
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 31

**Safeguarding Vulnerable Groups (Prescribed
Criteria and Miscellaneous Provisions)
(Amendment) Regulations (Northern Ireland) 2010**

Amendment of the Safeguarding Vulnerable Groups (Prescribed Criteria and Miscellaneous Provisions) Regulations (Northern Ireland) 2009

3.—(1) The Safeguarding Vulnerable Groups (Prescribed Criteria and Miscellaneous Provisions) Regulations (Northern Ireland) 2009⁽¹⁾ are amended as follows.

(2) In regulation 2—

(a) for paragraphs (5) and (6), substitute—

“(5) In regulations 5 to 8—

(a) a reference to an offence, A, specified in the Schedule includes a reference to offence, B, which in relation to offence A is a connected offence; and

(b) a reference to being convicted of an offence specified in the Schedule includes a reference to being convicted of—

(i) an Islands offence; or

(ii) a relevant foreign offence.

(6) In paragraph (5)(b), an Islands offence is an offence satisfying the criteria in paragraph (6A) and a relevant foreign offence is an offence satisfying the criteria in paragraph (7).

(6A) The criteria are that—

(a) the offence is one under the law in force in the Isle of Man or any of the Channel Islands;

(b) the conduct which constitutes the offence would, if carried out in Northern Ireland, amount to an equivalent offence which is specified in the Schedule; and

(c) where the equivalent offence is one specified in paragraph 1(a) to (c), (e) or (g) (i), 2(b)(ii) to (v), (c), (d)(ii), (e), (g) or (i)(i) or 4(b) (ii) to (vii), (c), (d)(ii), (e), (g) or (i)(i) of the Schedule, the offence was committed in relevant circumstances relating to the equivalent offence.”; and

(b) after paragraph (7), insert—

“(7A) For the purposes of paragraph (6A), an act punishable under the law in force in the Isle of Man or any of the Channel Islands constitutes an offence under that law however it is described in that law.”.

(3) In paragraph 2 of the Schedule (prescribed criteria – automatic inclusion in the children’s barred list with the right to make representations), in Part 2 of the table omit—

“Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968, section 9”.

(4) In paragraph 4 of the Schedule (prescribed criteria – automatic inclusion in the adults’ barred list with the right to make representations), in Part 1 of the table—

- (a) at the appropriate places in the first column, insert—
 - (i) “Sexual Offences Act 2003⁽²⁾, section 66”;
 - (ii) “Sexual Offences Act 2003, section 67”;
 - (iii) “Sexual Offences (Northern Ireland) Order 2008⁽³⁾, Article 70”;
 - (iv) “Sexual Offences (Northern Ireland) Order 2008, Article 71”;
- (b) in the second column of that table, at places that correspond with each of the entries in sub-paragraph (a), insert “The offence was committed against a child under the age of 16”;
- (c) in the first column of the table, omit—
 - (i) “Sexual offences Act 1956, section 1”;
 - (ii) “Sexual Offences Act 2003, section 1”;
- (d) in the second column of that table, omit the entries that correspond with the entries mentioned in sub-paragraph (c).

(5) In paragraph 4 of the Schedule (prescribed criteria – automatic inclusion in the adults’ barred list with the right to make representations), in Part 2 of the table—

- (a) omit—
 - (i) “Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968, section 9”;
 - (ii) “Sexual Offences Act 2003, section 66”;
 - (iii) “Sexual Offences Act 2003, section 67”;
 - (iv) “Sexual Offences (Northern Ireland) Order 2008, Article 70”;
 - (v) “Sexual Offences (Northern Ireland) Order 2008, Article 71”;
- (b) at the appropriate place in the first column insert—
 - (i) “Sexual Offences Act 1956, section 1⁽⁴⁾”;
 - (ii) “Sexual Offences Act 2003, section 1”.

(2) 2003 c.42

(3) S.I. 2008/1769 (N.I.2)

(4) 1956 c. 69. Section 1 was substituted by section 142 of the [Criminal Justice and Public Order Act \(c. 33\)](#) and repealed by paragraph 11 of Schedule 6 to the Sexual Offences Act 2003.