



MAJ. LAW

S O L I C I T O R S

Spent convictions - how long do I need to declare my conviction?

All convictions will eventually become spent, with the exception of prison sentences over 30 months. Once the conviction becomes spent, you will not need to disclose it to employers, insurers etc. An employer cannot refuse to employ someone (or dismiss someone) because he or she has a spent caution or conviction.

The **Rehabilitation of Offenders Act 1974** allows certain convictions to become 'spent' after a specified period of time (*the rehabilitation period*).

Rehabilitation periods for the most minor sentences, (e.g. cautions, disqualifications, fines) begin from the date of conviction. However, for convictions resulting in a community sentence or custodial sentence, the rehabilitation period (or 'buffer' period) will start from the end of the entire sentence (not at the point of release from prison).

The following table sets out the rehabilitation period for sentences that do not have buffer periods. The rehabilitation period starts on the date of conviction:

Sentence	Adults (18 & over)	Youths (18 & over)
Fine	12 months	6 months
Licence Endorsement	5 years	2.5 years
Driving disqualification	Last day of ban	Last day of ban

For example, if an adult was convicted of drink driving and disqualified for 12 months the longest rehabilitation period always applies. This means that the total rehabilitation period would be **five years** (this period will apply to all driving disqualifications under 5 years).

What happens if I get another caution or conviction before my first conviction becomes spent?

If you are convicted again for a drink driving offence (or other summary offence), neither rehabilitation period will be affected. The conviction for the earlier offence will become

spent at the time originally fixed, and the conviction for the later offence will become spent after the normal period.

Driving conviction codes - how long does a conviction stay on my licence?

A drink driving conviction will remain on your licence for a period of up to **11 years** from the date of conviction. The exact period of disqualification will depend on the individual offence:

Offence	Period on licence
DR10 - Drive or attempt to drive with excess alcohol	11 years
DR40 - In Charge of a vehicle with excess alcohol	4 years
DG10 - Drive or attempt to drive with drug level above specified limit	11 years
DR20, DR80 - Drive or attempt to drive while unfit through drink or drugs	11 Years
DR50, DR90 - In charge of a vehicle while unfit through drink or drugs	4 years
DR30 - Failing to provide a specimen of analysis while driving or attempting to drive a vehicle	11 years
DR60 - Failing to provide a specimen for analysis while in charge of a vehicle	4 years
DR70 - Failing to co-operate with a preliminary roadside breath test	4 years

Need free advice?

M.A.J. Law offer free no-obligation legal advice over the phone. Unlike other solicitors, we never try and 'sell' our service or persuade you to instruct us, we simply inform you of all your options and the likely penalty if convicted.

To discuss your options with a member of our team, please call

0151 422 8020

or request a call back by visiting our website

www.drinkdrivingsolicitor.co.uk
