Special EU Programmes Body
Comhlacht na gClár Speisialta AE
Special EU Skemes Boadie

DISCLOSURE OF CRIMINAL CONVICTIONS

THE REHABILITATION OF OFFENDERS (NI) ORDER 1978

In Northern Ireland the relevant legislation in relation to convictions is the Rehabilitation of Offenders (NI) Order 1978. The following sentences become 'spent' after fixed periods from the date of conviction.

If a conviction is 'spent' you do not have to mention it, even when asked, unless applying for a post which is "excepted" under this legislation.

Sentence	Aged 17 or over at conviction	Under 17 years at conviction
Absolute Discharge	6 months	
Probation Order, Bind Over, Condition Discharge, Care/Supervision Order	Date Order ceases OR 1 year – whichever longer	
Attendance Centre Order	1 year after Order expires	
Hospital Order	5 years or 2 years after Order expires – whichever longer	
Fine or Community Service Order Combination Orders	5 Years	2 ½ years
Prison – (immediate or suspended) OR Young Offenders Centre – Sentence of 6 months or less	7 Years	3 ½ years
Prison – (immediate or suspended) OR Young Offenders Centre over 6months up to and including 2 ½ years	10 years	5 years
NB: CUSTODIAL SENTENCE OF MORE THAN TWO AND A HALF YEARS CAN NEVER BECOME SPENT		

1. Consecutive prison sentences count as a single term when calculating the rehabilitation period.
2. If more than one sentence was imposed for an offence, the longer rehabilitation period applies.
3. If a person receives new conviction during rehabilitation period:
    i. for a summary offence (i.e. can only be tried at a Magistrates Court) both rehabilitation periods expire separately;
    ii. for a more serious offence (i.e. which **could** be tried at the Crown Court) **neither** conviction will become spent until longest period expires.
4. Cautions, reprimands and final warnings are not considered to be convictions and become "spent" immediately unless relevant to "excepted" posts.
5. A spent conviction will remain on your criminal record.

6. It is an offence for anyone to give information about spent convictions from official records except in the course of official duties.

THE REHABILITATION OF OFFENDERS (EXCEPTIONS) ORDER (NI) 1979 (amended by 1987, 2001 and 2003 Orders)

A range of occupations are exempted from the legislation for these posts, applicants **MUST** disclose information on both "spent" **AND** "unspent" convictions. The list of posts is extensive and can be summarised as follows:

1. WORK THAT INVOLVES CONTACT WITH CHILDREN OR YOUNG PEOPLE OR VULNERABLE ADULT GROUPS – e.g. provision of health care or social services, work with children such as youth work, education, or with adults with learning disabilities, mental illness, the elderly.
2. PROFESSIONS THAT ARE REGULATED BY LAW – e.g. medical practitioner, nurse, chemist, optician, accountant, manger of an insurance company.
3. POSTS INVOLVING NATIONAL SECURITY e.g. security personnel or senior civil service posts.
4. POSTS CONCERNED WITH ADMINISTRATION OF JUSTICE e.g. police officers, solicitors, probation officers, traffic wardens, judges, prison officers.

For further information please contact NIACRO at tel: 02890 320157