

Number of people with unspent convictions

Background

- We regularly get asked how many people have unspent convictions.
- Since the Rehabilitation of Offenders Act was amended in March 2014, the number is expected to have reduced significantly.
- This document outlines our attempt to reach a reasonable approximation, based on statistically-reliable sources of information (see overleaf), of how many people have unspent convictions in England & Wales.

Key findings

1. Before the Rehabilitation of Offenders Act 1974 reforms, which came into force on the 10th March 2014, there were approximately **2,514,987** individuals with unspent convictions in England & Wales.
(see notes 1,2,3,4 and 5)
2. Following the reforms to the Rehabilitation of Offenders Act 1974, which came into force on the 10th March 2014, there were approximately **735,652** individuals with unspent convictions in England & Wales.
(see notes 1,2,3 and 5)
3. **7,232** individuals receive a conviction each year that can never become spent.
(see note 6)

Additional findings

- **2.03%** of people that apply for a basic disclosure in England & Wales have unspent convictions disclosed. (see note 7)
- **6.94%** of people that apply for a basic disclosure in Scotland have unspent convictions. (see note 8)
- **89%** of the basic disclosures that Disclosure Scotland carry out are for people in England & Wales. (see note 9)

Notes - Reliance and Assumptions

1. We [obtained data from Disclosure Scotland](#) on the number of basic disclosures undertaken, and the number that contain cautions/convictions.
2. We [used data from Population projections by the Office for National Statistics](#) on the working-age population in England & Wales in 2012 of individuals aged between 16–64. The figure we've used is 36,239,000.
3. We used the working-age population to establish approximations on the number of people with unspent convictions under the Rehabilitation of Offenders Act 1974, both before and after 10th March 2014.
4. In determining how many people in England & Wales had an unspent conviction from before 10th March 2014, we assume that the Rehabilitation of Offenders Act 1974 operated in England & Wales in the same way as it still does now in Scotland, although there are a small number of discrepancies (such as how compensation orders were dealt with).
5. A significant amount of reliance has been placed in the number of basic disclosures which reveal convictions. However, account should also be given to the broader effect that a basic disclosure may have. For example, an individual may choose to withdraw from a job opportunity if they have an unspent conviction and they realise a basic disclosure is to be carried out. As a result, these figures are likely to be an underestimate.
6. We used the [Criminal Justice Statistics 2012](#) to establish how many people receive a sentence of more than 4 years in prison
7. This is based on [data we obtained from Disclosure Scotland](#) on the number of checks issued under English & Wales law between 10th March 2014 and 19th June 2014 which had an unspent conviction revealed.
8. This is based on [data we obtained from Disclosure Scotland](#) on the number of checks issued under Scottish law between 10th March 2014 and 19th June 2014 which had an unspent conviction revealed.
9. This is based on [data we obtained from Disclosure Scotland](#) on the number of checks they processed between 10th March 2014 and the 19th June 2014.

Got a different way of working this out?

We are interested in hearing about the efforts of others to better define the number of people with unspent convictions. Please send your thoughts to policy@unlock.org.uk.