



# Education Act 2002

## 2002 CHAPTER 32

### PART 8

#### TEACHERS

##### *Misconduct etc.*

#### **144 Directions under section 142: appeal**

- (1) A person in respect of whom a direction has been given under section 142 may appeal to the Tribunal established under section 9 of the Protection of Children Act 1999 (c. 14)—
  - (a) against the decision to give the direction;
  - (b) against a decision not to vary or revoke the direction.
- (2) In a case to which subsection (3) applies, the Tribunal may, on an application for a review of a direction under section 142, revoke the direction.
- (3) This subsection applies to a case where—
  - (a) the direction was given on the grounds that the applicant is unsuitable to work with children,
  - (b) the applicant has obtained the leave of the Tribunal to apply for a review of the direction, and
  - (c) the Tribunal is satisfied that the applicant is no longer unsuitable to work with children.
- (4) The Secretary of State, in relation to England, or the Secretary of State and the National Assembly for Wales concurrently, in relation to Wales, may by regulations—
  - (a) provide that the Tribunal may not entertain an appeal under this section in so far as the appellant's case is inconsistent with his having been convicted of an offence;
  - (b) prescribe circumstances in which the Tribunal shall allow an appeal under this section;

---

*Status: Point in time view as at 01/04/2003. This version of this provision has been superseded.*

*Changes to legislation: Education Act 2002, Section 144 is up to date with all changes known to be in force on or before 03 June 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)*

---

- (c) prescribe the powers available to the Tribunal on allowing an appeal under this section;
- (d) prescribe circumstances in which the Tribunal shall grant an application for leave under this section;
- (e) prescribe circumstances in which the Tribunal shall grant an application for a review under this section;
- (f) prescribe the powers available to the Tribunal on revoking a direction.

---

#### **Commencement Information**

- I1** S. 144 partly in force; s. 144 not in force at Royal Assent, see s. 216; s. 144 in force for W. at 31.3.2003 by S.I. 2002/3185, art. 5, **Sch. Pt. II**
- I2** S. 144 in force at 31.3.2003 for W. by S.I. 2002/3185, art. 5, **Sch. Pt. II**

**Status:**

Point in time view as at 01/04/2003. This version of this provision has been superseded.

**Changes to legislation:**

Education Act 2002, Section 144 is up to date with all changes known to be in force on or before 03 June 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.