



## 2013 CHAPTER 2

### *Supplementary*

#### **Offences**

**16.—(1)** A person who without reasonable excuse—

- (a) contravenes a restriction order; or
- (b) fails to do anything which that person is required to do by a notice under section 9,

is guilty of an offence.

(2) A person who during the course of the inquiry does anything which is intended to have the effect of—

- (a) distorting or otherwise altering any evidence, document or other thing which is given, produced or provided to the inquiry, or
- (b) preventing any evidence, document or other thing from being given, produced or provided to the inquiry,

or anything which that person knows or believes is likely to have that effect, is guilty of an offence.

(3) A person who during the course of the inquiry intentionally—

- (a) suppresses or conceals a document which is, and which that person knows or believes to be, a relevant document, or
- (b) alters or destroys a relevant document,

is guilty of an offence.

(4) For the purposes of subsection (3) a document is a “relevant document” if it is likely that the chairperson would (if aware of its existence) wish to be provided with it.

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**Changes to legislation:** *There are currently no known outstanding effects for the Inquiry into Historical Institutional Abuse Act (Northern Ireland) 2013, Section 16. (See end of Document for details)*

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(5) A person does not commit an offence under subsection (2) or (3) by doing anything which that person is authorised or required to do—

(a) by the chairperson, or

(b) by virtue of section 10 or any privilege that applies.

(6) Only the chairperson may institute proceedings for an offence under subsection (1).

(7) Proceedings for an offence under subsection (2) or (3) may be instituted only by or with the consent of the Director of Public Prosecutions for Northern Ireland.

(8) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding six months, or to both.

**Changes to legislation:**

There are currently no known outstanding effects for the Inquiry into Historical Institutional Abuse Act (Northern Ireland) 2013, Section 16.