

# Reforming the Criminal Records System

Stopping criminals from reoffending is crucial for cutting crime and making our communities safer. The Conservative Government is failing badly on that score: rehabilitation is poor and reoffending rates are far too high.

We know that **stable employment is a key factor that reduces the risk of reoffending**, helping people to build lives free from crime. But the current rules around criminal records can negatively affect people's job prospects, as well as their ability to travel, adopt, access domestic violence shelters, and many other parts of civil life.

There are over 11 million people residing in the United Kingdom who have a criminal record. **Currently, no criminal record information is deleted, including crimes committed by those under 18.** Criminal record information remains on both the Disclosure and Barring Service system and the Police National Database.

A significant number of high-profile companies offer employment to large numbers of prisoners, with very successful results. However, many employers are reluctant to hire ex-offenders. Some fear that doing so would damage the image of their business.

The Lammy Review in 2017 concluded "the records disclosure regime hampers people with convictions from starting lives" and recommended "a system which involves looking favourably on those who committed crimes as children or young adults, and can demonstrate that they have changed since their conviction".

**The rules around criminal records need to be reformed, so that people do not need to declare old or minor convictions.**

In new policy passed by members today, Liberal Democrats are calling for:

- **an end to the blanket policy of retention of all criminal records.**
- **police not to retain any personal information or criminal record if the offender is given an absolute discharge by the court** – meaning that no further action is taken, because either the offence was very minor, or the court considers that the experience has been enough of a deterrent.
- **police to delete all criminal cautions, conditional discharges, and associated personal information after 6 years if the person does not reoffend in that time.**
- **the government to develop guidance on how long criminal records should be retained for sentenced crimes and cases where the person reoffends.**
- **criminal records to only be permanent in cases of serious crimes and matters of national security.**
- **judges to set how long a crime should stay on the offender's record at the point of sentencing.**
- **police to only hold records for any other dealings with the police if the police determine it is in the public interest.**

[Read the full motion](#)

A more flexible system will lead to more effective policing, by focusing on those who commit serious crimes and pose the greatest risk.

**The police would still retain records of serious criminals and anyone who is identified as a threat to national security.** They would also be able to keep the records of suspects where it is in the public interest.

Liberal Democrats understand that the key to building communities that are free from crime is to make sure that ex-offenders go on to lead lives free from crime. That means putting rehabilitation at the heart of our criminal justice system. This motion builds on our existing policies to do just that.

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## [Ed Davey Speech to Spring Conference](#)

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## [Swift justice for victims and offenders](#)

A robust and well-functioning justice system is a foundation stone of society.

**But in England and Wales we are facing a soaring backlog of court cases.**

The backlog of outstanding criminal cases in the Crown Court stood at 59,928 at the end of September. 13,202 cases in the backlog are more than a year old.

**A Crown Court case now takes an average of 23 months from offence to completion.**

Court backlogs have caused the number of people being held in prison on remand to rise by 48% since 2018.

The independent Chief Inspectors of Constabulary, the Crown Prosecution

Service, Prisons, and Probation have identified the “unprecedented and very serious court backlogs” as **“the greatest threat to the proper operation of the criminal justice system”**.

Long delays increase the number of people held in prison on remand, putting even more strain on overcrowded prisons. It can also lead to victims and witnesses withdrawing, making it more likely that the case collapses.

The Government aims to reduce the Crown Court backlog to 53,000 by March 2025, but this would still leave it 59% larger than at the end of 2018.

It’s a mystery how they plan to achieve even this unambitious target when they are failing to recruit enough judges in the face of the criminal justice system workforce crisis. The number of full-practice criminal barristers fell by 11% between 2016-17 and 2019-20, and the permanent courts staff has shrunk by 10% since 2015.

72 ‘Nightingale’ courtrooms were opened between July 2020 and July 2021 to increase capacity, 38 of them serving the Crown Court, but the Chancellor has refused to fund the 33 extra Nightingale courtrooms requested by the Ministry of Justice.

**The court backlog has grown massively during the pandemic, but was already a growing problem before Covid hit.** The Conservative Government cut the number of court sitting days, leading to a 23% rise in the number of outstanding cases in the Crown Court in 2019-20.

Some people have proposed tackling the backlog by **reducing the number of jurors, and removing the right to a jury trial in certain cases.**

This is a ridiculous suggestion – **trial by jury has been a fundamental part of the British justice system for more than 800 years**, and is integral to upholding an individual’s right to a fair trial.

Police officers, court staff, judges and lawyers have worked tirelessly to keep our criminal justice system going through the Covid pandemic, but they have been let down by the Government’s failure to provide adequate support and resources.

A truly sickening consequence of this situation is that more than 1,300 rape cases are waiting to be brought before the Crown Court.

**The backlog adds insult to injury.** Survivors of sexual violence constantly relive their trauma while their court cases are pending. They desperately need closure and they deserve that perpetrators are swiftly brought to justice.

We cannot keep failing survivors of sexual violence. We need urgent improvements across our whole justice system to ensure survivors are not left waiting whilst their attackers walk free.

**Today Liberal Democrat members called for a new target of halving the time from offence to sentencing for all criminals.**

To achieve this, we are calling for:

- Extra Nightingale courtrooms to increase capacity.
- A workforce strategy to ensure there are enough criminal barristers.
- A new data strategy across the criminal justice system, to ensure that capacity meets demand, and to understand the needs of all users, especially victims, vulnerable people and those from ethnic minority backgrounds.
- The rejection of any proposals to weaken the right to trial by jury
- Extra funding for victims' services.

We are also fighting to:

- Restore community court buildings where still available, and invest in new user-friendly premises where required and justified.
- Reduce the number of people in prison on remand.
- Make the legal aid system simpler and more generous for both criminal and civil cases, with everyone in receipt of means-tested benefits automatically eligible.
- Establish a new right to affordable, reasonable legal assistance with a new, independent Justice Commission to monitor and enforce it.

[Read the full motion](#)

Even before the pandemic, Conservatives let this backlog soar out of control. They need to now get a grip and ensure that justice is served.

**Justice delayed is justice denied. The Conservative Government's failure to get to grips with the backlog in the criminal courts is letting down victims and their families, witnesses, and defendants.**

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## **[The Crisis in Our Ambulance Services](#)**

**Our Ambulance services are at breaking point.** Record long ambulance waits are leaving vulnerable patients stuck in queues outside hospitals for hours without the treatment they need. People are being left scared, panicked and with worsening symptoms, and in extreme cases dying when they might have been saved.

Patients are being catastrophically let down by this government's woeful neglect of the NHS.

**NHS waiting lists have grown to over six million** – health service wait times across the board are struggling, shrinking the difference between life and death for many people in need of urgent diagnosis or treatment.

During the pandemic, NHS workers put themselves at risk, working tirelessly, often separated from their families, and have dealt with unprecedented emotional and mental stress. The public played by the rules to protect the NHS and keep each other safe.

But massive shortages of doctors and nurses are not only stretching staff thin but leading to poorer outcomes for patients.

**Everyone should be confident that when they ring 999 they will get the emergency treatment they need.** Longer waiting times for ambulances have a severe knock-on effect on people's health.

Our wonderful health staff are under immense pressure, and things are only continuing to get worse.

Patients are being catastrophically let down by this government's woeful neglect of the NHS. Boris Johnson was repeatedly warned about the terrible pressures facing our NHS and frontline staff, but chose to bury his head in the sand.

This Government has run ambulance services into the ground with every single target being missed for the most severe cases. **They have completely failed to act on warnings that ambulance services are struggling to maintain a safe and timely service.** Our wonderful health staff are under immense pressure, and things are only continuing to get worse. This is unacceptable.

In the new policy passed by our members today, the Liberal Democrats are calling for:

- The Secretary of State for Health and Social Care to commission the CQC to conduct an **investigation into the causes and impacts of ambulance service delays.**
- Liberal Democrat MP Daisy Cooper's Ambulance Waiting Times Bill to be passed into law requiring **accessible, localised reports of ambulance response times** to be published.
- Emergency funding to be made available to ambulance trusts to **reverse closures of community ambulance stations** and cancel planned closures where needed.
- A campaign to **retain, recruit and train paramedics** and other ambulance staff.

[Read the full motion](#)

**After months of failing to get a grip on the ambulance crisis, it's clear that the Government has no clue on what to do.** The very least the Conservatives can do is start the process to help the millions left stranded on waiting lists, and prevent the devastating loss of loved ones waiting for

ambulances that arrive too late or get stuck in queues at hospitals.

People have already played their part to protect the NHS and each other during the pandemic – they deserve better.

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## [Tigray and the Ethiopian Civil War](#)

In the midst of a humanitarian crisis in Tigray, we urgently need to provide as much support as we possibly can. But thanks to the Government's aid cut, **we are fighting with one arm tied behind our back.**

The ongoing civil war in Ethiopia, primarily between Ethiopian government forces and the Tigray People's Liberation Front (TPLF) has resulted in the deaths of tens of thousands; the internal displacement of at least 4 million; and at least 9 million in need of desperate help.

The UK used to be a world leader on giving humanitarian assistance and aid to countries who needed it

In the last year, tens of thousands of civilians have died as result of airstrikes, massacres and man-made famine. We are also troubled by reports of ethnic targeting and the establishment of concentration camps.

The publication of the Joint Investigation by the UN Human Rights Office and the Ethiopian Human Rights Commission, which found that "there are reasonable grounds to believe that all parties to the conflict in Tigray have, to varying degrees, committed violations of international human rights, humanitarian and refugee law, some of which may amount to war crimes and crimes against humanity."

The Liberal Democrats also share serious concern with the potential danger of ethnic violence spreading to and including areas of Sudan and Eritrea.

The UK used to be a world leader on giving humanitarian assistance and aid to countries who needed it, like Ethiopia, Sudan and Yemen. The Government has now turned their back on the world's poorest, by cutting international development spending from 0.7% of Gross National Income to 0.5%.

Tens of thousands of civilians have died as result of airstrikes, massacres and man-made famine.

**It's time for the Conservative Government to abandon the cruel and misguided decision to cut the international development budget.**

The UK's influence in the Horn of Africa, and therefore our ability as an actor making the case for a diplomatic solution, has been hampered by the Government's decision to abandon the international development spending target.

In new policy passed by members today, Liberal Democrats are calling for:

- Restoration of the 0.7% of GNI target for international development spending – including support for humanitarian relief, via independent agencies, and support for Ethiopian and Tigrayan refugees.
- Prioritisation of the eradication of sexual violence in conflict.
- Working with permanent members of the UN Security Council, and other international partners such as the African Union to:
  - push for negotiations to reach a sustainable peace
  - secure humanitarian access
  - Investigate human rights abuses and war crimes
- Using Magnitsky sanctions against those who are perpetrating violence or preventing humanitarian aid from getting to those who need it.
- Work closely with neighbouring countries in an effort to prevent spill over of ethnic violence to the wider region.

[Read the full motion](#)

The Government urgently needs to step up their diplomatic response to this disastrous conflict by increasing aid spending for humanitarian relief, engaging with international and regional partners such as the African Union, and working with all parties to pursue a ceasefire.

We have a moral responsibility to stand up for the fundamental liberal principles of equality, human rights, peace, democracy and the rule of international law.

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