

Risk, Security and Criminal Record Information

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Abstract

Criminal record information has always been utilised as a means of monitoring those with a criminal past, but in recent decades criminal justice agencies have begun to create new and inventive ways of keeping tabs upon this cohort of society. As risk identification and minimisation becomes a more prevalent objective, infiltrating all corners of criminal justice policy and strategy, the criminal record has assumed an important role, particularly when it comes to international co-operation for the purpose of crime control. Undoubtedly previous convictions are an extremely valuable tool for agencies seeking to tackle and prevent crime but this does not mean that the use of this data is unproblematic. While many information sharing procedures are premised upon statutory legitimacy, many are ad hoc and unregulated. When, how and why criminal record information is shared is important to consider, but an equally important aspect is the outcome of data disclosure. Legitimacy should be intricately linked with effectiveness and in this regard cross-jurisdictional record disclosure merits closer examination. This is particularly important considering the implications of disclosure and access for privacy rights, as well as issues pertaining to data protection. This paper will examine the use of criminal record information as a tool in international surveillance and the issues that arise concerning risk, security and human rights.

Keywords: Criminal records, surveillance, human rights, risk, protection, data