



# Protection of Freedoms Act 2012

## 2012 CHAPTER 9

### PART 5

SAFEGUARDING VULNERABLE GROUPS, CRIMINAL RECORDS ETC.

### [<sup>F1</sup>CHAPTER 5

DISREGARDING CERTAIN CONVICTIONS FOR BUGGERY ETC: NORTHERN IRELAND

*Appeals and other supplementary provision*

#### [<sup>F1</sup>101H Appeal against refusal to disregard convictions or caution

- (1) The applicant may appeal to the High Court in Northern Ireland if—
  - (a) the Department of Justice in Northern Ireland makes a decision of the kind mentioned in section 101C(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 Department of Justice in Northern Ireland.
- (3) If the High Court decides that it appears as mentioned in condition A in section 101A, 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.]

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**Status:** Point in time view as at 31/01/2017.

**Changes to legislation:** Protection of Freedoms Act 2012, Section 101H is up to date with all changes known to be in force on or before 11 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)

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#### Textual Amendments

- F1** Pt. 5 Ch. 5 inserted (31.1.2017 for specified purposes, 28.6.2018) by [Policing and Crime Act 2017](#) (c. 3), [ss. 168\(1\)](#), [183\(4\)\(5\)\(e\)](#); S.R. 2018/128, art. 2(a)

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