



Protection of Freedoms Act 2012

2012 CHAPTER 9

PART 5

SAFEGUARDING VULNERABLE GROUPS, CRIMINAL RECORDS ETC.

CHAPTER 4

DISREGARDING CERTAIN CONVICTIONS FOR BUGGERY ETC.

Appeals and other supplementary provision

99 Appeal against refusal to disregard convictions or cautions

- (1) The applicant may appeal to the High Court if—
 - (a) the Secretary of State makes a decision of the kind mentioned in section 94(3)(b), and
 - (b) the High Court gives permission for an appeal against the decision.
- (2) On such an appeal, the High Court must make its decision only on the basis of the evidence that was available to the Secretary of State.
- (3) If the High Court decides that it appears as mentioned in condition A in section 92, it must make an order to that effect.
- (4) Otherwise it must dismiss the appeal.
- (5) A conviction or caution to which an order under subsection (3) relates becomes a disregarded conviction or caution when the period of 14 days beginning with the day on which the order was made has ended.
- (6) There is no appeal from a decision of the High Court under this section.