



## 2015 CHAPTER 9

### PART 6

#### CHILD PROTECTION DISCLOSURES

##### Child protection disclosures

**48.—**(1) The Criminal Justice (Northern Ireland) Order 2008 is amended as follows.

(2) In Article 49(1) (interpretation of Part 3)—

(a) after the definition of “agencies” insert—

““child” means a person under the age of 18;

“conviction” includes—

- (i) a conviction by or before a court outside Northern Ireland;
- (ii) any finding (other than a finding linked with a finding of insanity) in any criminal proceedings that a person has committed an offence or done the act or made the omission charged;
- (iii) a caution given to a person in respect of an offence which, at the time when the caution was given, the person has admitted;”;

(b) after the definition of “specified” insert—

““relevant previous conviction”, in relation to a person, means a conviction for a sexual or violent offence by reason of which the person falls within a specified description of persons;”.

(3) In Article 50 (guidance to agencies on assessing and managing certain risks to the public) after paragraph (2) insert—

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**Changes to legislation:** Justice Act (Northern Ireland) 2015, PART 6 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](#)

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“(2A) Guidance under this Article must contain provisions about arrangements for considering the disclosure, to any particular member of the public, of information concerning any relevant previous convictions of a person where it is necessary to protect a particular child or particular children from serious harm caused by that person; and the guidance may, in particular, contain provisions for the purpose of preventing a member of the public from disclosing that information to any other person.”.

(4) In Article 50(3) for “Paragraph (2) does” substitute “ Paragraphs (2) and (2A) do ”.

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**Commencement Information**

**II** [S. 48](#) in operation at 14.3.2016 by [S.R. 2016/136](#), [art. 2\(a\)](#)

**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. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)