

External Advisory Group Terms of Reference (April 2025)

Introduction and Purpose

1. The Independent Commission for Reconciliation and Information Recovery (ICRIR) powers and duties derive from the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023. The primary role of the ICRIR will be to provide information to families, victims and survivors of Troubles/Conflict-related deaths and serious injury, and in doing so to fulfil its principal objective of promoting reconciliation. The ICRIR will have full police powers to conduct criminal investigations as part of any investigations and will produce findings report following any investigation.
2. The ICRIR has a statutory duty to carry out reviews of deaths and other harmful conduct that were caused by conduct forming part of the Troubles/Conflict where a valid request has been received. The Commissioner for Investigations provides organisational leadership of the ICRIR's investigative functions.
3. The ICRIR Board has collective responsibility for ensuring the ICRIR fulfils its statutory purpose and objectives. The External Advisory Group (EAG) has been established by the ICRIR Board to advise the Commissioner for Investigations (and the wider Commission) on operating policies and practices including providing expert insight to assist the Commissioner for Investigations to discharge his/her duties. It will provide a "critical friend" role so that methodologies, information recovery processes and use of the Commission's powers are all focused on delivering good quality outcomes for those making requests.

Remit

4. The External Advisory Group will be given briefings by the Commissioner for Investigations and those acting on his/her behalf about the development of the Commission's policies, procedures and practices, so that it can provide expert advice and input for the Commission to consider. Information briefed and advice given will be in confidence but with the agreement of the Chief Commissioner, the Chair of the Group may publish a summary of the Group's opinion via the Commission.

5. Conduct of specific cases and individual operational decisions will remain matters for the Commissioner for Investigations and relevant ICRIR officers and any Committees or sub-Committees of the Board so tasked, in line with the relevant terms of reference.

Membership

6. The External Advisory Group will include (but not be limited to) those who have experience in law, human rights, law enforcement, experience and knowledge of the Troubles/Conflict in Northern Ireland, those with oversight experience, those with trauma and resiliency informed experience as well as those with experience advocating for victims and survivors.
7. The membership of the Group will be kept under review by the ICRIR Board and subject to potential additions or changes in consultation with the Chair of the Group. A minimum of five members are required for a meeting to be quorate.
8. The External Advisory Group will have an independent Chair who will be appointed by the Chief Commissioner. The Chair will be responsible for leading discussions, working with the Commissioner for Investigations to identify appropriate topics and areas for support and challenge, and for representing the whole Group membership's views to the Commission. In doing this they may be invited to attend the ICRIR Board. There shall be two co-chairs to provide resilience to the Chair and support meetings and the EAG as appropriate.

Responsibilities

9. The External Advisory Group will:
 - Offer guidance and expert advice about the system and methodology for the conduct of investigations, including operating policies and practices and information recovery arrangements and how the Commission's Trauma and Resiliency Informed Model (TRIM) positively supports operations.
 - Explore the processes required to ensure a robust and credible investigation, including compliance with the requirements of the European Convention on Human Rights and the standards of an Article 2 ECHR compliant investigation as appropriate.
 - Offer expert advice and guidance on processes that define how investigations are being conducted in an independent and trauma and resiliency informed way.
 - Provide insight and advice regarding the provision of support and information to all those engaging in the work of the ICRIR.

- Consider the strategic workforce and organisational training and development plans so that ICRIR officers carrying out investigative work have the requisite skills and experience, including how the Commission has embedded the TRIM approach.
- Upon request, offer specific advice to help resolve obstacles or difficulties that the investigations teams may face.
- EAG members may perform, or commission limited assurance engagements/tasks which would be relevant to the skills and experience of existing members (Note: this would require separate ToR and may require additional resource which should not be to the detriment of ongoing investigations/case work).

Meetings

10. Meetings of the External Advisory Group will be held regularly (minimum quarterly). The Chair may convene additional meetings, in consultation with the Commissioner for Investigations.
11. The Commissioner for Investigations will work with the Chair to determine the officers best placed to provide briefings and assist the group.