



changing lives
reducing crime

The *Sorting yourself out* guide to **Rehabilitation of Offenders Act 1974**

If your conviction is spent under the *Rehabilitation of Offenders Act*, you can say 'no' if an employer or insurer asks if you have a conviction.

Most convictions become spent after five years. Some take more time than this, some take less time (check on the chart on the next page).

If you have more than one conviction or you have been in prison, your convictions may take many years to become spent.

If you have been given a prison sentence of more than 2½ years, your convictions will never become spent.

The *Rehabilitation of Offenders Act* does not help you when a job is exempt from the Act.

For these jobs you have to tell employers about all your convictions – including spent ones.

You have to tell employers about all your convictions:

- if you want to work with children
- if you want to work with old or sick people.

To find out if the work you want to do is exempt from the Act, ring the Helpline number on the next page, or ask someone who would know (such as a probation officer).

The police will keep a record of your conviction for at least 10 years if it is for an offence such as theft. Serious convictions, such as those for violence, will be kept for life.

This Act may change in the future. The Government has accepted in principle proposals to cut the time it takes for convictions to become spent. Under the proposals people given prison sentences of more than 2½ years will also be helped by the Act.



Photo by mark@iD8 Photography
Nacro is very grateful to the people who appear in the photo. Please note, it should not be assumed that any individual depicted has any association with the stories or activities described in the text

When convictions become spent

The main sentences and the time it takes for them to become spent are set out in the chart below.

If your sentence is not listed in the chart, ring the Helpline number below to find out about it, or ask someone who would know.

If you have many convictions, your first conviction may not become spent until the last one does. To check this, ring the Helpline number, or ask someone who would know.

Sentence	Time it takes to become spent If you were 17 or under when found guilty	Time it takes to become spent If you were 18 or older when found guilty
Prison and YOI term of 6 months or less	3½ years	7 years
Prison and YOI term of more than 6 months, up to 2½ years	5 years	10 years
Fine, compensation, probation ¹ , community service or combination order ²	2½ years	5 years
Action plan, curfew, drug treatment and testing order or reparation order	2½ years	5 years
Absolute discharge	6 months	6 months
<p>1 If you were found guilty by the court on or after 3 February 1995. Probation orders are now called community rehabilitation orders. 2 Community service orders are now called community punishment orders. Combination orders are now called community punishment and rehabilitation orders.</p>		
Sentence	Time it takes to become spent If you were 12, 13, or 14 when found guilty	Time it takes to become spent If you were 15, 16 or 17 when found guilty
Detention and training order of 6 months or less	1 year after order ends	3½ years
Detention and training order of more than 6 months	1 year after order ends	5 years
Sentence	Time it takes to become spent	
Probation*, supervision, conditional discharge and bind-over	1 year or until the order ends (whichever is longer)	
Attendance centre order	1 year after the order ends	
Referral order	Once the order ends	
* If you were found guilty by the court before 3 February 1995		

If you want to know more about the *Rehabilitation of Offenders Act*, you can call the Helpline on **020 7840 6464**. Ex-offenders, their families and friends can call free on **0800 0181 259**. A detailed leaflet on the Act is also available from Nacro publications. For information about this and the Helpline's other resettlement leaflets, contact Nacro publications on 020 7840 6475.

This is a Nacro Resettlement *Plus* Helpline leaflet. Copies 10p each. Every reasonable effort has been made to check that the information in this leaflet is correct. However, Nacro cannot be held responsible if information in this leaflet is not totally correct or complete.

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