

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2021-01878

Keyword: Crime

Subject: Criminal Record

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

Request

If an adult is given a 2 year conditional discharge and they do not breach those conditions for the 2 years, does this get recorded as a conviction on a criminal record how does this show up on the criminal record search?

Answer

A conditional discharge means the defendant is absolved from punishment, if they don't commit any offences during the period said by the court. If they're found guilty of another offence during this time, they'll be liable to be sentenced for the original offence. The court result is recorded on their central record and maybe disclosed. As per the rehabilitation of offenders act/order the disposal will be considered as being spent after the 2years and depending on the offence the record may be filtered by AccessNI.

However the result ***will not drop off after 2years and will remain indefinitely.***

To further assist we have provided the links below which provide advice and information relevant to your request:

https://www.psni.police.uk/advice_information/information-about-yourself/

https://www.psni.police.uk/advice_information/information-about-yourself/enactingotherrightsdpa/

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Corporate Information Branch, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue

of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.