



Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

2023 CHAPTER 41

PART 2

THE INDEPENDENT COMMISSION FOR RECONCILIATION AND INFORMATION RECOVERY

The historical record of deaths

PROSPECTIVE

28 Production of the historical record

- (1) The historical record is to consist of a single document which gives an account of the circumstances in which each of the relevant deaths occurred.
- (2) The ICRIR must take all reasonable steps—
 - (a) to identify all deaths that were caused by conduct forming part of the Troubles, and
 - (b) to identify and obtain—
 - (i) the information about the relevant deaths that is publicly available, and
 - (ii) other information about the relevant deaths which the ICRIR considers is likely to be of use in producing the historical record.
- (3) The ICRIR may request a person to provide information in connection with the production of the historical record.
- (4) But the ICRIR may not request information that relates to the relevant death, or to the relevant event, to be provided by—
 - (a) a member of the family of the deceased person,

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 28. (See end of Document for details)

- (b) a person who suffered physical or mental harm as a result of the relevant event, or
 - (c) a member of the family of a person—
 - (i) whose death was caused by conduct forming part of the relevant event, or
 - (ii) who was caused physical or mental harm by conduct forming part of the relevant event.
- (5) That does not prevent the ICRIR from making a request to a person in their capacity as the holder of an employment, office or other position.
- (6) A person may provide information if requested to do so by the ICRIR, but only if the provision of the information would not breach—
- (a) any obligation of confidence owed by the person, or
 - (b) any other restriction on the disclosure of information (however imposed).
- (7) When deciding whether it is reasonable to take a particular step for the purposes of subsection (2)(a) or (b), the ICRIR may, in particular, take into account whether that step would, in the ICRIR’s view, involve disproportionate effort or cost.
- (8) In this section—
- “relevant deaths” means those deaths which the ICRIR identifies, after taking all reasonable steps in accordance with subsection (2)(a), as deaths that were caused by conduct forming part of the Troubles, except those deaths for which reviews are carried out under section 13;
 - “relevant event” means an event in which a relevant death occurred.

Commencement Information

II S. 28 not in force at Royal Assent, see [s. 63\(4\)](#)

Status:

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Changes to legislation:

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