

Rehabilitation of Offenders Act 1974

For the purposes of the guidance proposed in this section, the principles set out in the Rehabilitation of Offenders Act should be followed. For example, where the LA become aware of a conviction after the fact, this act ought to be considered and it is not proposed an officer should pursue suspension or revocation of a Personal License where a conviction is likely to spent by the time the process if review is likely to be complete.

Full details of the act can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216089/rehabilitation-offenders.pdf

In complex cases, definitive legal advice should always be sought to properly interpret the act.

The main provisions here:

Rehabilitation Periods table

Sentence or disposal	Rehabilitation period if aged 18 or over when convicted or disposal administered	Rehabilitation period if aged under 18 when convicted or disposal administered
<ul style="list-style-type: none"> • Sentence of imprisonment for life • Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over four years • Sentence of preventive detention • Sentence of detention at Her Majesty's Pleasure • Sentence of custody for life • 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) 	<p>These sentences are excluded from rehabilitation and so will always be disclosed</p>	<p>These sentences are excluded from rehabilitation and so will always be disclosed</p>

*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, as detailed above, imposed for specified sexual and violent offences.

A custodial sentence of over 2 years 6 months but not exceeding 4 years	7 years from the date on which the sentence (including any licence period) is completed	3 years 6 months from the date on which the sentence (including any licence period) is completed
A custodial sentence of over 6 months but not exceeding 2 years 6 months*	4 years from the date on which the sentence (including any licence period) is completed	2 years from the date on which the sentence (including any licence period) is completed
A custodial sentence of up to 6 months*	2 years from the date on which the sentence (including any licence period) is completed	1 year 6 months from the date on which the sentence (including any licence period) is completed
A sentence of service detention	1 year from the date on which the sentence was completed	6 months from the date on which the sentence was completed
Dismissal from Her Majesty's Service	1 year from the date of conviction	6 months from the date of conviction
Fine	1 year from the date of the conviction in respect of which the fine was imposed	6 months from the date of the conviction in respect of which the fine was imposed
Community order or youth rehabilitation order	1 year from the last day on which the order has effect	6 months from the last day on which the order has effect
Driving endorsements	5 years from the date of conviction	2 years 6 months from the date of conviction
Driving disqualification	When the period of the disqualification has passed	When the period of the disqualification has passed
Simple caution, youth caution	Spent immediately	Spent immediately
Conditional caution, youth conditional caution	3 months or when caution ceases to have effect if earlier	3 months or when caution ceases to have effect if earlier
Compensation order	On discharge of the order (i.e. when it is paid in full). Proof of payment will be required	On discharge of the order (i.e. when it is paid in full). Proof of payment will be required
Absolute discharge	Spent immediately	Spent immediately

Relevant orders** (orders that impose a disqualification, disability, prohibition or other penalty)

The end date given by the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent

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