

Screening

Policy scoping

Information about the policy

Policy name	Handling a Request (making, changing or withdrawing) Policy
Existing/Revised/New policy	New.
What is the policy trying to achieve?	The wide-ranging policy on handling a request sets out the individual components that make up a request, from helping a requesting individual to frame their request, making an assessment of eligibility, the different steps within an investigation and through to the completion of an investigation. The policy also details out how the Commission will undertake this important work, including: • the principles that will apply in all investigations, • guidance on how the Commission interprets the legislation (Legacy Act) • how the Commission will explore and establish family relationships • when requests may be linked, and • when requests may be joined. Importantly, the policy sets out the form and manner of a request for an investigation under sections 9 and 10 of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023. This policy also applies to section 11 which sets out how the Commissioner for Investigations deals with requests for investigations. The policy sets out: • The engagement process undertaken by Case Support prior to the submission of a request • Initial exploratory work undertaken by Information Recovery which informs routes to establish or clarifying eligibility • How a request may be paused (prior to submission)

	• The retention of data where a request is not submitted • The form and manner of a request • The process to be followed by eligible public office holders who wish to make a request under s9 including a need to consult with individuals and families linked to the request • The process by which the eligibility of a requesting individual and their request is established • The process which applies where eligibility cannot be established • The process which applies where requests may be joined • The process which applies where a request relates to an event which has already been investigated • The process by which a request can be rejected • The approach the Commission should taken to repeat requests • The process by which a requesting individual can change or withdraw a request Anyone who is dissatisfied with decisions taken within the Handling requests policy is able to request a review of it through the Commission's policy - Requests to review decisions.
Policy author	Information Recovery Programme Team, under the direction of the Commissioner for Investigations.
Policy owner	Commissioner for Investigations.

Are there any S75 categories which might be expected to benefit from the intended policy? If so, explain how.

The policy is designed to ensure equal access and treatment for anyone who wishes to make a request for an investigation, and this will cover all of the s75 categories. The Commission recognises however that those disabled as a result of the conflict, people of different religious belief or political opinion, women and older people may be the most likely to engage with the Commission and, accordingly, be most likely to benefit from the consistent application of this policy.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

The Commission recognises the possibility of legal action against any decisions which it makes, and some legal challenges may inhibit further decisions being made using any of the powers which are challenged. The government has committed to reforming the statutory underpinning of the ICRIR. The Northern Ireland Troubles Bill is currently before Parliament and proposes some changes to the request process, including expanding the ability of public authorities to request an investigation, at sections 27-31 of the Bill: [Northern Ireland Troubles Bill](#).

There is also scope for the vexatious use of the requests process (as there is no limit to the amount of requests which can be made) and which will act as a drain on the Commission's resources.

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

Staff: Case Support Team, Information Recovery Team investigators, Findings Team, Assistant Commissioners for Investigations, Assistant Commissioner for Support and Engagement (Victims and Survivors), Commissioner for Investigations, Chief Commissioner.	Actual
People who use our service: Requesting individuals and their families, legal representatives	Actual
Other public sector organisations: civil society organisations.	Potential
Voluntary/community/trade unions: proxy organisations	Potential
Other, please specify	n/a

Other policies with a bearing on this policy

Name	Who Owns
Requests to review decisions	Information Recovery Team
Investigations policy	Information Recovery Team
Safeguarding policy	ICRIR

Mental capacity	Case Support
Charter to Commitments to victims	ICRIR
Vexatious Communications policy	ICRIR

Available evidence

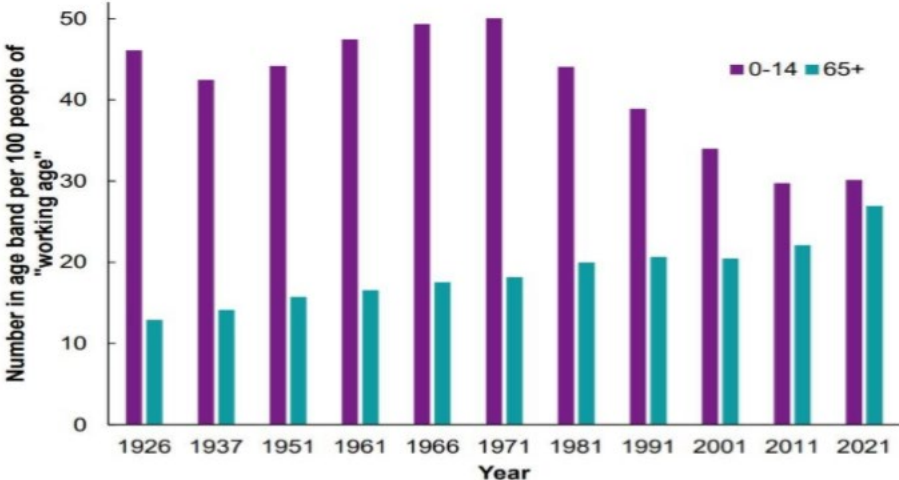
What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Please note policy written before any staff employed so no internal information available.

Religious Belief	On Census Day 2021 just under one person in five (19.0%) either had 'no religion' (17.4%) or 'religion not stated' (1.6%). The equivalent percentages for the main religions were: Catholic (42.3%) Presbyterian Church in Ireland (16.6%) Church of Ireland (11.5%) Methodist (2.4%) Other Christian denominations (6.9%) Other non-Christian Religions (1.3%) Source: Census 2021 main statistics for settlements and wards in Northern Ireland Northern Ireland Statistics and Research Agency (nisra.gov.uk) The CAIN: Sutton Index of Deaths (ulster.ac.uk) shows the following breakdown of deaths by main religion in Northern Ireland: Catholic, 1522 Protestant, 1288 not from Northern Ireland killed in Northern Ireland 722
Political Opinion	While religious belief is not an automatic determinant of religious belief, it can, for the purposes of this screening, be used as a proxy to determine political opinion. The most recent census data of 2021 did collect information on the basis of identity as follows: In 2021, 31.86% of "All Usual Residents" declared their national identity as British Only; 29.13% selected Irish Only; and 19.78% stated Northern Irish Only. Since 2011, those declaring themselves as British Only and Northern Irish Only has declined by approximately 8 percentage points and 2 percentage points respectively in their share of the national identity categories.

	Source: Census 2021 main statistics for settlements and wards in Northern Ireland Northern Ireland Statistics and Research Agency (nisra.gov.uk) (Table MS-B15) The CAIN: Sutton Index of Deaths (ulster.ac.uk) shows a summary of the status of the person killed: Civilian, 1840 British Security, 1114 Republican Paramilitary, 397 Loyalist Paramilitary, 170 Irish Security, 11
Racial Group	Around 98% of Northern Ireland's population identifies as white, with 2% belonging to minority ethnic groups (e.g., Black, Asian, Mixed). The 2021 Census data also revealed growth in the minority ethnic population. Within the time period in which the deaths and serious harm which the ICRIR can investigate occurred, the percentage of the population which identifies as white was even higher.
Age	The Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 sets out that "the Troubles" means the events and conduct that related to Northern Ireland affairs and occurred during the period— (a)beginning with 1 January 1966, and (b)ending with 10 April 1998. The Commission recognises therefore that many people who are eligible to make a request for an investigation are likely to be relatively old. In addition, the Census 2021, one person in four (24.3% or 463,000 people) had a limiting long term health problem or disability, 40% of which were aged 65 or more (185,300 people).
Marital Status	The most recent Northern Ireland Census shows a declining trend in marriage rates, with more people opting for civil partnerships or remaining single. Northern Ireland Census 2021 data shows a decline in marriage rates, with 42% of adults married, 11% divorced, and an increasing number of people opting for civil partnerships or remaining single.
Sexual Orientation	Sexual orientation data indicates around 2% of the population identifies as LGB (Lesbian, Gay, Bisexual) based on NISRA's Continuous Household Survey.
Men and Women Generally	The CAIN: Sutton Index of Deaths (ulster.ac.uk) shows the gender of those killed during the Troubles/Conflict:

	Male: 3210 Female: 322 For requests relating to a death therefore, we can reasonably infer that the requesting individual is more likely to be female, even allowing for the fact that the time that has elapsed in many cases will mean the requesting individual is a child of the person who was killed.
Disability	It is estimated that at least 40,000 individuals were physically injured in Troubles incidents, ranging across bombs exploding, riots, shootings, armed robberies and 'punishment' attacks. (Source: Victim's Payment Board Regs 2020 EQIA: Disability: https://assets.publishing.service.gov.uk/media/5e3468d240f0b6090e0b4440/VP_EQIA_-_January_2020_.pdf) The 2021 census found that 165,130 people in Northern Ireland had an 'Emotional, psychological or mental health condition' which includes conditions such as depression or schizophrenia. The census does not consider the extent to which these conditions have been caused as a result of the conflict. The Commission for Victims and Survivors 2021 population survey found: • 24% of the population met the legal definition of a victim and/or survivor of the NI Troubles/Conflict. • 21% felt the Troubles/Conflict affected their mental health. • 45% had been present at, or witnessed, a Troubles/Conflict-related incident. According to the NISRA, around 21% of Northern Ireland's population lives with a disability. This percentage increases with age. Requesting Individuals who have themselves suffered serious harm as a result of a serious injury related to the Troubles / Conflict will be more likely than the general public to be living with a disability.

Dependants	 Source: Census 2021 population and household estimates for Northern Ireland: Statistical bulletin (nisra.gov.uk) Census 2021 shows that there were 365,200 children (aged 0 to 14) or 19% of the population. While the population grows, household sizes continue to fall - the average household size has fallen from 2.54 in 2011 to 2.44 in 2021.
Gender Reassignment (required under Equality Act 2010):	Data on individuals who have undergone or are undergoing gender reassignment is scarce due to privacy concerns. However, estimates suggest that around 1% of the UK population identifies as transgender or non-binary. (Not required for section 75 but is required under the Equality Act)

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

Specify details of the needs, experiences and priorities for each of the Section 75 categories below:

Religious belief	Decisions taken on investigations may be more impactful on those from different, specific religious backgrounds given the sectarian nature of violence relating to the Troubles/ Conflict. Individuals who hold specific religious beliefs may have had negative past experiences when engaging with state organisations.
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	It is important that the Commission provides these individuals with equal rights relating to participation, opportunity and access as they relate to the process of making a request, from initial engagement with the Case Support team, through to acceptance or rejection of a request.
Political Opinion	Decisions taken on investigations may be more impactful on those who hold specific political opinions given the political and sectarian nature of violence relating to the Troubles/ Conflict. Individuals who hold specific political opinions may have had negative past experiences when engaging with state organisations. It is important that the Commission provides these individuals with equal rights relating to participation, opportunity and access as they relate to the process of making a request, from initial engagement with the Case Support team, through to acceptance or rejection of a request.
Racial Group	Neutral impact; policy applies regardless of race.
Age	The Commission recognises that older people are more likely to request an investigation and, potentially, will be more susceptible to the emotional impacts that may arise when approaching the Commission with a request. There is, therefore, a risk that they may also be negatively impacted by some parts of the process, particularly those which are complex and will require a significant period of time to complete.
Marital status	Neutral impact; policy applies regardless of marital status.
Sexual orientation	Neutral impact; policy applies regardless of sexual orientation.
Men and Women generally	The policy is likely to impact more on women than men as it has been evidenced that men were more likely to have died as a consequence of the Troubles/Conflict. Therefore, there is the potential for more women than men to approach the Commission seeking an investigation. It is important that that the Commission provides these individuals with equal rights relating to participation, opportunity and access as they relate to the request process.
Disability	Individuals living with a disability may feel that the Commission's process of handling a request may impact upon them due to their disability. These individuals will need assurance and support to ensure they have the opportunity to request additional support

	reasonable adjustments, where needed, during the request process to ensure their participation rights are fully met.
Dependants	Neutral impact; policy applies regardless of dependants.

Part 2. Screening questions

Introduction

1. **What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 equality categories?**

Details of the likely policy impacts on **Religious belief**:

Assessment: The Commission may receive slightly more requests for investigations from members of the Catholic community.

Rationale: The [CAIN: Sutton Index of Deaths \(ulster.ac.uk\)](http://ulster.ac.uk) shows the following breakdown of deaths by main religion in Northern Ireland:

Catholic: 1522

Protestant: 1288

not from Northern Ireland killed in Northern Ireland: 722

Mitigations: None of the factors that determine how a request is considered by the Commission are in any way influenced by a requesting individual's religious belief. The policy ensures there is opportunity and participation for all religious groups, promoting fairness and equity of access.

Level of Impact	Major	Minor	None
		x	

Details of the likely policy impacts on **Political Opinion**:

Assessment: The Commission may receive more requests for investigations from individuals who hold certain political opinions over others.

Rationale: The [CAIN: Sutton Index of Deaths \(ulster.ac.uk\)](http://ulster.ac.uk) shows a summary of the status of the person killed:

Civilian, 1840

British Security, 1114

Republican Paramilitary, 397
Loyalist Paramilitary, 170
Irish Security, 11

This data suggests that different political grouping may be a determinant in which cases are brought to the Commission

Mitigations: None of the factors that determine whether to accept an investigation, how an investigation is carried out, or any aspect of investigative activity, are in any way influenced by a requesting individual’s political opinion. The policy ensures there is opportunity and participation for all political opinion, promoting fairness and equity of access.

Level of Impact	Major	Minor	None
		x	

Details of the likely policy impacts on **Racial Groups**:

Level of Impact	Major	Minor	None
			x

Details of the likely policy impacts on **age**:

Assessment: The Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 sets out that “the Troubles” means the events and conduct that related to Northern Ireland affairs and occurred during the period—

- (a)beginning with 1 January 1966, and
- (b)ending with 10 April 1998.

The Commission recognises therefore that many people who are eligible to make a request for an investigation are likely to be relatively old. In addition, the Census 2021, one person in four (24.3% or 463,000 people) had a limiting long term health problem or disability, 40% of which were aged 65 or more (185,300 people).

The Commission therefore recognises that older people are more likely to be engaging in investigations.

Rationale: The Commission infers that older people are more likely to make a request for an investigation and may as such be more likely to be impacted by how each request is handled.

In addition, the Commission's emotional support offer may be useful for some in this category and flexibility will be shown throughout the investigative process (in terms of investigation timelines, frequency of meetings, location of meetings and during the publication process) to ensure fairness and equity of access for older people.

The age of a requesting individual however is in no way a factor in how a request is handled.

Mitigations: The policy ensures there is opportunity and participation for people of all ages (allowing for the Commission's under 18 safeguarding policy) promoting fairness and equity of access.

Level of Impact	Major	Minor	None
		x	

Details of the likely policy impacts on **Marital Status**:

Level of Impact	Major	Minor	None
			x

Details of the likely policy impacts on **Sexual Orientation**:

Level of Impact	Major	Minor	None
			x

Details of the likely policy impacts on **Men and Women**:

Assessment: For requests relating to a death, we can reasonably infer that the requesting individual is more likely to be female, even allowing for the fact that the time that has elapsed in many cases will mean the requesting individual is a child of the person who was killed.

Rationale: The [CAIN: Sutton Index of Deaths \(ulster.ac.uk\)](http://ulster.ac.uk/CAIN/Sutton%20Index%20of%20Deaths) shows the gender of those killed during the Troubles/Conflict:

Male 3210
Female 322

Mitigations: The Commission acknowledges that more women may approach the Commission to request an investigation into the death of a family member as more men died as a result of the Troubles/Conflict than women. However, all those who approach the Commission will be offered emotional and logistical support to ensure their needs are met throughout the investigation process.

None of the factors that will be used in the decision-making process as to whether a request for an investigation can be accepted is in any way influenced by a requesting individual's gender, nor the gender of the victim, which is why the impact here is considered to be Minor.

Level of Impact	Major	Minor	None
		x	

Details of the likely policy impacts on **disability**:

Assessment: The eligibility criteria in the Act on what constitutes serious harm makes it inevitable that the Commission will engage with people who have a severe level of disability. Furthermore, the high threshold in terms of the legislative provisions relating to what is meant by serious physical or mental harm may mean that someone who deems themselves injured will not be eligible for an investigation.

Rationale: It is estimated that at least 40,000 individuals were physically injured in Troubles incidents, ranging across bombs exploding, riots, shootings, armed robberies and

'punishment' attacks. (Source: Victim's Payment Board Regs 2020 EQIA:

Disability: [https://assets.publishing.service.gov.uk/media/5e3468d240f0b6090e0b4440/VP_EQIA - January 2020 .pdf](https://assets.publishing.service.gov.uk/media/5e3468d240f0b6090e0b4440/VP_EQIA_-_January_2020_.pdf))

The 2021 census found that 165,130 people in Northern Ireland had an 'Emotional, psychological or mental health condition' which includes conditions such as depression or schizophrenia. The census does not consider the extent to which these conditions have been caused as a result of the conflict.

The [Commission for Victims and Survivors 2021 population survey](#) found:

- 24% of the population met the legal definition of a victim and/or survivor of the NI Troubles/Conflict.
- 21% felt the Troubles/Conflict affected their mental health.
- 45% had been present at, or witnessed, a Troubles/Conflict-related incident.

Mitigations: The Commission has a range of policies in processes in place to meet individual need, based around the support provided by the Case Support Team. The Commission will provide mental health accommodations, including access to trauma-informed emotional support services and flexibility in investigation timelines, to ensure that individuals with mental health conditions or other needs arising from disability are fully supported throughout the investigative process. This will include the frequency and location of meetings offered through the investigative process.

The Commission has published information on [Other Harmful Conduct](#) that aims to support requesting individuals by giving clarity on what constitutes harmful conduct for the purpose of assessing eligibility. The policy position from which the FAQ evolved has been equality screened and further advice sought from the Equality Commission To this end, this element of the policy is considered as covered by that screening.

Level of Impact	Major	Minor	None
	x		

Details of the likely policy impacts on **Dependants**:

Level of Impact	Major	Minor	None
			x

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below:

The Commission will provide information to victims, survivors and their families about Troubles/Conflict-related deaths and serious injury and promote reconciliation and will not be delivering its services differently based on needs and experiences and priorities for any of the S75 categories above. It is therefore anticipated that these elements will help to better promote equality of opportunity for people with the S75 equality groups as the Commission will demonstrate through its processes that all those who approach the Commission will be treated equally and without bias. The Commission publishes its policies on its website to ensure there is clarity and transparency for all that choose to use its services.

Further, the policy itself functions as a mechanism for building public trust in the Commission, and its commitment to the promotion of the objective of reconciliation. Access to the investigative process will actively promote dialogue and healing between communities affected by the Troubles/Conflict. This approach, in combination with trauma-informed practices, could significantly help foster good relations.

Religious Belief - If Yes, provide details:

Political Opinion - If Yes, provide details:

Racial Group - If Yes, provide details:

Age - If Yes, provide details:

Marital Status - If Yes, provide details:

Sexual Orientation - If Yes, provide details:

Men and Women generally - If Yes, provide details:

Disability - If Yes, provide details:

Dependants - If Yes, provide details:

3. **To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?**

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**.

What is the level of impact? Minor.

Details of the likely policy impacts on **Political Opinion**:

What is the level of impact? Minor.

Details of the likely policy impacts on **Racial Group**:

What is the level of impact? None.

4. **Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?** No.

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

Additional considerations

Multiple identity

It is recognised that this policy may impact on people with multiple identities. The Commission acknowledges that individuals with multiple identities may experience unique impacts. We will ensure that these are fully considered, and accommodations are made where necessary.

The Commission recognises the diverse needs of individuals with disabilities, older people, those from different religious and community backgrounds, those with differing political opinions and women who are statistically more likely to have been bereaved during the Troubles/Conflict and therefore more likely to ask for an investigation. The Commission also acknowledges that individuals with intersecting identities, such as elderly women with disabilities, may face compounded barriers. The Commission is committed to providing reasonable accommodations to ensure their full participation in the investigative process and that any issues they raise are fully considered in the decisions taken by the Commission. This is consistent with the Commission's values in relation to impartiality and openness.

Further, the TRIM approach enables the Commission to take a tailored approach to each individual with whom it works and provides particular flexibility to accommodate the needs of those with multiple identities.

Part 3. Screening decision

Screening outcome: Screened out

Decision: The decision is not to conduct an equality impact assessment for the Handling a Request policy. The impact on those with disabilities is being dealt with via the screening on serious harm.

Mitigation

The aim of the policy is to set out how the Commission handles requests by individuals to ensure that Requesting Individuals and families understand the process by which the Commission accepts, or rejects, requests. The policy ensures that the Commission is able to deliver effectively for all impacted by the Troubles / Conflict by ensuring relevant opportunity for individuals to receive appropriate support during the request process, and to understand how and why the Commission has taken the decision to accept or reject their request.

Approval and authorisation

Screened by: Establishment Programme Team

Date: 25 September 2024

Screened by: Operational Policy Assurance and Compliance

Date: 8 April 2026

Approved by: Commissioner for Investigations

Date: 1 May 2026