



Criminal Justice and Courts Services Act 2000

2000 CHAPTER 43

PART II

PROTECTION OF CHILDREN

Effect of disqualification from working with children

35 Persons disqualified from working with children: offences

- (1) An individual who is disqualified from working with children is guilty of an offence if he knowingly applies for, offers to do, accepts or does any work in a regulated position.
- (2) An individual is guilty of an offence if he knowingly—
 - (a) offers work in a regulated position to, or procures work in a regulated position for, an individual who is disqualified from working with children, or
 - (b) fails to remove such an individual from such work.
- (3) It is a defence for an individual charged with an offence under subsection (1) to prove that he did not know, and could not reasonably be expected to know, that he was disqualified from working with children.
- (4) An individual is disqualified from working with children for the purposes of this Part if—
 - (a) he is included (otherwise than provisionally) in the list kept under section 1 of the Protection of Children Act 1999 (individuals considered unsuitable to work with children),
 - (b) he is included, on the grounds of not being a fit person, in the list kept for the purposes of regulations under section 218(6) of the Education Reform Act 1988 (prohibition or restriction on employment as teacher etc.),

Status: This is the original version (as it was originally enacted).

- (c) he is included, on the grounds that he is unsuitable to work with children, in any list kept by the Secretary of State or the National Assembly for Wales of persons disqualified under section 470 or 471 of the Education Act 1996, or
 - (d) he is subject to a disqualification order.
- (5) In subsection (4)(b) “grounds of not being a fit person” means the grounds mentioned in section 218(6ZA)(c) of the Education Reform Act 1988.
- (6) An individual who is guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding the statutory maximum, or to both,
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years, or to a fine, or to both.