

Is it spent?

The Rehabilitation of Offenders Act 1974 gives people with spent convictions and cautions the legal right not to disclose them when applying for most jobs and for other purposes, like when buying insurance.

Apart from those individuals who are given prison sentences of more than 4 years, most people with convictions will benefit from it at some point in their lives. The table below sets out the time it takes for the main sentences to become spent following the changes that were introduced in 2014. This is known as the 'rehabilitation period' for the conviction. A conviction may have a number of rehabilitation periods depending on the sentence – in this situation, the longest one applies.

If you have access to the internet, you can also use our online tool www.disclosurecalculator.org.uk

Prison sentences & Community orders (with a buffer period)

| Sentence | | Time it takes to become spent | |
|---|--|------------------------------------|---|
| | | Adult (18+) at conviction/disposal | Young person (U18) at conviction/disposal |
| Prison (including suspended prison sentences) | Over 4 years or a public protection sentence | Never spent | Never spent |
| | More than 30 months and less than (or equal to) 4 years | Full sentence + 7 years* | Full sentence + 3 ½ years* |
| | More than 6 months and less than (or equal to) 30 months | Full sentence + 4 years* | Full sentence + 2 years* |
| | Less than (or equal to) 6 months | Full sentence + 2 years* | Full sentence + 18 months* |
| Community order / Youth rehabilitation order | | Full length of the order + 1 year | Full length of the order + 6 months |

*Sentence length includes time spent on licence

Other community sentences (with no buffer period)

| Sentence/Disposal | Time it takes to become spent (from date of conviction) | |
|---|---|---|
| | Adult (18+) at conviction/disposal | Young person (U18) at conviction/disposal |
| Fine | 1 year | 6 months |
| Conditional discharge | Length of the order | Length of the order |
| Absolute discharge | Spent immediately | |
| Conditional caution / youth conditional caution | 3 months (or when it ends, if earlier) | 3 months |
| Simple caution / youth caution | Spent immediately | |
| Compensation order | Once it is paid in full | |
| Bind over | Length of the order | |
| Hospital order (with or without restrictions) | | |
| Referral order | | |
| Reparation order | Spent immediately | |
| Endorsement (imposed by a court) | 5 years | 2 ½ years |
| Motoring disqualification (imposed by a court) | Length of the disqualification | |
| Relevant order | Length of the order | |

For information about other sentences, military convictions, the impact of multiple convictions and jobs that require spent convictions to be disclosed, visit hub.unlock.org.uk and select “Rehabilitation of Offenders Act”.

Unlock Helpline – confidential peer advice on overcoming the effects of criminal convictions

Call: 01634 247350 **Email:** advice@unlock.org.uk **Write:** Helpline, Unlock, Maidstone Community

Support Centre, 39-48 Marsham Street, Maidstone, Kent, ME14 1HH

For online self-help information, visit hub.unlock.org.uk