



## Opening Hours

Monday to Friday  
9.00am - 8.00pm

Saturday and Sunday  
10.00am - 3.00pm

## Rehabilitation of Offenders Act (ROA)

The Rehabilitation of Offenders Act (ROA) 1974 was brought in primarily to support people who have been convicted of a criminal offence, and who have not offended since, into employment. Under the Act convictions become 'spent' or ignored after a specified rehabilitation period, after which the offender becomes 'rehabilitated'. This means that after the specified time has passed, an ex-offender would not normally be obliged to mention their criminal conviction when applying for jobs, obtaining insurance or during any involvement with criminal proceedings. All cautions and convictions eventually become 'spent', with the exception of prison sentences over four years. The rehabilitation period will depend on the length of sentence given. It is not related to the offence committed. In the case of prison sentences, the rehabilitation period is based upon the overall sentence length and not the time served in custody. The 1974 Act was updated by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 with the changes coming into effect in March 2014. The 2014 changes generally reduced the time taken for convictions to become spent.

### How long will it be before a caution or conviction becomes spent?

The rehabilitation period is calculated from

the date of conviction (or the date the caution is administered). Rehabilitation periods are listed in the table below:

Sentence	Rehabilitation period	
	Young person (aged under 18) at time of conviction	People aged 18 or over when convicted
Prison sentence of over 4 years, or a public protection sentence	Never spent	Never spent
Prison sentence of over 30 months (2 ½ years) and up to and including 48 months (4 years)	Sentence length plus 3.5 years	Sentence length plus 7 years
Prison sentence of more than 6 months and up to 2.5 years	Sentence length plus 2 years	Sentence length plus 4 years
Prison sentences of 6 months or less	Sentence length plus 18 months	Sentence length plus 2 years
Conditional Discharge	Length of order	Length of order
Absolute discharge	None	None
Conditional Caution	3 months	3 months
Simple Caution, youth caution	Immediately 'spent'	Immediately 'spent'
Compensation order	On the discharge of the order (i.e. when it is paid in full)	On the discharge of the order (i.e. when it is paid in full)
Other, including, Supervision Order, Bind Over, Hospital Order	Length of the order/once compensation is paid	Length of the order/once compensation is paid

## Does the Act apply to every job?

An employer cannot refuse to employ someone (or dismiss someone) because he or she has a spent caution or conviction **unless an exception applies.**

There are certain professions that require people to declare all their cautions and convictions regardless of whether they have become spent or not. The following are examples of such:

- People who work with children or vulnerable adults
- Certain jobs with the health, pharmaceutical or legal industries
- Banking and financial roles
- Any roles implicated in national security

## How do you know if a job is exempt from the Rehabilitation of Offenders Act?

Jobs advertised where there is an exemption from the act should always state this on the job advertisement and application form.

## Is the Act applicable to every country?

The Act applies throughout the UK. However there are some differences in the way it is applied in Scotland and Northern Ireland. Other countries have their own rules relating to the declaration of criminal convictions. Anyone with a criminal conviction who wishes to take up employment outside of the UK should first contact the relevant embassy for further information.

***Disclaimer:** This information is intended as general guidance only. It must not be regarded as a definitive interpretation of the Act. Anyone in doubt should seek legal advice.*

