

# Criminal record reform to support ex-offenders into work

- reforms to remove barrier to employment and reduce reoffending
- time it takes certain convictions to become 'spent' reduced
- changes will not apply to sensitive roles or most serious offenders

Under new proposals announced today (16 September 2020), the time it takes for certain convictions to become 'spent' will be reduced so that they are no longer automatically disclosed on employment checks. This will only happen after a period of rehabilitation has been successfully completed, allowing offenders who have turned their backs on crime a fair chance of employment again.

Custodial sentences of up to a year will become spent after a further 12 months without reoffending, while convictions between 1 and 4 years will no longer be disclosed after four crime-free years. Previously, such offences would continue to be shared with employers for up to four and seven years respectively.

To ensure this does not result in an increased risk to the public, these changes will not apply to those that have committed serious sexual, violent or terrorist offences and those working in sensitive roles such as teaching or nursing.

Reoffending costs the taxpayer around £18 billion per year and there are few better ways of reducing it than the security of a regular income. However, many former offenders find it almost impossible to get a job with just 17% in P45 employment a year after release and more than half of employers saying they would not consider hiring someone with a criminal record.

These reforms will remove a disproportionate barrier to employment which prevents ex-offenders from moving on with their lives. For example, someone handed a five-year sentence for theft 30 years ago that still has to disclose their crime despite never reoffending.

Once a 7 year period of rehabilitation has been served, sentences of more than 4 years will no longer be automatically disclosed to employers. Currently, details of such offences must be shared with employers for the remainder of an offender's life – even if the crimes were committed decades earlier, or as a child.

Children's rehabilitation periods will continue to be half that of adults, recognising that children who offend are often highly vulnerable and are still maturing.

However, any individual that reoffends during their rehabilitation period will have to disclose both their original and subsequent offences to employers for the duration of whichever rehabilitation period is longer.

## Notes to Editors:

- The proposed new rehabilitation periods are as follows:

Sentence	Adults	Under 18s
(Adult) Community Order	The last day on which the order has effect	N/A
Youth Rehabilitation Order	N/A	The last day on which the order has effect
Custody of 1 year or less	1 year	6 months
Custody of more than 1 year and up to 4 years	4 years	2 years
Custody of more than 4 years*	7 years	3.5 years

\*excluding serious sexual, violent or terrorist offences, that continue to never be spent

Existing rehabilitation periods are:

Sentence	Adults	Under 18s
(Adult) Community Order	1 year beginning with the last day on which the order has effect	N/A
Youth Rehabilitation Order	N/A	6 months beginning with the last day on which the order has effect
Custody of 6 months or less	2 years	18 months
Custody of more than 6 months and up to 30 months	4 years	2 years
Custody of more than 30 months and up to 4 years	7 years	3.5 years
Custody of more than 4 years	Conviction is never spent	Conviction is never spent

- These proposals follow [secondary legislation laid by the government earlier this year](#) that will, in most cases, remove the requirement for automatic disclosure and self-disclosure of youth cautions, reprimands and warnings as well as removing the 'multiple conviction' rule, which requires the disclosure of all convictions where a person has more than one conviction, regardless of the nature of their offence or sentence.