

*Status: This version of this provision is prospective.*

*Changes to legislation: Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Section 44 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



# Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

## 2023 CHAPTER 41

### PART 3

INVESTIGATIONS, LEGAL PROCEEDINGS ETC AND RELEASE OF PRISONERS

*Civil proceedings, inquests and police complaints*

PROSPECTIVE

#### 44 Inquests, investigations and inquiries

(1) After section 16 of the Coroners Act (Northern Ireland) 1959 insert—

**“16A Death resulting directly from the Troubles: closure of existing inquest**

- (1) This section applies to an inquest into a death that resulted directly from the Troubles that was initiated before 1 May 2024 unless, on that day, the only part of the inquest that remains to be carried out is the coroner or any jury making or giving the final determination, verdict or findings, or something subsequent to that.
- (2) On and after that day, a coroner must not progress the conduct of the inquest.
- (3) As soon as practicable on or after that day, the coroner responsible for the inquest must close the inquest (including by discharging any jury that has been summoned).
- (4) The provision in section 14(1) requiring a coroner to conduct an inquest is subject to this section.

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### **16B Death resulting directly from the Troubles: prohibition of new inquest**

On and after the day on which section 44 of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 comes into force—

- (a) a coroner must not decide to hold an inquest into any death that resulted directly from the Troubles, and
- (b) the Attorney General or Advocate General for Northern Ireland must not give a direction under section 14 for the conduct of an inquest into any death that resulted directly from the Troubles.

### **16C Interpretation**

- (1) This section applies for the purposes of sections 16A and 16B and this section.
  - (2) A death “resulted directly from the Troubles” if—
    - (a) the death was wholly caused by physical injuries or physical illness, or a combination of both, that resulted directly from an act of violence or force, and
    - (b) the act of violence or force was conduct forming part of the Troubles.
  - (3) “Conduct forming part of the Troubles” has the same meaning as in the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 (see section 1 of that Act).
  - (4) An inquest is “initiated”—
    - (a) by a coroner deciding to hold the inquest, or
    - (b) by a direction under section 14 being given for the conduct of the inquest.”
- (2) Schedule 11 makes provision about investigations and inquests in England and Wales and inquiries and investigations in Scotland.

#### **Commencement Information**

**II** S. 44 in force at 1.5.2024, see [s. 63\(3\)](#)

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**Changes and effects yet to be applied to :**

- s. 44 coming into force by [2023 c. 41 s. 63\(3\)](#)