

An Chartlann Náisiúnta
National Archives

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OTRs: LEGISLATIVE SCHEME FOR SELECTIVE AMNESTY

Qualifying offences

Scheduled and equivalent offences alleged to have been committed before 10 April 1998.

Qualifying applicants

People who are not actively involved in terrorism, and who are not supporters of a specified organisation.

Form of application

Applicant would have to supply:

- details of the offence or alleged offence, including date, place, nature of offence;
- personal details, eg about paramilitary affiliation, sufficient to enable the Commission to make an assessment of whether he or she qualifies.

Powers of the Commission:

Commission would be able to:

- seek such further information from the applicant as was necessary to establish whether the offence and the applicant qualified for the scheme;
- require the applicant or his legal representative to attend on the Commission for interview, such interviews to be in private;

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- seek such further information from the police or other authorities in the United Kingdom and/or the applicant's country of resident to establish whether the applicant and the offence qualified;
- grant (or refuse) a certificate inhibiting prosecution in relation to the offences specified in the application, which could be revoked if, at any time in the future, the applicant ceased to meet the qualifying criteria.

Automatic immunities

There would be a guarantee that statements made to the Commission would not be admissible in evidence in any criminal proceedings (save if it were decided to create an offence of giving the Commission false or misleading information).

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