood of successful outcomes. The lack of progress on the Republic of Ireland's inquiry into the Omagh bombing remains a profound obstacle to uncovering the full truth, and we have reservations about the Memorandum of Understanding it has signed with the UK Public Inquiry.

These new and reformed structures and processes may help to support reconciliation, but its realisation ultimately rests with individuals, communities, and society as a whole; and, for some of course, reconciliation may never be possible. We plan to inquire into societal reconciliation in more depth, but it is clear—not least from the brave testimony of victims and survivors during this inquiry—that reconciliation stands a chance of succeeding only if accompanied by people's admissions—and acknowledgment—of the truth.

Introduction

Background

1. Between 1966 and 1998, over 3,500 people were killed and many more injured during the period of conflict in Northern Ireland known as the Troubles. In 1998, the parties to the Belfast/Good Friday Agreement declared that “it is essential to acknowledge and address the suffering of victims of violence as a necessary element of reconciliation”.¹ The agreement itself did not make specific provision for addressing the legacy of the past in Northern Ireland, but since then there have been several attempts to do so.
2. In December 2014, following talks between political parties in Northern Ireland and the UK and Irish Governments, the Stormont House Agreement (SHA) was reached. Stormont House included a new framework for dealing with the legacy of the Troubles.² It proposed the establishment of four new institutions: an Historical Investigations Unit; an Independent Commission on Information Retrieval; an Oral History Archive; and an Implementation and Reconciliation Group. Attempts to translate the agreement into legislation failed, however, as the different political parties voiced their concerns about different aspects of its provisions.³
3. In July 2021, the then Government published a Command Paper, with three main policy proposals to address the legacy of the past: a new information recovery body; an oral history initiative; and a statute of limitations. This became the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023. The legislation ended almost entirely the system of criminal prosecutions, inquests and civil claims associated with the Troubles. These were replaced by ‘reviews’, to be carried out by a new body, the Independent Commission for Reconciliation and Information Recovery (ICRIR).⁴
4. The Act offered conditional immunity from prosecution to those accused of serious Troubles-related incidents. Inquests which had not reached a sufficiently advanced stage by 1 May 2024 were closed and the legislation stopped any new Troubles-era civil cases and inquests being held.

1 Northern Ireland Office, [The Belfast Agreement](#), Cm 3883, 10 April 1998

2 Northern Ireland Office, [Stormont House Agreement](#), 23 December 2014, p.5

3 See Dr Simon Prince and Prof. Maggie Scull ([LPNIO022](#))

4 Northern Ireland Human Rights Commission, “[Northern Ireland Human Rights Commission responds to Legacy Judgment](#)”, 28 February 2024

Previously, Northern Ireland legacy investigations had been dealt with by the so-called ‘Package of Measures’, a piece-meal approach established in response to adverse rulings of the European Court of Human Rights (ECHR) in the McKerr group of cases.⁵

Initial legal action

5. In February 2024, the High Court in Belfast ruled that certain provisions of the 2023 Act breached the ECHR, including those on immunity from prosecution; prohibition on criminal enforcement action; retrospective end of civil actions for Troubles-related events; exclusion of evidence in civil proceedings; and Interim Custody Orders. In addition, the Court found several of the provisions were also incompatible with the Windsor Framework because they caused a diminution in the level of protection accorded to human rights in Northern Ireland. The judge Mr Justice Colton also said he found “no evidence” that the granting of immunity would contribute to reconciliation.⁶ The then Government lodged an appeal.⁷
6. Although the Court disapplied ICIR’s power to grant conditional immunity from prosecution to those engaging with the commission, it found that the establishment of ICIR itself was lawful, as were most of its processes. ICIR’s chief commissioner, the former Lord Chief Justice Sir Declan Morgan, argued therefore that its work should proceed, noting that it represented the first opportunity since 1998 to deliver ECHR-compliant investigations for all who suffered loss and serious harm during the Troubles.⁸ On 1 May 2024, ICIR assumed responsibility for all investigations relating to deaths and serious injuries occurring between 1966 and the signing of the Belfast/Good Friday Agreement on 10 April 1998.
7. In September 2024, the Court of Appeal in Northern Ireland agreed with all the declarations of incompatibility issued by the High Court in its February decision. In addition, the Court found three further sets of provisions to be incompatible with the ECHR: victim participation; the Government’s power

5 The McKerr group of cases concern the adequacy of investigations into deaths in the 1980s and 1990s in Northern Ireland, either in security force operations, or in circumstances giving rise to suspicions of collusion with the security forces. [Human Rights Judgments - Human Rights Joint Committee](#); The package included: public inquiries; Police Ombudsman legacy investigations; legacy inquests; PSNI investigations and reviews under first the Historical Enquiries Team (HET) and subsequently the Legacy Investigation Branch (LIB); independent ‘call-in’ external police investigations; and changes to prosecutorial decision making. Families also took forward civil litigation on conflict-related cases.

6 *Dillon v Secretary of State for Northern Ireland* [2024] NIKB 11 at [187]

7 Reuters, [“Britain launches appeal in Northern Ireland amnesty case”](#), 7 March 2024

8 Sir Declan Morgan, [“Why I agreed to head the Troubles legacy body”](#), Fortnight, Issue 493, April 2024

to withhold sensitive information where it would prejudice national security; and the end to all civil proceedings. It also largely upheld the High Court’s findings in relation to Article 2 of the Windsor Framework.⁹ In late 2024, the current Government said it would appeal against the Court’s new findings.¹⁰

The new Government’s approach

8. In December 2024, the Secretary of State announced he was laying a draft Remedial Order—a type of secondary legislation—which would formally remove various incompatible provisions from the 2023 Act. He also announced that the Government would introduce primary legislation to restore inquests, allow for the “greatest possible disclosure of information” and ensure that, for cases unable to proceed as an inquest, ICIR would hold public hearings, take sworn evidence from individuals, and ensure families had effective representation. On ICIR, he added that he would make further changes to reform and strengthen its independence, powers and accountability, drawing on draft SHA legislation and Operation Kenova, the independent investigation into activities surrounding an alleged state agent codenamed Stakeknife.¹¹

Our inquiry

9. Following that announcement, we launched an inquiry into the Government’s new approach to addressing the legacy of the past in Northern Ireland, and issued what became an initial call for evidence, focused mainly on ICIR.¹² We received more than 40 submissions. In early 2025 we undertook two visits to Northern Ireland, meeting directly with victims and survivors as well as a spectrum of organisations with varying perspectives on legacy issues. We also travelled to Dublin to meet victim-survivor groups, political leaders, and Irish government officials. Between February and May, we held five public evidence sessions. We appointed Dr Eamonn O’Kane, Reader in Conflict Studies at the University of Wolverhampton, as a specialist adviser to this Inquiry. We are grateful to him for his advice and guidance during our deliberations.
10. Between April and September, the Government made several statements suggesting that an agreement on legacy with the Irish Government was imminent. In June, we delayed our final hearing with the Secretary of

9 *Dillon v Secretary of State for Northern Ireland* [2024] NICA 59

10 In the matter of an application by Martina Dillon, John McEvoy, Brigid Hughes and Lynda McManus for Judicial Review (Respondents) - UK Supreme Court; The Supreme Court heard this appeal on 15 October 2025; the judgment is pending.

11 HC Deb, 4 December 2024, [col 418](#)

12 Northern Ireland Affairs Committee, [The Government’s new approach to addressing the legacy of the past in Northern Ireland: call for evidence](#)

State in anticipation of an announcement. We also wrote to him to share some key findings from our inquiry, on behalf of the many individuals and organisations who had contributed to our work—particularly the victims and survivors who had bravely shared their experiences.¹³ In early September, with no announcement having been made, we put some of those findings to the Secretary of State in public.¹⁴ Later that month, we wrote to express our frustration at the ongoing delay.¹⁵

11. The two Governments finally announced a Joint Framework on addressing the legacy of the past on 19 September.¹⁶ The UK Government also published what it referred to as six new protections for veterans.¹⁷ The Secretary of State then introduced the Northern Ireland Troubles Bill into the House of Commons on 14 October. We subsequently wrote to stakeholders to seek their views on the framework and the Bill, and received more than 30 additional submissions. To ensure a broad spectrum of political opinion, we also wrote—both early on and later in our inquiry—to the political parties in Northern Ireland to seek their views. Given that the leaders of the Democratic Unionist Party and the Social Democratic & Labour Party are members of our committee, their views are represented in the questions they put to witnesses at each evidence session, as well as in the conclusions and recommendations in this report.
12. In this report, we discuss the evidence that we received both at the start of our inquiry and more recently; draw thematic conclusions; and make specific recommendations. With the Government providing limited notification before publication of the Joint Framework and the Bill, we have moved at pace to gather evidence on both and publish a timely report which might inform deliberation on the latter. We are grateful to all those who, at the outset of our inquiry and more recently, have contributed their time, insight and experiences.

13 Letter from the Chair to the Secretary of State regarding legacy, [11 June 2025](#)

14 [Oral evidence taken on 3 September 2025](#)

15 Letter from the Chair to the Secretary of State regarding legacy, [17 September 2025](#)

16 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025

17 Northern Ireland Office, [UK and Irish Governments announce legacy framework to enable truth for families of the Troubles](#), accessed 18 November 2025

1 Consultation

13. In 2018, the Northern Ireland Office (NIO) carried out a six-month consultation on how to take forward implementation of the Stormont House Agreement. The NIO received over 17,000 responses, publishing its analysis of these in July 2019.¹⁸ Despite this, as we noted in our introduction, the SHA was not enacted in legislation.
14. In December 2024, the Secretary of State committed to a consultation process “on specific measures to be included in primary legislation” with families, victims’ and survivors’ groups, Northern Ireland parties, civil society, the veterans community, and the Irish Government.¹⁹ During our inquiry, we heard a range of criticisms, however, about the Government’s approach to consultation, with some stakeholders telling us they had been informed of decisions rather than asked for input.²⁰
15. We asked some witnesses whether they felt the level of engagement they had had with the Government amounted to consultation. Kenny Donaldson from SEFF said it was “not exactly an even playing field of a conversation,” adding: “You are being reported to.” Similarly, Alan Brecknell from the Pat Finucane Centre said: “While things are better, I am not sure I would class what is currently happening as a consultation.”²¹ The Northern Ireland Human Rights Commission (NIHRC) also cautioned that consultation needed to be substantive and its results capable of influencing the outcome, stating:

Meaningful consultation, otherwise referred to as effective participation in human rights terms, goes beyond sharing a space, conversing and exchanging information. It requires nurtured two-way communication, transparency, and reasonable timing of information and reasonable access to information.

18 Northern Ireland Office, [Addressing the legacy of Northern Ireland’s past: Analysis of the consultation responses](#), July 2019

19 HC Deb, 4 December 2024, [col 419](#)

20 [Qq30–34](#)

21 [Q30](#); [Q34](#)

The NIHRC added:

Where views are expressed, while they may not all be implemented, consultees should feel that they are being listened to, that their views are being meaningfully considered and that any decisions are communicated within reasonable timeframes, with the opportunity for further discussion where reasonable.²²

16. We also received evidence criticising the Government's decision to, in many people's minds, 'retain ICIR' before the consultation process had begun. We were told that if outcomes appeared predetermined, this would undermine trust. We also heard that going forward the Government should provide clear details on proposed legislative changes and timelines, particularly given the significant amount of time that victims and families had already waited for answers.²³
17. In evidence to us in June, the Secretary of State rebutted the claim that stakeholders had been listened to but not heard. He questioned how anybody could know whether they had been heard when the Government's full proposals had not at that point been published.²⁴
18. Both the Joint Framework and the Bill have had a mixed reception.²⁵ Many criticisms of the 2023 Act have been addressed, at least in broad terms, but as we note in subsequent chapters, there are issues in both the Framework and the legislation which will need to be considered. Prof. Feargal Cochrane from the University of Warwick and his colleagues said:

the Bill and the provisions within it, does not read as being in any sense co-produced by victims and survivors. In truth, victims and survivors and associated civic organisations appear to be a peripheral consideration within the Bill in its current form. The centre of political gravity is clearly the UK government and specifically the Secretary of State for Northern Ireland.²⁶

22 Northern Ireland Human Rights Commission ([LPNI0007](#)) para 2.4

23 Amnesty International UK ([LPNI0021](#)), [Q7](#); Commission for Victims and Survivors ([LPNI0025](#)) para 39

24 [Q87](#)

25 House of Commons Library, [Northern Ireland Troubles Bill](#), Research briefing 10364, 5 November 2025, p.50

26 Professor Feargal Cochrane (University of Warwick); Dr Aimee Smith, (University of Warwick); Professor Neophytos Loizides (University of Warwick) ([LPNI0073](#))

19.

CONCLUSION

The NIO's consultation and communications strategy prior to the announcement of the Joint Framework attracted criticism from families, victims-survivors and others. The contents of the Joint Framework and the Northern Ireland Troubles Bill may be interpreted by those who raised such concerns as evidence that Ministers were listening, but this does not make up entirely for the frustration, distrust and scepticism that some people experienced along the way.

20.

RECOMMENDATION

In future consultation rounds, the Government must implement a strategy whereby people feel genuinely consulted on policy proposals, not simply told what that policy will be.

2 The Commission

21. The Independent Commission for Reconciliation and Information Recovery (ICRIR) was established under the 2023 Act and has been operational since May 2024. The Act prevented any Troubles-related inquest proceeding after this point; prohibited any Troubles-related criminal investigation from being initiated or continued; and ended all Troubles-related civil claims brought on or after 17 May 2022. In their place ICRIR was set up to review deaths and serious injuries which took place between 1 January 1966 and 10 April 1998, with the capacity to refer cases to the prosecution service.²⁷
22. In February 2025, the commission told us it had begun its work with “integrity, care, and an unwavering dedication to seeking the unvarnished truth,” adding: “This is what victims, survivors, and families rightly expect and deserve.”²⁸ By June, the commission had almost 200 employees.²⁹ In September, we heard that almost 80 investigations were under way, with 200 people having approached the body.³⁰

Trust

23. Contributors to our inquiry expressed varying levels of confidence in ICRIR. For some, the fundamental problem was the commission’s origins in the Legacy Act, which they felt had been introduced purely to prevent the prosecution of veterans.³¹ Daniel Holder from the Committee on the Administration of Justice (CAJ) told us how Ministers in the previous Government had said that “the purpose of the Legacy Act was to shut down investigations into veterans.” He added: “They set the legal framework for ICRIR and appointed everyone who ran it, in line with that sort of agenda.”³² Alan Brecknell from the Pat Finucane Centre said that most of the families he worked with saw ICRIR and the Legacy Act as “a commitment from the last Conservative Government to protect veterans.” “That may be right or wrong,” he added, “but that is how it is seen.”³³

27 House of Commons Library, [Petition on repealing and replacing the Northern Ireland Troubles \(Legacy and Reconciliation\) Act](#), Research briefing 10304, 11 July 2025

28 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 5

29 Sir Declan Morgan, [Reconciliation requires inclusion and rights](#), Irish News, 19 June 2025
30 [Q216](#)

31 See for example: Professor Feargal Cochrane (University of Warwick) et al ([LPNI0014](#))

32 [Q13](#)

33 [Q49](#)

24. PSNI Chief Constable Jon Boutcher acknowledged that ICIR had been “widely rejected.”³⁴ Baroness Nuala O’Loan, the first Police Ombudsman for Northern Ireland (PONI), referred to the “many hundreds of cases which require investigation” in the files of the current PONI and the PSNI Legacy Branch. She compared this with the low number of applications to ICIR, which she argued was “reflective of the concerns of the people of NI about it.”³⁵

25. A more supportive stance towards ICIR was evident from other individuals and organisations, however, including those associated with veterans and former police officers. The Northern Ireland Veterans Commissioner, David Johnstone, said that

most veterans would willingly support ICIR. I have met Sir Declan Morgan on a number of occasions. He is a man of integrity. He is doing his best to make his contribution to society in Northern Ireland.³⁶

Additionally, the Northern Ireland Veterans Movement suggested that reform of ICIR might in fact reduce trust in the commission among its members.³⁷ ICIR told us that its intention was to build trust over time by delivering for victims, survivors and families through case reports.³⁸

26. Arguing that ICIR “is seriously undermined by the Government’s policies”, the Malone House Group also told us they were supportive of the previous government’s approach, adding that it “favours drawing a line under the Troubles as has every government, north and south, and in London, since the 1920s ... This is something nobody else dares say although it has large public support in Northern Ireland—approaching 40% in one opinion poll. We therefore are willing to use the word amnesty given there have been so many since the 1998 Agreement.”³⁹

34 [Q89](#)

35 The Baroness O’Loan DBE MIA ([LPNI0026](#))

36 [Q134](#)

37 Northern Ireland Veterans Movement, Justice for Northern Ireland Veterans ([LPNI0005](#))

38 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 42

39 Malone House Group ([LPNI0027](#))

Reform

27. Given the controversial origins of the commission, many individuals and organisations called for its fundamental reform. The Northern Ireland Human Rights Commission (NIHRC) said that “[t]inkering around the edges” would not increase sufficiently the number of cases and incidents being dealt with.⁴⁰ The CAJ argued that for ICIR to work,

only a substantive and meaningful ‘root and branch’ reform process to produce an entirely distinct institution to ICIR, with a different name, legal framework and leadership unrecognisable to what is presently in place could render a reformed legacy institution viable, in the context of both human rights compliance and building sufficient confidence.⁴¹

Similarly, victim-survivor organisation, WAVE Trauma Centre, told us that, if ICIR was to gain the confidence of victims,

it must be transformed to the extent that it will be unrecognisable when compared to the current structure.⁴²

28. Chief commissioner, Sir Declan Morgan, acknowledged in February that “trust is very hard-won in this territory [...] grounded to a certain extent by structures, but probably more by outcomes and that’s part of the problem.” Building on this point, he said:

There’s a ‘horse and cart’ situation here about how do you get trust in circumstances where you have not yet had the opportunity to deliver?⁴³

29. Others were more supportive of ICIR as currently constituted. Ulster Human Rights Watch, for example, argued that once the remedial order had corrected all incompatibilities with the ECHR as identified by the courts, there would be “no justified reason” to oppose the work of ICIR.⁴⁴

40 [Q2](#); see also Commission for Victims and Survivors ([LPNIO025](#))

41 Committee on the Administration of Justice (CAJ) ([LPNIO010](#)) para 12

42 Wave Trauma Centre ([LPNIO045](#))

43 Northern Ireland Assembly, [Committee for the Executive Office](#), Minutes of Proceedings, 26 February 2025 (1hr 58mins)

44 Ulster Human Rights Watch (UHRW) ([LPNIO034](#)); the NI Veterans Movement and NI Veterans Commissioner were similarly supportive of the current Commission.

30. In June, the Secretary of State reiterated the need to build confidence in ICIR, noting that abolishing it would waste time and money. He added, however, that he had been “very interested” in proposals to reform it “radically”.⁴⁵ In early September, the Secretary of State appeared to accept that trust would be gained only through case reports produced by a reformed commission. He told us that

what will really create confidence is if it provides answers to families who have been looking for them for so long. That will be the proof of the commission in its reformed form.⁴⁶

31. Later in September, the UK and Irish Governments announced proposals to

[f]undamentally reform the Independent Commission for Reconciliation and Information Recovery (the ICIR), with new governance structures and independent oversight arrangements. This will include renaming the ICIR to reflect a new start.⁴⁷

The proposal is to rename ICIR as the Legacy Commission.⁴⁸ The remainder of this chapter deals with several proposals to reform the commission.

32. **CONCLUSION**

Despite the Court of Appeal’s finding that the ICIR had wide powers, unfettered access to all information, documents, and materials as it reasonably required, and was capable of human-rights compliant criminal investigations, ICIR was unable to command confidence across the communities of Northern Ireland and beyond. This was a structural issue—one created by the legislation through which it was introduced. While we are sure it will continue to discharge its duties with integrity and rigour until the transition to the Legacy Commission, we are also clear that, unreformed, it would not have been able to win the trust of all communities. If all communities were to invest in and ultimately benefit from the answers that an organisation dealing with legacy cases can provide, significant reform was inevitable. We therefore welcome the Government’s willingness to address many of the concerns, from a range of stakeholders, through the Joint Framework and Northern Ireland Troubles Bill. Issues of clarification and refinement remain, however.

45 [Q88](#)

46 [Q216](#)

47 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025

48 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025

Investigations

33. The 2023 Act offered conditional immunity to those accused of serious Troubles-related incidents. As we noted in our introduction, in February 2024, the High Court in Belfast ruled that this granting of immunity was incompatible with the European Convention on Human Rights.⁴⁹ The Court did not find ICRIR itself or most of its processes to be unlawful, however, and the chief commissioner argued it should proceed with its work.⁵⁰
34. Earlier this year, we took evidence on ICRIR’s investigations process. This is, and remains until any changes have been enacted through the Troubles Bill, a single end to end journey that consists of three stages: support, information recovery and findings. From the point at which an individual engages with the commission they are in the investigations process.⁵¹
35. ICRIR has been undertaking three types of investigation. A liability investigation seeks to determine if there is evidence to refer to a prosecutor. Where there is not enough evidence for a prosecution, a culpability investigation is pursued, with a report that makes findings on the balance of probabilities. And, thirdly, a focused investigation seeks to find answers of a meaningful personal nature.⁵²
36. Contributors to our inquiry expressed a range of views on ICRIR’s investigations process. The Police Ombudsman for Northern Ireland questioned whether an ICRIR review process amounted to an effective investigation as that term is understood in the context of Article 2 of the ECHR. It said:

A desktop review and criminal investigation are not the same procedure.⁵³

Dr Sandra Peake from the victim-survivor organisation WAVE Trauma Centre told us that ICRIR was asking people what questions they wanted answered, to “shoehorn” them into a narrow framework, which she said would be a “light-touch review”.⁵⁴ ICRIR contested this view, telling us it was “absolutely not” that kind of approach.⁵⁵ Sir Declan explained:

49 [‘Britain launches appeal in Northern Ireland amnesty law case’](#), Reuters, 7 March 2024.

50 Sir Declan Morgan, [“Why I agreed to head the Troubles legacy body”](#), Fortnight, Issue 493, April 2024

51 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 13

52 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 17

53 Police Ombudsman for Northern Ireland ([LPNI0039](#))

54 [Q48](#)

55 [Q150](#)

What we do is a criminal investigation, similar to that carried out by the Met when they are looking at cold cases. We remain in criminal mode, with a view to prosecution, until such time as we come to the conclusion that there is no real prospect of a prosecution in the case. That is not a light-touch review.⁵⁶

37. WAVE pointed out subsequently, however, that in the Legacy Act there are “repeated references to ‘Reviews’ and virtually nothing about ‘Investigations.’” It added: “Victims and survivors know the difference through bitter experience.”⁵⁷ In February, ICRIR told us that it would support changing the term “review” in section 9 of the Act to “investigation” to reflect what it described as “the reality of extensive investigative mechanisms” that it was delivering.⁵⁸

38. The Joint Framework, published in September, made clear the following regarding investigations:

The Legacy Commission will be tasked with carrying out investigations and exploring all relevant investigative leads. These investigations will be capable of leading to prosecutions where there is evidence of wrong-doing [...]

- If there are no evidential leads capable of leading to a prosecution and all investigative leads have been explored and exhausted, a fact finding investigation will proceed. Fact finding investigations will result solely in a family report and will be based on the ‘balance of probability’ threshold.⁵⁹

39. The 2023 Act also provided for ICRIR to accept requests for investigations into specific Troubles-related incidents for a period of five years from 1 May 2024.⁶⁰ The new Troubles Bill restarts that five-year period from two months following Royal Assent, to reflect the wider changes to the commission and the desire to give families more time to consider whether they want the commission to undertake an investigation or not. It also allows the commission—in

56 [Q152](#)

57 Wave Trauma Centre ([LPNI0045](#))

58 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)), para 37

59 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.4

60 BBC News, [Legacy Act: What happens with Troubles law on 1 May?](#), 1 May 2024; ICRIR’s Chief Executive previously told us the Government would have to consider an extension if victims, survivors and families were to be served by, and have confidence in, a new legacy regime ([Q165](#))

certain circumstances—to carry out investigations outside the initial five-year period.⁶¹ Human Rights First challenged this timescale, arguing that it is “an arbitrary limitation with no human-rights justification.”⁶²

40. The CAJ welcomed the new Legacy Commission being tasked with “proper investigations rather than the more limited ‘reviews’ that were envisaged for the ICRIR.” But it has questioned why the Bill does not “expressly tie the investigation to following UK investigative standards, as per the Joint Framework.” It adds, “more crucially there is no requirement that the criminal investigation must meet the procedural requirements of ECHR Articles 2 and 3.”⁶³
41. The 2023 Act also precluded investigation or prosecution of offences that are Troubles related but not connected to a death or serious injury. According to the Government’s fact sheet on the Troubles Bill, this new legislation restores responsibility for investigating these “other offences”, including sexual offences, to the relevant police forces.⁶⁴ The Ulster Unionist Party raised concerns about this, however, stating:
- This will set a hierarchy of offences with the belief that sexual crimes, including rape, should not form part of the investigatory workload.⁶⁵
42. In November, the NIHRC Chief Commissioner described the new system for potential criminal prosecutions as “night and day from what was there previously” and “substantial enhancements.”⁶⁶ WAVE drew our attention, none the less, to clause 38(5), which states, “If particular questions were included in the request for the investigation the final report must include (a) the Legacy Commission’s response to the questions”; and clause 41(3), which states, “The Legacy Commission must publish the final report in such manner as it considers appropriate.” WAVE outlined how victims and survivors fear that the Commission may publish the questions submitted by families, or that the responses in its final reports could reveal those questions. It states that the possibility for potentially risky questions to be made public is causing significant distress among those engaging with ICRIR. With the process still unclear, they added, many families feel constrained or silenced.⁶⁷
43. Victim-survivor organisation SEFF also raised concerns with us regarding investigations under the definition of “other harmful conduct.” SEFF argues that under the existing framework, individuals who were profoundly affected

61 NIO, Troubles Bill Final_Fact_Sheet_V2.pdf, p.5

62 Human Rights First ([LPNIO064](#)), para 14

63 Committee on the Administration of Justice (CAJ) ([LPNIO080](#)), paras 4 and 7

64 NIO, Troubles Bill Final_Fact_Sheet_V2.pdf, p.5

65 The Ulster Unionist Party ([LPNIO058](#)) para 5

66 [Qq322-323](#)

67 Wave Trauma Centre ([LPNIO083](#))

by an incident but do not meet the high threshold for the severity of long-term injuries are excluded from engaging with ICIR. It says that “now is an opportunity with the benefits of hindsight to amend legislation accordingly, so as not to exclude such deserving victims seeking truth and justice.”⁶⁸

44. Finally, ICIR, in their recent submission to us, highlight the “need for new and adequate policing powers” for the current and reformed Commission. ICIR has been engaging with the Government “throughout 2025 to ensure that the powers of a police service are fully available to it when conducting criminal investigations, and the most effective and resourced framework for delivery of those powers,” which the Commission notes is still “ongoing.”⁶⁹

45. **CONCLUSION**

The Joint Framework and Troubles Bill offer a chance to reset the investigation process for Troubles-related cases. Despite reassurances from ICIR, some stakeholders continued to have misgivings about the commission’s work. Many families and others have entrusted ICIR with their cases, however, and the fact that these are continuing—and the courts and both Governments saw no reason why they should not—until the new commission takes up this work demonstrates that in law at least the current approach to investigations was sound. By reopening the five-year window for requesting investigations, the legislation also signals a commitment to giving families greater time and flexibility, although concerns have been raised about the potentially arbitrary point at which the window might close. The reset brings other questions, too, which we set out below.

68 SEFF ([LPNIO075](#))

69 “The Commission believes that it needs the full suite of powers that is available to any policing service. A suitable, accountable mechanism could be achieved for the delivery of those powers involving the development of appropriate policing or criminal justice partnerships, for example, possibly with the National Counter-Terrorism Network.” Independent Commission for Reconciliation and Information Recovery (ICIR) ([LPNIO082](#)), paras 11 and 13

46.

RECOMMENDATION

The Government must address concerns about the lack of any specific requirement for the investigations process to be ECHR-compliant; the de facto exclusion of most Troubles-related sexual crimes from the commission's remit; the perceived risk that the Commission may disclose in its final reports the questions families have asked, or alternatively the risk that it may present its findings solely in reference to the questions posed, and views expressed, by families; the threshold for the exclusion from the commission process of individuals with long-term injuries; and the call from the commission itself for enhanced powers commensurate with those of a police service.

Case referral and initiation

47. The 2023 Act limited the referral of cases to ICIR to family members, the Secretary of State for Northern Ireland, coroners, the Attorney General for Northern Ireland and, in some circumstances, the Advocate General for Northern Ireland.
48. Early in our inquiry, several bodies raised with us issues about the referral process. The PSNI noted, for example, a lack of formal mechanisms to refer cases for investigation, having had to resort to asking the Secretary of State to intervene to ensure a case on its files could be pursued.⁷⁰ Similarly, the Police Ombudsman for Northern Ireland noted that many victims and families had said they would not approach ICIR, so the investigation of their cases would remain incomplete unless the Government could either confirm or ensure that the Ombudsman was itself able to refer matters to ICIR or its successor. The Ombudsman said:

This is both an accountability gap and a gap in the public's knowledge and understanding of the Troubles.⁷¹

49. Stakeholders also explained that the 2023 Act did not enable the commission to initiate its own investigations.⁷² Baroness Nuala O'Loan therefore argued for the commission to be given the initiative, stating that

this is a vitally important power, since there are still people who fear what may happen to them if they seek disclosure or raise cases.⁷³

The commission was itself keen on expanding these referral powers.⁷⁴

70 Police Service of Northern Ireland ([LPNI0015](#))

71 Police Ombudsman for Northern Ireland ([LPNI0039](#))

72 Northern Ireland Human Rights Commission ([LPNI0007](#)) para 5.2

73 The Baroness O'Loan DBE MRIA ([LPNI0026](#)); see also Police Ombudsman for Northern Ireland ([LPNI0039](#)); [Q92](#) [Sir Iain Livingstone]

74 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#))

50. Under the Joint Framework published in September, it was announced:

The power to refer cases to the Legacy Commission will be expanded to include other entities in specific circumstances, including the Chief Constable of the PSNI, the Police Ombudsman for Northern Ireland, and the Director of Public Prosecutions of the Public Prosecution Service for Northern Ireland.⁷⁵

51. The Police Ombudsman did note to us, though, that “this mechanism for a request for investigation by the Ombudsman must respect the wishes of victims, survivors or families, in particular where they have indicated that they would not engage with the Legacy Commission.”⁷⁶
52. Clause 32 of the Troubles Bill also introduces new powers for Directors of Investigations to initiate investigations without a prior referral.⁷⁷ The NIHR has welcomed this proposal.⁷⁸
53. On eligibility, however, ICIR has identified issues in the Bill and recommended that the provision in clause 27 for an individual with a “severe brain injury or damage” to make a request be amended to allow a person with power of attorney to do so on their behalf; and that the eligibility requirement of “severe psychiatric damage”, which has no medical definition, be clarified.⁷⁹

Referral by family members

54. ICIR and the NIHR also expressed concern about the definition of “close family member” in the Bill.⁸⁰ NIHR argued that Articles 2 and 3 of the ECHR require the Government to ensure that “close family member” is broadly defined and at least extended to grandparents, aunts, uncles, nieces, nephews, or grandchildren.⁸¹ NIHR Chief Commissioner Alyson Kilpatrick added that

75 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.6

76 Police Ombudsman for Northern Ireland ([LPNI0072](#))

77 [Explanatory Notes to the Northern Ireland Troubles Bill](#) 310-EN, paras 238–239

78 [Q326](#)

79 Independent Commission for Reconciliation and Information Recovery (ICIR) ([LPNI0082](#)), para 29

80 Clause 93(2) states, F is a close family member of D if—(a) F was the spouse, civil partner or co-habitee of D on the day of D’s death, (b) F is a child or step-child of D, (c) F is a parent of D, (d) F is a brother, half-brother or step-brother of D, (e) F is a sister, half-sister or step-sister of D, or (f) F was a step-parent of D on the day of D’s death or is a step-parent of D on the relevant day.

81 Northern Ireland Human Rights Commission ([LPNI0055](#)) para 2.3

in Northern Ireland [...] sometimes it is the grandchildren, nieces and nephews who are carrying on the struggle for information in these cases.⁸²

55. In response to our Chair’s suggestion on Second Reading that the Government consider expanding the definition of ‘close family member’, the Minister said: “We believe that the definition set out in clause 93 is right and proportionate.”⁸³

56. **CONCLUSION**

We welcome the provisions in the Bill—echoing what we heard early on in our inquiry—to increase the range of people and organisations that can refer cases to the commission, including the commission itself. Those provisions once again prompt their own questions, however, which we note below.

57. **RECOMMENDATION**

The Government must address concerns about the Bill’s narrow definition of “close family member,” which may exclude relatives who often play a key role in pursuing information decades after incidents occurred. Ministers must also consider the merits of ensuring that a person’s severe physical or mental harm does not preclude their case being referred to the commission.

Governance and oversight

58. In early 2025, ICRIR set out what it described to us as its “robust governance arrangements.” These included a Board, Audit and Risk Assurance Committee, Remuneration and Nominations Committee, Investigative Oversight Committee and External Assurance Group. In other submissions, however, we received consistent criticism of the Commission’s governance and oversight structures. Stakeholders emphasised that ICRIR should adopt, instead, the governance and oversight model exemplified by Operation Kenova. Kenova has a number of oversight and governance mechanisms to scrutinise its work and ensure ECHR compliance, including an independent international steering group, a governance board to oversee business accountability and review public-facing reports ahead of publication, and a victims focus group to scrutinise victim-related issues. Kenova also underwent a process of external scrutiny, as the PSNI—whose current Chief Constable is the former lead officer of Kenova—explained:

82 [Q325](#)

83 HC Deb, 18 November 2025, [col 717](#)

A leading Human Rights professional independently assessed the approach by Kenova to ensure it was Article 2 compliant. The National Police Chiefs' Council (NPCC) Homicide Working Group reviewed their performance from an intelligence and investigation perspective. The National Counter Terrorism Policing HQ ensured that sensitive and complex national security elements of Kenova were properly scrutinised.⁸⁴

59. Referring to comparisons with Kenova, however, ICRIIR told us that the former was different, bespoke and about the activities of a state individual working for the state. By contrast, the commission said, it was engaging with the families of veterans and police officers, members of the wider nationalist and Unionist communities, and with paramilitary organisations.⁸⁵ Sir Declan Morgan added that 30 former Kenova investigators were serving on ICRIIR.⁸⁶
60. Notwithstanding this, the NIHRC drew our attention to additional concerns about ICRIIR's independence. It noted that the Secretary of State appoints Commissioners, issues guidance and mandatory regulations, proposes cases for review, determines resources, and reviews performance.⁸⁷
61. In early September, the Secretary of State told us he was planning "significant reform of ICRIIR's governance and powers", including "independent oversight".⁸⁸ Under the Joint Framework published later that month, it was announced that the Secretary of State would be under a duty to take advice on appointments to new roles from "a panel of relevant person/s." The framework also confirmed:

The Legacy Commission will be overseen by a new statutory Oversight Board. The Chair and members of the Oversight Board will be appointed by the Secretary of State for Northern Ireland, on the advice of relevant person/s [...] The Secretary of State (on the advice of the relevant person/s) must ensure that, as far as is practicable, the Oversight Board will include international expertise. As Accounting Officer, the Commission's CEO will sit on the Board. Other senior staff of the Legacy Commission may report to the Board as required, and are ultimately accountable to it.⁸⁹

84 Police Service of Northern Ireland ([LPNI0015](#))

85 [Q192](#)

86 [Q152](#)

87 Northern Ireland Human Rights Commission ([LPNI0007](#)), para 4.25

88 [Q202](#)

89 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.6

Appointments

62. On the new proposals for appointments, clause 3 of the Troubles Bill provides for the Legacy Commission to consist of:

- the Legacy Commissioner (who is to be the chair of the Legacy Commission),
- between two and five other Commissioners,
- two Directors of Investigations,
- the judicial panel members; and
- the Chief Executive Officer.

Clause 4 states that the Secretary of State will appoint the Commissioners, and as far as is practicable ensure that one or more has relevant international expertise. Clause 5 provides for two co-Directors of Investigations (instead of the current one), appointed by the Secretary of State, ensuring as far as is practicable that one has experience of conducting criminal investigations inside Northern Ireland, and the other does not have that experience but has experience of conducting criminal investigations outside Northern Ireland. Finally, clause 6 states that the Secretary of State must publish a list of persons that the Secretary of State will consult about the making of a relevant appointment.⁹⁰

63. The retention of appointment powers by the Secretary of State attracted comment in recent evidence submitted to us. Prof. Brian Dooley of Human Rights First argued:

Retaining exclusive ministerial control over appointments is fundamentally incompatible with independence standards and perpetuates both the perception and risk of institutional bias. Genuine independence requires a clear structural separation from the SoSNI and the Northern Ireland Office. Without it, the proposed Commission will repeat the credibility and compliance failures of its predecessor and fall short of the United Kingdom's obligations under Article 2 of the ECHR.⁹¹

WAVE also questioned how independent the Legacy Commission can be “if the government of the day has this degree of control”, adding that while “we have a[n] SoS who in our experience is humane and sensitive to the needs of victims and survivors, that may not always be the case.”⁹² Others noted there is no explicit provision for international judges or independent

90 [Northern Ireland Troubles Bill](#) [as introduced] Bill 310-EN (2024–26)

91 Human Rights First ([LPN10054](#)), para 8

92 Wave Trauma Centre ([LPN10083](#))

international oversight,⁹³ and that the requirement to take advice on appointments is weaker than a requirement to “act on the recommendation of” an independent body.⁹⁴ We were told that the draft Stormont House Bill provided for the NI Justice Minister to make appointments on the basis of a binding recommendation from an appointments panel composed of a number of statutory office holders named in the legislation.⁹⁵

64. We raised a number of these concerns with witnesses during our evidence session in November, who called for more information about the consultees, including at this early stage an indicative list; and more attention given to victims and survivors groups and individuals in any such consultation.⁹⁶ David Johnstone, the NI Veterans Commissioner, said, “Transparency is the key,”⁹⁷ a point echoed by the NI Human Rights Commissioner, who said there is nothing unusual about the Secretary of State appointing commissioners, “so long as the process is transparent.”⁹⁸

65. **CONCLUSION**

The Troubles Bill partly addresses concerns about the Secretary of State’s wide-ranging powers of appointment to the commission under the Legacy Act. Relinquishing such powers to an independent entity may only raise questions of accountability, so transparency will be an important confidence-building part of this process. To that end, the Government should consider the merits of a Minister being bound by a recommendation of the panel of relevant person/s; and publishing an indicative list of consultees, which should include victim-survivor representation.

Oversight Board

66. The Legacy Commission will be overseen by a new statutory Oversight Board. The Chair and members of the Oversight Board will be appointed by the Secretary of State for Northern Ireland, on the advice of relevant person/s. The Secretary of State (on the advice of the relevant person/s) must ensure that, as far as is practicable, the Oversight Board will include international expertise. As Accounting Officer, the Commission’s CEO will sit on the Board. This is similar in composition to ICIR’s oversight board, which

93 Relatives for Justice (RFJ) ([LPNI0057](#)), para 5

94 Rights & Security International ([LPNI0050](#))

95 Committee on the Administration of Justice (CAJ) ([LPNI0059](#)) para 12; Draft Northern Ireland (Stormont House Agreement) Bill, Schedule 2 – HIU members and officers, Part 1 – The appointments panel

96 [Q328](#)

97 [Q328](#)

98 [Q328](#)

includes four non-executive commissioners, appointed by the Secretary of State.⁹⁹ According to ICRIIR, they bring important scrutiny, challenge and support to the Board to assist in rounded and informed decision-making.¹⁰⁰

- 67.** The Troubles Bill further outlines the parameters of the proposed oversight board, which is to consist of the Commissioners and the CEO, and its principal functions are—
- a.** to set the strategic priorities and objectives for the Legacy Commission in exercising its functions (including functions conferred on Directors of Investigations and judicial panel members),
 - b.** to scrutinise the exercise of those functions against those priorities and objectives,
 - c.** to oversee the work of Legacy Commission officers,
 - d.** to authorise itself, persons mentioned in subsection (1)(a) to (e), and Legacy Commission officers to exercise functions conferred on the Legacy Commission [...], and
 - e.** to exercise any such functions which it has authorised itself to exercise.¹⁰¹
- 68.** Operation Kenova’s governance arrangements, including its Governance Board, include non-executive members, elected by the lead officer, to provide independent scrutiny.¹⁰² While the Commission for Victims and Survivors, in their recent submission to us, welcomed proposals for an oversight board, they also “encourage the establishment of an independent and impartial oversight panel like that proposed for the new Independent Commission for Information Retrieval.”¹⁰³
- 69.** WAVE queried why the CEO is on an oversight board overseeing his or her own work.¹⁰⁴ The Police Ombudsman also questioned the operational independence of the Commission, arguing that the Bill proposes that “the board will empower itself to exercise roles and functions as it sees fit” and that there is “no provision for independent membership of this board.”¹⁰⁵

99 Section 2 and Schedule 8, Northern Ireland Troubles (Legacy and Reconciliation) Act 2023
100 Independent Commission for Reconciliation and Information Recovery, [ICRIIR Board – Our Commissioners](#), accessed 18 November 2025

101 [Northern Ireland Troubles Bill](#) [as introduced] Bill 310-EN (2024–26), Part 2, 3.4–5, p.3

102 Operation Kenova’s Governance Board is comprised of executive members from the Kenova senior management team and independent non-executive members. The non-executive members have significant knowledge and experience of Northern Ireland and legacy matters. Operation Kenova, [Operation Kenova Interim Report 2024](#), p.91. See also: Operation Kenova, [Governance Board Terms of Reference](#), accessed 18 November 2025; Operation Kenova, [Meet the Governance Board](#), accessed 18 November 2025.

103 Commission for Victims and Survivors ([LPNI0070](#)), para 14

104 Wave Trauma Centre ([LPNI0083](#))

105 Police Ombudsman for Northern Ireland ([LPNI0072](#)), para 15

Professor Feargal Cochrane and his colleagues had similar concerns, suggesting that the proposed Oversight Board appears to be inconsistent with its described functions as what is outlined resembles a management committee of senior leaders rather than an independent body providing accountability.¹⁰⁶

70. On Second Reading of the Troubles Bill on 18 November, the Secretary of State told the House that the oversight board will be “led by an independent non-executive chair, to hold the commission to account.”¹⁰⁷
71. Stakeholders also brought to our attention the issue of monitoring. Clause 24 of the Bill provides for the Secretary of State to appoint an independent person to carry out a review of the performance of the Commission’s functions. According to the Northern Ireland Retired Police Officers Association, subsection (7) “is ambiguous as to when such a review might be carried out”, and it calls for one to be carried out annually.¹⁰⁸

72. **CONCLUSION**

The proposed oversight board for the commission has been criticised for a perceived lack of independent membership. The Government’s confirmation that it will be led by an independent, non-executive chair is welcome, although we note that “independent” still entails appointment by the Secretary of State, albeit following advice from the panel of relevant person/s.

73. **RECOMMENDATION**

In the interests of transparency, we recommend that the Government publish an indicative list of these consultees. Additionally, the Government must explain the membership and remit of the oversight board more clearly to those stakeholders in whom it needs to build more confidence in its proposals, including what practicable steps it is taking to include international expertise, beyond the parties to the Joint Framework. There is also a case for ensuring that monitoring reviews of the commission take place annually.

Victims and Survivors Advisory Group

74. ICIR told us early in our inquiry that its Trauma and Resiliency Informed Model had become a key part of its operations, “ensuring that the wellbeing of Requesting Individuals is embedded in every aspect of work.”¹⁰⁹

106 Professor Feargal Cochrane; Dr Aimee Smith; Professor Neophytos Loizides ([LPNI0073](#))

107 HC Deb, 18 November 2025, col 662

108 NIRPOA ([LPNI0066](#))

109 Independent Commission for Reconciliation and Information Retrieval ([LPNI0020](#)), para 11

Despite this, victim-survivor organisation WAVE said in July that it did not view ICIR's structures for dealing with victims' trauma as "remotely appropriate." WAVE added:

As a victims' group that has years and years of experience in the frontline of dealing with Troubles related trauma we think that this is potentially disastrous.¹¹⁰

WAVE recommended, as per Kenova, a panel to represent victims and survivors in trauma awareness, family liaison and communication.¹¹¹ In early September, the Secretary of State said he was planning a victims advisory group, drawing on the work of Kenova. The subsequent Joint Framework announced:

A statutory Victims and Survivors' Advisory Group representing the voices of all those affected will also be established and ensure that the needs of victims remain central to the work of the Legacy Commission. The Group will be appointed by the Secretary of State for Northern Ireland on the advice of relevant person/s.¹¹²

- 75.** Clause 8(1) of the Troubles Bill requires the Secretary of State to establish the Group. Subsection (2) sets out that the Group's purpose:

to provide general advice to the Legacy Commission and the Secretary of State about exercising their functions under the Bill in a way which meets the needs and uphold the rights and interests of victims and survivors of conduct forming part of the Troubles and their family members.

Subsection (3) requires that the Group consists of between 3 and 7 members appointed by the Secretary of State (one of whom is to be appointed chair). Under subsection (4) the Secretary of State must so far as practicable—

(a) ensure that the members include one or more victims and survivors of conduct forming part of the Troubles, and one or more persons appearing to the Secretary of State to represent the interests of victims and survivors of such conduct; and

(b) ensure that membership is balanced as respects associations with the different communities in Northern Ireland.

110 WAVE ([LPNIO045](#))

111 WAVE ([LPNIO045](#))

112 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025

Subsection (5) clarifies that references to victims and survivors include victims and survivors who were members of the armed forces or a police force. Under subsection (7) the Secretary of State must settle the Group's terms of reference (describing the scope of its work), having sought its representations and taking them into account in finalising the terms.

76. Professor Feargal Cochrane and his colleagues suggested that the fact the Secretary of State must only 'take account' of representations made by the group before settling the terms of reference "seems at odds with the stated intention of putting victims and survivors at the centre of change."¹¹³ Indeed, the Police Ombudsman told us that the legislation should "require that the views of this Group should be a 'relevant consideration' by the Commission on the exercise of its functions."¹¹⁴ Other stakeholders said the group would need to be properly resourced to play a full and independent role in shaping the work of the Commission;¹¹⁵ warned that care would be needed when selecting its members;¹¹⁶ and called for more clarity in the legislation as to its practical role.¹¹⁷
77. Significant concerns were raised by the Commission for Victims and Survivors about the group's size, selection and potential duplication of work currently undertaken by the Victims Forum.¹¹⁸ It also raised concerns about the Secretary of State's role in making appointments and finalising its terms of reference:

These powers demonstrate an unnecessary overreach by government which will result in diminishing trust amongst victims, is disempowering and counter-intuitive to the aspiration to be transparent and victim-centric, trauma-informed and risks opening contentious issues for no valid purpose.¹¹⁹

113 Professor Feargal Cochrane et al ([LPNIO073](#))

114 Police Ombudsman for Northern Ireland ([LPNIO072](#)), para 17

115 Alliance Party ([LPNIO067](#)), para 7

116 NIRPOA ([LPNIO066](#)); NIRPOA added: "while recognising the reasons why Section 8 (4) (b) stipulates that membership should be 'balanced as respects associations with the different communities in Northern Ireland', it must be emphasised that this should not permit the inclusion of terrorists or their fellow travellers."

117 WAVE added that "The reference to '...provide general advice' which the Legacy Commission and the SoS must have '...regard to...' does not tell us very much." Wave Trauma Centre ([LPNIO083](#))

118 Commission for Victims and Survivors ([LPNIO070](#)) para 10

119 CVS added they "are supportive of a VSAG, but the model proposed in the bill should be revisited and are happy to advise the Secretary of State on the optimum approach. To mitigate the risk of engaging too small a cohort of victims and survivors to guide the work of the Legacy Commission, the Forum could be optimised and stand ready to support the Legacy Commission. They are highly experienced and are broadly representative of the breadth of victims' experience, come from diverse backgrounds, and could fulfil the envisaged purpose of VSAG." Commission for Victims and Survivors ([LPNIO070](#)) para 12

In response to concerns about duplication of work, Alyson Kilpatrick, NIHRC Chief Commissioner, thought the group would comprise advisors with experience in the victims sector, rather than victims/survivors themselves as in the Victims Forum.¹²⁰

78. The Northern Ireland Veterans Commissioner, David Johnstone, also welcomed the fact that within the victims and survivors advisory board, as designated, veterans and retired police officers were mentioned, but added that there was “a slight lack of clarity: does it say that there can be or must be a veteran or police officer.”¹²¹
79. During Second Reading of the Troubles Bill on 18 November, the Secretary of State assured the House that the group “will not include anyone who has been involved in paramilitary activity.”¹²² This is not, however, stipulated in the Bill.

80. **CONCLUSION**

While the principle of establishing a victims and survivors advisory group has been broadly welcomed, there is still uncertainty regarding its purpose, its relationship with existing forums, and whether the Government will act decisively, by way of amendment to the Bill, to prohibit participation or representation by the perpetrators of terrorism, crime or paramilitary activity.

81. **RECOMMENDATION**

The Government must provide detailed guidance on the group’s remit, composition, and operation to address these concerns and ensure it delivers on its intended role of genuinely representing victims and survivors.

Independence and conflicts of interest

82. During our inquiry, the independence—both actual and perceived—of ICRIR personnel was a pervasive issue. The two current senior commissioners were appointed in 2023 by the then Secretary of State, according to provisions in the Legacy Act. The chief commissioner, Sir Declan Morgan, was previously Senior Crown Counsel in Northern Ireland and then a High Court judge.¹²³ The Commissioner for Investigations, Peter Sheridan, was

120 [Q333](#)

121 [Q331](#)

122 HC Deb, 18 November 2025, col 661

123 Northern Ireland Office, [Secretary of State announces ICRIR Chief Commissioner - GOV.UK](#), accessed 2 October 2025

previously in the RUC, rose to assistant chief constable in the PSNI and spent 15 years as the CEO of Co-operation Ireland—a peace-building organisation working to address the legacy of the past and promote reconciliation.¹²⁴

83. The 2023 Act also provided for the employment and secondment of other staff, called ICRIR officers. The legislation stated that “ICRIR must ensure that (as far as it is practicable) the officers of the ICRIR include—
- a. persons who have experience of conducting criminal investigations in Northern Ireland, and
 - b. persons who do not have that experience but have experience of conducting criminal investigations outside Northern Ireland.”¹²⁵

84. Early in our inquiry, the commission noted the judgment of the Northern Ireland Court of Appeal in September 2024, which found that:

whilst it might arguably be possible to improve the arrangements to strengthen ICRIR’s independence or the appearance of it, in agreement with the trial judge, we find that these arrangements do not of themselves offend the principle of independence given the fact that ICRIR is ultimately made up and staffed by independent investigators and decision makers including the commissioners.¹²⁶

The commission also instituted its own corporate conflict of interest policy and called for this to be placed on a statutory footing.¹²⁷ The CAJ described this, however, as the same “self-declaration model” adopted by an earlier legacy investigations body, the Historical Inquiries Team, and criticised by HM Inspectorate of Constabulary.¹²⁸

85. The Pat Finucane Centre stressed that its view on the independence of staff was not a comment on any individual within a leadership position in ICRIR, “merely a realistic assessment of the distrust that exists.” The centre said:

For many families ICRIR is comparable to the Vatican setting up a commission to address allegations against the church and appointing an Archbishop to oversee the investigations.¹²⁹

124 Independent Commission for Reconciliation and Information Recovery, [Commissioner for Investigations identified to lead ICRIR work - Independent Commission for Reconciliation & Information Recovery](#), accessed 2 October 2025

125 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 19

126 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 4; *Dillon v Secretary of State for Northern Ireland*, [2024] NICA 59 at [212]

127 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 37; Independent Commission for Reconciliation and Information Recovery, ICRIR policy on conflicts in investigations - Independent Commission for Reconciliation & Information Recovery, accessed 19 November 2025

128 [Q22](#); See also [Q14](#) [Alyson Kilpatrick]

129 Pat Finucane Centre ([LPNI0008](#))

86. Similarly, Baroness O’Loan recommended that those who had held very high office in the RUC/PSNI, armed forces, MoD, GCHQ, and Security Services be excluded from any senior role in the legacy body: “Their presence would inevitably detract from confidence in the organisation,” she said.¹³⁰ Sir Iain Livingston, the lead officer of Operation Kenova, agreed, telling us that people with a policing background in Northern Ireland should be able to serve on the commission, but perhaps not in a leadership role.¹³¹ The former Kenova lead and current PSNI Chief Constable, Jon Boutcher, added that:

to have people in senior levels is probably a bridge too far. That is probably a challenge, but it should not undermine the credibility, character, honesty and integrity of those people, because they are excellent people. I have complete trust and confidence in them, but it is about the perception of families.¹³²

87. Other stakeholders, including those in the policing sector, criticised this view. Chris Albiston, from the Northern Ireland Retired Police Officers’ Association, posed this question,

If a police officer has integrity, and you trust them and let them work in the police, do they suddenly lose that integrity when they go to work for another body, doing the same sort of job that they did when they were in the police?¹³³

88. Victim-survivor organisation SEFF welcomed the idea of an external dimension to the process but warned, “there can be no ideological waging against particular individuals who can or cannot serve within it.”¹³⁴ Another such organisation, WAVE, was clear that if an individual had held certain responsibilities during their career, that should preclude their appointment to the commission. It said that

if the recent history of Northern Ireland has taught us anything it is that perception matters when it comes to trust and confidence.¹³⁵

The Director of Investigations, Peter Sheridan, told us that, while he would recuse himself from a case even if it was based simply on perception,

130 The Baroness O’Loan DBE MRIA ([LPNI0026](#))

131 Sir Iain said: “My own view, and I say this as a suggestion, is that there might be a distinction to be drawn between those in the position of commissioner and those in the position of investigator and within the investigative team. In that process, the information, skills, knowledge, links and experience that have been gathered can be brought to bear and can continue for the wider public interest. Having served in policing [in Northern Ireland], they can go and serve in the Commission, but perhaps not in the leadership or assessment of it.” [Q110](#)

132 [Q112](#)

133 [Q138](#)

134 [Q50](#)

135 Wave Trauma Centre ([LPNI0045](#))

we run down a slippery slope if you are going to be judged on perception rather than merit when going for a job.¹³⁶

89. In early September, the Secretary of State reiterated to us his confidence in the leadership of ICRIIR and defended the policy of former RUC/PSNI officers serving on it, saying he would not support denying them a role on the commission.¹³⁷ He added that “to create greater confidence in the work of the commission, conflicts of interest should be put on a much clearer footing in the legislation to command greater public support.”¹³⁸
90. Under the Joint Framework published later in September, it was announced:
- Recognising that the ICRIIR model of a single Commissioner for Investigations does not provide scope to fully address conflict of interest concerns at the most senior level, the Legacy Commission will instead have two Co-Directors for Investigations of equal standing, appointed by the Secretary of State for Northern Ireland on the advice of relevant person/s [...] In making these appointments, the Secretary of State (on the advice of the relevant person/s) should ensure that one Co-Director will have experience of conducting criminal investigations in Northern Ireland, and one will not have that experience but will have experience of conducting criminal investigations outside Northern Ireland.

In addition, the framework stated:

More extensive conflicts of interest duties will be placed on a statutory footing in order to build confidence. Cases will be allocated according to the new statutory duties, overseen by the CEO of the Legacy Commission. The Commission will be under a duty to consult with the requesting individual or family, allowing them to raise an objection if they have concerns about conflicts of interest relating to officers involved in their case. Any objection must be considered, and escalated to the new Oversight Board for resolution where required.¹³⁹

91. Schedule 1(9) to the Bill states that a person may not be appointed as Commissioner if the Secretary of State considers that there is a matter which—
- [i] would give rise to a conflict of interest in respect of their work as a Commissioner, or

136 [Q197](#); See also Ulster Unionist Party ([LPNI0043](#)) paras 13 and 14

137 [Q218](#)

138 [Q218](#)

139 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.6

- [ii]** would otherwise affect their ability to carry out that work fairly and impartially.

When questioned on this power in October, the Secretary of State told us: “we will have to work out in the appointment process exactly how that provision is applied. It is something for the panel of people who will be asked to advise on this and make recommendations to me to consider.”¹⁴⁰ The Secretary of State also told us that the purpose of having two directors of investigation—one with experience of investigations in Northern Ireland and one with experience of investigations outside,

goes to the heart of the conflict-of-interest policy [...] having two people with those different experiences means that you can say, “You are going to take that job, that investigation, and you are going to take this one.” I think it adds to the confidence.¹⁴¹

- 92.** In November, the Commissioner for Victims and Survivors told us that this reform was about building confidence in the Legacy Commission, stating that “it is no reflection on individuals or their background to say that if appointing another director through a different process gives people confidence, frankly that is a small price to pay.”¹⁴² The NI Veterans Commissioner said:

Like a lot of things in Northern Ireland, unfortunately, perception is huge [...] The perception—again, I can only share what veterans say to me—is that because a certain cohort in Northern Ireland were not happy that there were RUC men in senior positions in the investigative body, that was unacceptable and unpalatable and they would not engage with the ICIR, and therefore the Secretary of State has decided to bow to their pressure and make changes to try to suit that cohort.¹⁴³

- 93.** WAVE, while welcoming the strengthened conflict of interest provisions, queried the language used at Clause 45 (1), which states: “The Chief Executive Officer may require a Legacy Commission Officer to provide information about any matter which might reasonably be expected to (a) give rise to a conflict of interest.” WAVE asked: “Why ‘may’ and not ‘will’? ... And who makes the judgement as what might be ‘reasonably expected ... ’?”¹⁴⁴ WAVE also questioned who the final arbiter would be if the Co-Directors of Investigations disagreed on how a case must progress.¹⁴⁵

140 [Q276](#)

141 [Q275](#)

142 [Q338](#)

143 [Q337](#)

144 Wave Trauma Centre ([LPNI0083](#))

145 Wave Trauma Centre ([LPNI0083](#))

94. ICIR, in its most recent submission, questioned the model for Co-Directors of Investigations as drafted, raising the concern that if one investigator appointed had any experience in policing in NI then the second person could not be someone who had served in the RUC or PSNI:

In practice, this formula would mean that no investigator from Great Britain who had served with external independent investigations in Northern Ireland such as Operation Kenova or the Stevens Inquiries could be appointed simultaneously with the appointment of a former RUC, PSNI or OPONI investigator as Co-Director.¹⁴⁶

95. **CONCLUSION**

The new provisions on conflicts of interest in the Joint Framework and Troubles Bill are, ultimately, a reflection of the political realities of Northern Ireland. By stating this matter of fact, we do not seek to impugn the integrity of any of the current commission officeholders, who continue to discharge their duties in difficult circumstances with the utmost professionalism. Questions remain, however, about the extent of the Secretary of State's power to determine what constitutes a conflict of interest; the process by which families may raise, and the Oversight Board may determine, conflicts of interest; and whether senior commissioners should have to require commission officers to disclose information relating to a potential conflict of interest.

96. **RECOMMENDATION**

The Government must also clarify what constitutes for one director, 'experience of conducting criminal investigations in Northern Ireland', given the proposal that the other director, 'will not have that experience but will have experience of conducting criminal investigations outside Northern Ireland'; and who arbitrates if the two directors disagree on how a case should progress.

Complaints

97. The 2023 Act did not provide for any procedure to complain about maladministration or service failure by the commission. Additionally, ICIR does not fall within the jurisdiction of the Parliamentary and Health Services Ombudsman. In early evidence to us, the Police Ombudsman for Northern Ireland (PONI) warned:

146 Independent Commission for Reconciliation and Information Recovery (ICIR) ([LPNIO082](#))

This is an accountability gap and where ICIR processes or procedures fail an individual, they have no form of redress for any subsequent injustice other than resorting to litigation which for many is an unaffordable option.¹⁴⁷

The Northern Ireland Retired Police Officers Association (NIRPOA) also raised this issue, telling us:

In accordance with the provisions of Article 13, ECHR, any state body, especially one which is exercising police powers, must be subject to an independent complaints mechanism.¹⁴⁸

Referring to a document prepared by ICIR on its functions and duties, entitled “The Operational Design Framework”, NIRPOA said:

In respect of any alleged criminal conduct (within Northern Ireland) by officers of the Commission we assume that the investigating authority would be the PSNI; but the present document is silent as to complaints regarding conduct which does not reach the threshold of criminality.¹⁴⁹

- 98.** We wrote to the Secretary of State to query the accountability gap question on 15 September 2025 and await a response. Under the Joint Framework published later in September, it was announced,

There will be oversight of the Legacy Commission’s exercise of police powers by the new Oversight Board, and through a new duty to appoint an independent person/body to conduct scheduled reviews of the performance by the Commission of its statutory functions, as well as continued oversight by the various UK police conduct bodies through agreements provided for in statute.

Where the Legacy Commission finds evidence of potential criminality relating to police officers which falls outside of its remit, the Commission will refer that conduct to the Police Ombudsman for Northern Ireland for consideration.¹⁵⁰

- 99.** The Police Ombudsman raised concerns with us regarding this provision, highlighting that the referral mechanism in clause 70 of the Bill currently relates solely to “serving PSNI officers”, and questioning whether offences such as perversion of the course of justice that did not cause death or serious harm would—and should—be referred to it. The Ombudsman explained:

147 Police Ombudsman for Northern Ireland ([LPNI0039](#))

148 NIRPOA ([LPNI0009](#))

149 NIRPOA ([LPNI0009](#))

150 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.6

In line with the overarching policy that victims and families are informed of the actions of all state actors involved in Troubles related incidents, it is important that one single body should undertake investigations of all conduct in Troubles-related cases.¹⁵¹

100. The Police Ombudsman also raised resourcing issues with us, arguing that any diversion of resources to deal with these cases will “adversely impact on the public’s confidence in the Office to deliver timely investigations.”¹⁵²

101. **CONCLUSION**

The Joint Framework and Troubles Bill partially fill the gap in commission accountability left by the Legacy Act. It is still unclear, however, what procedure there is to complain about maladministration or service failure by the commission. The Government must also clarify whether the powers of the Police Ombudsman for Northern Ireland to investigate a relevant offence apply only to serving PSNI officers; and whether it would be more coherent—and victim-centred—for the commission to investigate all Troubles-related alleged offences of state actors.

Resourcing the Commission and related organisations

102. The Secretary of State told us in October that, as part of the 2023 Act, £250 million had already been allocated to the work of ICRIR, although some of this funding would be set aside for provisions under part 4 of that Act (on memorialisation), which has yet to be progressed.¹⁵³ He subsequently explained that £49.9m had been spent as of September 2025.¹⁵⁴
103. We heard calls for clearer commitments on future resourcing, to fund legacy inquests, the Commission’s new inquisitorial mechanism and bodies with information disclosure duties. Amnesty International UK called for a clear commitment to sufficient resourcing.¹⁵⁵ Professor Feargal Cochrane and his colleagues also raised this with us, recommending robust safeguards and regular review to ensure resources are adequate and are not degraded over time by competing demands.¹⁵⁶
104. The PSNI also raised significant concerns about resourcing,

151 Police Ombudsman for Northern Ireland ([LPNIO072](#)) para 4

152 Police Ombudsman for Northern Ireland ([LPNIO072](#)) para 8

153 [Q277](#)

154 Letter from the Secretary of State for Northern Ireland, regarding legacy funding, [20 November 2025](#)

155 Amnesty International UK ([LPNIO060](#)) para 26

156 Professor Feargal Cochrane et al ([LPNIO056](#))

Currently, legacy investigations cost the PSNI £24m a year. This cost includes the additional demand of servicing requests from the Independent Commission for Reconciliation and Information Recovery (ICRIR), for which we receive no funding. In the absence of support being provided to the PSNI to disclose information to the Legacy Commission, the entire experience is likely to fail.¹⁵⁷

Similarly, Alliance argued that there is a clear risk that reforms “will be stifled unless the UK Government radically reconsiders its approach to funding Northern Ireland’s legacy system.” They added that the NI Department of Justice cannot absorb legacy costs and the Government “must end its hands-off approach to how those arrangements are funded.”¹⁵⁸

105. As of October 2025, ICRIR had 102 investigations ongoing involving 182 deaths, and more live murder investigations than the Met.¹⁵⁹ In its most recent submission to us, ICRIR also raised resourcing issues, noting that despite investment in systems, staffing and structure, “the rapid rate of demand for the Commission’s services is creating challenges around the Commission’s investigative capacity.” ICRIR, while recognising the “challenging public expenditure environment”, called for “sustainable government resourcing throughout the lifetime of the Commission’s work [which] is vital for successful delivery.”¹⁶⁰

106. **CONCLUSION**

All the reform, goodwill and political impetus in the world will not lead to truth and justice if there is not enough money—either for investigatory or information-disclosing bodies. Despite the initial £250 million allocation to legacy mechanisms, this funding pot has not been updated to account for any of the new mechanisms proposed through the Troubles Bill. Indeed, additional duties on the Commission, responsibilities on bodies charged with identifying and disclosing information and ongoing legacy work currently funded through the devolved settlement all need to be accounted for. Without robust safeguards, regular review, and additional support, including by means of a new, recurring and ring-fenced Government funding stream to meet legacy costs within the PSNI, these reforms risk failure, not least in respect of the provision of contemporary policing in Northern Ireland’s unique and chronically underfunded policing and security context.

157 Police Service of Northern Ireland ([LPNI0071](#))

158 Alliance Party ([LPNI0067](#)), para 20

159 According to Sir Declan, roughly half the cases involve unionist or nationalist families, with a third coming from relatives of those killed in the Army and police. BBC News, [Legacy body dealing with more killings than Met Police – commissioner](#), 24 October 2025

160 Independent Commission for Reconciliation and Information Recovery (ICRIR) ([LPNI0082](#)) paras 16–17

Winding up the Commission

- 107.** Alongside questions over resourcing the Commission sufficiently, there have also been some about provisions for winding it up. Clause 25(6) provides that the Secretary of State must consult with ‘required consultees’ before making regulations to do so. Clause 26(10) provides that ‘required consultees’ means the Legacy Commission, and ‘any other persons the Secretary of State considers it appropriate to consult.’ The Secretary of State would also be required to produce a report setting out a summary of the views of those consulted, and their reasons for concluding that the commission should be wound up.
- 108.** The NIHRC said that the Secretary of State “therefore has full discretion in determining who should be consulted” and called for an indicative list of consultees.¹⁶¹ Alliance also argue that the provisions may give a future Secretary of State “significant latitude to end its work even if it has live ongoing investigations.” They add:

This will be problematic if the next UK Government is not committed to the principle of truth and justice for all within the legacy system, and steps must therefore be taken to future-proof the work of the Commission against the potential for any such malignant actors.¹⁶²

- 109.** The Commission for Victims and Survivors echoed these concerns and called for “the introduction of a mechanism whereby the Secretary of State would make an evidence-based decision, informed by consultation with the Forum and those who provide services and support to victims and survivors.”¹⁶³ In November, however, Alyson Kilpatrick, NIHRC Chief Commissioner, said that conditions such as having to consult the Legacy Commission should “future-proof” the power. She explained that

If the commission says, “We’re not done,” it would be difficult for the Secretary of State to wind it up. That would need a very good reason.¹⁶⁴

110. CONCLUSION

The Bill’s provisions for winding up the commission grant the Secretary of State broad discretion, raising concerns that it could be closed prematurely for political or resource-based reasons. There is a case for clearer consultation requirements and evidence-based decisions to protect ongoing investigations and uphold commitments to truth and justice.

161 Northern Ireland Human Rights Commission ([LPNI0068](#))

162 Alliance Party ([LPNI0067](#)) para 11

163 Commission for Victims and Survivors ([LPNI0070](#)) para 15

164 [Q343](#)

3 Troubles-related cases and inquests

- 111.** Deaths in unexplained circumstances must be reported to a coroner, who will conduct an initial investigation. Once this has finished, the coroner will usually decide if an inquest is to be held. The purpose of the inquest is to find out who the deceased person was and, how, when and where they died, and to establish the details the Registrar of Deaths needs to register the death.¹⁶⁵ It is not for the coroner to decide or appear to decide any question of criminal or civil liability or to apportion guilt or attribute blame.¹⁶⁶
- 112.** Prior to the commencement of the 2023 Act, one means of investigating deaths that occurred during the Troubles was an inquest. Section 44 of the Act provided, however, for the prohibition of new inquests and the closure of existing inquests into deaths resulting directly from the Troubles, with all cases to be dealt with by ICIR. The legislation shut down 38 legacy inquests on 1 May 2024, 14 of which had not reached findings stage and 24 that had not been assigned to a coroner.¹⁶⁷
- 113.** In July 2024, the Secretary of State said the Government would consider the “best way forward” for inquests involving a significant amount of sensitive information which were unable to conclude within the coronial system.¹⁶⁸
- 114.** In September 2024, the Court of Appeal in Northern Ireland held that ICIR was not capable of delivering a human rights-compliant investigation into deaths in instances where it was acting “in place of” a coroner’s inquest because of the deficiencies in provision for next of kin and information disclosure.¹⁶⁹ In December 2024, the Secretary of State made clear his intention to bring forward legislation to reinstate inquests, “starting with those that were previously halted by the Legacy Act.” He added that the Government would ensure that in specific circumstances—namely in cases

¹⁶⁵ Department of Justice, [Coroners Service for Northern Ireland](#), accessed 19 November 2025

¹⁶⁶ Coroners are independent judicial officers who investigate deaths reported to them. They will make whatever inquiries are necessary to find out the cause of death, this includes ordering a post-mortem examination, obtaining witness statements and medical records, or holding an inquest. NI Direct, [Coroners, post-mortems and inquests](#), accessed 19 November 2025

¹⁶⁷ BBC News, The Troubles: ‘[Legacy Act denies victims like me closure](#)’, 1 May 2024

¹⁶⁸ [Northern Ireland Troubles \(Legacy & Reconciliation\) Act 2023](#), HCWS30, 29 July 2024

¹⁶⁹ Re Dillon & Others [2024] NICA 59

that were unable to proceed as an inquest—ICRIR was able to hold public hearings, take sworn evidence from individuals, and ensure families had effective representation.¹⁷⁰

115. The CAJ told us that legacy inquests had proved effective, were increasingly popular with victims’ families, and had strengthened confidence in the rule of law before they were prohibited under the 2023 Act.¹⁷¹ The Commission for Victims and Survivors also told us that the decision to shut down legacy inquests caused “significant turmoil and upheaval” across generations of families in Northern Ireland, who had been left waiting to hear when “these long-awaited investigations into the death of their loved ones can proceed.”¹⁷²

Inquisitorial Mechanism

116. In March 2024, a coroner ruled that the inquest into the death of Sean Brown, killed in 1997 by the Loyalist Volunteer Force, could not proceed because key material was being withheld on national security grounds. The Government decided not to establish a public inquiry and suggested his widow and family pursue the case through ICRIR. In April 2025 the Court of Appeal found this to be unlawful, noting that, “like inquests, the ICRIR is not currently equipped to deal with sensitive material and is requesting comparable powers to CMPs [Closed Material Procedures]”.¹⁷³ The Court commented:

This means that the ICRIR, as presently constituted, is not fit for purpose in Mrs Brown’s case.¹⁷⁴

Sir Declan Morgan acknowledged to us in May that an unreformed ICRIR would not be able to complete a full Article 2-compliant investigation into Sean Brown’s death.¹⁷⁵ ICRIR described its proposal for enhanced inquisitorial proceedings (EIPs), a type of inquest, as an “example of our creative approach” and called for “a human rights-compliant version of EIPs [to be] put into law.”¹⁷⁶ In June, the Secretary of State told us that once he reformed ICRIR, “the commission would be the way to deal with closed—or sensitive—material.”¹⁷⁷

170 HC Deb, 4 December 2024, [col 419](#)

171 Committee on the Administration of Justice (CAJ) ([LPNI0010](#))

172 Commission for Victims and Survivors ([LPNI0025](#)) para 9

173 Re Brown (Bridie) [2025] NICA 16 at [112]

174 Re Brown (Bridie) [2025] NICA 16 at [113]

175 [Q156](#)

176 [Q157](#)

177 [Q100](#)

- 117.** We heard a range of concerns regarding these early proposals for some inquests to proceed through ICRIR. The CAJ criticised the Government for looking to introduce “some sort of system of pseudo-inquests, some sort of exceptionalist system of what would essentially be second-class inquests outside the framework of the inquest system.”¹⁷⁸ It added:

The enhanced inquisitorial procedure [...] is meant to emulate inquests, but there is no court; there is no independent judge; families do not have access to their own lawyers; they do not have the same rights of disclosure; and the executive branch of Government can rewrite the judgment. That is absolutely nothing like an inquest.”¹⁷⁹

The NIHRC and Baroness O’Loan made similar points.¹⁸⁰

- 118.** Sir Declan challenged the criticisms we had heard of the proposed EIPs, saying that

some of the people who were making those points to you are people who have declined to talk to us, and some are people who do not understand our processes.¹⁸¹

Chris Albiston, representing the Northern Ireland Retired Police Officers Association, also told us there was “no reason why the ICRIR could not effectively discharge the responsibilities that were once envisaged for it in respect of inquests.”¹⁸² The Northern Ireland Veterans Commissioner, David Johnstone, added that he was “pretty confident that the vast majority of veterans in Northern Ireland would be totally opposed to the reintroduction of inquests,” noting that this was not based on any “fear of justice or the natural pursuit of justice where rules of engagement have been broken.” He said: “The issue is around the fundamental unfairness of the inquest process, and that is absolutely key.”¹⁸³ Others were of a similar view. We were told that inquests had become trial by media, while their findings “distort the rule of law of the time.”¹⁸⁴

- 119.** In the Joint Framework published in September, the Government announced:

A new Inquisitorial Mechanism will be established within the Legacy Commission for cases that would previously have proceeded as an inquest or which are subsequently assessed by a coroner as unable to

178 [Q2](#)

179 [Q11](#)

180 Northern Ireland Human Rights Commission ([LPNIO037](#)); The Baroness O’Loan DBE MRIA ([LPNIO026](#))

181 [Q167](#)

182 [Q127](#)

183 [Q126](#)

184 Ulster Unionist Party ([LPNIO043](#)) paras 17 and 19; Ulster Human Rights Watch (UHRW) ([LPNIO034](#)); see also Northern Ireland Veterans Movement ([LPNIO005](#))

proceed via the coronial system. This process will draw closely on the UK Inquiries Act 2005, as a recognised and tested model. In particular, the Inquisitorial Mechanism will have independent judges presiding over public hearings, ensuring provision for effective next of kin participation, including through legal representation, and having the power to use closed hearings to consider sensitive information.¹⁸⁵

120. The presiding judge in cases before the Inquisitorial Mechanism will be drawn from a panel of serving and/or retired judges. Judges will also be drawn from this panel to produce reports setting out the findings in Commission investigations. According to the Joint Framework, the judicial panel will be appointed by the Secretary of State who will be under a duty to take advice on those appointments from a panel of relevant person/s, including the appropriate NI and GB judicial advice.¹⁸⁶
121. Some of the strongest critics of the earlier envisaged inquisitorial model under ICRIR appeared to accept some of the merits of the new proposals. CAJ, for example, argued that “unlike the ICRIRs pseudo-inquest model the new Inquisitorial Mechanism will be established by statute with a legislative framework providing for judge-led public hearings and legal representation for the next of kin.”¹⁸⁷ The CAJ does, however, question whether families will have the same rights to receive disclosure as is presently the case in inquests, and query why the appointment process for judges is a reversal of the criminal justice reforms further to the Good Friday Agreement, whereby judges in Northern Ireland are appointed by an independent body—the Northern Ireland Judicial Appointments Commission (NIJAC)—while Legacy Commission judges will be appointed by the Secretary of State. Nadine Finch, honorary senior policy fellow at the University of Bristol, raised the same point, questioning why judges in the inquisitorial mechanism cannot be recruited through the NIJAC, “that has been in place since 2005 and is an independent executive Non-Departmental Public Body.”¹⁸⁸
122. Human Rights First argued that, combined with other proposals for closed proceedings and a ministerial “veto” on information disclosure (which we discuss later in this chapter), this

185 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.6

186 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.7

187 Committee on the Administration of Justice, [Initial Briefing Document on UK-Ireland Joint Framework on the ‘Legacy of the Troubles’](#), September 2025 p.11

188 Nadine Finch (Honorary Senior Policy Fellow, School for Policy Studies at University of Bristol) ([LPNIO069](#))

creates both the appearance and risk of executive influence over proceedings that may examine alleged state wrongdoing. The further role of the same judicial panel in producing family reports concentrates control over fact-finding in a panel appointed by the executive.¹⁸⁹

Human Rights First added that the same Minister who appoints the judges may also review and possibly redact their findings before publication under clauses 63–65 of the Bill: “This arrangement”, it says, “fails both the institutional and practical independence requirements under Article 2 ECHR.”¹⁹⁰ We also heard that further detail is required on how next-of-kin participation will be fully facilitated.¹⁹¹

123. **CONCLUSION**

The Government’s plans for an enhanced inquisitorial mechanism through the Legacy Commission are seen by some as an improvement on the system introduced by the 2023 Act. We heard there are concerns, however, that they could lead to a hierarchy in terms of investigative processes and standards for different families depending on the circumstances of their case and whether Article 2 of the ECHR is engaged. Routing cases through a reformed commission may prove acceptable to critics of both the legacy inquest system and of earlier proposals to direct them to ICIR. The proposals for independent judges presiding over public hearings, and provision for next of kin participation, including legal representation, are welcome. Proceedings must be demonstrably impartial. There are also still concerns, however, about how practically independent judges can be who are appointed by the Secretary of State, rather than by the NI Judicial Appointments Commission.

Outstanding inquests

124. During our inquiry, questions were also raised as to which inquests were to be reinstated under new legislation and under what criteria. WAVE, for example, told us as recently as July that it was not clear whether they would be restored as a right for all or only for those that were in the system when the main provisions of the Legacy Act came into force in May 2024.¹⁹²
125. In the subsequent Joint Framework, published in September, the Government announced:

189 Human Rights First ([LPN10054](#)) para 21

190 Human Rights First ([LPN10064](#)) para 24

191 Alliance Party ([LPN10067](#)) para 8

192 Wave Trauma Centre ([LPN10045](#)); see also The Law Society of Northern Ireland ([LPN10002](#))

The current legislative prohibition on Troubles related inquests will be replaced with new provisions that would, in the first instance, allow inquests that had started (9 in total) to proceed. Should those inquests subsequently be subject to a determination by a coroner that they cannot proceed via the coronial system due to the exclusion of relevant sensitive information, they will be referred to the reformed Commission.

The 20 inquests more recently directed by the Attorney General for Northern Ireland will not automatically proceed as an inquest. Those, and the 4 remaining inquests from the previous 'Five Year Plan', will be subject to an independent assessment by the Solicitor General, as appropriately delegated by the Advocate General for Northern Ireland to consider whether, in each case, they are most appropriately dealt with by a reformed Legacy Commission or via the coronial system.¹⁹³

- 126.** Assessments of these cases by the Solicitor General will as far as possible be made within 18 months of the commencement of legislation. This period includes a six-month window to receive the relevant information and representations, and up to a year subsequently to take a decision in all cases.
- 127.** In reviving inquests which were cut short by the Legacy Act, the coroners and holders of relevant material will once again have regard to the pre-existing case management protocol applying to legacy inquests, as well as for provisions on remote evidence. This protocol includes the disclosure of potentially sensitive material which happens in advance of inquest hearings and outlines the consideration that coroners give to other issues such as identification and contacting of potential witnesses, choice of venue, identification of experts and the time frame for hearings that follow.¹⁹⁴ The Government has confirmed, however, that no new Troubles-related inquests will start, and after the Commission is wound up may only do so in exceptional circumstances.¹⁹⁵

193 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.8. The framework adds: The independent decisions of the Solicitor General will be taken with due regard to the following criteria which will be set out in statute:

- a. An assessment regarding the likely role that sensitive information will play in each case. Reflecting the greater powers of the reformed Commission in handling sensitive information, there will be a presumption in favour of referral to the Commission in cases that include relevant sensitive material.
- b. An assessment of how quickly the respective processes would be likely to commence and conclude, including the resources and capacity available to allow each case to proceed as an inquest or within the Commission.
- c. Consideration of any representations received from those directly party to the inquest.

194 As above, p.8

195 Northern Ireland Office, Troubles Bill Draft Fact Sheet V2, p.5

- 128.** We have heard several concerns regarding these new proposals. In November, the Veterans Commissioner described inquests as “the elephant in the room” and queried why the Government was “allowing a whole group of potential inquests to go back down through the coroners’ route.” He added:

it is as simple as this: all legacy cases—all legacy investigations—should be in this new body.¹⁹⁶

Justifying this position, the Commissioner said: “the Legacy Commission offers a higher form of investigative process. It can do much more than a coroner’s inquest. Why would any family want a lesser standard of investigation when they have been offered a higher standard.”¹⁹⁷ The NIHRC took a different view, telling us that, while access to sensitive information would be a deciding factor on where a case is referred to, “it is [...] questionable that the Legacy Commission would be able to access more sensitive information than a Coroner would.”¹⁹⁸

- 129.** On the timing of inquests and the sifting process, the NIHRC welcomed the intended reinstatement of legacy-related inquests, but it advised that there appeared to be an implied preference for cases to be referred to the Legacy Commission, adding that, due to the resources made available to the investigatory body (ICRIR) to date and how long it would take to re-establish the legacy unit within the coronial system, cases will likely proceed through the Legacy Commission faster than through the coronial system. It emphasised, however, that “speed does not guarantee the most effective way of investigating a case”.¹⁹⁹

- 130.** The Commission for Victims and Survivors, on the other hand, questioned the timeline for deciding which route cases would take. It argued that “these delays will have a profound impact on families who have already waited decades. Indeed, the Forum highlighted that this would result in some of these families passing their campaign for information and truth to another generation.”²⁰⁰ Relatives for Justice also raised concerns about the sifting process, arguing:

The Joint Framework proposes that decisions on whether a case proceeds through a coroner’s inquest or the new “Enhanced Inquisitorial Procedure” will be made by the Solicitor General, a political appointee nominated by the Secretary of State. This creates an unacceptable concentration of discretion in a politically

196 [Q357](#)

197 [Q358](#)

198 Northern Ireland Human Rights Commission ([LPNI0055](#))

199 Northern Ireland Human Rights Commission ([LPNI0055](#))

200 Commission for Victims and Survivors ([LPNI0070](#)), para 19

accountable figure, not an independent judicial authority. We believe that the allocation of legacy cases must be a matter of judicial determination, not political convenience.²⁰¹

It should be noted, however, that one of the characteristics that distinguishes the law officers, such as the Solicitor General, from other ministerial posts in the UK, Scottish and Welsh Governments is the expectation that they will exercise a degree of “independence” from the political executive branch of which they form a part.²⁰² During a statement to the House on the Northern Ireland Troubles in October it was asked whether the Attorney General Lord Hermer KC—to whom the Solicitor General reports—had recused himself from the legacy framework or whether the Secretary of State had excluded him. The Secretary of State did not answer the question.²⁰³

131. CONCLUSION

Stakeholders have different interpretations of the potential powers and effectiveness of the Enhanced Inquisitorial Mechanism; some are enthusiastic, others concerned about its powers compared with the inquest system. The Government also has a balancing act to perform, between ensuring that cases are assessed in a timely manner and directing them to the most appropriate investigatory body. The most appropriate may not be the one that can deal with them fastest. Despite the expectation that law officers will exercise a degree of independence from the Government, the proposed role of the Solicitor General in triaging cases has also undermined trust in the process among some stakeholders.

Protections for veterans

132. Early in our inquiry we received evidence from some stakeholders about what they described as the use of ‘lawfare’ against former security forces personnel. Veterans were, they said, being pursued through the civil and criminal courts with vexatious claims about their conduct during the Troubles.²⁰⁴
133. In September, alongside the Joint Framework, the Government also published what it called six new protections for veterans:

201 Relatives for Justice (RFJ) ([LPNI0057](#)), para 1(A)

202 House of Commons Library, [Law officers: a constitutional and functional overview](#), Research Briefing 08919, 14 February 2025, p 62

203 HC Deb, 14 October 2025, [col 254](#)

204 See for example: Dr Austen Morgan ([LPNI0001](#)); Malone House Group ([LPNI0027](#)); Northern Ireland Veterans Movement ([LPNI0005](#)). An alternative view was presented by Prof. Colin Murray and Anurag Deb, who said: That so many of the live cases relating to the legacy of the conflict relate to state activity is not the product of “lawfare”, but the persistent shortcomings and delays in relation to these cases. ([LPNI0031](#))

- Right to stay at home.
- Protection from repeated investigations.
- Protection in old age.
- Right to seek anonymity.
- Protection from cold calling or unexpected letters.
- Right for your voice to be heard.

The Explanatory Notes to the Troubles Bill state that the majority of the protections “will apply to individuals who engage with legacy processes, including veterans who served in Northern Ireland during the Troubles.”²⁰⁵ When asked in October how many of the proposed six protections for veterans will also be available to former paramilitaries, the Secretary of State said that “there are provisions that apply to witnesses, but the reason for the package is the determination of the Government to protect veterans.”²⁰⁶ He added:

These measures will provide what the three UK veterans’ commissioners have called for: not immunity from the law, but fairness under it.²⁰⁷

The Secretary of State also confirmed to us that the protections will not apply to the criminal justice process, only to coroners courts and to the Legacy Commission.²⁰⁸

- 134.** In supplementary evidence to us, the NIHRC expressed concern that “the promise of non-repeated investigations to veterans could hinder the ability of the Legacy Commission to follow every line of inquiry and ensure an

205 Northern Ireland Office, Troubles Bill Explanatory Notes, Bill 310 EN, p.11, para. 20; The Notes describe the protections thus:
a) Protection from repeated investigations – The Legacy Commission will be under a requirement to not duplicate the work of any previous investigations unless it is essential to do so.
b) A right to give evidence remotely – coroners and the Legacy Commission will be under a duty to permit witnesses to give evidence remotely ensuring that no witnesses, including Northern Ireland veterans, need to travel to Northern Ireland to give evidence to the Legacy Commission or to an inquest where modern technology allows them to do so remotely. For a state witness, support will always be available to enable the witness to give evidence from home or from a suitable alternative location if they prefer.
c) Ensuring witnesses, including veterans, can seek anonymity when giving evidence to the Legacy Commission, and requiring the Commission to take account of wider circumstances surrounding incidents being investigated.
d) This Bill requires the Legacy Commission and coroners to consider the welfare of witnesses when requesting or requiring them to give evidence.

206 HC Deb, 14 October 2025, col 266

207 HC Deb, 14 October 2025, col 247

208 [Q290](#)

effective investigation has been carried out on all legacy-related cases that engage Articles 2 and 3 of the ECHR.”²⁰⁹ Amnesty International UK raised similar concerns, stating for example that a previous Royal Military Police (RMP) investigation into the actions of an RMP officer must not operate as a bar to the Legacy Commission undertaking an effective independent investigation.²¹⁰

135. The Northern Ireland Retired Police Officers Association (NIRPOA) supported the proposals but asked, “where does that leave retired police officers?” They added that it was “simply not good enough for Westminster to claim to support those who made sacrifices to serve in the military whilst using devolution as an excuse for abandoning those who served in the police.”²¹¹

136. In November the NI Veterans Commissioner said the Government had been listening “to an extent” but warned:

The big mistake the Government have made is referring to the mechanisms as “protections”. The reality is that people think these protections are about preventing military personnel from being brought to justice; it is nothing about that. It is about some safeguarding and some pastoral care, in some cases, on the way to being potentially prosecuted.

He added:

these are not veterans’ protections, in any way, shape or form. They are witness protections of which veterans can avail themselves.²¹²

He concluded that the protections are “not guarantees... things may happen. Some of it is in the gift of the coroner... That is important to note.”²¹³ The Malone House Group argued that these ‘protections and safeguards’ are “mostly minimal and require simple administrative changes.”²¹⁴ The Commissioner for Victims and Survivors, Joe McVey, agreed that the proposals are “safeguards” but described them as “welfare... that you would want to afford to anyone involved in the process of engaging with the Legacy Commission.”²¹⁵

209 Northern Ireland Human Rights Commission ([LPNI0055](#)), para 6.4

210 Amnesty International UK ([LPNI0060](#)), para 40

211 NIRPOA ([LPNI0066](#))

212 [Q359](#)

213 [Q361](#)

214 Malone House Group ([LPNI0052](#)), p.8. Malone House added that the second safeguard on needless duplication and protection from repeated investigations is the “only one of substance and will have to be legislated.”

215 [Q362](#)

137. The NIHRC Chief Commissioner Alyson Kilpatrick reiterated her organisation’s concerns about “non-repeated investigations,” cautioning that the provision could be used to “shut things down” despite the previous investigation having been ineffective. She stressed, however, that where an investigation had been conducted properly, no one would want that reopened unnecessarily.²¹⁶ Ms Kilpatrick also noted that the requirement to avoid duplicating previous investigations includes the caveat, “unless[...]the duplication is essential.”²¹⁷ She argued that clear guidance will be needed from the Legacy Commission on how this operates in practice; in many instances, she said, it is impossible to determine whether a prior investigation was effective until much further into the process.²¹⁸

138. CONCLUSION

By introducing what it refers to as six new protections for veterans, the Government has attempted to address concerns among former military personnel and others that legacy investigations, whether leading to prosecution or not, have amounted to punishment in themselves. To ensure fairness, however, Ministers have necessarily extended these ‘protections’ to all those engaging in the process. In doing so, they risk over-selling these provisions as guarantees and therefore undermining trust among the very groups in which they hope to instil confidence. Similarly, in pursuit of truth and justice, the new provisions must ensure the effective investigation of legacy cases including, with clear and appropriate safeguards for all, the reopening of previously defective investigations, only where necessary for the purposes of ECHR compatibility or owing to new evidence.

Information disclosure

- 139.** Section 30 of the 2023 Act gave ICIR a general power to disclose any information that it holds to any other person. This was qualified, however, by other provisions in the Act, especially Schedule 6(4), which states:
- the Secretary of State may notify the Commissioner for Investigations that the proposed disclosure is prohibited only if, in the Secretary of State’s view, the disclosure of the sensitive information would risk prejudicing, or would prejudice, the national security interests of the United Kingdom.²¹⁹

²¹⁶ [Q363](#)

²¹⁷ See for example clauses 30(5)(b), 31(9)(b), 36(8)(b)

²¹⁸ [Q364](#)

²¹⁹ Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

140. In its September 2024 judgment in *Re Dillon*, the Court of Appeal found that these disclosure provisions gave the Secretary of State an “effective veto” over whether and how ICRIIR could share certain sensitive information.²²⁰

The Court contrasted the disclosure regime under the 2023 Act with the process for dealing with sensitive information under Public Interest Immunity (‘PII’) provisions in inquests, finding that the limitations in the 2023 Act went “beyond the current coronial practice” by giving the Secretary of State a much greater role.²²¹ In particular, it found that the Act has a much wider definition of what constitutes “sensitive information” than is covered by PII; has a lower threshold for withholding that information; and gives the Secretary of State the final decision on disclosure rather than an independent coroner or judge.²²²

141. Some respondents early on in our inquiry were concerned that “national security” was not properly defined in the Act and could be misused in order to frustrate the legitimate release of relevant information.²²³ Amnesty International UK told us that there was no ministerial national security veto over disclosure by investigative bodies under the previous ‘Package of Measures’, which included called-in police investigations such as Operation Kenova, the PSNI Legacy Investigation Branch, the Police Ombudsman, and inquests. It said that

any attempt to retain such a veto gives rise to a question of motivation and proportionality.²²⁴

142. The PSNI told us that legacy cases have consistently faced non-disclosure and secrecy challenges, feeding conspiracy theories and hampering reconciliation. It added that mechanisms exist, however, to ensure sensitive information is protected and competing public interests balanced. The Service said that “it is for an independent and impartial authority to operate these mechanisms in public and not for the security agencies and government to do so in private”.²²⁵ Referring to the ministerial veto under the Act, the PSNI chief constable said:

It is different, and difference causes suspicion and a lack of confidence. I have no doubts about the integrity and authenticity of this Secretary of State, but he could move, and you would get another Secretary of State. You need to have processes in there that people recognise and have confidence and trust in.²²⁶

220 *Re Dillon & Others* [2024] NICA 59 at [224]

221 *Re Dillon & Others* [2024] NICA 59 at [226]-[227]; [232]-[236]

222 *Re Dillon & Others* [2024] NICA 59 at [232]-[234]

223 [Addressing the legacy of Northern Ireland’s past: Analysis of the consultation responses](#), Northern Ireland Office, July 2019

224 Amnesty International UK ([LPNI0021](#))

225 Police Service of Northern Ireland ([LPNI0015](#))

226 [Q81](#)

He added that “there will be national security issues” but:

There is a mechanism to ensure that the balancing exercise for competing public interests is addressed, and that mechanism is the judiciary.²²⁷

- 143.** In early September the Secretary of State said, with reference to the Government’s appeal against the Dillon judgment to the Supreme Court:

First of all, the Government’s policy is that we want the maximum disclosure to provide answers consistent with national security. Secondly, Government Ministers have a responsibility for national security. They are set out quite clearly. They are ones that I take extremely seriously. Thirdly, in the light of the court judgment relating to disclosure and the commission, I am committed to undertaking reform so that the disclosure arrangements that apply to the commission are akin to those of a public inquiry.²²⁸

He added that the Government was right to seek clarity on disclosure, among other issues, through the Supreme Court, “but,” he added, “the power is not a veto.”²²⁹

Disclosure to the Commission

- 144.** Alongside issues concerning the disclosure of information publicly, stakeholders also raised questions about the disclosure of information to ICIR in the first place. Section 5 of the Legacy Act stated that holders of information must disclose only what the Commissioner for Investigations may “reasonably require”. Baroness O’Loan said:

This ‘reasonableness’ restriction has not previously applied to any policing or police accountability body [...] The reference to reasonableness in this context must not appear in any future legislation.²³⁰

- 145.** Operation Kenova was not subject to that “reasonableness” provision, either, but in its interim report it noted that previous legacy inquiries had encountered issues and this was a “legitimate concern to families”.²³¹ Such obstacles, it said, included a culture of obstruction, the over-classification of documents and difficulty identifying and locating relevant material held by authorities. A key problem for legacy investigations, the report identified,

227 [Q88](#)

228 [Q260](#)

229 [Q262](#)

230 The Baroness O’Loan DBE MRIA ([LPNIO026](#))

231 Operation Kenova, Interim Report 2024, p.103

was that security forces “acted as a gatekeeper, deciding on relevance and release of information for themselves.” Information was not disclosed to investigators when it should have been.²³² In its interim report, Kenova said:

Subject all public authorities to an unqualified and enforceable legal obligation to cooperate with and disclose information and records to those charged with conducting Northern Ireland legacy investigations under a new structure.²³³

Kenova’s final report was due to be published at the end of 2024 but, after the security service MI5 discovered hundreds of new documents, it was delayed while the new material was assessed.²³⁴

146. ICIRIR told us, however, that disclosure of information to it by relevant authorities was unrestricted and would include some material which was highly sensitive, including unredacted material which would have been redacted in inquests for reasons of Public Interest Immunity. It did not refer directly to the issue of “reasonableness.”²³⁵

147. In the Joint Framework published in September, the Government announced:

The Legacy Commission’s disclosure regime will be amended as follows, and approached in a spirit of openness and transparency within these parameters:

- The definition of sensitive information will be reformed to not designate information as sensitive by virtue of the organisation from which it originates;
- The Secretary of State for Northern Ireland will no longer have the power to give guidance to the Legacy Commission about the identification of sensitive information;
- Drawing on provisions contained in the UK Inquiries Act 2005, in considering whether or not to withhold sensitive information from onward disclosure, the relevant Secretary of State will have a statutory duty to conduct a balancing exercise—set out in legislation—in deciding whether the overall public interest favours a disclosure of sensitive information;

232 Operation Kenova, Interim Report 2024, p.25

233 Operation Kenova, Interim Report 2024, p.198

234 BBC News, Stakeknife: MI5 finds hundreds of documents on Army’s IRA spy, 7 August 2024

235 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 47.

- If it is decided to withhold sensitive information from onward disclosure, in line with standards across the UK, the relevant Secretary of State will give reasons for the decision to the extent that is possible without risking harm or damage to national security; and
- The victim, the next-of-kin, or the Commission may appeal a decision to withhold sensitive information from onward disclosure to the relevant court, consistent with the principles applicable on an application for judicial review.²³⁶

Under the Troubles Bill, if the court upholds that appeal, it must direct the Secretary of State to “remake the decision.”²³⁷

148. Clause 13 of the Bill states that a “relevant authority must make available to the Legacy Commission any information, documents and other things” that it “may require”. There is no reference to “reasonably”. Nevertheless, while the “reasonableness requirement” may have been addressed, concerns still remain about the processes of disclosure to the Commission.

149. The PSNI argued in their most recent submission that the proposed changes will “increase demand” on them, as Schedule 4 to the Bill mirrors Schedule 8 to the Legacy Act by requiring the PSNI to classify documents as “sensitive or prejudicial” before transferring them to the Legacy Commission. It adds that the proposed establishment of the new Independent Commission on Information Retrieval will have similar practical implications. This complex task, involving large volumes of paper records and requiring objective assessments, will necessitate a dedicated PSNI team. Instead, they argue, this process should be achieved “through direct and unfettered access to PSNI records by the Legacy Commission and should not be the responsibility of the PSNI. Kenova did not seek such a predetermined assessment of legacy materials.” The PSNI add:

Despite requests, no additional funding has been identified to support the PSNI. The lack of additional funding inescapably impacts on the PSNI’s contemporary budget and associated operational abilities. By extension, these issues have the potential to impact on trust and confidence of communities in policing and the central desire to promote reconciliation.²³⁸

236 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, para 13; On this point, Professor Colin Murray and Anurag Deb contend that this statement is “misleading”, arguing that a judicial review is not an appeal, “but a more limited check that the decision was lawful and taken in a manner that was procedurally correct.” ([LPNI0079](#)), para 12

237 Schedule 5(10)

238 Police Service of Northern Ireland ([LPNI0071](#))

- 150.** The Police Ombudsman also raised significant concerns regarding the “currently unfunded costs” attached to the requirements for disclosure to the Commission and participation in Inquisitorial Proceedings, arguing that “if this work is not recurrently funded, the Ombudsman’s ability to undertake casework in contemporary policing will be adversely impacted.”²³⁹
- 151.** Moreover, changes to the disclosure mechanisms do not appear to go far enough for some other stakeholders. Professor Brian Dooley, on behalf of Human Rights First, contended:

Retention of the SoSNI’s national security veto is a core defect and erodes confidence among families and survivors. The SoSNI still decides what to withhold, and any challenge by the next-of-kin is by a limited judicial review rather than a merits rehearing.

Its concern was centred on the role such power could play in allowing the Government to avoid exposure of transgressions of those connected to the state.²⁴⁰ This issue also concerned Dr Giada Lagana, who observed that “the ultimate power to withhold sensitive information still rests with the Secretary of State. This sustains suspicions that political considerations may override transparency, especially in cases involving state actors.”²⁴¹

- 152.** Rights & Security International “welcome[d] the government’s proposal to narrow the Legacy Act’s provisions on restricting disclosure”, but it had concerns over plans to model the new rules on the Inquiries Act 2005, which it described as “problematic” as “it still permits broad powers for government ministers to prevent disclosure.”²⁴² The CAJ retained similar concerns with the Inquiries Act, noting that although a “workaround” has been found for ECHR-compliant inquiries, the Act had itself “long been heavily criticised for the high level of undue ministerial control over reports.”²⁴³ Amnesty added that the Legacy Commission (or other relevant

239 Police Ombudsman for Northern Ireland ([LPNIO072](#))

240 Human Rights First ([LPNIO064](#))

241 Dr Giada Lagana (Leverhulme ECR Fellow and Lecturer in Politics at School of Law and Politics at Cardiff University) ([LPNIO051](#))

242 Rights & Security International ([LPNIO050](#))

243 Committee on the Administration of Justice (CAJ) ([LPNIO059](#)), para 39; Footnote from the CAJ submission – “In 2009 the NIHRC raised concerns with the UN that the Inquiries Act 2005 could thwart ‘truly independent’ public inquiries ‘by virtue of an unprecedented subordination of the inquiry process to the control of Government ministers at every stage, even though the actions of the executive may, more often than not, be the very subject of investigation.’ (NIHRC correspondence to UN Human Rights Committee, 24 August 2009.) In 2015 the UN Human Rights Committee, in its Concluding Observations on ‘Accountability for conflict-related violations in Northern Ireland’, continued to urge the UK to reconsider the Inquiries Act 2005 in light of its ‘broad mandate for government ministers to suppress the publication of inquiry reports.’(UN Doc CCPR/C/GBR/CO/7, Human Rights Committee, [Concluding Observations on UK](#), paragraph 8.)”

independent body undertaking the relevant investigation) would be “best placed to make an independent and objective assessment which victims and the public can have full confidence in.”²⁴⁴

- 153.** The issue also attracted concern from the Commission for Victims and Survivors, which said: “We have heard repeatedly from victims and survivors their frustration at receiving either heavily redacted files or notice that documents have been withheld owing to national security concerns. It is troubling that the Secretary of State alone continues to reserve this power.”²⁴⁵ Academics who submitted supplementary evidence to us also raised concerns about national security dominating the Commission and restricting investigations.²⁴⁶
- 154.** For the Northern Ireland Veterans Movement, however, their concern was that the provisions will result in “Asymmetrical Disclosure: The Framework does not compel disclosure from paramilitary organizations or foreign actors.”²⁴⁷ The NI Veterans Commissioner also questioned the balance of disclosure, noting that “only the state has records” and has “pressure put on it to give information.”²⁴⁸
- 155.** The NIHRC welcomed some of the changes, noting that removing the Secretary of State’s power to give guidance to the Legacy Commission on identifying sensitive information “helps to address the concerns regarding the extent of the Secretary of State for NI’s influence from the perspective of independence and impartiality.”²⁴⁹
- 156.** However, in evidence to us in November, the NIHRC Chief Commissioner suggested that some of the legal cases currently being fought in the courts appear to go against the spirit of what is in the legislation. She noted that there is still “real cause for concern about how [disclosure] might operate in practice.”²⁵⁰ In its written submission, the NIHRC also drew our attention to clause 17 of the Bill, which makes clear that a disclosure of information by the Legacy Commission must not be made if either the Legacy Commission has identified the information as sensitive, or a relevant public authority has notified the Legacy Commission that the information has been identified as sensitive information. Sensitive information is defined as “information which, if disclosed generally, would risk damaging, or would damage, the national security interests of the United Kingdom.”

244 Amnesty International UK ([LPNI0060](#)); see also Alliance Party ([LPNI0067](#))

245 Commission for Victims and Survivors ([LPNI0070](#))

246 See Professor Feargal Cochrane et al ([LPNI0073](#)); and Professor Colin Murray (Professor at Newcastle Law School); Anurag Deb (Teaching Assistant and PhD Candidate at Queen’s University Belfast) ([LPNI0079](#))

247 Northern Ireland Veterans Movement ([LPNI0053](#))

248 [Q348](#)

249 Northern Ireland Human Rights Commission ([LPNI0055](#))

250 [Qq346-347](#)

- 157.** Schedule 5 to the Bill sets out arrangements for a decision of the Secretary of State for Northern Ireland relating to the disclosure of sensitive information to be appealed. According to the NIHRC, it is not clear from the Bill how a decision of the Legacy Commission to designate information as sensitive information may be challenged. In addition, it is unclear how a victim, or the family of a victim, will be informed about the decision not to disclose sensitive information.²⁵¹
- 158.** In his most recent appearance before us, the Secretary of State argued that there is a misunderstanding of how what he called the “security veto” works. He claimed that people had the impression that it was “absolute and total” but that what happens in practice will be different: “It is important to understand,” he said, “that there will be a dialogue, which happens at the moment, when reports are checked, to decide what can be published.”²⁵²
- 159.** On Second Reading of the Troubles Bill, the Secretary of State referred to the commission’s proposed disclosure regime and said the Bill’s provisions will ensure it has

access to any and all information it requires and is able to publish as much of that as possible, subject to proportionate safeguards, which are necessary because even historic information can pose a direct risk to life and safety today or threaten our national security. However, the Bill ensures that any decision to prevent public disclosure is subject to a balancing exercise—with reasons given where possible, akin to the Inquiries Act 2005—and can be legally challenged.²⁵³

251 Northern Ireland Human Rights Commission ([LPNI0068](#))

252 [Q282](#)

253 HC Deb, 18 November 2025, col 663

160.

CONCLUSION

We recognise the fundamental importance of balancing information disclosure with national security issues. Someone has to strike that balance. The Government did not undertake that role under the previous “Package of Measures” for investigating Troubles-related cases, nor does it under Operation Kenova. It will do, however, under the Troubles Bill. This is of course not an issue for the terrorist organisations that caused so much harm and suffering during the Troubles. It was not their modus operandi to keep records. Despite some loosening of disclosure restrictions, however, trust and confidence in the process among some groups still needs to be attained. There may be merit, for example, in amending the right of appeal against Legacy Commission and ministerial decisions on information disclosure to allow for a merits-based rehearing. On a matter of principle, and in terms of resourcing, the obligation on organisations such as the PSNI to assess and classify information as ‘sensitive or prejudicial’ before transfer to the Commission is potentially unnecessary and will impose a substantial and unfunded administrative burden to deal with the past, for organisations already under pressure to deliver services in the present.

4 Information retrieval

- 161.** In our introduction, we noted that the 2014 Stormont House Agreement (SHA) proposed the establishment of four new institutions: an Historical Investigations Unit; an Independent Commission on Information Retrieval; an Oral History Archive; and an Implementation and Reconciliation Group.
- 162.** Under the 2023 Act, investigations and information retrieval were, however, combined, in the Independent Commission for Reconciliation and Information Recovery (ICRIR). As we have also noted, one of the main elements of that legislation was the ‘conditional immunity scheme’. This was time-bound and involved a conditional amnesty for people suspected of crimes committed during the Troubles. Immunity had to be earned by co-operation and engagement with ICRIR.²⁵⁴
- 163.** Professor Kieran McEvoy, Senator George J. Mitchell Chair of Peace, Security and Justice at Queen’s University, Belfast, told us that the logic of combining those two functions in one body was that information retrieval would happen in the context of a body that could grant someone immunity from prosecution. The courts found that these immunity provisions were incompatible with the European Convention on Human Rights, however, and the Government pledged to repeal them and bolster the commission’s investigative powers. In that context, Prof. McEvoy told us:
- the logic of having investigations and voluntary information retrieval housed in the same body is diminished.
- He added:
- The self-evident ‘chill factor’ of having investigative and information retrieval functions housed within the same institution suggests strongly that the ICRIR is not the appropriate vehicle to secure voluntary information retrieval.²⁵⁵
- 164.** Other stakeholders advocated the separation of the commission’s investigation and information retrieval functions, too. The Commission for Victims and Survivors highlighted the importance of revisiting the draft Stormont House Agreement Bill, which it said would provide the Government “with strong guidelines for a credible approach to information recovery and

254 Judicial Communications Office, [Summary of Judgment - In re Dillon and others - NI Troubles \(Legacy and Reconciliation\) Act 2023.pdf](#), 28 February 2024

255 Professor Kieran McEvoy (School of Law at Queen’s University Belfast) ([LPN10041](#))

disclosure [...] which were endorsed by most political parties in Northern Ireland.”²⁵⁶ The Pat Finucane Centre, the Chief Constable of the PSNI and a group of international academics also called separately for a return to the SHA twin-track approach.²⁵⁷

- 165.** In oral evidence, Prof. Anna Bryson, fellow at the Senator George J. Mitchell Institute for Global Peace, Security and Justice at Queen’s University, Belfast, noted that there was “good reason” why a cross-border information retrieval body (the Independent Commission on Information Retrieval) was included alongside a separate investigative body (the Historical Investigations Unit) in the Stormont House model. It was, she said, because,

victims, as we know, want different things. Some want to know the detail of what happened to their loved one. They do not necessarily want to go down the route of investigations.²⁵⁸

- 166.** Daniel Holder from the CAJ suggested that, alongside “proper criminal investigations with proper criminal powers”, there could be a “complementary mechanism”, whereby

individuals could volunteer information, a bit like the Independent Commission for the Location of Victims’ Remains, in the form of protected statements.

Mr Holder explained that this process could include both state actors and non-state actors.²⁵⁹ In the Stormont House Agreement, the separation of investigations and truth recovery was underpinned by the fact that information given to the ICIR would have been inadmissible in criminal and civil proceedings.²⁶⁰

- 167.** Prof. Bryson and others also drew our attention, however, to the challenges of developing a truth recovery process on this basis, including the issue of substantiating information provided by former paramilitaries.²⁶¹ Prof. McEvoy told us that previous attempts at information retrieval from non-state and state actors had yielded mixed results. He concluded nonetheless that the success of this type of process for some families suggested that it should be an option for those victims and survivors who request it.²⁶²

256 Commission for Victims and Survivors ([LPNI0025](#))

257 Pat Finucane Centre ([LPNI0008](#)); [Q93](#); Professor Feargal Cochrane et al ([LPNI0014](#))

258 [Q20](#)

259 [Q20](#)

260 Northern Ireland Office, Stormont_House_Agreement.pdf (23 December 2014) p.8; on a firewall between investigations and information retrieval, see also Sinn Féin ([LPNI0044](#))

261 [Q20](#)

262 Professor Kieran McEvoy (School of Law at Queen’s University Belfast) ([LPNI0041](#))

- 168.** We were presented with potential solutions to the problem of verifying information from non-state actors. PSNI Chief Constable Jon Boutcher, for example, said that the Serious Organised Crime and Police Act 2005 provided a framework, explaining how, when he was on Operation Kenova,

[w]e were trying to mirror what they have in the United States where people cleanse themselves and tell you everything they have done, then they might get immunity or they might not, or they might get reduced sentences.

Referring to this process, he added:

It would give a framework for people to give intelligence without necessarily incriminating themselves.²⁶³

- 169.** The Secretary of State told us in September that he thought the Legacy Commission might undertake the task of substantiating evidence. He explained that if the Commission had investigated a case as thoroughly as it could, and then further information came to light through an information retrieval mechanism, the Commission would be “the sensible place to go” to ask whether it had any commentary on or assessment of it to assist the families involved.²⁶⁴

Joint Framework/Northern Ireland Troubles Bill

- 170.** The Joint Framework, published in late September, commits to delivering on provisions in the 2014 Stormont House Agreement to set up a cross-border body with the Republic of Ireland on information retrieval, initially on a pilot basis to test its effectiveness.²⁶⁵ The Framework notes that the proposed body, the Independent Commission on Information Retrieval (ICIR), will operate for an initial period of three years, comprising a one-year preparatory phase and two-year pilot phase. After this period, the two Governments will assess the effectiveness of the pilot and jointly determine whether the mechanism should continue to function.²⁶⁶
- 171.** As the ICIR will be a cross-border body, both Governments will jointly appoint two Commissioners to lead it. The Framework notes that the work of the Independent Commission on the Location of Victims’ Remains “provides an effective precedent for such a governance model”, as well as noting that the ICIR will be “independent in the performance of its functions and shall have the legal capacity of a body corporate.”

263 [Q93](#)

264 [Q232](#)

265 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.9

266 As above

The Framework adds:

as was agreed in 2014, any information disclosed to the ICIR will be inadmissible in criminal and civil proceedings. This will be made clear to all those seeking to access information through the body. The work of the ICIR should not impinge on investigations by the Legacy Commission, including in discharging its legal obligations.²⁶⁷

- 172.** While welcoming these proposals, several stakeholders also raised concerns with us. Dr Giada Lagana from Cardiff University told us that while the proposals are ‘important’, “(f)raming them as pilot schemes rather than permanent structures may unintentionally reinforce perceptions of delay or incrementalism.”²⁶⁸ The Northern Ireland Human Rights Commission (NIHRC) also addressed the limitations of framing the ICIR on a pilot basis, arguing that, while they appreciate the importance of ensuring work is completed expeditiously, “this timeframe may result in a number of requests from families being timed out.” The Secretary of State may extend this timeframe by way of regulations, but the NIHRC still queried whether the proposed timeframe allows sufficient time to ensure that all affected individuals will be able to make a formal request to the ICIR.²⁶⁹ The Commission for Victims and Survivors similarly cautioned against ‘setting arbitrary time limits’ and argued that the criteria for winding up the ICIR should “be influenced by the wishes of victims and survivors and the satisfactory conclusion of caseload.”²⁷⁰
- 173.** Concerns surrounding the issue of information protection and verification, pertinent before the publication of the Framework and Bill, was assuaged by neither. Stakeholders’ contributions suggested a lack of clarity in the Government’s proposals. Clause 73 of the Bill explains that information provided to the ICIR and any connected evidence would be inadmissible in legal proceedings and could not be used by the Commission in connection with an investigation or inquisitorial proceedings.²⁷¹ Clause 75 states that ICIR cannot accept a request for information if a criminal investigation under part 3 of the Bill is ongoing. But Wave was still compelled to ask: “Can the ICIR receive information and pass it to families if the Legacy Commission is conducting an investigation?”²⁷² The NI Retired Police

267 As above

268 Dr Giada Lagana (Leverhulme ECR Fellow and Lecturer in Politics at School of Law and Politics at Cardiff University) ([LPNI0051](#))

269 Northern Ireland Human Rights Commission ([LPNI0068](#))

270 Commission for Victims and Survivors ([LPNI0070](#))

271 a) “legal proceedings” means any criminal or civil proceedings, including proceedings before a coroner or an inquiry under the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), and (b) legal proceedings are “prospective” at any time if, in the view of the ICIR, the proceedings are likely to be brought within a reasonable period after that time. Northern Ireland Troubles Bill, Clause 76 (6)

272 Wave Trauma Centre ([LPNI0083](#))

Officers Association said the provisions “appear to make the exchange of information between the two bodies, and the use which can be made of it, subject to significant restrictions.”²⁷³ SEFF noted that a non-criminal investigation, a so-called ‘determining the facts of the conduct’ case examination, can take place at the same time as the ICIR process, but it said this will “potentially complicate matters.”²⁷⁴ Meanwhile, Ulster Human Rights Watch (UHRW) claimed the ICIR “will never be able to confirm as absolutely true and accurate whatever information they may receive.”²⁷⁵ SEFF concluded that there must be checks in place “to ensure corroboration of information provided and safeguards to prevent the process being used for disinformation purposes.”²⁷⁶ We were told that both governments should consider what techniques and skills will be required to determine the credibility of information, such as appropriate interview skills among ICIR staff, research skills including the use of open source archives, and the ability to handle and assess sensitive information.²⁷⁷

174. On substantiating evidence, the Secretary of State told us in October:

Some of this is to be worked out, but we will have to find a practical means of checking, in so far as it is possible to do so. If someone is saying something about something they witnessed and nobody else did, but they have decided to pass that on for the benefit of the family, how would you actually be able to check? Then a judgment has to be made and caveats have to be provided when the information is passed on to the family. But it may help. I think it is definitely worth trying. That is why the Governments previously reached agreement on it; that is why it is part of the framework we agreed with the Irish Government.²⁷⁸

He added:

The ICIR will not have an investigative capacity, but it will want to check with published sources. I am sure it will want to check with the commission, “Have you got anything to say on this?”, which we can then provide as context when we pass the information to the families. It may not be possible to check what has been disclosed in those circumstances.²⁷⁹

175. In evidence to us in November, Alyson Kilpatrick, Chief Commissioner of the NIHRC, said that “this is going to need some real working out... I think that if there is going to be a degree of co-operation, it may deter people

273 NIRPOA ([LPNI0066](#))

274 SEFF ([LPNI0075](#))

275 Ulster Human Rights Watch (UHRW) ([LPNI0049](#))

276 SEFF ([LPNI0075](#))

277 Professor Kieran McEvoy (School of Law, Queen’s University Belfast) ([LPNI0086](#))

278 [Q273](#)

279 As above

from coming forward.”²⁸⁰ The Veterans Commissioner, David Johnstone, questioned the “de facto amnesty” built into the ICIR, telling us that “the morality of that is difficult for veterans to take.”²⁸¹ On that point, SEFF suggested that “any form of conditional ‘amnesty’ provided for terrorists/paramilitaries or perpetrators of troubles related violence to tell the truth should be ideally accompanied with a degree of accountability and some declaration of remorse.”²⁸²

- 176.** Finally, as with the Legacy Commission, the PSNI pointed to the resource implications of establishing the ICIR without any corresponding funding provided to the PSNI to meet its disclosure obligations to that body.²⁸³

177. CONCLUSION

Although proposals to establish the ICIR have been broadly welcomed, notable concerns remain. Alongside criticism of the proposal for the ICIR to operate on a pilot basis, there is insufficient clarity regarding the sequencing of its work and that of the Legacy Commission, and the processes for both protecting and verifying information.

178. RECOMMENDATION

The Government must provide more detail on the Independent Commission on Information Retrieval (ICIR), including its relationship with the Legacy Commission, the sequencing of the work of both bodies, the extent to which an information ‘firewall’ exists between them, the ICIR’s information verification processes, and the justification for its proposed pilot phase. Without this clarity, confidence in the ICIR may not be assured, among either those who wish to provide it with information, or those who seek the truth in its reports.

280 [Q305](#)

281 [Q319](#)

282 SEFF ([LPNI0075](#))

283 Police Service of Northern Ireland ([LPNI0071](#))

5 Cross-border co-operation and commitments by the Government of Ireland

- 179.** In January 2020, the previous Government pledged to legislate on legacy issues and said it would “start an intensive process with the Northern Ireland parties, and the Irish Government as appropriate, to maintain a broad-based consensus on these issues.”²⁸⁴ In March that year, after Ministers made a Written Ministerial Statement setting out proposals which in broad terms would become the Legacy Act, Dublin responded by calling for the implementation of the Stormont House Agreement. Our predecessor Committee noted:

The Government confirmed that it had spoken to the Irish Government and party leaders in Northern Ireland immediately before the WMS was published on 18 March. We note that ‘spoken to’ is very different from ‘conferred with’.²⁸⁵

- 180.** In December 2023, following the enactment of the Legacy Act, the Irish Government launched an interstate case at the European Court of Human Rights. Announcing the challenge, the then Tánaiste (now Taoiseach) Micheál Martin said that Dublin had concerns about provisions on immunity, and the closure of inquests and other “avenues to truth and justice.”²⁸⁶
- 181.** During our inquiry, and prior to the Joint Framework announcement in September, stakeholders made a range of recommendations on the role of the Irish Government under a new legacy regime. The Committee on the Administration of Justice (CAJ) noted that in Ireland, unlike in Northern Ireland, there has been no systematic legacy processes. It made several proposals for the Irish Government to adopt, including establishing an

284 Northern Ireland Office, [New Decade New Approach](#), Annex A, Paragraph, 16, January 2020

285 Northern Ireland Affairs Committee, Third Report of Session 2019–21, [Addressing the Legacy of Northern Ireland’s Past: the Government’s New Proposals \(Interim Report\)](#), HC 329, para 22

286 Government of Ireland, [Statement by the Tánaiste Micheál Martin on the government decision to initiate an inter-State case against the United Kingdom](#), December 2023

historical investigations unit, independent public inquiries and inquests, and an independent truth commission to examine themes and patterns relating to conflict-related violations.²⁸⁷

- 182.** Several stakeholders argued that Dublin should play a more active and accountable role, particularly given the importance of cross-jurisdictional cooperation in addressing legacy issues. The Commission for Victims and Survivors (CVS), for example, highlighted the “multi-jurisdictional nature of the conflict” and said:

it is not possible to fully support victims and survivors without acknowledging and supporting those who live in the Republic of Ireland, as well as in Great Britain and Northern Ireland.²⁸⁸

The CVS added:

The Government’s approach to supporting the health (mental and physical) needs of victims and survivors, acknowledging loss and bereavement, commemorating victims of the violence, and justice, truth and information recovery about conflict-related incidents must therefore include close collaboration with the Irish Government.²⁸⁹

- 183.** The Northern Ireland Veterans Commissioner made a similar point, arguing that if veterans and innocent victims were to be assisted, there must be full cooperation and information disclosure by the Irish Government, particularly “given the number of murders (many of whom were members of the Security forces) that took place along the border.”²⁹⁰
- 184.** ICRIR also addressed the role of Dublin in its submission to us, suggesting that an “Irish Government appointed, and international, Commissioner” could be an important addition to its complement of non-executive commissioners, and help institutionalise international cooperation.²⁹¹
- 185.** Under ICRIR, there have been practical obstacles to information retrieval. Contrasting the commission’s remit with that of the Independent Commission for the Location of Victims’ Remains (ICLVR), Prof. Kieran McEvoy explained:

287 The Committee on the Administration of Justice (CAJ) and the Irish Council for Civil Liberties (ICCL), ICCL-CAJ roundtable discussion report [Policing for peace and the commitment to ‘Repeal and Replace’ the Northern Ireland Legacy Act: how should the Irish Government deal with legacy investigations in its jurisdiction?](#), September 2024

288 Commission for Victims and Survivors ([LPNI0025](#)) para 31

289 As above

290 NI Veterans Commissioner’s Office ([LPNI0011](#))

291 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 38

ICRIR only has legal powers to operate in the United Kingdom whereas the logic of information retrieval (as evidenced by the work of the ICLVR) is that it should be able to work on a cross border basis.²⁹²

Earlier this year, ICRIR's chief commissioner called for an extension of the commission's information-gathering powers to Ireland to ensure that Dublin provides information on a similar basis to London.²⁹³ As the journalist Sam McBride pointed out at the time, there is no territorial constraint on ICRIR's duties: "if, for example, a Dublin family comes to it about a murder south of the border," he wrote, "it must investigate, albeit without access to most of the relevant material."²⁹⁴

- 186.** Under the Joint Framework published in September, London and Dublin announced proposals in two areas. First, on cross-border cooperation, they said:

The two Governments commit to the principle of cooperation and the effective operation of all bodies involved in the investigation of Troubles-related incidents.

Building on existing mechanisms which facilitate cooperation with inquests, the Government of Ireland will ensure the necessary arrangements will be put in place to facilitate the fullest possible cooperation of the relevant Irish authorities with the Legacy Commission, once established, including criminal investigations, fact-finding investigations, and the Inquisitorial Mechanism; as well as with public inquiries. This will make use of existing mechanisms and, where additional legislation is required, this will be brought forward by the Government of Ireland.

On the same basis and in the same spirit, the UK authorities will provide reciprocal cooperation to Ireland for investigations, inquiries and inquests.²⁹⁵

292 Professor Kieran McEvoy (School of Law at Queen's University Belfast) ([LPN10041](#))

293 The Belfast Telegraph, [Sir Declan Morgan: The man who could radically reshape our understanding of Troubles—but who'll quit if he's obstructed](#), 1 February 2025

294 As above

295 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.4

- 187.** Secondly, under “Commitments by the Government of Ireland”, the framework stated:

Recognising that investigations into Troubles-related incidents should be victim-centred and the importance of facilitating effective cross-border cooperation, the Government of Ireland commits to establishing a dedicated unit within An Garda Síochána as a single point of contact for cross-border cooperation on Troubles-related cases.

This unit will also be a central point of contact and coordination with An Garda Síochána for victims and families in relation to Troubles-related investigations undertaken by An Garda Síochána. This is alongside the commitment of An Garda Síochána to investigate all unresolved Troubles-related incidents within its jurisdiction and ensure that any potential investigative opportunities are proactively pursued.

Building on established precedent, An Garda Síochána will, where possible, endeavour to answer questions that a family may have in relation to the investigation of a Troubles-related incident and provide a report to the family. The provision of a family report may not prejudice an ongoing criminal investigation or prosecution. The Government of Ireland will keep these arrangements under review.²⁹⁶

- 188.** Beyond what it outlined in the Joint Framework above, there is so far no clarity on how this family report provision will function in practice—a question we raised with witnesses during our November evidence session, who were similarly uncertain.²⁹⁷
- 189.** The Joint Framework also stated that the Irish Government “will make a financial contribution of €25 million over three years to include the costs of participation and representation of victims, survivors and next of kin in legacy processes.”²⁹⁸
- 190.** Following publication of the Troubles Bill, the Tánaiste Simon Harris TD suggested the Irish Government should be ready to pass its own laws on legacy in 2026 to implement the UK-Irish joint framework. He said: “The British legislation needs to pass first, because then the Irish legislation will be able to comply with the new human-rights compliant institutions that they set up.”²⁹⁹ He also said Ireland would revisit the interstate case once the UK proposals had been “faithfully translated into legislation.”³⁰⁰

296 As above, para 15

297 [Qq293–294](#)

298 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, p.10

299 BBC News, [New legislation on Troubles legacy deal introduced in Westminster](#), 14 October 2025

300 As above

- 191.** During our evidence session with the Secretary of State in October, he said he had “no doubt at all” that the Irish Government would honour its commitments.³⁰¹ We have, however, heard mixed reactions to the Irish Government’s commitments since the Joint Framework was published.
- 192.** The NIHRC said it welcomed the commitment to cross-border cooperation.³⁰² The Chief Commissioner added, however, that people would need to see those commitments fleshed out in legislation, noting there has been “a lack of compliance in the Republic of Ireland and a lack of commitment to beginning and completing article 2 investigations.”³⁰³
- 193.** While also welcoming the commitments, the CVS flagged issues with the uncertain delivery timescales and the lack of clarity on the scope of the dedicated unit within An Garda Síochána (AGS) to investigate Troubles-related incidents and activity occurring within and outside its jurisdiction. The CVS also said clarity is required on the unit’s location in AGS structures and its independent oversight arrangements.³⁰⁴
- 194.** The NI Veterans Commissioner raised a similar point about accountability. Noting there are oversight and conflict-of-interest policies for UK legacy structures, he asked, “who is scrutinising the Irish Government? Who is going to ensure that they provide all the information that they have?”³⁰⁵ Victim-survivor organisation SEFF also criticised the lack of “any real detail on how the Irish Government intends to meaningfully address legacy.” They argued that Dublin is taking “a hypocritical approach in that they insist a bespoke ‘legacy’ unit can and should be housed within the Garda Síochána whereas, to them, such a unit embedded within the PSNI would be totally unacceptable.” SEFF added that there are “questions around the impartiality and independence of an internal Gardai Síochána legacy unit, given that some serving members of the Garda were involved in alleged subversive criminal activity and questionable investigative practices.”³⁰⁶ SEFF concludes that the UK Government “needs to take a more proactive position with the Irish Government not dissimilar to that taken with them over legacy, putting pressure on the Irish Government to replicate the Legacy Commission in some form.”³⁰⁷
- 195.** The Commissioner for Victims and Survivors, Joe McVey, told us in November that the expectation had been that both Governments would move forward “in lockstep with legislation and actions.” He added:

301 [Q272](#)

302 Northern Ireland Human Rights Commission ([LPNI0055](#)) para 5.6

303 [Q292](#)

304 Commission for Victims and Survivors ([LPNI0070](#)) para 8

305 [Q292](#)

306 SEFF ([LPNI0075](#))

307 As above

Certainly the people we would support and represent are saying, “We expect to see legislation. We expect to see concrete action.” The phrase used to me by one of the members was that that it appears “a bit lopsided” at the moment, and to give confidence it needs to be balanced and proportionate.³⁰⁸

- 196.** Others were less supportive of the proposed collaborative approach to legacy. The Northern Ireland Veterans Movement, for example, stated veterans, “are fundamentally opposed to the Republic of Ireland having any say, oversight, or influence on legacy matters” and “demands that the Framework explicitly exclude the Republic of Ireland from any formal role in legacy oversight, decision-making, or investigatory cooperation unless and until it acknowledges its failures, discloses its archives, and commits to equal justice for all victims.”³⁰⁹ Mid Ulster Victims Empowerment also told us that they “do not have any faith in the Dublin Government or the Gardai being a partner in this bill.”³¹⁰ And, Ulster Human Rights Watch said that the Government of Ireland has so far made minimal effort and not been prepared to provide all the information it holds on many incidents carried out in Northern Ireland which were planned and prepared by terrorists in the Republic of Ireland, “where they found a safe haven once they had perpetrated their atrocities.” It called for the Legacy Commission to be given access to all relevant information held by the authorities of the Republic of Ireland along with the power to compel the authorities in the Republic to deal with the legacy of the past.³¹¹
- 197.** While welcoming the commitments to facilitate cross-border cooperation, ICIR told us in November that “the Irish Government has still not met formally with the Commission at a strategic or operational level.”³¹² It argued that early engagement is needed “to develop mutual understandings, information, mechanisms, and priorities that will be essential for the successful delivery of the Joint Framework and the Troubles Bill.”³¹³

308 [Q292](#)

309 Northern Ireland Veterans Movement ([LPNIO053](#))

310 Mid Ulster Victims Empowerment ([LPNIO081](#))

311 Ulster Human Rights Watch (UHRW) ([LPNIO049](#)) para 50

312 Independent Commission for Reconciliation and Information Recovery (ICIR) ([LPNIO082](#)) para 21

313 Independent Commission for Reconciliation and Information Recovery (ICIR) ([LPNIO082](#)) para 22

Omagh Bombing Inquiry

- 198.** In 1998, four months after the signing of the Belfast/Good Friday Agreement, 29 people were killed in the bombing of Omagh town centre. The attack was carried out from the Republic of Ireland.³¹⁴ Four members of the Real IRA were subsequently found liable for the bombing in civil proceedings held in Northern Ireland.³¹⁵
- 199.** In February 2023, the then Northern Ireland Secretary established an independent statutory public inquiry, the Omagh Bombing Inquiry, to investigate whether the attack could reasonably have been prevented by UK state authorities.³¹⁶
- 200.** In April 2025, the Chairman of the Inquiry agreed a Memorandum of Understanding (MoU) with the Government of Ireland.³¹⁷ Dublin said it will co-operate fully with the UK inquiry, but it has not committed to a separate public inquiry itself.³¹⁸ The MoU will enable the Inquiry to access material held by the Irish state, within the Inquiry's terms of reference. The Inquiry said it is discussing further co-operation from the Irish Government on taking evidence from witnesses from Ireland.³¹⁹
- 201.** During our inquiry, we received evidence on the frustration of victims' families with the Irish Government's decision not to commit to a parallel inquiry, and with its level of transparency. John McBurney Solicitors, which represents some of the victims and families, told us that the MoU fails to address the "human, moral, and legal demands" for such an inquiry, and instead appears to ease the pressure on the Irish Government to take meaningful action.³²⁰ Baroness Nuala O'Loan told us she would have expected the Republic to have established a similar independent inquiry to run parallel to the UK's, because she said, "there is clear evidence that that bomb was planned down there."³²¹

314 BBC News, [Omagh bomb: The 29 victims](#), 28 January 2025

315 Northern Ireland Office, [Secretary of State announces independent statutory inquiry into Omagh bomb](#). Gov.uk, 2 February 2023

316 Omagh Bombing Inquiry, Omagh Bombing Inquiry (accessed 20 November 2025)

317 Omagh Bombing Inquiry, [Memorandum of Understanding between Omagh Bombing Inquiry and Government of Ireland relating to the Disclosure of Materials](#), 15 April 2025

318 BBC News, [Omagh bombing: Republic of Ireland agrees co-operation arrangement with inquiry](#), 15 April 2025

319 The Independent, [Omagh families will be 'satisfied' by Irish Government steps](#), 24 April 2025

320 Correspondence with Mr John McBurney regarding the Memorandum of Understanding with the Republic of Ireland on the Omagh Bombing Inquiry, and legacy policy, dated [21 May and 6 May 2025](#)

321 [Q87](#)

- 202.** In response to these points, the Secretary of State said in September that people needed to see what emerges from the “unprecedented commitment” by the Government of Ireland to co-operate with an inquiry in another jurisdiction.³²² He noted he had urged Dublin to establish its own public inquiry, “but,” he said, “their position is well known.” He added:

In an agreement, you are only able to agree things where both parties share the same view. The time to make that judgment about what the MOU will produce is not now. It is when we see how the MOU works in practice, because it has not happened before.³²³

- 203.** Following publication of the Joint Framework, the Secretary of State told us that people could expect to see more cooperation from Dublin. He noted it had committed to passing legislation to enable witnesses to give evidence to the UK inquiry, starting in March 2026. He added:

that is a commitment that they have given, and I am sure that, in line with all the commitments the Irish Government have made, they will honour that.³²⁴

204. CONCLUSION

We welcome the commitment to cooperation on legacy between the UK Government and the Government of Ireland. Ireland now needs to demonstrate its own commitment to establishing and completing human rights-compliant investigations, underpinned by legislation. There is a lack of clarity on the remit, independence and oversight of the proposed legacy unit in the Garda. Victim-survivors and other stakeholders will no doubt look for the establishment as soon as possible of structures comparable to those in the UK, to ensure confidence in the legacy process as a whole across the UK and Ireland. Dublin has stated that it needs to wait for London to implement its human rights-compliant structures before establishing its own. Noting that both governments are signatories to the ECHR, we would urge Dublin to move at pace to show their commitment and mutual good faith, and maximise confidence and the likelihood of successful outcomes. The lack of progress on the Republic of Ireland’s inquiry into the Omagh bombing remains a profound obstacle to uncovering the full truth. It continues to cause deep hurt for many and represents a serious failure of accountability. We have reservations about the Memorandum of Understanding on the Inquiry which the Government of Ireland has agreed, and we do not believe it is a sustainable position for the Government to await its outworkings to determine whether our concerns are confirmed.

322 [Q210](#)

323 [Q212](#)

324 [Q274](#)

6 Reconciliation

- 205.** The parties to the 1998 Belfast/Good Friday Agreement stated that “it is essential to acknowledge and address the suffering of victims of violence as a necessary element of reconciliation”.³²⁵ As we noted in our introduction, however, the agreement did not itself include detailed provisions for addressing reconciliation. “Promoting reconciliation” was nevertheless one of the six necessary principles for dealing with legacy under the 2014 Stormont House Agreement.

Reconciliation and the commission

- 206.** Under the 2023 Act, reconciliation was the “principal objective” of ICRIR, and is of course included in its name.³²⁶ Its case categorisation policy states that decision makers must give “conscious consideration” to the impact on the promotion of reconciliation of any decision on where to place a case.³²⁷ ICRIR employees are also contractually obliged to consider how this principal objective can be furthered “in all that [they] do”.³²⁸ Under the Act, ICRIR was also tasked with publishing a “historical record” of deaths, “which gives an account of the circumstances in which each of the relevant deaths occurred.”³²⁹
- 207.** ICRIR stated that it sought to advance its principal objective of promoting reconciliation by:
- Recovering and disclosing information about the Troubles/Conflict;
 - Objectively telling unvarnished truths about the past;
 - Delivering accountability and acknowledgement for wrongdoing;
 - Vindicating the memories of people killed during the Troubles/Conflict; and

325 Secretary of State for Northern Ireland, [The Belfast Agreement: An Agreement Reached at the Multi-Party Talks on Northern Ireland](#), Rights, Safeguards and Equality of Opportunity, para 11, Cm 3883, April 1998

326 [Northern Ireland Troubles \(Legacy and Reconciliation\) Act 2023](#), Section 2(4)

327 Independent Commission for Reconciliation & Information Recovery, [Independent Commission for Reconciliation & Information Recovery, Pilot policy: End to end Case Categorisation](#), January 2025, para 2.6

328 Independent Commission for Reconciliation & Information Recovery, [ICRIR Code of Conduct](#), December 2023, para 7.1

329 [Northern Ireland Troubles \(Legacy and Reconciliation\) Act 2023](#), sections 28–29

- Providing dedicated, sensitive and sustained case support to all Requesting Individuals.³³⁰

208. Polling commissioned by ICIR in 2024 found that 63% of Northern Ireland respondents felt it unlikely that the Commission would succeed in promoting reconciliation, although an overwhelming majority (85%) of all Northern Ireland respondents believed that reconciliation was still needed.³³¹

209. During our inquiry, we heard mixed views on the inclusion of reconciliation within ICIR’s title and structures and whether this objective would be achieved through its work.

210. Many witnesses described reconciliation as a vague and undefined concept both within the 2023 Act and by ICIR itself.³³² Profs. Louise Mallinder and Anna Bryson said the legislation and subsequent publications by ICIR “provide little clarity on how reconciliation is understood by the Government or ICIR”.³³³ The Commission for Victims and Survivors called the reluctance of ICIR to define the concept, while retaining it as a principal objective, a “significant challenge to building trust”. It said that

not only does this make reconciliation difficult to achieve or measure, but its inclusion has been perceived by some as tokenistic, cynical or insincere.³³⁴

Some also questioned how decisions on case categorisation by ICIR staff, based on impact on the promotion of reconciliation, could take place without a clear understanding of what the term means.³³⁵

211. Additionally, several witnesses felt that ICIR’s approach to facilitating reconciliation remained unclear, and queried how its investigative work would translate into actual reconciliation and how this would be evidenced.³³⁶ Baroness O’Loan argued that “investigation is not a reconciliation process”.³³⁷ Alyson Kilpatrick, Chief Commissioner of the NI Human Rights Commission, said she had no reason to doubt some people’s belief that the commission would achieve reconciliation, but, she added,

330 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 44

331 Opinion Research, [ICIR Baseline Polling—survey 2, Key Findings](#), April 2024. In May 2025 the ICIR published an [Interim Update on Promotion of Reconciliation](#) (accessed 29 May 2025)

332 For example, see: Dr Giada Lagana (Leverhulme ECR Fellow and Lecturer in Politics at School of Law and Politics at Cardiff University) ([LPNI0004](#)); Pat Finucane Centre ([LPNI0008](#)); Ulster Unionist Party ([LPNI0043](#)); [Q93](#) [Jon Boutcher]

333 Professor Louise Mallinder (Professor of Law at Queen’s University Belfast); Professor Anna Bryson (Professor of Law at Queen’s University Belfast) ([LPNI0016](#)), para 7

334 Commission for Victims and Survivors ([LPNI0025](#)) para 26

335 Pat Finucane Centre ([LPNI0008](#))

336 For example, see: NIRPOA ([LPNI0009](#)); Northern Ireland Veterans Movement ([LPNI0005](#)); Commission for Victims and Survivors ([LPNI0025](#))

337 [Q85](#)

I am not told who is supposed to be reconciled by the Act or where that reconciliation is coming from. Is it between families? Is it between the state and families? Is it society more generally? Is it between the Army, the police and the state, et cetera? That needs to be clear.³³⁸

- 212.** Others felt that a definition of reconciliation should not be imposed through legislation or by ICIR. SEFF said it needed to be recognised that there “is no one definition of reconciliation”.³³⁹ Alan Brecknell of the Pat Finucane Centre described reconciliation as “personal [...] not something that can be forced on me or on anyone else by an Act of Parliament”.³⁴⁰ ICIR itself said it could not impose a definition, noting instead that

a uniform understanding of reconciliation will not easily be agreed in relation to [the commission’s] work. That, of course, may evolve over time. However, it is the case that each Requesting Individual has their own perspective on reconciliation.³⁴¹

- 213.** Speaking to us in May, Sir Declan Morgan described the commission’s role as, “creating the base from which reconciliation can spring”. He explained:

In other words, you cannot have reconciliation until you have gone through the difficult process of having the truth told about what happened to everybody during the Troubles.³⁴²

- 214.** When asked about the reconciliation aspect of ICIR’s remit in November 2024, the Secretary of State told us he was not sure that the use of the word in its title was “fantastically helpful”. He said:

Reconciliation is a process. It is about people’s minds. [...] If families who have had no answers now get answers, it may or may not help them to be reconciled with what happened. Some will and some will not. All of us deal with grief and loss in different ways.³⁴³

- 215.** In September 2025, the Secretary of State added that he did not see how legislation could define what reconciliation is, as, he said, “it can only come from within. It can only come from justice, truth, disclosure and answers.”³⁴⁴

- 216.** In the subsequent Joint Framework, the UK and Irish Governments said they had reached their agreement guided by the principles in the SHA, the first of which they listed as “promoting reconciliation”. It was also confirmed that the commission would be renamed the Legacy Commission.

338 [Q2](#)

339 SEFF ([LPNI0030](#))

340 [Q62](#)

341 Independent Commission for Reconciliation and Information Recovery ([LPNI0020](#)) para 45

342 [Q198](#)

343 [Q20](#), [Q22](#)

344 [Q265](#)

Memorialising the Troubles

- 217.** Academic studies of reconciliation generally argue that no society can create a fully inclusive and comprehensive narrative of the past. Instead, as we heard, processes should be put in place to facilitate multiple contesting narratives, all co-existing within the public domain.³⁴⁵
- 218.** Part 4 of the 2023 Act is entitled ‘Memorialising the Troubles’. It has not yet been progressed but provides for initiatives that would operate in parallel with the commission, namely oral history, a memorialisation strategy, and academic research on the patterns and themes of the conflict.³⁴⁶ According to Profs. Mallinder and Bryson,
- these initiatives could provide scope for broader analysis of the complexity of ruptures in relationships across society and a blueprint for non-recurrence.³⁴⁷
- 219.** The Part 4 memorialisation activities are to be carried out by persons designated by the Secretary of State through Regulations. Profs. Mallinder and Bryson said, “the independence of those appointed is of paramount importance.”³⁴⁸ Prof. Thomas Hennessey argued for the appointment of archival historians, contending that, “complete access to the archives, without political interference, is the only way to secure a balanced and proportionate picture of the past”.³⁴⁹ The Troubles Bill does not seek to alter part 4 of the 2023 Act, and the Secretary of State told us that its provisions—including any appointments—will not be implemented until after the new legislation is in place.³⁵⁰
- 220.** Complementary to the mechanisms in the 2023 Act, the previous Government established a panel in early 2024 to commission an “official” or “public” history of British policy during the conflict in Northern Ireland. Prof. Feargal Cochrane and his colleagues told us this process was “a good

345 Professor Louise Mallinder (Professor of Law at Queen’s University Belfast); Professor Anna Bryson (Professor of Law at Queen’s University Belfast) ([LPNI0016](#)) para 29

346 Sections 50 and 52 of the Act provide respectively for a study of how “relevant memorialisation activities currently, or will in the future, promote reconciliation in Northern Ireland”; and for academic research to be carried out in relation to the Troubles, including publication of a report before the end of the seventh year of ICIR’s operation. The academic research must include an analysis of patterns and themes emerging from the relevant events and conduct into which the research is carried out, including women’s and girls’ experience of those events.

347 Professor Louise Mallinder (Professor of Law at Queen’s University Belfast); Professor Anna Bryson (Professor of Law at Queen’s University Belfast) ([LPNI0016](#)) para 40

348 As above, para 40

349 Professor Thomas Hennessey (Professor of Modern British and Irish History at Canterbury Christ Church University) ([LPNI0013](#)) para 2.3

350 Correspondence with the Secretary of State for Northern Ireland, relating to oral evidence taken on 23 June 2025, dated [27 June and 10 July 2025](#).

example of how not to proceed,” and criticised the process for its lack of inclusivity, transparency and accountability.³⁵¹ Profs. Mallinder and Bryson also criticised the selection process for lacking transparency, with those leading it ‘hand-picked’ by the Secretary of State. They described how it “resonate[d] uncomfortably with the desire expressed by Ministers during the development of the Legacy Act to ‘halt the rewriting of history.’”³⁵² The current Government have continued with the project and are appointing official historians.³⁵³

- 221.** We also heard calls for the project’s remit to be expanded beyond UK Government policy during the Troubles to an examination of its historical and political causes and “external and malign influences from other governments including, but not limited to, Ireland, Libya and the United States.”³⁵⁴

Societal reconciliation

- 222.** During our inquiry we also heard that, notwithstanding the provisions in part 4 of the 2023 Act, reconciliation should be understood as an even broader, more societal process. The PSNI said that legacy is connected to a multitude of issues in Northern Ireland today, including societal wellbeing, economic strength and opportunity, UK and Irish governmental relationships and the trust and confidence of the public in both governments and the devolved Assembly.³⁵⁵ Dr Giada Lagana, lecturer in politics at Cardiff University, said:

Only a substantive and meaningful reform process aimed at integrating top-down and bottom-up approaches to reconciliation could render newly designed policy mechanisms viable and able to tackle legacy issues in Northern Ireland.³⁵⁶

Additionally, Baroness O’Loan suggested that the “most difficult question facing Government” is the steps it should take to facilitate reconciliation. She added that reconciliation is “absolutely necessary in Northern Ireland but cannot be imposed.”³⁵⁷

351 Professor Feargal Cochrane et al ([LPNI0014](#)) para 4.4

352 Professor Louise Mallinder. Professor Anna Bryson ([LPNI0016](#)), para 34. In April 2024, the UK government established an Expert Advisory Panel to provide guidance and advice to historians working on the project. See [Expert Advisory Panel for Public History of British Policy During the Northern Ireland Conflict, Terms of Reference](#)

353 Northern Ireland Official History, [History of UK Government policy during the Troubles \(Official History series\)](#) (accessed 19 November 2025)

354 Ulster Unionist Party ([LPNI0043](#)) paras 24, 25 and 28

355 Police Service of Northern Ireland ([LPNI0015](#))

356 Dr Giada Lagana ([LPNI0004](#))

357 The Baroness O’Loan DBE MRIA ([LPNI0026](#))

223. Other contributors also commented on the importance, in the pursuit of reconciliation, of all parties to the conflict providing accountability for and acknowledgement of their actions. This point was made in the Eames-Bradley report into the legacy of the Troubles back in 2009. SEFF said:

If the goal is to foster reconciliation, accountability from all sides is essential. Without ownership and genuine acknowledgment of the harm caused by all parties, the community will remain divided.³⁵⁸

Similarly, the Northern Ireland Veterans Commissioner David Johnstone told us that, “until there is a willingness of all parties to pursue reconciliation, in some ways the structures in place and the cajoling of that do not really matter.”³⁵⁹ Dave Holmes of the Northern Ireland Veterans Movement added, “you need the truth to have the reconciliation [...] There has to be the willingness.”³⁶⁰

224. In the Joint Framework, subsequently published in late September, London and Dublin said that:

the two Governments acknowledge the important role that substantive and unequivocal statements of acknowledgement can play in a holistic legacy process that seeks to address past harms and facilitate societal reconciliation. The two Governments will therefore take the lead in considering such statements of acknowledgment, noting also the importance that such statements are forthcoming from others.³⁶¹

Both Administrations added that they had reached their agreement, “Guided by the principles set out in the Stormont House Agreement in 2014 on dealing with the past,” including “promoting reconciliation”.³⁶²

358 SEFF ([LPNI0030](#))

359 [Q145](#)

360 [Q145](#)

361 Northern Ireland Office, [The Legacy of the Troubles: A Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland](#), 19 September 2025, pp.4–5

362 As above

225. CONCLUSION

Pathways to reconciliation are myriad and complex for every individual, and neither a government, nor a commission, can advance this from the top down. It will emerge only through the diverse acts, large and small, of the people of Northern Ireland and beyond, individually and collectively. For some, too, reconciliation will be neither desirable nor achievable. Importantly though, the Government does have the resources and convening power to create the spaces and symbols to foster it. Reconciliation is no longer so artificially front and centre of the renamed Legacy Commission, but the Government still plans to progress other memorialisation and reconciliation provisions under Part 4 of the Legacy Act, and these may provide the basis for some reconciliation to flourish.

226. RECOMMENDATION

For Part 4 to succeed, the Government must progress its provisions in tandem with implementation of the Troubles Bill, ensure the process for choosing those who deliver it is transparent and allocate capital funding to enable reconciliation projects to commence.

227. CONCLUSION

We plan to inquire into societal reconciliation in more depth. At this juncture, however, it is clear—not least from the brave testimony of victims and survivors during this inquiry—that reconciliation stands a chance of succeeding only if accompanied by people’s admissions—and acknowledgment—of the truth.

Conclusions and recommendations

Consultation

1. The NIO's consultation and communications strategy prior to the announcement of the Joint Framework attracted criticism from families, victims-survivors and others. The contents of the Joint Framework and the Northern Ireland Troubles Bill may be interpreted by those who raised such concerns as evidence that Ministers were listening, but this does not make up entirely for the frustration, distrust and scepticism that some people experienced along the way. (Conclusion, Paragraph 19)
2. In future consultation rounds, the Government must implement a strategy whereby people feel genuinely consulted on policy proposals, not simply told what that policy will be. (Recommendation, Paragraph 20)

The Commission

3. Despite the Court of Appeal's finding that the ICIR had wide powers, unfettered access to all information, documents, and materials as it reasonably required, and was capable of human-rights compliant criminal investigations, ICIR was unable to command confidence across the communities of Northern Ireland and beyond. This was a structural issue—one created by the legislation through which it was introduced. While we are sure it will continue to discharge its duties with integrity and rigour until the transition to the Legacy Commission, we are also clear that, unreformed, it would not have been able to win the trust of all communities. If all communities were to invest in and ultimately benefit from the answers that an organisation dealing with legacy cases can provide, significant reform was inevitable. We therefore welcome the Government's willingness to address many of the concerns, from a range of stakeholders, through the Joint Framework and Northern Ireland Troubles Bill. Issues of clarification and refinement remain, however. (Conclusion, Paragraph 32)
4. The Joint Framework and Troubles Bill offer a chance to reset the investigation process for Troubles-related cases. Despite reassurances from ICIR, some stakeholders continued to have misgivings about the

commission's work. Many families and others have entrusted ICIR with their cases, however, and the fact that these are continuing—and the courts and both Governments saw no reason why they should not—until the new commission takes up this work demonstrates that in law at least the current approach to investigations was sound. By reopening the five-year window for requesting investigations, the legislation also signals a commitment to giving families greater time and flexibility, although concerns have been raised about the potentially arbitrary point at which the window might close. The reset brings other questions, too, which we set out below. (Conclusion, Paragraph 45)

5. The Government must address concerns about the lack of any specific requirement for the investigations process to be ECHR-compliant; the de facto exclusion of most Troubles-related sexual crimes from the commission's remit; the perceived risk that the Commission may disclose in its final reports the questions families have asked, or alternatively the risk that it may present its findings solely in reference to the questions posed, and views expressed, by families; the threshold for the exclusion from the commission process of individuals with long-term injuries; and the call from the commission itself for enhanced powers commensurate with those of a police service. (Recommendation, Paragraph 46)
6. We welcome the provisions in the Bill—echoing what we heard early on in our inquiry—to increase the range of people and organisations that can refer cases to the commission, including the commission itself. Those provisions once again prompt their own questions, however, which we note below. (Conclusion, Paragraph 56)
7. The Government must address concerns about the Bill's narrow definition of "close family member," which may exclude relatives who often play a key role in pursuing information decades after incidents occurred. Ministers must also consider the merits of ensuring that a person's severe physical or mental harm does not preclude their case being referred to the commission. (Recommendation, Paragraph 57)
8. The Troubles Bill partly addresses concerns about the Secretary of State's wide-ranging powers of appointment to the commission under the Legacy Act. Relinquishing such powers to an independent entity may only raise questions of accountability, so transparency will be an important confidence-building part of this process. To that end, the Government should consider the merits of a Minister being bound by a recommendation of the panel of relevant person/s; and publishing an indicative list of consultees, which should include victim-survivor representation. (Conclusion, Paragraph 65)

9. The proposed oversight board for the commission has been criticised for a perceived lack of independent membership. The Government's confirmation that it will be led by an independent, non-executive chair is welcome, although we note that "independent" still entails appointment by the Secretary of State, albeit following advice from the panel of relevant person/s. (Conclusion, Paragraph 72)
10. In the interests of transparency, we recommend that the Government publish an indicative list of these consultees. Additionally, the Government must explain the membership and remit of the oversight board more clearly to those stakeholders in whom it needs to build more confidence in its proposals, including what practicable steps it is taking to include international expertise, beyond the parties to the Joint Framework. There is also a case for ensuring that monitoring reviews of the commission take place annually. (Recommendation, Paragraph 73)
11. While the principle of establishing a victims and survivors advisory group has been broadly welcomed, there is still uncertainty regarding its purpose, its relationship with existing forums, and whether the Government will act decisively, by way of amendment to the Bill, to prohibit participation or representation by the perpetrators of terrorism, crime or paramilitary activity. (Conclusion, Paragraph 80)
12. The Government must provide detailed guidance on the group's remit, composition, and operation to address these concerns and ensure it delivers on its intended role of genuinely representing victims and survivors. (Recommendation, Paragraph 81)
13. The new provisions on conflicts of interest in the Joint Framework and Troubles Bill are, ultimately, a reflection of the political realities of Northern Ireland. By stating this matter of fact, we do not seek to impugn the integrity of any of the current commission officeholders, who continue to discharge their duties in difficult circumstances with the utmost professionalism. Questions remain, however, about the extent of the Secretary of State's power to determine what constitutes a conflict of interest; the process by which families may raise, and the Oversight Board may determine, conflicts of interest; and whether senior commissioners should have to require commission officers to disclose information relating to a potential conflict of interest. (Conclusion, Paragraph 95)
14. The Government must also clarify what constitutes for one director, 'experience of conducting criminal investigations in Northern Ireland', given the proposal that the other director, 'will not have that experience but will have experience of conducting criminal investigations outside Northern Ireland'; and who arbitrates if the two directors disagree on how a case should progress. (Recommendation, Paragraph 96)

15. The Joint Framework and Troubles Bill partially fill the gap in commission accountability left by the Legacy Act. It is still unclear, however, what procedure there is to complain about maladministration or service failure by the commission. The Government must also clarify whether the powers of the Police Ombudsman for Northern Ireland to investigate a relevant offence apply only to serving PSNI officers; and whether it would be more coherent—and victim-centred—for the commission to investigate all Troubles-related alleged offences of state actors. (Conclusion, Paragraph 101)
16. All the reform, goodwill and political impetus in the world will not lead to truth and justice if there is not enough money—either for investigatory or information-disclosing bodies. Despite the initial £250 million allocation to legacy mechanisms, this funding pot has not been updated to account for any of the new mechanisms proposed through the Troubles Bill. Indeed, additional duties on the Commission, responsibilities on bodies charged with identifying and disclosing information and ongoing legacy work currently funded through the devolved settlement all need to be accounted for. Without robust safeguards, regular review, and additional support, including by means of a new, recurring and ring-fenced Government funding stream to meet legacy costs within the PSNI, these reforms risk failure, not least in respect of the provision of contemporary policing in Northern Ireland’s unique and chronically underfunded policing and security context. (Conclusion, Paragraph 106)
17. The Bill’s provisions for winding up the commission grant the Secretary of State broad discretion, raising concerns that it could be closed prematurely for political or resource-based reasons. There is a case for clearer consultation requirements and evidence-based decisions to protect ongoing investigations and uphold commitments to truth and justice. (Conclusion, Paragraph 110)

Troubles-related cases and inquests

18. The Government’s plans for an enhanced inquisitorial mechanism through the Legacy Commission are seen by some as an improvement on the system introduced by the 2023 Act. We heard there are concerns, however, that they could lead to a hierarchy in terms of investigative processes and standards for different families depending on the circumstances of their case and whether Article 2 of the ECHR is engaged. Routing cases through a reformed commission may prove acceptable to critics of both the legacy inquest system and of earlier proposals to direct them to ICIR. The proposals for independent judges presiding over public hearings, and provision for next of kin participation, including legal representation, are welcome. Proceedings must be demonstrably impartial. There are also

still concerns, however, about how practically independent judges can be who are appointed by the Secretary of State, rather than by the NI Judicial Appointments Commission. (Conclusion, Paragraph 123)

19. Stakeholders have different interpretations of the potential powers and effectiveness of the Enhanced Inquisitorial Mechanism; some are enthusiastic, others concerned about its powers compared with the inquest system. The Government also has a balancing act to perform, between ensuring that cases are assessed in a timely manner and directing them to the most appropriate investigatory body. The most appropriate may not be the one that can deal with them fastest. Despite the expectation that law officers will exercise a degree of independence from the Government, the proposed role of the Solicitor General in triaging cases has also undermined trust in the process among some stakeholders. (Conclusion, Paragraph 131)
20. By introducing what it refers to as six new protections for veterans, the Government has attempted to address concerns among former military personnel and others that legacy investigations, whether leading to prosecution or not, have amounted to punishment in themselves. To ensure fairness, however, Ministers have necessarily extended these ‘protections’ to all those engaging in the process. In doing so, they risk over-selling these provisions as guarantees and therefore undermining trust among the very groups in which they hope to instil confidence. Similarly, in pursuit of truth and justice, the new provisions must ensure the effective investigation of legacy cases including, with clear and appropriate safeguards for all, the reopening of previously defective investigations, only where necessary for the purposes of ECHR compatibility or owing to new evidence. (Conclusion, Paragraph 138)
21. We recognise the fundamental importance of balancing information disclosure with national security issues. Someone has to strike that balance. The Government did not undertake that role under the previous “Package of Measures” for investigating Troubles-related cases, nor does it under Operation Kenova. It will do, however, under the Troubles Bill. This is of course not an issue for the terrorist organisations that caused so much harm and suffering during the Troubles. It was not their modus operandi to keep records. Despite some loosening of disclosure restrictions, however, trust and confidence in the process among some groups still needs to be attained. There may be merit, for example, in amending the right of appeal against Legacy Commission and ministerial decisions on information disclosure to allow for a merits-based rehearing. On a matter of principle, and in terms of resourcing, the obligation on organisations such as the PSNI to assess and classify information as ‘sensitive or prejudicial’ before transfer to the Commission is potentially unnecessary and will impose a

substantial and unfunded administrative burden to deal with the past, for organisations already under pressure to deliver services in the present. (Conclusion, Paragraph 160)

Information retrieval

22. Although proposals to establish the ICIR have been broadly welcomed, notable concerns remain. Alongside criticism of the proposal for the ICIR to operate on a pilot basis, there is insufficient clarity regarding the sequencing of its work and that of the Legacy Commission, and the processes for both protecting and verifying information. (Conclusion, Paragraph 177)
23. The Government must provide more detail on the Independent Commission on Information Retrieval (ICIR), including its relationship with the Legacy Commission, the sequencing of the work of both bodies, the extent to which an information ‘firewall’ exists between them, the ICIR’s information verification processes, and the justification for its proposed pilot phase. Without this clarity, confidence in the ICIR may not be assured, among either those who wish to provide it with information, or those who seek the truth in its reports. (Recommendation, Paragraph 178)

Cross-border co-operation and commitments by the Government of Ireland

24. We welcome the commitment to cooperation on legacy between the UK Government and the Government of Ireland. Ireland now needs to demonstrate its own commitment to establishing and completing human rights-compliant investigations, underpinned by legislation. There is a lack of clarity on the remit, independence and oversight of the proposed legacy unit in the Garda. Victim-survivors and other stakeholders will no doubt look for the establishment as soon as possible of structures comparable to those in the UK, to ensure confidence in the legacy process as a whole across the UK and Ireland. Dublin has stated that it needs to wait for London to implement its human rights-compliant structures before establishing its own. Noting that both governments are signatories to the ECHR, we would urge Dublin to move at pace to show their commitment and mutual good faith, and maximise confidence and the likelihood of successful outcomes. The lack of progress on the Republic of Ireland’s inquiry into the Omagh bombing remains a profound obstacle to uncovering the full truth. It continues to cause deep hurt for many and represents a serious failure of accountability. We have reservations about the Memorandum of

Understanding on the Inquiry which the Government of Ireland has agreed, and we do not believe it is a sustainable position for the Government to await its outworkings to determine whether our concerns are confirmed. (Conclusion, Paragraph 204)

Reconciliation

25. Pathways to reconciliation are myriad and complex for every individual, and neither a government, nor a commission, can advance this from the top down. It will emerge only through the diverse acts, large and small, of the people of Northern Ireland and beyond, individually and collectively. For some, too, reconciliation will be neither desirable nor achievable. Importantly though, the Government does have the resources and convening power to create the spaces and symbols to foster it. Reconciliation is no longer so artificially front and centre of the renamed Legacy Commission, but the Government still plans to progress other memorialisation and reconciliation provisions under Part 4 of the Legacy Act, and these may provide the basis for some reconciliation to flourish. (Conclusion, Paragraph 225)
26. For Part 4 to succeed, the Government must progress its provisions in tandem with implementation of the Troubles Bill, ensure the process for choosing those who deliver it is transparent and allocate capital funding to enable reconciliation projects to commence. (Recommendation, Paragraph 226)
27. We plan to inquire into societal reconciliation in more depth. At this juncture, however, it is clear—not least from the brave testimony of victims and survivors during this inquiry—that reconciliation stands a chance of succeeding only if accompanied by people’s admissions—and acknowledgment—of the truth. (Conclusion, Paragraph 227)

Formal minutes

Wednesday 26 November 2025

Members present:

Tonia Antoniazzi, in the Chair

Chris Bloore

Claire Hanna

Simon Hoare

Adam Jogee

Mike Kane

Katrina Murray

Gavin Robinson

David Smith

The Government's new approach to addressing the legacy of the past in Northern Ireland

Draft Report (*The Government's new approach to addressing the legacy of the past in Northern Ireland*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 227 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Second Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

Adjournment

Adjourned till Wednesday 10 December 2025 at 9.00am

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Wednesday 26 February 2025

Alyson Kilpatrick, Chief Commissioner, Northern Ireland Human Rights Commission; **Daniel Holder**, Director, Committee on the Administration of Justice (CAJ); **Professor Anna Bryson**, Professor, School of Law, Queen's University Belfast

[Q1-27](#)

Wednesday 19 March 2025

Alan Brecknell, Advocacy Support Worker, Pat Finucane Centre; **Kenny Donaldson**, Director, SEFF; **Dr Sandra Peake**, Chief Executive Officer, Wave Trauma Centre

[Q28-71](#)

Wednesday 23 April 2025

Jon Boucher, Chief Constable, Police Service of Northern Ireland; **Claire McGuigan**, Detective Chief Superintendent, Police Service of Northern Ireland; **Baroness Nuala O'Loan**, Member, House of Lords; **Sir Iain Livingstone**, Lead Officer, Operation Kenova

[Q72-114](#)

Wednesday 7 May 2025

David Johnstone, Northern Ireland Veterans Commissioner, Office of the Northern Ireland Veterans Commissioner; **Dave Holmes**, Rolling Thunder Liaison, Northern Ireland Veterans Movement; **Chris Albiston**, Member of the Executive Committee, Northern Ireland Retired Police Officers Association; **Axel Schmidt**, Advocacy Support Manager, Ulster Human Rights Watch

[Q115-147](#)

Wednesday 21 May 2025

Sir Declan Morgan, Chief Commissioner, Independent Commission for Reconciliation and Information Recovery (ICRIR); **Louise Warde Hunter**, Chief Executive Officer and Commissioner, Independent Commission for Reconciliation and Information Recovery (ICRIR); **Peter Sheridan CBE**, Commissioner for Investigations, Independent Commission for Reconciliation and Information Recovery (ICRIR); **Steven Bramley CBE**, General Counsel, Independent Commission for Reconciliation and Information Recovery (ICRIR)

[Q148–201](#)

Wednesday 3 September 2025

Rt Hon Hilary Benn MP, Secretary of State for Northern Ireland, Northern Ireland Office; **Julie Harrison**, Permanent Secretary, Northern Ireland Office; **Sharon Carter**, Deputy Director, Legacy Group, Northern Ireland Office

[Q202–271](#)

Wednesday 22 October 2025

Rt Hon Hilary Benn MP, Secretary of State for Northern Ireland, Northern Ireland Office; **Sharon Carter**, Deputy Director of the Legacy Group, Northern Ireland Office

[Q272–291](#)

Wednesday 5 November 2025

Alyson Kilpatrick, Chief Commissioner, Northern Ireland Human Rights Commission; **Joe McVey**, Commissioner, Commission for Victims and Survivors Northern Ireland; **David Johnstone**, Northern Ireland Veterans Commissioner, Office of the Northern Ireland Veterans Commissioner

[Q292–364](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

LPNI numbers are generated by the evidence processing system and so may not be complete.

- | | | |
|----|--|--------------------------|
| 1 | Alliance Party | LPNI0067 |
| 2 | Alliance Party | LPNI0042 |
| 3 | Amnesty International UK | LPNI0060 |
| 4 | Amnesty International UK | LPNI0021 |
| 5 | Benn, The Rt Hon Hilary (Secretary of State for Northern Ireland, Northern Ireland Office) | LPNI0024 |
| 6 | Bryson, Professor Anna (School of Law, Queen's University Belfast) | LPNI0063 |
| 7 | Bryson, Professor Anna (School of Law, Queen's University Belfast) | LPNI0046 |
| 8 | Bryson, Professor Anna (Professor of Law, Queen's University Belfast); and Professor Louise Mallinder (Professor of law, Queen's University Belfast) | LPNI0038 |
| 9 | Cochrane, Professor Feargal (Professor, Department of Politics and International Studies, University of Warwick); Dr Aimee Smith (Research Fellow, Department of Politics and International Studies, University of Warwick); Professor Neophytos Loizides (Professor, Department of Politics and International Studies, University of Warwick); Dr Laura Sudulich (Reader in Public Policy, University of Essex); Dr Raluca Popp (Senior Lecturer in Quantitative Politics, University of Kent); Professor Edward Morgan-Jones (Professor of Comparative Politics, University of Kent); and Professor Charis Psaltis (Professor, Department of Psychology, University of Cyprus) | LPNI0014 |
| 10 | Cochrane, Professor Feargal (University of Warwick); Dr Aimee Smith (University of Warwick); and Professor Neophytos Loizides (University of Warwick) | LPNI0073 |

11	Cochrane, Professor Feargal (University of Warwick); Dr Aimee Smith (University of Warwick); and Professor Neophytos Loizides (University of Warwick)	LPNI0056
12	Commission for Victims and Survivors	LPNI0084
13	Commission for Victims and Survivors	LPNI0085
14	Commission for Victims and Survivors	LPNI0070
15	Commission for Victims and Survivors	LPNI0025
16	Committee on the Administration of Justice (CAJ)	LPNI0036
17	Committee on the Administration of Justice (CAJ)	LPNI0035
18	Committee on the Administration of Justice (CAJ)	LPNI0080
19	Committee on the Administration of Justice (CAJ)	LPNI0059
20	Committee on the Administration of Justice (CAJ)	LPNI0010
21	Donaldson, Jane	LPNI0017
22	Finch, Nadine (Honorary Senior Policy Fellow, School for Policy Studies, University of Bristol)	LPNI0069
23	Finch, Nadine (Honorary Senior Policy Fellow, School for Policy Studies, University of Bristol)	LPNI0061
24	Finch, Nadine (Honorary Senior Policy Fellow, School for Policy Studies, University of Bristol)	LPNI0019
25	Hennessey, Professor Thomas (Professor of Modern British and Irish History, Canterbury Christ Church University)	LPNI0013
26	Human Rights First	LPNI0064
27	Human Rights First	LPNI0054
28	Independent Commission for Reconciliation and Information Recovery (ICRIR)	LPNI0020
29	Independent Commission for Reconciliation and Information Recovery (ICRIR)	LPNI0082
30	Kinahan, Danny (Former Veteran's Commissioner, NI Veterans Commissioner's Office)	LPNI0029
31	Lagana, Dr Giada (Leverhulme ECR Fellow and Lecturer in Politics, School of Law and Politics at Cardiff University)	LPNI0004
32	Lagana, Dr Giada (Leverhulme ECR Fellow and Lecturer in Politics at School of Law and Politics, Cardiff University)	LPNI0062
33	Lagana, Dr Giada (Leverhulme ECR Fellow and Lecturer in Politics at School of Law and Politics, Cardiff University)	LPNI0051

34	Mallinder, Professor Louise (Professor of Law, Queen's University Belfast); and Professor Anna Bryson (Professor of Law, Queen's University Belfast)	LPNI0016
35	Malone House Group	LPNI0052
36	Malone House Group	LPNI0027
37	McEvoy, Professor Kieran (School of Law, Queen's University Belfast)	LPNI0041
38	McEvoy, Professor Kieran (School of Law, Queen's University Belfast)	LPNI0086
39	Mid Ulster Victims Empowerment	LPNI0081
40	Morgan, Dr Austen (Barrister)	LPNI0001
41	Murray, Professor Colin (Newcastle Law School); and Anurag Deb (Teaching Assistant and PhD Candidate, Queen's University Belfast)	LPNI0079
42	Murray, Professor Colin (Newcastle Law School); and Anurag Deb (Teaching Assistant and PhD Candidate, Queen's University Belfast)	LPNI0031
43	NI Veterans Commissioner's Office	LPNI0011
44	Northern Ireland Retired Police Officers Association Ltd	LPNI0066
45	Northern Ireland Retired Police Officers Association Ltd	LPNI0009
46	Northern Ireland Human Rights Commission	LPNI0068
47	Northern Ireland Human Rights Commission	LPNI0055
48	Northern Ireland Human Rights Commission	LPNI0037
49	Northern Ireland Human Rights Commission	LPNI0007
50	Northern Ireland Veterans Movement	LPNI0053
51	Northern Ireland Veterans Movement; and Justice for Northern Ireland Veterans	LPNI0005
52	O'Loan, The Baroness, DBE MRIA (House of Lords)	LPNI0026
53	Pat Finucane Centre	LPNI0008
54	Police Ombudsman for Northern Ireland	LPNI0072
55	Police Ombudsman for Northern Ireland	LPNI0039
56	Police Service of Northern Ireland	LPNI0071
57	Police Service of Northern Ireland	LPNI0015
58	Relatives for Justice (RFJ)	LPNI0057
59	Relatives for Justice (RFJ)	LPNI0003

60	Rights & Security International	<u>LPNI0050</u>
61	Rights & Security International	<u>LPNI0028</u>
62	Rights & Security International	<u>LPNI0065</u>
63	Scull, Professor Margaret (Syracuse University London); and Dr Simon Prince (Canterbury Christ Church University)	<u>LPNI0022</u>
64	Scull, Professor Margaret (Syracuse University London); and Dr Simon Prince (Canterbury Christ Church University)	<u>LPNI0076</u>
65	SEFF	<u>LPNI0075</u>
66	SEFF	<u>LPNI0030</u>
67	Sinn Féin	<u>LPNI0044</u>
68	The Law Society of Northern Ireland	<u>LPNI0074</u>
69	The Law Society of Northern Ireland	<u>LPNI0002</u>
70	Ulster Human Rights Watch (UHRW)	<u>LPNI0078</u>
71	Ulster Human Rights Watch (UHRW)	<u>LPNI0049</u>
72	Ulster Human Rights Watch (UHRW)	<u>LPNI0034</u>
73	Ulster Unionist Party	<u>LPNI0058</u>
74	Ulster Unionist Party	<u>LPNI0043</u>
75	Wave Trauma Centre	<u>LPNI0083</u>
76	Wave Trauma Centre	<u>LPNI0045</u>
77	Young European Movement UK	<u>LPNI0023</u>

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2024–26

Number	Title	Reference
1st	Funding and delivery of public services: follow up	HC 477
2nd Special	Funding and delivery of public services: follow up: Government Response	HC 1096
1st Special	The Funding and Delivery of Public Services in Northern Ireland: Government Response	HC 413