



Administration of Justice Act 1985

1985 CHAPTER 61

PART III

LEGAL AID

Legal aid complaints

[^{F1}42] **Exclusion of barristers from legal aid work.**

- (1) Subject to any exclusion or restriction made by the disciplinary provisions applicable to barristers, where a disciplinary tribunal hears a charge of professional misconduct or breach of professional standards against a barrister, it may order that he shall be excluded from [^{F2}providing representation funded by the Legal Services Commission as part of the Criminal Defence Service], either temporarily or for a specified period, if it determines that there is good reason for the exclusion arising out of—
 - (a) his conduct in connection with any such services as are mentioned in section 40(1), or
 - (b) his professional conduct generally.
- (2) Subsection (4) of section 41 shall apply to an order under subsection (1) as it applies to an order under subsection (2) of that section.
- (3) The disciplinary provisions applicable to barristers shall include provision enabling a barrister who has been excluded from [^{F2}providing representation funded by the Legal Services Commission as part of the Criminal Defence Service] under this section to apply for an order terminating his exclusion ^{F3} . . .
- (4) In this section—
 - (a) the reference to a disciplinary tribunal shall be construed in accordance with section 41(5); ^{F4} . . .
 - (b)

Status: Point in time view as at 02/04/2001. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 42. (See end of Document for details)

Textual Amendments

- F1** Ss. 41, 42 substituted by Legal Aid Act 1988 (c. 34, SIF 70:1), **s. 33**
- F2** Words in s. 42(1)(3) substituted (2.4.2001) by 1999 c. 22, s. 24, **Sch. 4 para.35** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 3(a)** (with Sch. 2 para. 2)
- F3** Words in s. 42(3) repealed (2.4.2001) by 1999 c. 22, s. 106, **Sch. 15 Pt.I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, **art. 3(b)** (with Sch. 2 para. 2)
- F4** S. 42(4)(b) repealed (2.4.2001) by 1999 c. 22, s. 106, **Sch. 15 Pt.I** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, **art. 3(b)** (with Sch. 2 para. 2)

Status:

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