

Changes to legislation: Criminal Justice Act 2003, SCHEDULE 30 is up to date with all changes known to be in force on or before 25 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

^{F1}SCHEDULE 30

Section 299

DISQUALIFICATION FROM WORKING WITH CHILDREN

Textual Amendments

F1 Sch. 30 repealed (prosp.) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), ss. 63(2), 65, **Sch. 10** (with ss. 51, 57(3), 60(4), 64(5))

- 1 The Criminal Justice and Court Services Act 2000 (c. 43) is amended as follows.
2 After section 29 there is inserted—

“29A Disqualification at discretion of court: adults and juveniles

- (1) This section applies where—
- (a) an individual is convicted of an offence against a child (whether or not committed when he was aged 18 or over),
 - (b) the individual is sentenced by a senior court, and
 - (c) no qualifying sentence is imposed in respect of the conviction.
- (2) If the court is satisfied, having regard to all the circumstances, that it is likely that the individual will commit a further offence against a child, it may order the individual to be disqualified from working with children.
- (3) If the court makes an order under this section, it must state its reasons for doing so and cause those reasons to be included in the record of the proceedings.

29B Subsequent application for order under section 28 or 29

- (1) Where—
- (a) section 28 applies but the court has neither made an order under that section nor complied with subsection (6) of that section, or
 - (b) section 29 applies but the court has not made an order under that section, and it appears to the prosecutor that the court has not considered the making of an order under that section,
- the prosecutor may at any time apply to that court for an order under section 28 or 29.
- (2) Subject to subsection (3), on an application under subsection (1)—
- (a) in a case falling within subsection (1)(a), the court—
 - (i) must make an order under section 28 unless it is satisfied as mentioned in subsection (5) of that section, and

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- (ii) if it does not make an order under that section, must comply with subsection (6) of that section,
 - (b) in a case falling within subsection (1)(b), the court—
 - (i) must make an order under section 29 if it is satisfied as mentioned in subsection (4) of that section, and
 - (ii) if it does so, must comply with subsection (5) of that section.
 - (3) Subsection (2) does not enable or require an order under section 28 or 29 to be made where the court is satisfied that it had considered the making of an order under that section at the time when it imposed the qualifying sentence or made the relevant order.”
- 3 (1) Section 30 (supplemental provisions) is amended as follows.
- (2) In the heading for “and 29” there is substituted “ to 29B ”.
- (3) In subsection (1)—
- (a) for “and 29” there is substituted “ to 29B ”, and
 - (b) in the definition of “qualifying sentence”, after paragraph (d) there is inserted—
 - “(dd) a sentence of detention under section 226 or 228 of the Criminal Justice Act 2003.”.
- (4) In subsection (5)—
- (a) in paragraph (a), for “or 29” there is substituted “ , 29 or 29A ”,
 - (b) after paragraph (b) there is inserted—
 - “(c) in relation to an individual to whom section 29A applies and on whom a sentence has been passed, references to his sentence are to that sentence.”
- 4 In section 31 (appeals), in subsection (1), after paragraph (b) there is inserted—
- “(c) where an order is made under section 29A, as if the order were a sentence passed on him for the offence of which he has been convicted.”
- 5 (1) Section 33 (conditions for application under section 32) is amended as follows.
- (2) In subsection (6), after paragraph (d) there is inserted—
- “(e) in relation to an individual not falling within any of paragraphs (a) to (d), the day on which the disqualification order is made.”.
- (3) For subsection (8) there is substituted—
- “(8) In subsection (7) “detention” means detention (or detention and training)—
 - (a) under any sentence or order falling within paragraphs (b) to (f) of the definition of “qualifying sentence” in section 30(1), or
 - (b) under any sentence or order which would fall within those paragraphs if it were for a term or period of 12 months or more.”.

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Changes and effects yet to be applied to :

- Sch. 30 repealed by [2006 c. 47 Sch. 10](#)
- specified provision(s) amendment to earlier commencing [SI 2012/2574](#), Sch. by [S.I. 2012/2761 art. 2](#)

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

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

- s. 150(aa) inserted by [2012 c. 10 Sch. 26 para. 19\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of [2013 c. 22](#), Sch. 16 para. 23(2); [S.I. 2013/2981](#), art. 2(d))
- s. 150(ba) inserted by [2012 c. 10 Sch. 26 para. 19\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of [2013 c. 22](#), Sch. 16 para. 23(2); [S.I. 2013/2981](#), art. 2(d))
- s. 151(A1) inserted by [2008 c. 4 s. 11\(3\)](#)
- s. 151(1A) inserted by [2008 c. 4 s. 11\(5\)](#)
- s. 151(1A)(b) word substituted by [2008 c. 4 Sch. 4 para. 76\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by [2008 c. 4](#), s. 11(5))
- s. 151(1A)(c) substituted by [2009 c. 25 Sch. 17 para. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by [2008 c. 4](#), s. 11(5))
- s. 151(2A)(b) substituted by [2009 c. 25 Sch. 17 para. 8\(4\)](#)
- s. 151(4A) inserted by [2009 c. 25 Sch. 17 para. 8\(5\)](#)
- s. 151(8)(a) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(a\)](#)
- s. 151(8)(b) words inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(i\)](#)
- s. 151(8)(b) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(ii\)](#)
- s. 151(8)(c)-(f) inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(c\)](#)
- s. 165(5) inserted by [2014 c. 12 s. 179\(3\)](#)
- s. 237(1A) inserted by [2006 c. 48 s. 34\(3\)](#)
- s. 237(1B)(f)(g) inserted by [2021 c. 11 Sch. 13 para. 40\(b\)](#)
- s. 239A inserted by [2015 c. 2 s. 8\(1\)](#)
- s. 239A cross-heading inserted by [2015 c. 2 Sch. 3 para. 5](#)
- s. 250(5C) inserted by [2015 c. 2 Sch. 3 para. 7\(4\)](#)
- s. 255A(4A) inserted by [2015 c. 2 s. 9\(2\)](#)
- s. 255B(3A) inserted by [2015 c. 2 s. 9\(3\)\(b\)](#)
- s. 255B(4A)-(4C) inserted by [2015 c. 2 s. 9\(3\)\(d\)](#)
- s. 255C(3A) inserted by [2015 c. 2 s. 9\(4\)\(b\)](#)
- s. 255C(4A)-(4C) inserted by [2015 c. 2 s. 9\(4\)\(d\)](#)
- s. 256A(1)-(1B) substituted for s. 256A(1) by [2015 c. 2 s. 9\(6\)\(a\)](#)
- s. 256A(4A)(4B) inserted by [2015 c. 2 s. 9\(6\)\(f\)](#)
- s. 256A(5)(6) substituted for s. 256A(5) by [2015 c. 2 s. 9\(6\)\(g\)](#)
- s. 256AZA inserted by [2015 c. 2 s. 10\(1\)](#)
- s. 257(3) inserted by [2006 c. 48 s. 34\(4\)](#)
- s. 258(1A) inserted by [2006 c. 48 s. 34\(5\)](#)
- s. 260(4)(aa) substituted for word by [2008 c. 4 s. 34\(7\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of [2012 c. 10](#), s. 118(4)(b); [S.I. 2012/2906](#), art. 2(d))

- Sch. 15B para. 49A omitted by [S.I. 2019/780 reg. 26\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 15B para. 49B omitted by [S.I. 2019/780 reg. 26\(4\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)