



# Criminal Justice and Court Services Act 2000

## 2000 CHAPTER 43

### PART II

#### PROTECTION OF CHILDREN

##### *Disqualification orders*

#### **34 Restoration of disqualification order.**

- [<sup>F1</sup>(1) If it appears to a chief officer of police or [<sup>F2</sup>a director of social services of a local authority][<sup>F2</sup>a director of children's services of a local authority in England or a director of social services of a local authority in Wales] that the conditions set out in subsection (2) are satisfied in the case of an individual, the chief officer or (as the case may be) the director may apply to the High Court for an order under this section to be made in respect of the individual.
- (2) The conditions are that—
- (a) a disqualification order made in respect of the individual is no longer in force, and
  - (b) the individual has acted in such a way (whether before or after the order ceased to be in force) as to give reasonable cause to believe that an order under this section is necessary to protect children in general, or any children in particular, from serious harm from him.
- (3) An application under this section may be made at any time after the disqualification order ceased to be in force.
- (4) If the High Court is satisfied that the conditions set out in subsection (2) are satisfied, it must order that the disqualification order is to be restored; otherwise it must dismiss the application.

*Changes to legislation: Criminal Justice and Court Services Act 2000, Section 34 is up to date with all changes known to be in force on or before 08 April 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) View outstanding changes*

- (5) Where an order is made under this section, section 33 has effect with the following modifications—
- (a) in subsection (3), the reference to the individual being under the age of 18 when he committed the offence against a child is to be read as a reference to his being under that age when the order under this section was made,
  - (b) in subsections (3)(a) and (4)(a), references to the relevant date are to be read as references to the date on which the order under this section was made,
  - (c) in subsection (5)(a), the reference to the individual's circumstances changing since the disqualification order was made is to be read as a reference to his circumstances changing since the order under this section was made.
- (6) For the purposes of this section a disqualification order is no longer in force if a direction under section 32(3) has been given in respect of it and it is not restored by virtue of an order under this section.]

#### Textual Amendments

- F1** Ss. 26-37 repealed (E.W.) (12.10.2009 for specified purposes, 30.3.2010 for specified purposes, 17.6.2013 in so far as not already in force) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), s. 65, [Sch. 10](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, [art. 3](#); S.I. 2010/1101, [art. 5](#); S.I. 2012/2231, [art. 4](#) (with S.I. 2013/1180, [art. 2\(b\)](#))
- F2** Words in s. 34(1) substituted (E.W.) (with effect in accordance with s. 18(9) of the commencing S.I.) by [Children Act 2004 \(c. 31\)](#), s. 67(2), [Sch. 2 para. 7\(2\)](#); S.I. 2007/1792, [art. 2](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 64(1)(a)(aa) substituted for s. 64(1)(a) by [2003 c. 44 s. 266\(2\)](#)
- s. 64(4A) inserted by [2003 c. 44 s. 266\(3\)](#)
- s. 64(5)(f) and word inserted by [2003 c. 44 s. 266\(4\)](#)
- s. 64(5)(f) words inserted by [2006 c. 52 Sch. 16 para. 185\(a\)](#)
- s. 64(5)(f) words inserted by [2012 c. 10 Sch. 21 para. 18](#)
- s. 64(5)(f) words inserted by [2012 c. 10 Sch. 22 para. 19](#)
- s. 64(6) amendment to earlier affecting provision [2003 c. 44 s. 266\(5\)](#) by [S.I. 2008/912 Sch. 1 para. 19\(15\)](#)
- s. 64(6) inserted by [2003 c. 44 s. 266\(5\)](#)
- s. 64(6) words repealed by [2004 c. 31 Sch. 5 Pt. 4](#)
- s. 64(8) words inserted by [2021 c. 11 Sch. 13 para. 38\(5\)](#)
- s. 85(7B) applied (with modifications) by [S.I. 2014/3141 Sch. 3 para. 5\(7\)](#)