

Consultation on Rehabilitation of Offenders Act 1974**Report by Director, Resources****1 Purpose of Report**

To seek to appraise the Members of the Committee of a Government consultation about an impending review of the rehabilitation of offenders legislation.

2 Background

The Scottish Government (SG) have issued a consultation about a review of the rehabilitation of offenders legislation. The consultation in the Members Library and available electronically at <http://www.scotland.gov.uk/Resource/0043/00432117.pdf> . The SG consider that, whilst the fundamental principles of the legislation are as sound and as relevant today as they were in the 1970s, it is no longer fit for purpose and requires to be reviewed.

Clearly, the review will affect other parts of the service but, in respect of licensing, it is considered that if the Committee were of a mind to, representations could be made that applicants for most types of licences could be included in the exceptions category in the same way that Hire Car Drivers currently are in view of the high level of trust that they are afforded. A case could be made for the inclusion of street traders, second hand and metal dealers; and window cleaners because of their immediate interface with potentially vulnerable people. An examination of the other categories could be carried out to ascertain whether there could be other similar justification.

3 Resource Implications

There are no resource or other implications arising directly from this report.

4 Recommendation

The Committee is recommended :-

- (a) To note the terms of the report;
- (b) To consider making representations as discussed above.

4 November 2013