

FOR IMMEDIATE RELEASE

29 November 2017

## PRESS NOTICE

### **Ruling on the Rehabilitation of Offenders Act 1974 and its impact on the Inquiry's work**

The Chairman of the Undercover Policing Inquiry, Sir John Mitting, is today publishing his [Ruling](#) on the Rehabilitation of Offenders Act 1974.

The Ruling states that the Chairman will be seeking an amendment to schedule 3 to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. The amendment is needed to ensure that the Inquiry can fulfil its terms of reference. If approved by Parliament, the amendment would enable inquiries held under the Inquiries Act 2005 to be designated as proceedings that are exempt from section 4(1) of the Rehabilitation of Offenders Act 1974. This would mean that the Chairman would be free to request evidence from (and ask questions of) a person about their spent convictions and the surrounding circumstances, without having to consider in each individual case whether 'justice cannot be done' without requiring that evidence.

The proposal is that a designation would only be given where an Inquiry could not otherwise fulfil its terms of reference. If the law is not amended, the Chairman may have to ignore spent convictions when considering the justification for undercover police deployments. This would mean that the Inquiry would not be able to get to the truth, because the Chairman would have to proceed on the basis that the convictions never occurred.

The Ruling follows a hearing on the matter on 20 November 2017 where the Chairman heard submissions from core participants.

### **Background**

The purpose of the Undercover Policing Inquiry is to investigate and report on undercover police operations conducted by English and Welsh police forces in England and Wales since 1968. The Inquiry will examine the contribution undercover policing has made to tackling crime, how it was and is supervised and regulated, and its effect on individuals involved - both police officers and others who came into contact with them.

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:

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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 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**

# UNDERCOVER POLICING INQUIRY

## NOTES TO EDITORS

1. The background to this issue is found on [the Rehabilitation of Offenders Act page on the Inquiry's website.](#)
2. The Undercover Policing Inquiry is constituted under the [Inquiries Act 2005.](#)
3. The Inquiry's [terms of reference](#) were announced by the Home Secretary on 16 July 2015.
4. The Inquiry's [frequently asked questions](#) document provides more information on the Inquiry more generally, as do [published update notes](#).
5. The Inquiry's website is [www.ucpi.org.uk](http://www.ucpi.org.uk) and the Inquiry can be found on Twitter @ucpinquiry

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