

# Northern Ireland Troubles (Legacy and Reconciliation) Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**Clause 23**

LORD HAIN  
LORD HOGAN-HOWE

Page 22, line 3, at end insert—

- “(3A) Where a Troubles-related offence or suspected offence is referred to a prosecutor, the Secretary of State must make payments or provide other resources to, or in respect of, the prosecutor in connection with any necessary investigation to decide whether to prosecute an individual.
- (3B) Where a decision is made to prosecute such an individual, the Secretary of State must make payments or provide other resources to, or in respect of, the prosecutor in addition to the payments or resources under subsection (3A) in connection with the prosecution.
- (3C) The amounts to be paid under subsections (3A) and (3B) may be set by regulations.
- (3D) Regulations under this section are subject to the affirmative procedure.”

**After Clause 42**

LORD HAIN  
LORD HOGAN-HOWE

Insert the following new Clause—

**“Amendment of the Code for Prosecutors for Troubles-related offences**

In section 37 of the Justice (Northern Ireland) Act 2002 (Code for Prosecutors), after subsection (3) insert—

- “(3A) The code must ensure that the views, interests and well-being of victims, and of the families of deceased victims, are considered when determining whether criminal proceedings should be instituted for a Troubles-related offence.
- (3B) In relation to a Troubles-related offence the code must take account of—
- (a) the likelihood of the accused re-offending,
  - (b) the time elapsed since the offence,

**After Clause 42 - *continued***

- (c) the volume and seriousness of the crime, and
- (d) the character and behaviour of the accused since offending.””

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*12 December 2022*

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