

FOR IMMEDIATE RELEASE

1 March 2017

PRESS NOTICE

The Rehabilitation of Offenders Act 1974 and its impact on the Inquiry's work: A note from Inquiry counsel and a direction by the Chairman

The Inquiry has issued a note which examines how the Rehabilitation of Offenders Act 1974 ('the Act') may impact on the Inquiry's progress. In particular, the note looks at what the Act says about spent convictions and how that may affect the Inquiry's ability to examine evidence relating to its terms of reference. Alongside the note, the Chairman has issued a direction seeking submissions from the core participants on the issues raised in the note, which are to be received by 29 March 2017.

To discharge its terms of reference, the Inquiry will need to reach a fair and balanced assessment of the available evidence, and this will include evidence of previous convictions, even where they are spent. The Inquiry may need to take spent convictions into account in order to reach findings of fact in circumstances where there is conflicting evidence.

The Inquiry is seeking the core participants' views as to whether the Act may prohibit, or in any way restrict, the Inquiry's ability to request information on convictions that may be spent, or to make decisions based on information relating to spent convictions. The Inquiry is also seeking views on the meaning, effect and relevance of certain sections of the Act (as detailed in paragraph 109 of the note), and the impact of the Act as a whole on the operation of the Inquiry.

Background

The work of the Inquiry ranges across the full scope of undercover policing work and will look at the work of the Special Demonstration Squad, the National Public Order Intelligence Unit and police forces in England and Wales. The Inquiry will also examine whether people may have been wrongly convicted in cases involving undercover police officers, and refer any such cases to a separate panel for consideration.

The work of the Inquiry will fall into three modules:

1. Module one will look at what happened in the deployment of undercover officers in the past, their conduct, and the impact of their activities on themselves and others.
2. Module two will look at the management and oversight of undercover officers, including their selection, training, supervision and care after the end of an undercover

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deployment. This section will also look at the law and other rules covering undercover policing.

3. Module three will make recommendations about how undercover policing should be conducted in future.

ENDS

NOTES TO EDITORS

1. Counsel's [note](#) is available on the Inquiry's website, as is the Chairman's [direction](#).
2. A copy of the [Rehabilitation of Offenders Act 1974](#) can be found on www.legislation.gov.uk
3. An [overview note](#) has been prepared to assist understanding.
4. The Undercover Policing Inquiry is constituted under the [Inquiries Act 2005](#).
5. The Inquiry's [terms of reference](#) were announced by the Home Secretary on 16 July 2015.
6. The Inquiry's '[frequently asked questions](#)' provides more information on the Inquiry more generally, as do [three published update notes](#).
7. The Inquiry's website is www.ucpi.org.uk and the Inquiry can be found on Twitter @ucpinquiry

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