FROM THE PERMANENT SECRETARY
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Mr Simon Pountain
Independent Reviewer of Criminal Record Information

26 July 2018

Dear Simon

Thank you for submitting your second annual report on your work as the Independent Reviewer of criminal record information that can be disclosed on standard and enhanced AccessNI certificates. I am grateful to you for the work that you have undertaken during the 12 month period covered by the report and I have noted the increase in both auto-referral and appeal cases over the previous year.

I have also noted the large percentage of cases where you remove criminal record information that would normally be disclosed on an AccessNI certificate. This provides further evidence in support the recommendations you made in your previous report in relation to reviewing the bright line legislative rules around the non-disclosure of old and minor convictions. You will also be aware that the specific rule of always disclosing more than a single offence is currently being considered by the Supreme Court in relation to an AccessNI case, with the outcome expected after the summer. This will be a further factor in a review.

Unfortunately, the Department remains in the difficult position of not having a Minister and therefore we have not been able to take forward the recommendations you made in your last report, save for the publication of the statutory guidance, which was completed in July 2017. We remain committed to bringing your reports to a Minister once he or she is appointed. In addition, given that the statutory requirement is for you to make your report to the Department of Justice, I am content to publish this on the website, together with my response.

Thank you once again for this report and for the important work that you do.

Yours sincerely

Nick Perry

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