



Protection of Freedoms Act 2012

2012 CHAPTER 9

PART 5

SAFEGUARDING VULNERABLE GROUPS, CRIMINAL RECORDS ETC.

CHAPTER 1

SAFEGUARDING OF VULNERABLE GROUPS

Main amendments relating to new arrangements: England and Wales

74 Restrictions on duplication with Scottish and Northern Ireland barred lists

(1) Before paragraph 6 of Schedule 3 to the Safeguarding Vulnerable Groups Act 2006 (restriction on inclusion in children's barred list for Scottish cases), and after the italic cross-heading before that paragraph, insert—

“5A (1) ISA must not include a person in the children's barred list if ISA knows that the person is included in a corresponding list.

(2) ISA must remove a person from the children's barred list if ISA knows that the person is included in a corresponding list.

(3) A corresponding list is a list maintained under the law of Scotland or Northern Ireland which the Secretary of State specifies by order as corresponding to the children's barred list.”

(2) In paragraph 6(1)(a) of that Schedule to that Act—

(a) after “if” insert “ISA knows that”,

(b) after “authority” insert “—

(i),
and

(c) for the words from “(whether” to “list)” substitute “, and

Status: This is the original version (as it was originally enacted).

- (ii) has decided not to include the person in the list”.
- (3) Before paragraph 12 of that Schedule to that Act (restriction on inclusion in adults’ barred list for Scottish cases), and after the italic cross-heading before that paragraph, insert—
- “11A (1) ISA must not include a person in the adults’ barred list if ISA knows that the person is included in a corresponding list.
- (2) ISA must remove a person from the adults’ barred list if ISA knows that the person is included in a corresponding list.
- (3) A corresponding list is a list maintained under the law of Scotland or Northern Ireland which the Secretary of State specifies by order as corresponding to the adults’ barred list.”
- (4) In paragraph 12(1)(a) of that Schedule to that Act—
- (a) after “if” insert “ISA knows that”,
- (b) after “authority” insert “—
- (i)”,
- and
- (c) for the words from “(whether” to “list)” substitute “, and
- (ii) has decided not to include the person in the list”.