

## The Rehabilitation of Offenders Act

Information on a past criminal conviction is something that you may want to keep private. But, other people may need to know about your previous convictions.

This leaflet tries to explain what it means to you. You may not know about the rehabilitation periods attached to your sentence(s) or about the Act and what it means to you.

### What is a Conviction?

This is when you have been to Court and have been found guilty or pleaded guilty to 1 or more offences.

### What Is It?

The Rehabilitation of Offenders Act allows you to start with a clean slate after a set period of time has passed.

### What Does 'Spent Mean?

Having the Slate wiped clean for a conviction.

### What Does Rehabilitation Period Mean?

The amount of time before the slate can be wiped.

### Is This the Same For All Cases?

No, There are some cases that will always have to be mentioned.

### How do I Know?

This leaflet tries to explain, but you can get help from your Yot worker or NACRO (The National Association for Crime and resettlement of Offenders)

## COURT CONVICTIONS

For each separate conviction you receive there is a separate time period before the slate is wiped clean.

This table shows the separate time periods for each type of conviction.

Sentence – I got this at Court	Rehabilitation Period I must tell people for this length of time	
Absolute Discharge	6 months <i>from date made</i>	
Compensation	2 years & 6 months <i>from date made</i>	
Fine	2 years & 6 months <i>from date made</i>	
Conditional Discharge Up to 12 months	1 year <i>from date made</i>	
Conditional Discharge Over 12 months	the length of the Order <i>from date made</i>	
Referral Order and any Extension	The period of the Order - including extensions <i>from date made</i>	
Reparation Order	2 years & 6 months <i>YOT write Report</i>	
Action Plan Order	2 years & 6 months <i>YOT write Report</i>	
Supervision Order 3 to 12 months	1 year (12 months) <i>YOT write Report</i>	
Supervision Order Over 12 months	the length of the Order <i>YOT write Report</i>	
Detention & Training Orders		
Sentence	Rehabilitation Period	
Age when DTO made	12-14 years	15-17 years
6 months or less <i>YOT may write Report</i>	1 year	3 years & 6 months
6 months to 2 yrs <i>YOT may write Report</i>	1 year	5 years
Over 2 Years (30 months)	Never Spent	Never Spent

## When Will the Slate be Wiped (Spent)?

To work this out:-

- What did you get?
- What date did you get convicted?
- Look at the table - How Long is the Rehabilitation period for your sentence?
- Add the amount of time (rehabilitation period) to the date of your sentence

This is the date the slate gets wiped.

### For Example:

Sentence – Action Plan Order  
Date **Convicted** – 1<sup>st</sup> January 2007  
Rehabilitation Period = 2 year & 6 months

**1<sup>st</sup> January 2007 + 2 years & 6 months**  
**= 1<sup>st</sup> July 2009** this is the date the slate gets wiped.

In many cases the date of conviction is before the date you get sentenced. This is because the Yot has to write a report for the court. It is very important to know when the time



period is over for each separate conviction you have.

You could get **2 sentences** on the same date, for example a Referral Order and a Fine. If you then successfully complete your Referral Order programme; - your Referral Order will be spent, **BUT** your Fine will not be spent

**In some cases your record will be kept for life.**

## Court Proceedings

Previous convictions **can** be mentioned in criminal proceedings, even if they are spent.

## How Long Will I Have A Police Record?

Your record will still remain on the Police computer even after it has become spent.

## Will My Police Record Ever Be Deleted?

No. Police will continue to keep all records. But after the time period has passed, your record may be marked to show that information about your convictions should not be disclosed.

This is very new, so it may take some time before this system is up to date. To check if your record has been 'stepped down' you need to confirm this with the Police if you are not sure.

## Will My Record Always Be Stepped Down?

**No.** Your record will be **kept for life** if you have been:

- Sentenced to Prison for more than a total of 6 months
- Convicted of serious violent, sexual or drug offence(s)
- Unfit to plead at court
- Convicted of specific offence(s) involving a child or vulnerable adult.

## Applying for Jobs

If you have a Police record and you are asked whether you have any previous convictions you can answer 'no' if the convictions are '**spent**' and the job applied for is not '**excepted**' from the Act.

If, you do not tell an employer about **unspent** convictions if you are asked to, you may be found out. Remember, honesty is the best policy.

## Housing and Insurance

If you are applying for a **housing place** or an **insurance** proposal form asks whether you have any previous convictions, you can reply 'no' if the convictions are '**spent**'.

## Exceptions to the Act

There are some jobs in which people must give details of their convictions, even if they are spent. Contact Nacro or The Yot Office for further details on these jobs.

## Further Information and Help

If you would like further information contact the Yot office or Nacro.

Nacro,  
Resettlement Plus Helpline,  
169 Clapham Road,  
London SW9 0PU

Resettlement Plus Helpline: **020 7840 6464**.  
E-mail: [helpline@nacro.org.uk](mailto:helpline@nacro.org.uk)

Nacro works to help and support ex-offenders and will be able to give advice and information on disclosing convictions and other things like insurance and travelling abroad.



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48-50 Elm Park, Filton, South Gloucestershire.  
BS34 7PP.

Tel: 01454 868559

Fax: 01454 868560

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South Gloucestershire  
Youth Offending Team



# WHAT NEXT?

## A Guide to The Rehabilitation of Offenders Act