

Screening

Policy scoping

Information about the policy

Policy name	Publication of open investigations in the Information Recovery stage.
Existing/Revised/New policy	New policy.
What is the policy trying to achieve	This policy sets out how the Commission approaches the publication of information about open investigations. It applies to all requests for investigations made under section 9 (deaths) and section 10 (other harmful conduct) of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 (the Act). This includes requests for investigations made by eligible public office holders. Each investigation by the Commission will look into all the circumstances of the death or other harmful conduct and will produce a report (“final report”) on the findings of the investigation. The Commission must provide a draft report to any relevant family members of any persons killed or seriously injured in an event under investigation for the purposes of making representations prior to publication. Every eligible individual must also be provided with the opportunity to make a personal statement about how they were affected by the incident. This intended aim of this policy is to assist the Commission to identify those eligible to participate in the process outlines above. The intended outcome of this policy is to ensure that the Commission has complied with the duties placed upon it by the Legacy Act, and the Human Rights Act, and is able to effectively deliver for all those impacted by the Troubles / conflict. Further, this policy enables the Commission to operate in an accountable and transparent manner. This policy also aims to foster trust in the Commission's process and promote reconciliation among all affected communities.

Policy author	The 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.

While people with disabilities, from different religious traditions, or with particular political opinions may particularly benefit from this policy, it is designed to ensure the participation of all individuals across Section 75 categories.

Those disabled as a result of the conflict, those from the two religious traditions in NI (religious belief), and those with particular political opinions may particularly benefit from this policy in that they will be made aware of an open investigation in which they may have participation rights. However, as noted below, for those requesting individuals and their families who also fall into these groups, and who have open investigations with the Commission, there may be a negative impact in that their identities may be inferred as a result of this policy (and the publication of information about the investigation into their case).

This policy will build public trust in the work of the Commission, and ensure reconciliation is accessible to those from s75 categories.

Implementation factors

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

Media reaction to the publication of information together with a community / individual reaction to the publication of this information could:

- have an impact on the safety and security of those who have made requests, and those whom it is perceived could have made a request;
- have a “chilling effect” on the extent to which others make requests of the Commission; and/or
- could lead to applications to withdraw existing requests for investigations.

Media reaction to the publication of investigation has, to date, been muted and there have been no noted negative impacts from the use of this policy on service users. However, this is to be kept under review as the Commission publishes more information about open investigations.

Main stakeholders affected

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

Staff: Case Support Workers working with families who have open investigations; Investigation team working on open investigations; Findings Officers drafting final reports.	Actual
People who use our service: those bereaved and seriously injured in the Troubles / Conflict who have an open investigation with the Commission; those bereaved and seriously injured in the Troubles / Conflict who have participation rights in open investigations (to make a request, make a personal statement, to receive a copy of the report; those who may have information pertinent to an open investigation.	Actual
Other public sector organisations	Potential
Voluntary/community/trade unions: victim support groups and proxies	Potential
Other, please specify: media outlets reporting on the publication of case information.	Potential

Other policies with a bearing on this policy

Name	Who owns
Vexatious Communications policy	Commissioner for Investigations
Safeguarding policy	Head of Safeguarding
Assessing Mental Capacity Policy	Commissioner for Investigations
Policy on handling personal statements	Commissioner for Investigations

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%)

Religion has been recorded in the census in Ireland/Northern Ireland since 1861 and the table below shows how the main religious groupings have changed over the 1961 (just before the Troubles began). The table shows the increase in the population who have 'no religion' or 'religion not stated' over the last sixty years; this group is now second only to Catholic. This points to the increasingly secular nature of the population.

Census year	All usual residents	Catholic	Presbyterian Church in Ireland	Church of Ireland	Methodist Church in Ireland	Other religions	None/ Not Stated
1961	1,425,042	34.91%	28.99%	24.20%	5.04%	5.00%	1.85%
1971	1,519,640	31.45%	26.70%	22.00%	4.69%	5.79%	9.38%
1981	1,481,959	27.97%	22.93%	18.99%	3.96%	7.61%	18.53%
1991	1,577,836	38.38%	21.35%	17.70%	3.77%	7.76%	11.03%
2001	1,685,267	40.26%	20.69%	15.30%	3.51%	6.36%	13.88%
2011	1,810,863	40.76%	19.06%	13.74%	3.00%	6.58%	16.87%
2021	1,903,178	42.31%	16.61%	11.55%	2.35%	8.19%	19.00%

	Source: Census 2021 main statistics for settlements and wards in Northern Ireland Northern Ireland Statistics and Research Agency (nisra.gov.uk) (Table MS-B22)
Political Opinion	While religious belief is not an automatic determinant of political opinion, 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)
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	Northern Ireland’s workforce generally reflects an aging population, with approximately 18% of the population being over 65 and about 20% under 15. In the public sector, the average age of employees is typically between 35–55. Age-related issues in employment could include older employees facing challenges in adapting to new technologies or younger employees feeling underrepresented in leadership roles. Surveys from sources like the Northern Ireland Statistics and Research Agency (NISRA) show concerns about intergenerational fairness and age-based discrimination in the workplace, including opportunities for younger workers to access training and promotions, and challenges older workers may face when adapting to evolving work practices. ICRIR has the remit to investigate deaths and serious injuries related to the Troubles/Conflict in the period between 1 January 1966 and 10 April 1998 which caused serious physical or mental harm. A victim or survivor can request that the Commission investigates an incident involving a serious injury to them.

	A close family member of the deceased can ask the Commission to investigate an incident involving a death. Given the period of time in which these deaths or serious crimes occurred, Requesting Individuals are likely to be older than the general population.
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 Northern Ireland Census 2021 produced the following demographic breakdown for Northern Ireland: • Female 50.81% • Male 49.19% Census 2021 main statistics demography tables – age and sex Research found in the CAIN Archive gives the following demographic breakdown of deaths during the period spanning 14 July 1969 and 31 December 2001: • Female: 322 • Male: 3210 CAIN Archive: An Index of Deaths from the Conflict in Ireland
Disability	In 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). In total, 1.44 million people (75.7%) indicated they did not have a limiting long-term health problem or disability. Also, those reporting 'Emotional, psychological or mental health' conditions tend to be middle aged (higher prevalence at age 40 to 64). It is important to remember that the statistics presented here relate to self-reported health conditions. Source: Census 2021 Main statistics for Northern Ireland - Statistical bulletin - Health (nisra.gov.uk)

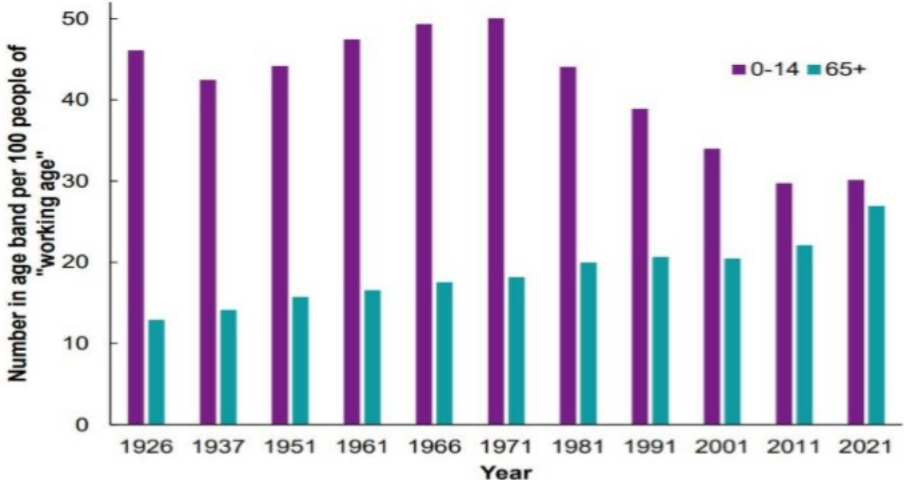
The Department for Health NI publishes a [Health Inequalities Annual Report](#). The 2024 report highlights that “large inequality gaps continue to exist for mental health indicators”. It found that:

- Prescription rates for mood and anxiety disorders increased regionally and for most and least deprived areas between 2018 and 2022, with the rate in the most deprived areas 67% higher than in the least deprived areas.
- In 2020-22, the suicide mortality rate in the most deprived areas was more than two and half times that observed in the least deprived areas.
- 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

As stated above, in 2021, there were 165,100 people were recorded with an emotional, psychological, or mental health condition. The [Northern Ireland Wellbeing Dashboard](#) records several indicators associated with mental health outcomes: loneliness, self-efficacy, and locus of control. It also provides data on a personal well-being score based on self-reported life satisfaction, worthiness, happiness and anxiety. People with a disability had higher loneliness scores compared to people who had no disability (34.8% vs 14.2%).

The [2021 Census data](#) showed that:

- 14.67% of young people aged 0-17 years who had a health problem or disability that limits day-to-day activities also had an Emotional or Mental Health problem expected to last 12 months or more.
- 27.55% of people aged 18 or older who had a health problem or disability that limits day-to-day activities also had an Emotional or Mental Health problem expected to last 12 months or more.

Dependant s	 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 ment (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	A Requesting Individual, or those who have participation rights in an investigation, may experience a negative on the grounds of their religious beliefs impact due to a potential adverse community reaction to the publication of a report into the investigation. Where
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	such an impact may be felt, these individuals may need additional support at time of publication.
Political Opinion	A Requesting Individual, or those who have participation rights in an investigation, may experience a negative on the grounds of their political opinions impact due a potential adverse community reaction to the publication of a report into the investigation. Where such an impact may be felt, these individuals may need additional support at time of publication.
Racial Group	Neutral impact. The policy applies regardless of race.
Age	Neutral impact. The policy applies regardless of age.
Marital status	Neutral impact. The policy applies regardless of marital status.
Sexual orientation	Neutral impact. The policy applies regardless of sexual orientation.
Men and Women generally	Neutral impact. The policy applies regardless of gender.
Disability	Individuals who approach the Commission may be living with a disability due to being victims of serious harm arising from a Troubles/ Conflict-related incident. Where such an impact may be felt, these individuals may need additional support at time of publication.
Dependants	Neutral impact. The 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: Minor Impact

Rationale: Given the sensitive nature of investigations involving Troubles/Conflict-related deaths, the potential for significant impact on individuals' religious beliefs may be higher.

This policy is more likely to impact those drawn from Northern Ireland's two main religious traditions.

Mitigations: Where the Commission decides, using the approach set out in this policy, that a requesting individual or family may be negatively impacted by the publication of their investigation on the basis of their religion, the Commission is provided with the option of not publishing the information; and / or putting in place mitigation such as additional support for that requesting individual.

This policy provides opportunities for those from the two main religious traditions who are not engaging with the Commission but may have participation rights in relation to an open investigation to be made aware of the investigation and their related rights.

Level of Impact	Major	Minor	None
		x	

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

Assessment: Minor impact

Rationale: Those with specific political opinions could be affected due to the potential for public attention or media coverage related to investigations.

Mitigations: Where the Commission decides, using the approach set out in this

policy, that a requesting individual or family may be negatively impacted by the publication of their investigation on the basis of their political opinion, the Commission is provided with the option of not publishing the information; and / or putting in place mitigation such as additional support for that requesting individual.

This policy provides opportunities for those with political opinions who are not engaging with the Commission but may have participation rights in relation to an open investigation to be made aware of the investigation and their related rights.

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**:

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**:

Level of Impact	Major	Minor	None
			x

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

Assessment: Minor impact

Rationale: The impact of this policy is likely to impact more on those who have a disability as those who can request an investigation into Other Harmful Conduct can only do so if they have a high level of disability (in line with the Act). As a result, publication of information about other harmful conduct investigations will directly relate to those with a disability (with the resultant issues around the media). However, this policy also provides an opportunity for those seriously harmed in incidents under investigation to become aware of such an investigation and to take up relevant participation rights.

Mitigations: Where the Commission decides, using the approach set out in this policy, that a requesting individual or family may be negatively impacted by the publication of their investigation on the basis of disability, the Commission is provided with the option of not publishing the information; and / or putting in place mitigation such as additional support for that requesting individual.

Further, the Commission will provide reasonable accommodations to ensure that people with disabilities are able to fully engage with the investigative process. These accommodations may include adjustments to ensure accessibility in both physical and informational contexts including, for example, alternative methods of communication about the policy and the manner in which views can be provided (such as using interpreters).

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-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.

The policy emphasizes the trauma-informed model for engagement and decision-making demonstrating the Commission's nuanced understanding of the emotional and psychological toll the publication of investigations may have on individuals and families.

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.

Religious Belief - If Yes, provide details: As above.

Political Opinion - If Yes, provide details: As above.

Racial Group - If Yes, provide details: As above.

Age - If Yes, provide details: As above.

Marital Status - If Yes, provide details: As above.

Sexual Orientation - If Yes, provide details: As above.

Men and Women generally - If Yes, provide details: As above.

Disability - If Yes, provide details: As above.

Dependants - If Yes, provide details: As above.

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? Minor.

4. **Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Detail opportunities of how this policy could better promote good relations 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 injuries and promote reconciliation. The Commission has resolved to embed a trauma and resilience informed approach across its people, processes, external engagement and places (virtual and physical). It is anticipated that this TRIM-centred approach will help to better promote good relations for people within the S75 equality groups.

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 publication of certain investigations may be deemed to have more of an impact on those from a particular religious background or those with differing political opinions. If any of those service users also have a disability this would bring them under the umbrella of the multiple identity s75 group. It is therefore likely that the following multiple identities may apply: religious beliefs, political opinions, and disability.

The Commission recognises the diverse needs of individuals with disabilities, those from different religious and community backgrounds and those with differing political opinions. 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 (here, in the publication of information about cases).

This intersectional consideration of the policy's impact enables the Commission to ensure that mitigations are put in place to ensure those with multiple s75 identities are not disadvantaged by this policy; and their equal access to the Commission's services is assured. This applies to those known, and not known, to the Commission.

Part 3. Screening decision

Screening outcome: Screened out

Decision: The decision is not to conduct an equality impact assessment for the policy on Publication of open investigations in the Information Recovery stage.

Mitigation

The aim of this policy is set out how the Commission approaches the publication of information about open investigations to ensure that those considering making a request of the Commission understand the implications of doing so. The policy also aims to ensure that the Commission is able to deliver effectively for all impacted by the Troubles / conflict by ensuring transparency about investigations, and relevant participation rights.

The policy provides for a case-by-case consideration of whether to publish information about an open investigation and provides a list of factors to be considered in each decision. These factors act as mitigation to the potential impact on specific s75 groups and demonstrate that the Commission is committed to making reasonable adjustments to accommodate individuals with specific needs, ensuring that the investigative process remains accessible and fair to all.

Approval and authorisation

Screened by: EDI Consultant

Date: 5 September 2024

Screened by: Operational Policy Assurance and Compliance

Date: 2 April 2026

Approved by: Commissioner for Investigations

Date: 1 May 2026