



Home Office

Victoria Atkins MP
Minister for Safeguarding



Ministry
of Justice

Chris Philp MP
Minister for Immigration
Compliance and the
Courts

Christopher Stacey
Co-director, Unlock

By email: christopher.stacey@unlock.org.uk

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Dear Christopher,

LEGISLATION ON THE DISCLOSURE OF CRIMINAL RECORDS

We would like to update you on legislation to change the disclosure of criminal records as we are aware of your keen interest in this area.

We have today laid before Parliament legislation to address the Supreme Court judgment in the case of *P and Others v SSHD & SSJ*. The draft orders will amend the relevant provisions of the Police Act 1997 and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. The orders are both subject to the approval of Parliament under the affirmative resolution procedure.

If approved by Parliament, this legislation will amend the disclosure (filtering) rules that mandate which convictions and cautions must be disclosed for certain sensitive roles by removing disclosure for those roles of:

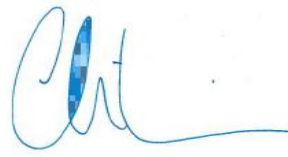
- youth reprimands and warnings (an out of court disposal issued to under 18s. These were replaced by youth cautions in 2013); and
- all convictions where a person has more than one conviction (convictions which are for offences specified on a list of serious offences, which received a custodial sentence, or unspent convictions will continue to be disclosed under other rules).

If approved by Parliament, this legislation will also amend the rules affecting disclosure of youth cautions in respect of those roles. The Supreme Court did not make any specific findings in relation to youth cautions, but as these replaced youth reprimands and warnings we propose to remove disclosure of youth cautions too.

The Government is committed to improving employment opportunities for people who offended in the past and we are pleased that this change to the law on criminal records disclosure will have a positive effect on many people while balancing the need to protect children and vulnerable adults.



VICTORIA ATKINS MP



CHRIS PHILP MP