

This guidance applies from 28 November 2020

## **Guidance on the Rehabilitation of Offenders Act 1974 and The Exceptions Order 1975**

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## (1) INTRODUCTION:

This document should be considered a guide to the position in England and Wales only. You will find links to more detailed guidance on specific issues throughout, including references to guidance produced by the Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB)) about eligibility for standard and enhanced criminal records certificates.

- **What is the Rehabilitation of Offenders Act 1974?**

The Rehabilitation of Offenders Act 1974 ("1974 Act") primarily exists to support the rehabilitation into employment of reformed offenders who have stayed on the right side of the law.

Under the 1974 Act, following a specified period of time which varies according to the disposal administered or sentence passed, cautions and convictions (except those resulting in prison sentences of over four years and all public protection sentences\*) may become spent. As a result the offender is regarded as rehabilitated.

For most purposes the 1974 Act treats a rehabilitated person as if he or she had never committed, or been charged with charged or prosecuted for or convicted of or sentenced for the offence and, as such, they are not required to declare their spent caution(s) or conviction(s), for example, when applying for most jobs or insurance, some educational courses and housing applications.

\*A public protection sentence, the provisions for which are set out in Part 12 of the Criminal Justice Act 2003 and Part 8 of the Armed Forces Act 2006, means a sentence of imprisonment or detention imposed for specified sexual and violent offences. These sentences include imprisonment or detention for public protection, extended sentences of imprisonment or detention for public protection, and extended determinate sentences.

- **Who benefits from the 1974 Act and how?**

All cautions and convictions may eventually become spent, with the exception of prison sentences, or sentences of detention for young offenders, of over four years and all public protection sentences regardless of the length of sentence.

Once a caution or conviction has become spent under the 1974 Act, a person does not have to reveal it or admit its existence in most circumstances. Unless an exception applies (see below), then spent cautions and convictions need not be disclosed when filling in a form, or at a job interview. An employer cannot refuse to employ someone (or dismiss someone) because he or she has a spent caution or conviction unless an exception applies.

The exceptions where you may have to declare spent cautions and convictions are listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (see **Section 3** of this guidance). An employer should be able to say if an exception applies and, if so, where it can be found on the Exceptions Order.

- **Which parts of the UK does the 1974 Act apply to?**

The 1974 Act applies in England, Wales and Scotland. However there are some differences in the way in which it, and related legislation, operates in Scotland. This document should therefore be considered a guide to England and Wales only.

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For information on the 1974 Act in Scotland, please visit: [www.scotland.gov.uk/Topics/Justice/public-safety/offender-management/publications/law/RehabofOffenders](http://www.scotland.gov.uk/Topics/Justice/public-safety/offender-management/publications/law/RehabofOffenders)

The relevant Northern Irish legislation, the Rehabilitation of Offenders (Northern Ireland) Order 1978 and the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 can be found here: [www.dojni.gov.uk/index/accessni/legal-issues/legislation.htm](http://www.dojni.gov.uk/index/accessni/legal-issues/legislation.htm)

- **Does the Act apply to Service personnel?**

The Act applies to everyone convicted of a criminal offence or a service disciplinary offence (for example absence without leave) by either a civilian court (in the cases of criminal offences) or a Service Court or the Commanding Officer (in the cases of criminal or Service disciplinary offences). The same rehabilitation periods apply to sentences which are imposed in the service justice system as are imposed by the civilian justice system (for example a fine imposed by a Magistrates' Court and a fine imposed by a Court Martial, would each have the same rehabilitation period of a year beginning with the date of conviction).

Additionally there are two sentences which attract a rehabilitation period and which can only be imposed by the service justice system;

- removal from the service (for example dismissal with disgrace from Her Majesty's service or dismissal from Her Majesty's service) which attracts a rehabilitation period of 1 year beginning with the date of conviction; and
- a sentence of service detention, the total rehabilitation period being the period of the sentence and an additional 'buffer' period of 1 year which applies from the end of the sentence (see the section below on rehabilitation periods).

These rehabilitation periods are halved if the offender was under 18 at the time of conviction.

All of the other sentences particular to the service justice system (for example a severe reprimand or a service supervision and punishment order) that are not listed elsewhere in the guidance are spent immediately.

- **Does the 1974 Act cover cautions, penalty notices for disorder or fixed penalty notices?**

The 1974 Act covers simple cautions (which become spent immediately) and conditional cautions (which become spent after three months).

Reprimands and warnings were abolished in April 2013 and a reprimand or warning given before that date is now to be treated as a youth caution which, as with adult cautions, is spent immediately.

Fixed Penalty Notices and Penalty Notices for Disorder do not constitute a conviction or caution (though they may be recorded on local police systems should the force consider it necessary to do so) and they therefore are not covered by the 1974 Act (but see below in relation to a FPN issued for certain road traffic offences and where an endorsement is imposed).

## **(2) REHABILITATION PERIODS:**

- **How long will it take before my caution or conviction becomes spent?**

**Important Note:** This is intended as general guidance only. It is not legal advice and must not be regarded as a definitive interpretation of the 1974 Act. Anyone in doubt should seek their own legal advice.

The rehabilitation period (the length of time before a caution or conviction becomes spent) is determined by the type of disposal administered or the length of the sentence imposed. Rehabilitation periods that run beyond the end of a sentence are made up of the total sentence length plus an additional period that runs from the end of the sentence, which we have called the 'buffer period'. Other rehabilitation periods start from the date of conviction or the date the penalty was imposed.

The 'buffer periods' are halved for those who are under 18 at date of conviction (save for custodial sentences of six months or less where the 'buffer period' is 18 months).

The rehabilitation periods for sentences with additional "buffer periods" which run from the end date of the sentence are shown in the table below:

<b>Sentence/disposal</b>	<b>Buffer period for adults (18 and over at the time of conviction or the time the disposal is administered). This applies from the <u>end</u> date of the sentence (including the licence period).</b>	<b>Buffer period for young people (under 18 at the time of conviction or the time the disposal is administered). This applies from the <u>end</u> date of the sentence (including the licence period).</b>
Custodial sentence* of over 4 years, or a public protection sentence	Never spent	Never spent
Custodial sentence of over 30 months (2 ½ years) and up to and including 48 months (4 years)	7 years	3½ years
Custodial sentence of over 6 months and up to and including 30 months (2 ½ years)	4 years	2 years
Custodial sentence of 6 months or less	2 years	18 months
Community order or youth rehabilitation order**	1 year	6 months

\*Custodial sentence includes a sentence of imprisonment (both an immediate custodial sentence and a suspended sentence), a sentence of detention in a young offender institution, a sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000, a detention and training order, a sentence of youth custody, a sentence of corrective training and a sentence of Borstal training.

\*\*In relation to any community or youth rehabilitation order which has no specified end date, the rehabilitation period is 2 years from the date of conviction.

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The following table sets out the rehabilitation period for sentences which do not have “buffer periods” and for which the rehabilitation period runs from the date of conviction:

Sentence/disposal	Rehabilitation period for adults (18 and over at the time of conviction or the time the disposal is administered).	Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered).
Fine	1 year	6 months
Conditional discharge,	Period of the order	Period of the order
Absolute discharge	None	None
Conditional caution and youth conditional caution	3 months or when the caution ceases to have effect if earlier	3 months
Simple caution, youth caution	Spent immediately	Spent immediately
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)
Binding over order	Period of the order	Period of the order
Attendance centre order	Period of the order	Period of the order
Hospital order (with or without a restriction order)	Period of the order	Period of the order
Referral order	Not available for adults	Period of the order
Reparation order	Not available for adults	None

*Examples:*

*A 2 year custodial sentence given to an adult may become spent after 6 years: the rehabilitation period is the period of the sentence plus a further ‘buffer period’ of 4 years, giving a total of 6 years.*

*A 2 year custodial sentence suspended for 2 years is spent after 6 years; the rehabilitation period is the period of the custodial sentence plus a further buffer period of 4 years giving a total of 6 years. (A suspended sentence is a sentence of imprisonment and the rehabilitation period is therefore determined by the custodial sentence, regardless of the period for which it is suspended).*

*A 6 month sentence of detention given to a young person may become spent after 2 years: the rehabilitation period is the period of the sentence plus a further ‘buffer period’ of 18 months, giving a total of 2 years.*

*A 1 year community order given to an adult may become spent after 2 years: the rehabilitation period is the length of the order plus a further ‘buffer period’ of 1 year, giving a total of 2 years.*

*A 1 year youth rehabilitation order given to a young person may become spent after 18 months: the rehabilitation period is the length of the order plus a further ‘buffer period’ of 6 months, giving a total of 18 months.*

*An adult who is given a fine will have to declare this conviction for 1 year from the date of conviction before it is considered spent.*

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**\*Compensation Orders** – it is important that individuals obtain proof of payment from the court and keep this document to prove that the compensation order has been paid in full.

- **Are there any sentences which are not covered by the 1974 Act?**

The following sentences are exempt from the 1974 Act and can never become spent:

- a. Sentence of imprisonment for life;
- b. Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over 4 years;
- c. Sentence of preventive detention;
- d. Sentence of detention during Her Majesty's pleasure or for life;
- e. Sentence of custody for life;
- f. Public protection sentences (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders).

- **What are the rehabilitation periods for motoring offences?**

An endorsement for a road traffic offence listed in Schedule 2 to the Road Traffic Offenders Act 1988, imposed either by the court or by means of a fixed penalty notice (FPN) is a sentence for the purposes of the 1974 Act and may become spent after 5 years (or two and half years where the offender is under 18). Road traffic legislation specifically provides for a FPN in these circumstances to be treated as a conviction and dealt with as such under the 1974 Act. Penalty points and a driving disqualification imposed by the court on conviction may become spent when they cease to have effect (penalty points have effect for three years as set out in road traffic legislation). Where the court imposes more than one sentence or penalty for the offence then the longest rehabilitation period determines when the conviction may become spent.

A fixed penalty notice (FPN) can be used to deal with minor road traffic offences, but it is not a criminal conviction or a caution and the 1974 Act does not apply.

Examples:

*An adult is convicted of a road traffic offence, and the court imposes a fine (rehabilitation period 1 year), an endorsement (rehabilitation period 5 years), penalty points (rehabilitation period 3 years) and driving disqualification for 1 year (rehabilitation period 1 year); the rehabilitation period for this conviction will be 5 years because the endorsement carries the longest rehabilitation period.*

*If the offender was under 18 and received the above sentence, the conviction may become spent after 3 years because the longest rehabilitation period applicable would then be three years for the penalty points (the endorsement would become spent after two and half years).*

*Once the conviction becomes spent, the person is not required to declare it when applying for most jobs, or (motor) insurance*

It is the case for all convictions (not only road traffic convictions) that where more than one sentence or penalty is imposed then the conviction may only become spent once the longest rehabilitation period which applies has ended.

For more information on the rehabilitation periods for particular driving offences, please consult: [www.direct.gov.uk/en/motoring/driverlicensing/endorsementsanddisqualifications/dg\\_10022425](http://www.direct.gov.uk/en/motoring/driverlicensing/endorsementsanddisqualifications/dg_10022425)

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- **What happens if I get another caution or conviction before my first conviction becomes spent?**

If you already have an unspent conviction and you get a further caution or conviction before the earlier conviction has become spent, one of the following will apply:

- If your later outcome is a caution (either a simple caution or a conditional caution), neither rehabilitation period will be affected. The conviction for the earlier offence will become spent at the time originally fixed, and the caution for the later offence will become spent after the normal period (immediately for a simple caution or three months for a conditional caution).
- If your later outcome is a conviction, then *neither* conviction will become spent until the rehabilitation periods for *both* offences are over. This applies to summary offences (offences that can only be tried in a magistrates' court) as well as either way offences (triable in either the magistrates' court or the Crown Court) and indictable only offences (offences that can only be tried in the Crown Court). Please note that there are very limited exceptions to this under section 6(5) of the 1974 Act.
- If your later outcome is a conviction that results in a custodial sentence of more than four years, or a public protection sentence of any length, then neither the second nor the first conviction will ever become spent.

Once a conviction becomes spent, it remains spent, even if a person is convicted of other offences later.

- **What happens if I get another conditional caution or conviction before my first conditional caution becomes spent?**

If the later conditional caution or conviction is separate to the earlier conditional caution (i.e. not for the offence in respect of which you were cautioned), then neither rehabilitation period will be affected. The conditional caution for the earlier offence will become spent at the end of 3 months from when it is given, and the caution or conviction for the later offence will become spent after the normal period.

*For example: A person receives a conditional caution for shoplifting. A month later he receives a conviction for a separate offence. The conditional caution will become spent in the normal way (three months from the date of issue) and, in relation to the conviction for the separate offence the rehabilitation period will apply for the sentence imposed by the court.*

However, if you fail to comply with a conditional caution, and you are subsequently prosecuted the conditional caution will cease to have effect. Any subsequent conviction will then attract the relevant rehabilitation period for the sentence imposed by the court.

*For example: A person receives a conditional caution for shoplifting. He fails to comply with the conditions and as a result is prosecuted for, and convicted of, the shoplifting offence for which he receives a fine. The conditional caution ceased to have effect when he was prosecuted and he now has a conviction with a 12 month rehabilitation period because, in this example, he was sentenced to a fine.*

- **I have been sentenced for more than one offence at the same time. Will the rehabilitation periods run concurrently or consecutively?**

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If you receive more than one sentence at the same time, the total rehabilitation period will depend on whether the sentences run concurrently (at the same time) or consecutively (one after the other).

If concurrent sentences are imposed, then the longest applicable rehabilitation period will apply to all the sentences.

*For example, a four month and six month prison sentence ordered to run concurrently will count as a single term of six months (carrying a “buffer period” of two years from the end of the sentence, giving a total rehabilitation period of two years and 6 months before both convictions can be considered spent).*

If consecutive sentences are imposed, then the sentences will be added together to calculate the rehabilitation period.

*For example, a four month and six month prison sentence running consecutively will count as a ten month sentence (carrying a “buffer period” of four years from the end of the sentence, giving a total rehabilitation period of four years and ten months before the convictions can be considered spent).*

### **(3) EXCEPTIONS ORDER**

- **Are there any jobs or other activities for which I will have to disclose both spent and unspent cautions and convictions?**

**Yes.** There are certain exceptions where you may be asked to disclose your caution or conviction even if it is considered spent under the 1974 Act. The provision for this is set out in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended (the “Exceptions Order”). This is in recognition that there are certain activities for which fuller disclosure of a person’s criminal record history is relevant, for example, where there is a real risk to children, other people in vulnerable circumstances or some other particularly sensitive area of work.

Where the Exceptions Order applies this will usually be indicated in the job advert for the role by stating that a ‘standard’ or ‘enhanced’ criminal record check may be required (see further below for explanation of these terms). In these circumstances you are required to list all of your cautions and convictions, including those that are spent, unless for the purposes of the job or activity they are considered to be ‘protected’ (discussed further below).

You should be aware that as well as being able to ask you to disclose your cautions and convictions, in these circumstances the employer, organisation or licensing body will be able to request the same information from the Disclosure and Barring Service (“DBS”).

- **What jobs and activities are listed in the Exceptions Order?**

The jobs and activities listed in the Exceptions Order mainly relate to particularly sensitive areas such as work with children or health and social care, work in law enforcement and the legal system, and high-level financial positions. Exceptions also apply to certain certificates and licences (such as a firearms certificate) and to certain proceedings (such as those connected with admission to certain regulated professions).

Annex A provides a summary of the main jobs and activities that are included in the Exceptions Order. It is important to be aware that the Exceptions Order is kept under review

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and amendments are made periodically to ensure that the criminal disclosure regime meets the changing requirements of public protection.

- **Which cautions and convictions do I need to disclose under the Exceptions Order?**

All **unspent** convictions and cautions must be disclosed just like any job or activity not covered by the Exceptions Order.

In addition, **spent** cautions and convictions must be disclosed if they meet the circumstances described in the table below:

<b>Disposal</b>	<b>Age when given/sentenced</b>	<b>How long since given/sentenced?</b>
Cautions for specified offence	18 or over	Any time
Cautions for non-specified offence	18 or over	Less than 6 years
Convictions for specified offence	Any age	Any time
Convictions resulting in custodial sentence	Any age	Any time
Convictions for non-specified offence	18 or over	Less than 11 years
	Under 18	Less than 5 and half years

Any other caution or conviction which does not meet the details set out in the table, such as spent youth reprimands, warnings and cautions, is considered **protected**.

Protected cautions and convictions do not need to be disclosed unless the job or activity is one which is of the **utmost integrity**. These jobs and activities require **full disclosure** and are discussed below.

- **What is a ‘specified offence’?**

A specified offence is one which is serious and which relates to sexual offending, violent offending and/or are relevant to safeguarding children and vulnerable adults. The full list of these specified offences can be found on the DBS website.

<https://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates>

- **Are there any jobs or activities where full disclosure is required?**

There are a small number of jobs or activities for which the **utmost integrity** is required. In order to maintain public trust and confidence, **full disclosure** of all convictions and cautions, including protected cautions and convictions, must be made. These are generally jobs or activities relating to national security, police constables, judicial appointments and firearms certificates. You will be informed by the employer, organisation or licencing body if full disclosure is required when applying for these jobs or activities. Please be aware, disclosure of criminal records in these instances is not provided by the Disclosure and Barring Service.

- **What can an employer, organisation or licencing body ask an individual to disclose?**

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The table below sets out the caution and conviction information an employer, organisation or licencing body can ask you and which you are required to disclose.

Where the job or activity is. ...	I can be asked and must disclose.		
	<i>Unspent cautions and convictions</i>	<i>Unprotected spent cautions and convictions</i>	<i>Protected spent cautions and convictions</i>
<b>Not listed in the Exceptions Order</b>	Yes	No	No
<b>Listed in the Exceptions Order but not one of utmost integrity</b>	Yes	Yes	No
<b>Listed in the Exceptions Order and of utmost integrity</b>	Yes	Yes	Yes

If an employer takes into account a conviction or caution which they are not entitled to ask you about they are acting unlawfully under the 1974 Act.

#### (4) INFORMATION FOR EMPLOYERS

- **How do I know if I am eligible to request a standard or enhanced criminal records certificate from prospective and/or current employees?**

You are only eligible to request a standard or enhanced disclosure certificate, containing information on both unprotected spent and unspent convictions, from an employee or prospective employee if that individual is engaged in an activity listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (see **Section 3** above) and in the case of enhanced criminal record certificates the activity or position is also included in the Regulations made under the Police Act 1997. If you are unsure whether such a certificate can be requested, you can contact the Disclosure and Barring Service at [www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service).

- **What should I consider when employing ex-offenders?**

Each employer is best placed to consider whether a person's convictions (either before they have become spent, or, in the case of activities listed on the Exceptions Order, when they are spent) make him or her unsuitable for a particular job. But it is important that you should reach a balanced judgement, having regard to such factors as:

- a. the person's age at the time of the offence;
- b. how long ago the offence took place;
- c. whether it was an isolated offence or part of a pattern of offending;
- d. the nature of the offence;
- e. its relevance to the post or position in question; and
- f. what else is known about the person's conduct before and since the offence.

The Disclosure and Barring Service Code of Practice requires registered employers to have a fair and clear policy towards ex-offenders and not to discriminate automatically on the basis of an unprotected conviction or caution.

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More information for employers about recruiting ex-offenders is provided on Business Link:  
[www.businesslink.gov.uk/bdotg/action/layer?r.i=1097472733&r.l1=1073858787&r.l2=1084822723&r.l3=1097470700&r.s=sc&r.t=RESOURCES&topicId=1097470700](http://www.businesslink.gov.uk/bdotg/action/layer?r.i=1097472733&r.l1=1073858787&r.l2=1084822723&r.l3=1097470700&r.s=sc&r.t=RESOURCES&topicId=1097470700)

## (5) Jurisdiction

- **Application of different rehabilitation periods in England & Wales and Scotland**

Rehabilitation periods should be determined with reference to the law of the jurisdiction to which the inquiry relates, for example, where the position or job is located.

- **What legislation will apply when the Disclosure and Barring Service and Disclosure Scotland issue criminal record certificates.**

DBS will apply the relevant legislation as it applies in England and Wales and Disclosure Scotland will apply the relevant legislation as it applies in Scotland. However, in cases where the DBS has asked Disclosure Scotland to carry out its functions in respect of England and Wales, Disclosure Scotland should apply the law relating to England and Wales.

This means that basic disclosure certificates issued by Disclosure Scotland for the purpose of a job or activity in England and Wales will show unspent convictions in accordance with the rehabilitation periods which apply under the law in England and Wales.

## (6) ADDITIONAL INFORMATION

### Immigration and Nationality decisions

- **Does the 1974 Act apply to Immigration and Nationality decisions?**

Immigration and nationality decisions are exempt from the 1974 Act. This means that both spent and unspent convictions can be considered by the UK Border Agency when making these assessments.

### Visa Applications

- **Do I have to disclose all my convictions for a visa application?**

The eligibility requirements for a visa to travel to another country are a matter for the country concerned and you should contact the embassy of the relevant country if you require further advice.

### Criminal Injuries Compensation Scheme 2012 (CICS)

- **I have an unspent conviction. Does this affect my eligibility for claiming compensation from the Criminal Injuries Compensation Scheme?**

The Criminal Injuries Compensation Authority may refuse or reduce a payment if you have an unspent criminal conviction. The CICS uses the same definition of 'conviction' and the same determination of whether a conviction is spent, or a sentence is excluded from rehabilitation, as the 1974 Act.

A payment will not be made if you have an unspent conviction at the date of application, or are convicted before a final decision is made, for an offence which resulted in:

- a. a sentence excluded from rehabilitation;
- b. a custodial sentence;
- c. a sentence of service detention

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- d. removal from Her Majesty's Service
- e. a community order;
- f. a youth rehabilitation order; or
- g. a sentence equivalent to a sentence under sub-paragraphs (a) to (f) imposed under the law of Northern Ireland or a member state of the European Union, or such a sentence properly imposed in a country outside the European Union.

If on the date of your application you have an unspent conviction which resulted in a sentence not included in the list above, an award under the CICS will be withheld or reduced unless there are exceptional reasons not to do so.

This does not apply to a conviction for which the only penalty imposed was one or more of an endorsement, penalty points or a fine under Schedule 2 to the Road Traffic Offenders Act 1988. The CICS will apply the law of England and Wales to applications from applicants with unspent convictions who have been injured in England and Wales i.e. rehabilitation periods in England and Wales will apply regardless of where the applicant committed the offence and when it was committed.

For more information about the CICS 2012, or previous Criminal Injuries Compensation Schemes, please visit: [www.gov.uk](http://www.gov.uk).

#### Notification and Disclosure Schemes

- **Is the 1974 Act linked to the Violent and Sex Offenders Register?**

The 1974 Act is concerned with the disclosure of cautions and convictions and managing risk in the workplace. It is not the way in which the wider risks posed by ex-offenders are managed in the community.

For example, those convicted of violent or sexual offences may be subject to other requirements on release, such as the notification requirement to register with the police under the Sexual Offences Act 2003 for inclusion on the 'Violent and Sex Offenders Register'. The notification requirement periods are linked to the sentence received and they are set out in the Sexual Offences Act 2003.

In addition, the Child Sex Offender Disclosure Scheme set up in 2008 allows parents, carers and guardians to formally ask the police to tell them if someone has a record for child sexual offences.

For more information on this scheme, please consult: [www.homeoffice.gov.uk/crime/child-sex-offender-disclosure/](http://www.homeoffice.gov.uk/crime/child-sex-offender-disclosure/).

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**Examples of the types of occupations, posts and activities in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975**

Please be aware that this is **not** a comprehensive list and merely gives an indication of the general types of employment that are included in the Exceptions Order.

1. Regulated activity with children and other activities which involve working closely with children such as caring for, training, supervising or being solely in charge of children under 18 (including adoption, fostering, day care and childminding)
2. Regulated activity and other activities which involve caring for, training, supervising or being solely in charge of other people in vulnerable circumstances (including social work and advocacy services)
3. Employment in healthcare professions (including medical practitioners, dentists, nurses, midwives, optometrists, registered pharmacists and osteopaths)
4. Employment concerned with national security (including the provision of air traffic services and employment by the UK Atomic Energy Authority)
5. Employment in the legal profession (including barristers, solicitors, legal executives, the Crown Prosecution Service and judicial appointments)
6. Offices and positions in HM Courts and Tribunals Service and the Judicial Office (including Justices' and sheriff's, court and tribunal security officers and contractors with unsupervised access to court-houses, tribunal buildings, offices and other accommodation used in relation to the court or tribunal)
7. Employment in law enforcement (including police constables and cadets, the naval, military and air force police, traffic wardens and employment in the Serious Fraud Office (SFO) and the Serious Organised Crime Agency (SOCA))
8. Offices responsible for the enforcement of warrants and writs (including Court officers who execute county court warrants, High Court enforcement officers, sheriffs and Civilian enforcement officers)
9. Employment in the Prison and Probation Services (including prison and probation officers, members of boards of visitors etc.)
10. Employment in the financial sector (including chartered and certified accountants, actuaries and all positions for which the Financial Conduct Authority or the competent authority for listings are entitled to ask exempted questions to fulfil their obligations under the Financial Services and Markets Act 2000)

**Important Note:** This is intended as general guidance only. It is not legal advice and must not be regarded as a definitive interpretation of the 1974 Act. Anyone in doubt should seek their own legal advice.

11. For licensing purposes (including the National Lottery, gambling, firearms and drugs licensing purposes, Security Industry Authority licences, and licensing hackney carriages or private hire vehicle drivers)