

## REHABILITATION OF OFFENDERS ACT 1974

Below you will find information that will assist you in deciding whether your conviction(s) are spent or unspent (current).

- ◆ The ROA enables some criminal convictions to be 'spent' or forgotten (for the purpose of employment) after a rehabilitation period.
- ◆ The length of the rehabilitation period depends on the sentence given, not the offence committed.
- ◆ Sentences of more than 2½ years can never become spent and have to be declared.
- ◆ Some types of employment are exempt from the ROA and applicants are required to disclose all of their convictions, spent and unspent. The employer has to state on the application form that the job applied for has excepted status under the Exemptions Order 1975.

Jobs with excepted status include: Work involving vulnerable groups e.g. children under 18 years of age

### Examples of sentences and their corresponding rehabilitation periods:

SENTENCE	REHABILITATION PERIOD	
	People aged 18 or over at time of sentence	People aged under 18 at time of sentence
Prison sentence of 6 months or less	7 Years	3½ Years
Prison sentence of more than 6 months up to 2½ years	10 Years	5 Years
Probation	5 Years	2½ Years
Fine, Community Service, Supervised Attendance Order	5 Years	2½ Years
Admonishment	5 Years	2 ½ years
Absolute Discharge	6 Months	6 Months

### Working out when a sentence will be spent:

<u>Sentence</u>	<u>Age</u>	<u>Date of Sentence</u>	<u>Rehab Period</u>	<u>Date Sentence will be spent</u>
<i>Fine</i>	<i>19</i>	<i>May 2017</i>	<i>5 Years</i>	<i>May 2022</i>

**Please note:** If you have been sentenced in front of a jury for an offence which has been committed during a previous rehabilitation period, you may find that the second conviction makes the first rehabilitation period longer.

### Example of an extended rehabilitation period:

<u>Sentence</u>	<u>Age</u>	<u>Date of Sentence</u>	<u>Rehab Period</u>	<u>Date Sentence will be spent</u>
<i>Fine</i>	<i>19</i>	<i>May 2017</i>	<i>5 Years</i>	<i>May 2022*</i>
<i>Prison 10 months</i>	<i>21</i>	<i>July 2017</i>	<i>10 Years</i>	<i>July 2027</i>

The first date of May 2022 will now be extended to July 2027; both sentences will now be spent in July 2027.