

Criminal Records Check – Disqualifying Convictions

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Executive Summary

The Department for Transport (DfT) sets the list of disqualifying convictions, including offences at the more serious end of the spectrum (with relatively minor offences usually not being included). Disqualifying convictions are selected under the following criteria:

- Convictions directly related to terrorism
- Convictions that may be inappropriate for someone working in the aviation industry (e.g. immigration offences)
- Convictions over which someone could be subject to undue influence/coercion
- Convictions that call into question an individual's integrity and trustworthiness

Applicants will fail the criminal records check if it reveals an unspent conviction for a disqualifying offence. Under the [Rehabilitation of Offenders Act 1974 \(for England, Wales and Scotland\)](#) and the Rehabilitation of Offenders (Northern Ireland) Order 1978 (for Northern Ireland) criminal convictions can become spent or ignored after a rehabilitation period.

Disqualifying convictions shall include but shall not be limited to convictions for the type of offences listed below:

- Terrorism
- Offences against people
- Theft and dishonesty
- Sexual offences
- Controlled or illegal drugs
- Criminal damage
- Firearms
- Immigration
- Bomb and threat hoaxes
- Offensive weapons
- Public order
- Administration of justice

The following sections list relevant details for each of the above offences in tabular form.

It should be noted that E+W, S, NI are abbreviations for England + Wales, Scotland and Northern Ireland respectively.

Terrorism

Offence	Statute
Preparing for, training for or assisting terrorism	Terrorism Act 2006 s.5, s.6
Committing terrorism	Terrorism Act 2006 s.5
Directing terrorist acts	Terrorism Act 2000 s.56
Failing to disclose information of material assistance in preventing terrorism	Terrorism Act 2000 s.19, s.38B
Disseminating or possessing articles or information likely to be useful to terrorism	Terrorism Act 2006 s.2 Terrorism Act 2000 s.57
Fundraising, using money or property for the purposes of terrorism	Terrorism Act 2000 s.15, s.16, s.17

Offences against people

Offence	Statute
Administering poison	E+W, NI: Offences Against the Person Act 1861 s.23, s.24 S: Common Law – Administration of a noxious substance, poisoning, Drugging and attempts Assault and poisoning, Poisoning & attempts
Assault occasioning actual bodily harm	E+W, NI: Offences Against the Person Act 1861 s.47 S: Common Law - Assault to injury; Assault to severe injury
Assault with intent to resist arrest	E+W, NI: Offences Against the Person Act 1861 s.38
Assaulting a police officer	E+W: Police Act 1996 s.89(1) S: Police (Scotland) Act 1967 s.41.(1)(a) NI: Police (NI) Act 1998 s. 66(1)
Attempted murder	E+W: Criminal Attempts Act 1981 s.1(1) S: Common Law – Attempted Murder NI: Criminal Attempts and Conspiracy (NI) Order 1983 Art.3(1)
Attempting to choke	E+W, NI: Offences Against the Person Act 1861 s. 21 S: Common Law - Assault
Causing bodily injury by explosives	E+W, NI: Offences Against the Person Act 1861 s. 28 S: Common law - Assault by explosive device and attempts

Offence	Statute
Child abduction	E+W: Child Abduction Act 1984, s.1, s.2 S: Common Law - Abduction; Plagium; Theft of a child Children (Scotland) Act 1995 s.83 Child Abduction Act 1984 s.6 NI: Child Abduction (NI) Order 1985 Art. 3, 4
Cruelty to a child	E+W: Children and Young Persons Act 1933 s.1 S: Children and Young Persons (Scotland) Act 1937 s.12 NI: Children and Young Persons Act (NI) 1968 s.20
Endangering safety of railway passengers	E+W, NI: Offences Against the Person Act 1861 s.34 S: Common law - Endanger life on a railway
Endangering safety of an aircraft	E+W: Air Navigation Order 2016 No. 765 s.240 Aviation Security Act 1982 s.1, s.2, s.3, s.4 S, NI: Air Navigation Order 2000 Art.63
False imprisonment	E+W, NI: Common Law S: NA
Fear of violence including harassment or stalking involving fear of violence	E+W: Protection from Harassment Act 1997 s.4, s.4A S: NA NI: The Protection from Harassment (NI) Order 1997 Art. 3, 4, 6

Offence	Statute
Grievous bodily harm	E+W, NI: Offences against the Person Act 1861 s.18, s.20 S: Common Law - Assault to injury; Assault to severe injury
Ill treatment of a mental patient	E+W: Mental Health Act 1983 s. 127 S: Mental Health (Scotland) Act 1984 s.105 + Adults with Incapacity (Scotland) Act 2000 s.83 NI: Mental Health (NI) Order 1986 Art. 121
Kidnapping	E+W: Common Law S: Common law - Abduction; Plagium; Theft of a child NI: Common law
Manslaughter	E+W, NI: Offences Against the Person Act 1861 s.5 S: Common law - Culpable homicide
Murder	Common law - Murder
Racially or religiously aggravated harassment	E+W: Crime and Disorder Act 1998 s.32(1)
Sending explosive substances	E+W, NI: Offences against the Person Act 1861, s.29 S: Explosive Substances Act 1883 s.3; Postal Services Act 2000 s.85 Common Law - Post an incendiary device with intent to cause severe injury
Threats to kill	E+W, NI: Offences against the Person Act 1861, s.16 S: Common Law - Threats