

Status: This version of this part contains provisions that are prospective.

Changes to legislation: Legal Aid, Sentencing and Punishment of Offenders Act 2012, Part 1 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 25

REHABILITATION OF OFFENDERS: CONSEQUENTIAL PROVISION

PART 1

REHABILITATION OF OFFENDERS: GENERAL

Rehabilitation of Offenders Act 1974: England and Wales

1 The Rehabilitation of Offenders Act 1974 is amended as follows.

Commencement Information

I1 Sch. 25 para. 1 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

2 In section 1(4)(a) (references in Act to a conviction) for “Great Britain” substitute “England and Wales”.

Commencement Information

I2 Sch. 25 para. 2 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

3 In section 2(5) (rehabilitation of persons dealt with in service disciplinary proceedings) for “Great Britain” substitute “England and Wales”.

Commencement Information

I3 Sch. 25 para. 3 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

PROSPECTIVE

4 Omit section 3 (special provision with respect to certain disposals by children's hearings under the Social Work (Scotland) Act 1968).

5 In section 4(1)(a) (effect of rehabilitation) for “Great Britain” substitute “England and Wales”.

Commencement Information

I4 Sch. 25 para. 5 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

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- 6 (1) Section 7 (limitations on rehabilitation under the Act) is amended as follows.
 (2) In subsection (2)(a) for “Great Britain” substitute “ England and Wales ”.
 (3) In subsection (3) for “Great Britain” substitute “ England and Wales ”.

Commencement Information

I5 Sch. 25 para. 6 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

- 7 Omit section 8(8) (defamation actions: application of section to Scotland).

Commencement Information

I6 Sch. 25 para. 7 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

- 8 In section 8A(2)(d) (definition of “caution”) after “Wales” insert “ and which is not an alternative to prosecution (within the meaning of section 8AA) ”.

Commencement Information

I7 Sch. 25 para. 8 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

- 9 (1) Section 9 (unauthorised disclosure of spent convictions) is amended as follows.
 (2) In subsection (3) omit “(or, in Scotland, the accused person)”.
 (3) In subsection (8) omit “, in England and Wales,”.

Commencement Information

I8 Sch. 25 para. 9 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

- 10 After section 10(1) (orders) insert—
 “(1A) Any power of the Secretary of State to make an order under any provision of this Act includes power—
 (a) to make different provision for different purposes, and
 (b) to make incidental, consequential, supplementary, transitional, transitory or saving provision.
 (1B) The power of the Secretary of State to make an order under section 5(6) includes power to make consequential provision which amends or repeals any provision of this Act or any other enactment.”

Commencement Information

I9 Sch. 25 para. 10 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

- 11 Omit Schedule 1 (service disciplinary convictions referred to in section 6(6)(bb) of that Act).

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Commencement Information

I10 Sch. 25 para. 11 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

Rehabilitation of Offenders Act 1974: Scotland

12 The Rehabilitation of Offenders Act 1974 is amended as follows.

Commencement Information

I11 Sch. 25 para. 12 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

13 In section 1(4)(a) (references in Act to a conviction) for “Great Britain” substitute “Scotland”.

Commencement Information

I12 Sch. 25 para. 13 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

14 In section 2(5) (rehabilitation of persons dealt with in service disciplinary proceedings) for “Great Britain” substitute “Scotland”.

Commencement Information

I13 Sch. 25 para. 14 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

15 In section 4(1)(a) (effect of rehabilitation) for “Great Britain” substitute “Scotland”.

Commencement Information

I14 Sch. 25 para. 15 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

16 (1) Section 7 (limitations on rehabilitation under the Act) is amended as follows.

(2) In subsection (2)(a) for “Great Britain” substitute “Scotland”.

(3) In subsection (3) for “Great Britain” substitute “Scotland”.

Commencement Information

I15 Sch. 25 para. 16 in force at 10.3.2014 by S.I. 2014/423, art. 2(c) (with art. 3)

17 (1) Section 9 (unauthorised disclosure of spent convictions) is amended as follows.

(2) In subsection (3) for “defendant (or, in Scotland, the accused person)” substitute “accused person”.

(3) Omit subsection (8).

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Changes to legislation: Legal Aid, Sentencing and Punishment of Offenders Act 2012, Part 1 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

I16 Sch. 25 para. 17 in force at 10.3.2014 by S.I. 2014/423, **art. 2(c)** (with **art. 3**)

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Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2016/286, art. 4(1) by [S.I. 2017/225 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(3)(4) inserted by [2022 c. 36 s. 25\(2\)](#)
- s. 9A inserted by [2023 c. 32 s. 89\(3\)](#)
- s. 9B inserted by [2023 c. 32 s. 90](#)
- s. 10(3A)-(3E) inserted by [2022 c. 36 s. 67](#)
- Sch. 1 Pt. 1 para. 31ZA and cross-heading inserted by [2022 c. 36 s. 25\(1\)](#)
- Sch. 1 Pt. 1 para. 31B and cross-heading inserted by [2022 c. 36 s. 57\(2\)](#)
- Sch. 1 Pt. 1 para. 19(1A)(1B) and heading inserted by [2022 c. 36 s. 66\(2\)\(a\)](#)
- Sch. 1 Pt. 1 para. 19(2A) inserted by [2022 c. 36 s. 66\(2\)\(b\)](#)
- Sch. 1 Pt. 1 para. 19(8A) and heading inserted by [2022 c. 36 s. 66\(2\)\(c\)](#)
- Sch. 1 Pt. 1 para. 25(1A) and heading inserted by [2022 c. 36 s. 66\(3\)\(a\)](#)
- Sch. 1 Pt. 1 para. 26(1A) and heading inserted by [2022 c. 36 s. 66\(3\)\(a\)](#)
- Sch. 1 Pt. 1 para. 27(1A) and heading inserted by [2022 c. 36 s. 66\(3\)\(a\)](#)
- Sch. 1 Pt. 1 para. 27A(1A) and heading inserted by [2022 c. 36 s. 66\(3\)\(a\)](#)
- Sch. 1 Pt. 1 para. 25(3)(4) and heading inserted by [2022 c. 36 s. 66\(3\)\(b\)](#)
- Sch. 1 Pt. 1 para. 26(3)(4) and heading inserted by [2022 c. 36 s. 66\(3\)\(b\)](#)
- Sch. 1 Pt. 1 para. 27(3)(4) and heading inserted by [2022 c. 36 s. 66\(3\)\(b\)](#)
- Sch. 1 Pt. 1 para. 27A(3)(4) and heading inserted by [2022 c. 36 s. 66\(3\)\(b\)](#)
- Sch. 1 Pt. 1 para. 30(1A) and heading inserted by [2022 c. 36 s. 66\(4\)\(a\)](#)
- Sch. 1 Pt. 1 para. 30(2A) inserted by [2022 c. 36 s. 66\(4\)\(b\)](#)
- Sch. 1 Pt. 1 para. 30(3A) and heading inserted by [2022 c. 36 s. 66\(4\)\(c\)](#)
- Sch. 1 Pt. 1 para. 31A(2A) and heading inserted by [2022 c. 36 s. 66\(5\)\(a\)](#)
- Sch. 1 Pt. 1 para. 31A(3A)(3B) and heading inserted by [2022 c. 36 s. 66\(5\)\(b\)](#)
- Sch. 1 Pt. 1 para. 19(6A) inserted by [2023 c. 37 s. 56\(2\)\(a\)](#)
- Sch. 1 Pt. 1 para. 31C inserted by [2023 c. 37 s. 56\(3\)](#)
- Sch. 1 Pt. 1 para. 27A(1) inserted by [S.I. 2017/617 reg. 3\(4\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 1 para. 11(1A) inserted by [S.I. 2023/150 art. 4\(3\)\(a\)](#)
- Sch. 1 Pt. 1 para. 11(3A) inserted by [S.I. 2023/150 art. 4\(3\)\(b\)](#)
- Sch. 1 Pt. 1 para. 2(1)(b) omitted by [2018 anaw 2 Sch. 1 para. 21\(2\)\(a\)\(ii\)](#)
- Sch. 1 Pt. 1 para. 45(2) omitted by [2023 c. 32 s. 91\(2\)](#)
- Sch. 1 Pt. 1 para. 45(3) substituted by [2023 c. 32 s. 91\(3\)](#)

- Sch. 1 Pt. 1 para. 26(1) substituted by [S.I. 2017/617 reg. 3\(2\)\(b\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 1 para. 27(1) substituted by [S.I. 2017/617 reg. 3\(3\)\(b\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 1 para. 19(10) words inserted by [2023 c. 37 s. 56\(2\)\(b\)](#)
- Sch. 1 Pt. 1 para. 31(1)(a) words inserted by [S.I. 2023/147 art. 2\(2\)\(a\)](#)
- Sch. 1 Pt. 1 para. 31(1)(a) words inserted by [S.I. 2023/147 art. 2\(2\)\(b\)](#)
- Sch. 1 Pt. 1 para. 31(1)(a) words omitted by [2016 c. 19 Sch. 11 para. 2\(1\)](#)
- Sch. 1 Pt. 1 para. 45(4) words omitted by [2023 c. 32 s. 91\(4\)](#)
- Sch. 1 Pt. 1 para. 26 heading words substituted by [S.I. 2017/617 reg. 3\(2\)\(a\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 1 para. 27 heading words substituted by [S.I. 2017/617 reg. 3\(3\)\(a\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 3 para. 16A inserted by [2023 c. 37 s. 56\(4\)](#)
- Sch. 1 Pt. 3 para. 11(b) and word inserted by [S.I. 2017/617 reg. 3\(6\)\(b\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 3 para. 8(b) omitted by [S.I. 2017/617 reg. 3\(5\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 3 para. 11(a) and word omitted by [S.I. 2017/617 reg. 3\(6\)\(a\)](#) (This amendment comes into force on the commencement of paragraph 1 of Schedule 10 to the Immigration Act 2016 (c. 19))
- Sch. 1 Pt. 4 para. 8 inserted by [2022 c. 36 s. 66\(6\)](#)