

Northern Ireland Troubles (Legacy and Reconciliation) Bill

[This version corrects a typographical error in subsection (6E) of Lord Murphy of Torfaen's proposed amendment at Clause 18, page 16, line 35]

MOTIONS TO BE MOVED
ON CONSIDERATION OF COMMONS AMENDMENTS

[The page and line references are to HL Bill 37, the bill as first printed for the Lords]

Clause 13

LORDS AMENDMENT 20

Lord Caine to move, That this House do not insist on its Amendment 20 and do agree with the Commons in their Amendments 20A and 20B in lieu.

Clause 18

LORDS AMENDMENT 44

Lord Caine to move, That this House do not insist on its Amendment 44 and do agree with the Commons in their Amendments 44A, 44B and 44C to the words restored to the Bill by the Commons disagreement to Lords Amendment 44.

Lord Murphy of Torfaen to move, as an amendment to the Minister's motion, at end insert “, and do propose the following additional amendments to the words so restored to the Bill—

Clause 18, page 16, line 16, leave out “C” and insert “E”

Clause 18, page 16, line 35, at end insert—

“(6A) *Condition D*: in relation to immunity for offences causing death, consent of a close family member of the deceased has been sought, and the Chief Commissioner is satisfied that—

- (a) the close family member has given consent for the granting of immunity and no objections have been raised by any other close family member within three months of the consent being given, or
- (b) if no consent has been given by that close family member within three months or an objection has been raised by any other close family member, it is nevertheless in the public interest to proceed with the granting of immunity.

- (6B) *Condition E*: the Chief Commissioner is satisfied that P –
- (a) has complied with any conditions imposed by the ICIR following the request for immunity under subsection (2), and
 - (b) is likely to comply with any licence conditions imposed as part of the granting of immunity.
- (6C) For the purposes of subsection (6B), conditions imposed by the ICIR, whether before or after the granting of immunity, may include –
- (a) attendance at a specified place,
 - (b) provision of fingerprints and non-intimate samples,
 - (c) restrictions on P’s ability to approach or otherwise communicate with –
 - (i) a victim, in the case of injury, or
 - (ii) a victim’s family, in relation to a death, without the consent of the victim or victim’s family (as the case may be), and
 - (d) restrictions on activity which might allow P to gain financially from the offences for which immunity is sought or granted.
- (6D) The ICIR may revoke P’s immunity from prosecution if the Chief Commissioner is satisfied that P has breached one or more licence conditions imposed by the ICIR.
- (6E) A revocation of immunity under subsection (6D) –
- (a) has immediate effect, and
 - (b) does not prevent a person making a further request for immunity under subsection (2).
- (6F) For the purposes of this section, a person (F) is a close family member of the deceased (D) if F –
- (a) was the spouse, civil partner or co-habitee of D on the day of D’s death (and for the meaning of “co-habitee”, see paragraph 2 of Schedule 3),
 - (b) is a child of D,
 - (c) is a parent of D,
 - (d) is a brother or sister of D,
 - (e) is a step-child of D (see paragraph 3 of Schedule 3),
 - (f) was a step-parent of D on the day of D’s death or is a step-parent of D on the day on which consent is sought (see paragraph 4 of Schedule 3),
 - (g) is a half-brother or half-sister of D, or
 - (h) is a step-brother or step-sister of D (see paragraph 5 of Schedule 3).”

Clause 18, page 16, line 36, leave out “C” and insert “E”

Clause 18, page 17, line 22, at beginning insert “Other than in accordance with subsection (6D),”

and the following consequential amendments –

As an amendment to Lords Amendment 111, in paragraph 1, leave out “C” and insert “E”

As an amendment to Lords Amendment 111, in paragraph 6, leave out “C” and insert “E”

Schedule 10

LORDS AMENDMENT 119

Lord Caine to move, That this House do agree with the Commons in their Amendment 119A.

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18th August 2023

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