

**Summary of substantive policy discussions**  
**at Liberty Council meeting**  
**June 2009**

**The Rehabilitation of Offenders Act and the system for 'spent' convictions**

The 2009 AGM remitted the following motion for consideration by Council: "That Liberty urge the government to implement, without yet further delay, the recommendations of the 2002 *Breaking the Circle* Report on the Rehabilitation of Offenders Act 1974."

The meeting discussed the *Rehabilitation of Offenders Act 1974* and the connected recommendations contained in the 2002 *Breaking the Circle* Report. Specifically the Report includes recommendations for reform of the system for the disclosure of past convictions to employers etc. In particular to: revise the scheme by basing disclosure on fixed periods; reduce average disclosure periods; widen the scope of the scheme to include all ex-offenders who have served their sentence; and maintain protection by continuing to exclude certain professions from the general disclosure scheme. The meeting discussed the current system for 'spent' convictions. The meeting agreed that the current system is broken and while the 1974 Act was progressive for its time, events have overtaken, not least because average sentences have increased and a number of exceptions have been added to the ROA Exceptions Order. The meeting discussed the recommendations in the 2002 report and agreed in principle that the objectives and recommendations contained therein were to be welcomed. The meeting agreed however that the 2002 report is already out of date. In particular its recommendations do not cover indeterminate sentences introduced by the *Criminal Justice Act 2003*. The meeting agreed therefore that while the spirit of the report should inform Liberty's lobbying and campaigning on this issue the Council could not formally endorse recommendations of a Report that was already outdated.