



Education Act 2002

2002 CHAPTER 32

PART 8

TEACHERS

Misconduct etc.

144 Directions under section 142: appeal

- [^{F1}(1) A person in respect of whom a direction has been given under section 142 may appeal to the [^{F2}First-tier Tribunal] —
- (a) against the decision to give the direction;
 - (b) against a decision not to vary or revoke the direction.
- (2) In a case to which subsection (3) applies, the Tribunal may, on an application for a review of a direction under section 142, revoke the direction.
- (3) This subsection applies to a case where—
- (a) the direction was given on the grounds that the applicant is unsuitable to work with children,
 - (b) the applicant has obtained the leave of the Tribunal to apply for a review of the direction, and
 - (c) the Tribunal is satisfied that the applicant is no longer unsuitable to work with children.
- (4) The Secretary of State, in relation to England, or the Secretary of State and the National Assembly for Wales concurrently, in relation to Wales, may by regulations—
- (a) provide that the Tribunal may not entertain an appeal under this section in so far as the appellant's case is inconsistent with his having been convicted of an offence;
 - (b) prescribe circumstances in which the Tribunal shall allow an appeal under this section;

Changes to legislation: Education Act 2002, Section 144 is up to date with all changes known to be in force on or before 12 May 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

- (c) prescribe the powers available to the Tribunal on allowing an appeal under this section;
- (d) prescribe circumstances in which the Tribunal shall grant an application for leave under this section;
- (e) prescribe circumstances in which the Tribunal shall grant an application for a review under this section;
- (f) prescribe the powers available to the Tribunal on revoking a direction.]

Textual Amendments

- F1** Ss. 142-144 repealed (12.10.2009 for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), s. 65, **Sch. 10** (with ss. 51, 57(3), 60(4), 64(5)); S.I.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. 4
- F2** Words in s. 144(1) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 193**

Commencement Information

- I1** S. 144 partly in force; s. 144 not in force at Royal Assent, see s. 216; s. 144 in force for W. at 31.3.2003 by [S.I. 2002/3185](#), art. 5, **Sch. Pt. II**
- I2** S. 144 in force at 31.3.2003 for W. by [S.I. 2002/3185](#), art. 5, **Sch. Pt. II**
- I3** S. 144 in force at 1.6.2003 except in relation to W. by [S.I. 2003/1115](#), **art. 3**

Changes to legislation:

Education Act 2002, Section 144 is up to date with all changes known to be in force on or before 12 May 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.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

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. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)