



# Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

## 2023 CHAPTER 41

### PART 2

#### THE INDEPENDENT COMMISSION FOR RECONCILIATION AND INFORMATION RECOVERY

##### *Reviews of deaths and other harmful conduct*

PROSPECTIVE

#### **18 Reports: general provision**

- (1) The Chief Commissioner must comply with sections 15 to 17 as soon as is practicable after the review has been carried out.
- (2) But subsection (1) does not apply to—
  - (a) producing under section 15, and giving and publishing under section 17(2) and (3), the final report on the findings of an excepted review, or
  - (b) publishing under section 17(6) the statement of the manner in which an excepted review was carried out.
- (3) For that purpose an “excepted review” is—
  - (a) a review of a death that was caused by conduct forming part of the Troubles, or
  - (b) a review of other harmful conduct forming part of the Troubles,if the Commissioner for Investigations refers any of that conduct to a prosecutor under section 25 (the “relevant conduct”).
- (4) Instead, in such a case, the final report is not to be produced and published, or the statement is not to be published, unless and until—
  - (a) the prosecutor has made a decision not to prosecute P for any relevant offence, or

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Section 18. (See end of Document for details)*

- (b) if the prosecutor has made a decision to prosecute P for any relevant offence or offences, the public prosecution or prosecutions are no longer continuing.
- (5) Section 16 or 17 and this section do not require the Chief Commissioner—
- (a) to give a copy of a draft of a final report, material which it is proposed to include in a final report, or a final report, to any person, or
  - (b) to publish a final report or statement of the manner in which a review was carried out,
- unless (and until) the Chief Commissioner can do so in accordance with sections 4(1) and 30(2).
- (6) Paragraph 8 of Schedule 6 makes provision about—
- (a) other material that must be included in a final report, and
  - (b) circumstances in which a new final report must be produced.
- (7) Paragraph 3(2)(d) and (e) of Schedule 5 (certain circumstances in which a public prosecution is, or is not, continuing) apply for the purposes of this section.
- (8) In this section—
- “P” means the person who carried out the relevant conduct;
  - “relevant offence”, in relation to a referral to a prosecutor under section 25, means—
    - (a) a suspected offence notified to the prosecutor under section 25 in connection with the referral, and
    - (b) any other offence which the relevant conduct constitutes.

#### Commencement Information

**II** S. 18 not in force at Royal Assent, see [s. 63\(4\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Section 18.