

Rehabilitation of Offenders Act

Convictions and police cautions can be material to a risk as they may indicate a degree of dishonesty or irresponsibility and not a risk we wish to cover.

The Rehabilitation of Offenders Act 1974 defines the period of time over which an offender who has not been convicted of a serious offence can consider the conviction to be spent.

The Act provides that a spent conviction must be treated for all purposes in law as though it never happened. Therefore, a spent conviction does not need to be declared on the proposal.

The Act does not apply to sentences of imprisonment of more than two and a half years – such convictions should be referred for an Underwriter's decision. See below for a summary of the current rehabilitation periods.



Rehabilitation of Offenders Act 1974

Under the Rehabilitation of Offenders Act 1974 criminal convictions can become spent or ignored after a rehabilitation period, although they remain on the Police National Computer. The rehabilitation period varies depending on the sentence or order imposed by the court - not the offence. Custodial sentences of more than two and half years can never become spent. The following sentences become spent after fixed periods from the date of conviction:

Sentence	Rehabilitation period	Rehabilitation period
	Age 18 or over when convicted	Age 17 or under when convicted
Prison sentences of 6 months or less, including suspended sentences, youth custody (abolished in 1988) and detention in a young offender institution	7 years	3 and half years
Prison sentences of more than 6 months to 2 and half years, including suspended sentences, youth custody (abolished in 1988) and detention in a young offender institution	10 years	5 years
Borstal (abolished in 1983)	7 years	7 years
Detention Centres (abolished in 1988)	3 years	3 years
Fines (even if subsequently imprisoned for fine default), compensation, probation (for convictions on or after 3 February 1995), community service, combination, action plan, curfew, drug treatment and testing and reparation orders	5 years	2 and half years
Absolute discharge	6 months	6 months

With some sentences, the rehabilitation period varies:

Sentence	Rehabilitation Period
Conditional discharge or bind-over, probation (for convictions before 3 February 1995), supervision, care-orders	1 year or until the order expires (whichever is longer)
Attendance centre orders	1 year after the order expires
Hospital orders (with or without a restriction order)	5 years or 2 years after the order expires (whichever is longer)
Referral Order	Once the order expires