
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Safeguarding Vulnerable Groups (Prescribed Criteria and Miscellaneous Provisions) Regulations (Northern Ireland) 2009 which prescribe the criteria which determine whether a person should be included automatically in the children's barred list or the adults' barred list maintained by the Independent Safeguarding Authority under Article 6 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 ("the 2007 Order").

Regulation 2(2) and (3) amend the criteria on the basis of which a person will be included automatically in the children's barred list without having the right to make representations. Regulation 2(4) and (5) amend the criteria on the basis of which a person will be included automatically in the children's barred list with the right to make representations.

Regulation 2(6) amends the criteria on the basis of which a person will be included automatically in the adults' barred list without having the right to make representations. Regulation 2(7) and (8) amend the criteria on the basis of which a person will be included automatically in the adults' barred list with the right to make representations.

In particular these amendments update the criteria for automatic inclusion on the children's and adults' barred list in light of the Sexual Offences (Scotland) Act 2009 and the provisions in Chapter 4 of Part 5 of the Protection of Freedoms Act 2012 in relation to disregarded convictions and cautions.

An impact assessment has not been produced for this rule as no new impact on the private, voluntary or public sector is foreseen.