



Adoption and Children Act 2002

2002 CHAPTER 38

PART 1

ADOPTION

CHAPTER 7

MISCELLANEOUS

Restrictions

94 Restriction on reports

- (1) A person who is not within a prescribed description may not, in any prescribed circumstances, prepare a report for any person about the suitability of a child for adoption or of a person to adopt a child or about the adoption, or placement for adoption, of a child.

“Prescribed” means prescribed by regulations made by the Secretary of State after consultation with the Assembly.

- (2) If a person—
- (a) contravenes subsection (1), or
 - (b) causes a person to prepare a report, or submits to any person a report which has been prepared, in contravention of that subsection,
- he is guilty of an offence.
- (3) If a person who works for an adoption society—
- (a) contravenes subsection (1), or
 - (b) causes a person to prepare a report, or submits to any person a report which has been prepared, in contravention of that subsection,
- the person who manages the society is also guilty of the offence.

Status: This is the original version (as it was originally enacted).

- (4) A person is not guilty of an offence under subsection (2)(b) unless it is proved that he knew or had reason to suspect that the report would be, or had been, prepared in contravention of subsection (1).

But this subsection only applies if sufficient evidence is adduced to raise an issue as to whether the person had the knowledge or reason mentioned.

- (5) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months, or a fine not exceeding level 5 on the standard scale, or both.