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Shabana Mahmood MP
Ministry of Justice
102 Petty France
London
SW1H 9AJ

09 July 2024

Dear Minister,

RE: Welcome to the Ministry of Justice

I am the Joint Interim CEO and Director of Policy and Advocacy of Unlock. Unlock is a national independent advocacy charity that supports, speaks up and campaigns for people facing stigma, prejudice and discrimination because of their criminal record. A core mission for Unlock is to provide advice for people in respect of their criminal record, including help overcoming the barriers they're facing. Our website provides vital information and guidance for people with criminal records, but we also have a helpline provided by dedicated staff and volunteers, which deals with specific queries.

We have had a good relationship with the Ministry of Justice (MoJ) over recent years and we look forward to working with you in reducing the barriers faced by people with criminal records. I wanted to take this opportunity, following your re-election as an MP and appointment as Lord Chancellor, to outline both some of the challenges those we support face and some of the policies that would address these.

A criminal record can act as a disproportionate 'second punishment', creating numerous barriers for people with criminal records as they move on with their lives. These barriers include overt and unfair discrimination as well as social stigma and marginalisation. Such exclusion prevents people with criminal records from finding jobs and homes, which can contribute to reoffending.

There are a wide range of measures that the government could implement which would help to improve the prospects of people with criminal records. These are detailed in our [policy manifesto](#) and in our [briefing](#) on why reform of the criminal records system is needed. There is an opportunity for MoJ to take a leading role in the change needed.

Some [reforms](#) made as part of the Police, Crime, Sentencing and Courts (PCSC) Act (passed in 2022, with the criminal records-related aspects implemented in October 2023) were positive. However, there remains much to do to embed fair practices and equal opportunities into law to reduce discrimination faced by people with criminal records. In particular, we think it is important to encourage employers to introduce fair recruitment policies and ensure they are penalised if they unfairly exclude people with criminal records.

There are a few specific issues we would welcome engagement and progress on.

Firstly, as we approach the 50th anniversary of the Rehabilitation of Offenders Act, this is the perfect time to look at whether the legislation is still fit for purpose. For example, the digitisation of information has introduced areas where someone's right for their conviction to be forgotten is impinged as news stories stay on the internet forever, easily accessed by Google searches. We are calling for a review of the criminal record system so that any necessary changes can be identified. This would ensure that the system is fair, proportionate and easy to navigate (for individuals and employees).

[Unlock – for people with criminal records](#)

Unlock is an independent award-winning national charity that provides a voice and support for people with convictions who are facing stigma and obstacles because of their criminal record.

Unlock is a registered charity no. 1079046 and a company limited by guarantee in England and Wales no. 3791535.



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Secondly, we would urge you to implement reforms to the Criminal Injuries Compensation Scheme's (CICS) exclusionary rule. The ongoing lack of a government response to numerous consultations related to this is something we commented on [here](#). At present, millions of people with unspent criminal records are barred from claiming compensation if they are a victim of crime years later, even if their own criminal record stems from suffering abuse. This is blatantly unfair and allows CICS to treat people with criminal records as second-class citizens, as highlighted by the Independent Inquiry into Child Sexual Abuse (IICSA). This is something that could be quickly resolved.

Thirdly, we have enjoyed productive engagement with MoJ officials in recent months regarding additions to the Rehabilitation of Offenders (ROA) Exceptions Order. This is something we would be delighted to continue. Specifically, to be able to contribute actively to the development of guidance for the Chartered Institute of Management Accountants and the National Fire Chiefs Council demonstrates what can be achieved through a productive working relationship between government officials and a charity such as ours. We understand work is ongoing regarding potential future additions and we would be keen to continue to engage on this.

Fourthly, we are part of the [Fair Checks campaign](#), campaigning for reforms to ensure that people with criminal records have a fair chance to find work and fulfil their potential. Here, we are calling for three things: no automatic disclosure of cautions, wipe the slate clean for childhood offences, remove the perpetual revealing of short prison sentences. We recently shared with your predecessor proposed legislative amendments that would see these aims achieved, and would welcome the chance to discuss these with you. We have also arranged a meeting with MoJ officials for later this month to discuss our work on childhood criminal offences and would be happy to extend this discussion to you.

We would welcome the opportunity to meet with you and your officials to discuss some of the issues above in more detail.

Yours sincerely,

Dr Jo Easton

Joint interim CEO and Director of Policy and Advocacy

Email policy@unlock.org.uk

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