

Screening

Policy scoping

Information about the policy

Policy name	Types of Investigations
Existing/Revised/ New policy	New policy
What is the policy trying to achieve?	The policy sets out a standard methodology to ensure that the right type of investigation is carried out for each request that the Commissioner for Investigations accepts. The Commission will carry out a scoping exercise to review all the material which is sufficient to identify the issues involved in the case, any opportunities for new lines of inquiry to be pursued, for example forensic re-testing or witnesses to be spoken to. A Terms of Reference for every investigation is then developed, including a decision on the type of investigation that the Commission will undertake. There are three types of investigation that can be undertaken: Focused investigation Liability investigation; and Culpability investigation The Commission has identified a range of factors that will determine which type of investigation is appropriate in each case. Those factors are: • The nature of the request and any questions asked. • Whether Article 2 or 3 ECHR is engaged. • The views of the Requesting Individual or family • There are reasonable grounds to suspect that an identifiable, living person/s has committed an offence and that an investigation may be capable of obtaining evidence that is reliable, credible and admissible.

	• There is a linked investigation assigned to an investigative type • The impact on the principal objective of promoting reconciliation. The Commission has agreed a set of principles that will inform every investigation, regardless of investigation type. The principles have been based on good practice identified in European Convention on Human Rights (ECHR) compliant investigations. The principles are: • The Commission will investigate each case referred to it independently, thoroughly, and fairly. • The Commission will undertake investigations promptly and proportionately. • The Commission will ensure those making a request are appropriately involved in the investigative process in order to protect their legitimate interests. • The Commission will make factual determinations that are supported by the available material. • Findings expressed will always be at least to the civil standard of proof. • The Commission will compile and produce a report of its findings in relation to each investigation it carries out. All investigations will follow these guiding principles, and they will be underpinned by the Commission's trauma-informed support for Requesting Individuals. It is further worth noting that there are three different types of investigation, but all investigations will be thorough in their work and carried out by specialist, trained investigators. All investigators in the Information Recovery Team, from whatever investigative background will be deployed across all types of investigation. Commission investigators will conduct professional, independent, impartial and competent investigations to a standard that informs a robust decision. The standard of the investigation must be able to withstand independent review and scrutiny whether the outcome involves findings expressed on the balance of probabilities or a referral to a prosecutor for consideration. All Commission officers will be professionally curious and apply an open investigative mind-set.
Policy author	Establishment Programme Team
Policy owner	Commissioner for Investigations

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

Those disabled as a result of the Troubles/Conflict, people of different religious belief or political opinion, women and older people may benefit from the consistent application of this policy. The Commission recognises, however, that there may be instances in individual cases where the Commission's decision on which type of investigation to pursue is inconsistent with the wishes of a family or individual.

Anyone who is dissatisfied with that decision is able to request a review of it through the Commission's policy on [Requests to review decisions](#).

The consistent application of the Types of Investigations policy will build public trust in the work of the Commission and promote wider reconciliation as well as make best use of available resources.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision? No

Main stakeholders affected

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

Staff	The Commissioner for Investigations, who owns the policy and is responsible for its implementation. Case Support Workers working with families who have open investigations; the investigation team working on open investigations; the Findings Officers drafting final reports.
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).

Other public sector organisations	Relevant authorities who hold material required for an investigation.
Voluntary/community/trade unions	Victims' groups (where acting as a proxy for individuals who have an open investigation, or participation rights in an open investigation).
Other, please specify	Legal representatives (where acting as a proxy for individuals who have an open investigation, or participation rights in an open investigation).

Other policies with a bearing on this policy

Name	Who Owns
Requests to review decisions	Commissioner for Investigations
Handling a request policy	Commissioner for Investigations
Safeguarding policy	Head of Safeguarding
Mental capacity	Commissioner for Investigations
Vexatious Communications policy	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	Northern Ireland is traditionally split between those identifying as Protestant (around 42%) and Catholic (about 41%), with increasing numbers identifying as having no religion or other religions.
Political Opinion	The political landscape in Northern Ireland is unique, with political opinions often aligning with religious or national identity. Political affiliations in Northern Ireland often correlate with religious and national identity, with Unionists (typically Protestant) and Nationalists (typically Catholic) making up the largest groups. However, no precise statistics on political opinions are routinely collected due to sensitivities surrounding this information.
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 time period in which these deaths or serious injuries occurred, it is anticipated that Requesting Individuals may be 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
Disability	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	No information available.
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	Each Requesting Individual will have different reasons for approaching the Commission. Those who have a request with the Commission are likely to be drawn from the two main religious traditions in Northern Ireland and will have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. The Commission's Case Support Team will work with Requesting Individuals and their families to identify individual needs and preferences and ensure these are understood across the Commission. It must be pointed out however that the type of
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	investigation to be carried out is a decision for the Commissioner for Investigations and while the wishes of a Requesting Individual or family will be considered, there are other factors which will drive the Commission's decision in individual cases. The policy requires a robust, evidence led consideration of factors to inform the decision on investigation type. This focus will ensure consistency of application and outcomes across s75 groups.
Political Opinion	Each Requesting Individual will have different reasons for approaching the Commission. Those who have a request with the Commission are likely hold a distinct political opinion relating to their background and community and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. The Commission's Case Support Team will work with Requesting Individuals and their families to identify individual needs and preferences and ensure these are understood across the Commission. It must be pointed out however that the type of investigation to be carried out is a decision for the Commissioner for Investigations and while the wishes of a Requesting Individual or family will be considered, there are other factors which will drive the Commission's decision in individual cases. The policy requires a robust, evidence led consideration of factors to inform the decision on investigation type. This focus will ensure consistency of application and outcomes across s75 groups.
Racial Group	Each Requesting Individual will have different reasons for approaching the Commission and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. Individuals from different racial groups may be keen to be treated equally, with flexibility and accommodation, if required.
Age	Each Requesting Individual will have different reasons for approaching the Commission. Those who have a request with the Commission are likely to be older and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. The Commission's Case Support Team will work with Requesting Individuals and their families to identify individual needs and preferences and ensure these are understood across the

	Commission. It must be pointed out however that the type of investigation to be carried out is a decision for the Commissioner for Investigations and while the wishes of a Requesting Individual or family will be considered, there are other factors which will drive the Commission's decision in individual cases. The policy requires a robust, evidence led consideration of factors to inform the decision on investigation type. This focus will ensure consistency of application and outcomes across s75 groups.
Marital status	Each Requesting Individual will have different reasons for approaching the Commission and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. Individuals with different marital statuses may be keen to be treated equally, with flexibility and accommodation, if required.
Sexual orientation	Each Requesting Individual will have different reasons for approaching the Commission and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. Individuals of different sexual orientations may be keen to be treated equally, with flexibility and accommodation, if required.
Men and Women generally	Each Requesting Individual will have different reasons for approaching the Commission. Those who have a request with the Commission are more likely to be women and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. The Commission's Case Support Team will work with Requesting Individuals and their families to identify individual needs and preferences and ensure these are understood across the Commission. It must be pointed out however that the type of investigation to be carried out is a decision for the Commissioner for Investigations and while the wishes of a Requesting Individual or family will be considered, there are other factors which will drive the Commission's decision in individual cases. The policy requires a robust, evidence led consideration of factors to inform the decision on investigation type. This focus will ensure consistency of application and outcomes across s75 groups.

Disability	Each Requesting Individual will have different reasons for approaching the Commission. Those who have a request with the Commission are likely to be living with a disability and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. The Commission's Case Support Team will work with Requesting Individuals and their families to identify individual needs and preferences and ensure these are understood across the Commission. It must be pointed out however that the type of investigation to be carried out is a decision for the Commissioner for Investigations and while the wishes of a Requesting Individual or family will be considered, there are other factors which will drive the Commission's decision in individual cases. The policy requires a robust, evidence led consideration of factors to inform the decision on investigation type. This focus will ensure consistency of application and outcomes across s75 groups.
Dependants	Each Requesting Individual will have different reasons for approaching the Commission and may have experienced the Troubles/Conflict in different ways and will have different questions that they want the investigative process to answer. Individuals with dependants may be keen to be treated equally, with flexibility and accommodation, if required.

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: 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 \(nisra.gov.uk\)](#) (Table MS-B22)

None of the factors that determine investigation types are in any way influenced by a Requesting Individual's Religious belief (or, where the victim is deceased, the religious belief of the victim), which is why the impact here is considered to be **Minor**.

Mitigations: The policy seeks to provide equal access and treatment to the investigation process for all s75 groups.

Level of Impact	Major	Minor	None
		x	

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

Assessment: Minor Impact

Rationale: 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.

Other National Identities accounted for approximately one-fifth of the All-Usual Residents in the Northern Irish population. The highest of these were Polish (1.25%, 23,862), Lithuanian (0.62%, 11,879), Romanian (0.37%, 7,056) and Portuguese (0.36%, 6,853).

Source: [Census 2021 main statistics for settlements and wards in Northern Ireland | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](#) (Table MS-B15)

Mitigations: As set out above, none of the factors that the Commission considers in determining investigation types are in any way influenced by a Requesting Individual's political opinion (or the political opinion of the deceased), which is why the impact here is considered to be Minor. The policy seeks to provide equal access and treatment to the investigation process for all s75 groups.

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**:

Assessment: Minor Impact

Rationale: 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 and, potentially, more susceptible to the emotional impacts that an investigation may create.

Since older people are more likely to make a request for an investigation, there is a risk that they may also be negatively impacted by the decision on which type of investigation will be carried out. This is particularly relevant where a liability or culpability investigation is carried out as they are necessarily complex and will require quite significant period of time to complete. However, the case categorisation policy takes age and infirmity into account when allocating resources.

Mitigations: To mitigate this risk, the Commission’s policy on Case Categorisation takes account of cases where a Requesting Individual is elderly (over 75) or in poor health. In addition, the Commission’s emotional support offer may be useful for some in this category.

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: Women are, statistically, more likely to approach the Commission to open an investigation into a Troubles/ Conflict-related death (as set out below).

Rationale: The [CAIN: Sutton Index of Deaths \(ulster.ac.uk\)](http://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 could be a child of the person who was killed.

Mitigations: None of the factors used to determine which type of investigation is appropriate in each case 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 disability.

Rationale: 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.

Mitigations: The Commission has a range of policies in processes in place to meet individual needs, based around the support provided by the Case Support Team. The Commission will offer emotional support and, on a case-by-case basis, will consider necessary flexibility in investigation timelines, to ensure that individuals with mental and physical health conditions are fully supported throughout the investigative process.

Organisationally however, none of the factors that will be used to determine which type of investigation is appropriate in each case is in any way influenced by a requesting individual's disability 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 **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? Yes**

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

Religious Belief - If Yes, provide details:

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, this policy functions as a mechanism for building public trust in the Commission, and its commitment to the promotion of the objective of reconciliation. 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.

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**: The Commission's principal statutory objective is to promote reconciliation. The investigative process will actively promote dialogue and healing between communities affected by the Troubles/Conflict.

What is the level of impact? **Minor.**

Details of the likely policy impacts on **Political Opinion**: The Commission's principal statutory objective is to promote reconciliation. The investigative process will actively promote dialogue and healing between communities affected by the Troubles/Conflict.

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-related deaths and serious injury and promote reconciliation. The Investigations Policy sets out the approach to this task. The Commission has embedded a trauma and resilience informed approach – across our people, processes, external engagement and places (virtual and physical).

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. 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 Investigations Policy.

Mitigation

The Commission should continue to monitor the impact of the policy particularly as new cases arise. The Case Categorisation policy can function as an important mitigation in this regard, particularly where a Requesting Individual is elderly. This mitigation will need to be reviewed once the Commission has determined the investigation type of a greater number of cases.

Approval and authorisation

Screened by: Operational Policy Assurance and Compliance

Date: 21 April 2026

Approved by: Commissioner for Investigations

Date: 1 May 2026