

REHABILITATION OF OFFENDERS ACT 1974

GUIDANCE NOTES FOR APPLICANTS

The advert and enclosures contained within the application pack will confirm whether or not a post for which you are applying is exempt from the Act. The following information gives guidance in relation to the requirements when completing your application form in both cases

The application form for employment with the London Borough of Havering asks you to provide details about previous convictions for criminal offences. You should read these guidance notes before completing the questions.

If the post is EXEMPT from the Act all convictions spent or unspent must be Disclosed

You must disclose all convictions irrespective of whether they are spent or not.

If this post is NOT EXEMPT from the Act

Under the Rehabilitation of Offenders Act 1974, you do not need to provide details about previous convictions, which are 'spent', but see below with respect to exemptions from the Act.

A conviction becomes spent after a certain length of time, which depends upon the sentence imposed and the individuals age at the time of conviction.

Examples are:

Sentence	Rehabilitation Period	
	People aged 18 or over when convicted	People aged 17 or under when convicted
Prison sentences of 6 months or less	7 years	3½ years
Prison sentences of more than 6 months to 2½ years	10 years	5 years
Borstal training (abolished in 1983)	7 years	6 years
Detention centres (abolished in 1988)	3 years	3 years
Fines, compensation, probation, community service, combination, action plan, curfew, drug treatment and testing, and reparation orders	5 years	2½ years
Absolute discharge	6 months	6 months

Note: If a person is sentenced to life imprisonment, his/her conviction can never become 'spent'.

The following sentences are exempt from the Act:

- a) a sentence of imprisonment for life.
- b) a sentence of imprisonment, youth custody, detention in a young offender institution or corrective training for a term exceeding 30 months.
- c) a sentence of preventive detention.
- d) a sentence of detention during Her Majesty's pleasure or for life or a sentence of detention for a term exceeding 30 months given to a young offender convicted of a grave crime or detention of more than 30 months of a child convicted on indictment or a Court Martial punishment.
- e) a sentence of custody for life.

The following applies to both exempt and non exempt posts -

1. Any information given will be treated as confidential and used only in connection with this application.
2. An offer of employment may be withdrawn or dismissal may result if previous convictions for 'unspent' criminal offences are not disclosed.
3. If you have any doubts about whether you have to declare a previous conviction, you should contact your local Probation Office or the Citizens Advice Bureau, or your solicitor.

Thank you for your co-operation.