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STATUTORY RULES OF NORTHERN IRELAND

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**2008 No. 201**

**The Safeguarding Vulnerable Groups (Prescribed Criteria)  
(Transitional Provisions) Regulations (Northern Ireland) 2008**

**Citation and Commencement**

1. These Regulations may be cited as the Safeguarding Vulnerable Groups (Prescribed Criteria) (Transitional Provisions) Regulations (Northern Ireland) 2008 and shall come into operation on 16th June 2008.

**Interpretation**

2.—(1) In these Regulations—

“the Order” means the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007;

“connected offence” means, in relation to an offence specified in the Schedule, an offence of—

(a) attempting, conspiring, or incitement to commit that offence, or

(b) aiding, abetting, counselling or procuring the commission of that offence;

“disqualification order” means an order of the court under Article 23 or 24 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003<sup>(1)</sup>;

“relevant circumstances” means—

(a) in relation to an offence specified in sub-paragraph (a) or (b) of paragraph 1 of the Schedule, the circumstances described in the relevant sub-paragraph which relate to the commission of that offence, and

(b) in relation to an offence specified in sub-paragraph (c), (e) or (g)(i) of that paragraph, the circumstances referred to in the relevant sub-paragraph in relation to the commission of that offence.

(2) In regulation 3, a reference to an offence specified in paragraph 1(a) to (c), (e) or (g)(i) of the Schedule is a reference to that offence only where it was committed in relevant circumstances.

(3) In regulations 3 and 4, a reference to an offence specified in the Schedule includes a reference to an offence which is a connected offence in relation to the specified offence.

(4) For the purposes of regulations 3 and 4, an offence committed over a period of time must be treated as having been committed on the last day of that period.

**Prescribed criteria – children’s barred list**

3.—(1) The criteria prescribed for the purposes of paragraph 1 of Schedule 1 to the Order as it has effect for the purposes of Article 3(7) of the Safeguarding Vulnerable Groups (Transitional

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(1) S.I. 2003 No. 417 (N.I. 4) as amended by S.I. 2003 No. 431 (N.I. 9). An order of the court made under Article 23 or 24 disqualifies the person in respect of whom it is made from working with children. The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 is to be repealed by Schedule 8 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 which was not in operation on the making of these Regulations.

Provisions) Order (Northern Ireland) 2008(2) are that the person has been convicted of, or cautioned in relation to, an offence specified in paragraph 1 of the Schedule which that person committed within the period of 10 years ending on the day that the Department of Health, Social Services and Public Safety or the Department of Education refers the person to IBB under Article 3(1)(c) of that Order for inclusion in the children's barred list.

(2) Paragraph 1 does not apply in relation to the commission of an offence specified in paragraph 1 of the Schedule if the court, having considered whether to make a disqualification order in relation to that commission of that offence, decided not to.

**Prescribed criteria – adults' barred list**

4. The criteria prescribed for the purposes of paragraph 7 of Schedule 1 to the Order as it has effect for the purposes of Article 5(7) of the Safeguarding Vulnerable Groups (Transitional Provisions) Order (Northern Ireland) 2008 are that the person has been convicted of, or cautioned in relation to, an offence specified in paragraph 2 of the Schedule which that person committed within the period of 10 years ending on the day that the Department of Health, Social Services and Public Safety refers the person to IBB under Article 5(1)(c) of that Order for inclusion in the adults' barred list.

Northern Ireland Office  
6th May 2008

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