



Mr Christopher Stacey
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15 October 2020

Dear Mr Stacey, Mr Solomon and Ms Spurrier,

Thank you for your letters of 17 September concerning the implementation of recent legislative changes made in response to the Supreme Court judgment on the criminal records disclosure regime. We are replying jointly as the Ministers responsible for these changes.

As you know, these Orders were debated in the House of Lords on 10 September and in the House of Commons on 14 September under the affirmative resolution procedure. Now that Parliament has approved the Orders, they will come into force the day after they receive ministerial signature. As explained during the debate on 14 September, we expect this to be before the end of the year, if not sooner.

You ask in your letter that we 'investigate the cause of this delay'. It may help to explain that while the legislative changes may appear straightforward, the associated IT changes required to the DBS system are complex, requiring extensive testing to ensure that they work as intended. This testing is key for the DBS to produce accurate certificates. We are assured that the DBS is undertaking this work at pace and as a priority.

We want to be able to ensure certificates produced are accurate and in line with the changes made in legislation so that we are able to help support those with old and minor offences to secure employment whilst still enabling employers to take informed decisions about suitability for sensitive roles.

Our officials have maintained close oversight of the progress of the IT work to ensure that it shadows the legislative process. We would like to assure you that, since the Supreme Court judgment was handed down, we have worked diligently to implement its findings.

Until these legislative changes have been made, the DBS is legally required to issue certificates according to the disclosure rules in place under current legislation.

We trust this explains the current position on the Government's implementation of the Orders approved by Parliament in response to the Supreme Court judgment.

Yours sincerely,

A handwritten signature in blue ink that reads "Victoria Atkins". The signature is written in a cursive style with a large initial 'V'.

Victoria Atkins MP

A handwritten signature in blue ink that reads "Chris Philp". The signature is written in a cursive style with a large initial 'C'.

Chris Philp MP