



Protection of Freedoms Act 2012

2012 CHAPTER 9

PART 5 U.K.

SAFEGUARDING VULNERABLE GROUPS, CRIMINAL RECORDS ETC.

CHAPTER 4 E+W

DISREGARDING CERTAIN CONVICTIONS FOR BUGGERY ETC.

Effect of disregard

98 Section 96: supplementary E+W

- (1) In section 96 “proceedings before a judicial authority” includes (in addition to proceedings before any of the ordinary courts of law) proceedings before any tribunal, body or person having power—
 - (a) by virtue of any enactment, law, custom or practice,
 - (b) under the rules governing any association, institution, profession, occupation or employment, or
 - (c) under any provision of an agreement providing for arbitration with respect to questions arising under that agreement,to determine any question affecting the rights, privileges, obligations or liabilities of any person, or to receive evidence affecting the determination of any such question.
- (2) For the purposes of section 96, circumstances ancillary to a conviction are any circumstances of—
 - (a) the offence which was the subject of the conviction;
 - (b) the conduct constituting the offence;
 - (c) any process or proceedings preliminary to the conviction;
 - (d) any sentence imposed in respect of the conviction;

Status: Point in time view as at 01/10/2012.

Changes to legislation: Protection of Freedoms Act 2012, Section 98 is up to date with all changes known to be in force on or before 04 August 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)

- (e) any proceedings (whether by way of appeal or otherwise) for reviewing the conviction or any such sentence;
 - (f) anything done in pursuance of, or undergone in compliance with, any such sentence.
- (3) For the purposes of section 96, circumstances ancillary to a caution are any circumstances of—
- (a) the offence which was the subject of the caution;
 - (b) the conduct constituting the offence;
 - (c) any process preliminary to the caution (including consideration by any person of how to deal with the offence and the procedure for giving the caution);
 - (d) any proceedings for the offence which take place before the caution is given;
 - (e) anything which happens after the caution is given for the purpose of bringing any such proceedings to an end;
 - (f) any judicial review proceedings relating to the caution;
 - (g) in the case of a warning under section 65 of the Crime and Disorder Act 1998 (reprimands and warnings for persons aged under 18), anything done in pursuance of, or undergone in compliance with, a requirement to participate in a rehabilitation programme under section 66(2) of that Act.

Commencement Information

II S. 98 in force at 1.10.2012 by [S.I. 2012/2234](#), [art. 3\(i\)](#)

Status:

Point in time view as at 01/10/2012.

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