



An Roinn Dlí agus Cirt
Department of Justice



Northern
Ireland
Office

INDEPENDENT COMMISSION FOR THE LOCATION OF VICTIMS' REMAINS

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STORMONT HOUSE ANNEXE,
STORMONT ESTATE, BELFAST BT4 3SH

13 May 2021

Dear Ms Darragh,

Police, Crime, Sentencing and Courts Bill – Proposed Legislative Consent Motion

Thank you for your letter dated 22 April on behalf of the Northern Ireland Assembly Committee for Justice.

You will be aware that the Independent Commission for the Location of Victims' Remains (ICLVR) was established under the Agreement between the Government of the Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland establishing the Independent Commission for the Location of Victims' Remains signed on 27 April 1999. Parallel domestic legislation in the two jurisdictions was enacted by the Northern Ireland Office (NIO) and the Department of Justice (DoJ) (Ireland) in order to give effect to the Agreement. In Ireland, the relevant legislation is the Criminal Justice (Location of Victims' Remains) Act 1999 and in the UK, the Northern Ireland (Location of Victims' Remains) Act 1999.

The Commission naturally is anxious to be as helpful to the Committee in its work as it can be and notes the points made by the NIHRC about possible implications of the proposed legislation for the work of the ICLVR. However in circumstances where we are dealing with one of the outworkings of an international Agreement, and noting the fact that it was the Northern Ireland Office and the Department of Justice (Ireland) who drew up the legislation, the Commission is of the view that the more appropriate course, at the outset, might be for the Home Office to take the views of both of these bodies concerning the possible implications of the policing legislation now proposed. The Commission is basically an implementation body - the legislation and the policies underlying it are fundamentally matters for both Governments

Yours sincerely,

Rosalie Flanagan
Commissioner

Tim Dalton
Commissioner