

STRICTLY EMBARGOED UNTIL 00.01 HOURS THURSDAY 28 JUNE 2018

New law will disregard abolished homosexual offences

The Department of Justice today announced a change to the law which will allow convictions for abolished homosexual offences to be disregarded and pardoned.

The new law, agreed by the Assembly in November 2016, facilitates the removal of convictions for such offences from police and court records.

Convictions that are disregarded will be considered as never having happened and will no longer appear on criminal records or in any criminal record checks.

It also means that there is no requirement to disclose the abolished offence, for example on job application forms or in court cases.

To have historic convictions disregarded, an application must be made to the Department of Justice.

If an application is successful the person is also, by law, pardoned for the offence.

Anyone who was convicted of an abolished homosexual offence and who has since died is also, by law, pardoned for the offence.

The provisions ensure that only offences which are no longer an offence today, and which involved consensual activity with someone over the age of 17, are eligible to be disregarded or pardoned.

Further details on applying for a conviction to be disregarded can be found at www.nidirect.gov.uk/pardons-and-disregards

Notes to editors:

1. Today's move will bring Northern Ireland into parity with England and Wales where disregards have been available since 2012. The law to introduce pardons, often referred to as 'Turing's Law', is named after Alan Turing, the World War II Enigma codebreaker, and was introduced in England and Wales in 2017.
2. The primary provisions were legislated for by Westminster, with Assembly approval, in the Policing and Crime Act 2017. Administrative arrangements with criminal justice agencies, and a statutory rule which facilitates operation of the scheme, have now been made by the Department.
3. The offences to which the scheme applies are Article 19 of the Criminal Justice (Northern Ireland) Order 2003 (buggery), Article 7 of the Homosexual

Offences (Northern Ireland) Order 1982 (procuring others to commit homosexual acts), section 61 of the Offences against the Person Act 1861 (buggery), and section 11 of the Criminal Law Amendment Act 1885 (indecent acts between men) as well as, for posthumous pardons, corresponding offences under earlier legislation.

4. The activity must have been consensual, with a person of 17 or over, and must not be an offence today.
5. The department may take photographs and videos at announcements and events to publicise its work. Photographs, interviews, videos or other recordings may be issued to media organisations for publicity purposes or used in promotional material, including in publications, newspapers, magazines, other print media, on television, radio and electronic media (including social media and the internet). Photographs and videos will also be stored on the department's internal records management system. The department will keep the photographs and recordings for no longer than is necessary for the purposes for which they have been obtained. The department's Privacy Policy is available on our website.
6. All media enquiries should be directed to the Department of Justice Press Office on 028 9052 6444. Out of office hours please contact the duty press officer via pager number 07623 974383 and your call will be returned.