



# Criminal Justice Act 1948

## 1948 CHAPTER 58

### PART I

#### POWERS AND PROCEEDINGS OF COURTS.

##### *Probation and discharge.*

#### **12 Effects of probation and discharge.**

- (1) Subject as hereinafter provided, a conviction of an offence for which an order is made under this Part of this Act placing the offender on probation or discharging him absolutely or conditionally shall be deemed not to be a conviction for any purpose other than the purposes of the proceedings in which the order is made and of any subsequent proceedings which may be taken against the offender under the foregoing provisions of this Act:

Provided that where an offender, being not less than seventeen years of age at the time of his conviction of an offence for which he is placed on probation or conditionally discharged as aforesaid, is subsequently sentenced under this Part of this Act for that offence, the provisions of this subsection shall cease to apply to the conviction.

- (2) Without prejudice to the foregoing provisions of this section, the conviction of an offender who is placed on probation or discharged absolutely or conditionally as aforesaid shall in any event be disregarded for the purposes of any enactment which imposes any disqualification or disability upon convicted persons, or authorises or requires the imposition of any such disqualification or disability.
- (3) The foregoing provisions of this section shall not affect—
- any right of any such offender as aforesaid to appeal against his conviction, or to rely thereon in bar of any subsequent proceedings for the same offence;
  - the revesting or restoration of any property in consequence of the conviction of any such offender; or
  - the operation, in relation to any such offender, of any enactment in force at the commencement of this Act which is expressed to extend to persons dealt

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

with under subsection (1) of section one of the Probation of Offenders Act, 1907, as well as to convicted persons.