

Status: Point in time view as at 10/09/2012.

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Cross Heading: Risk of harm is up to date with all changes known to be in force on or before 22 August 2023. 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)

SCHEDULES

SCHEDULE 1

BARRED LISTS

Modifications etc. (not altering text)

- C1** Sch. 1 modified (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 10** (with art. 5)
- C1** Sch. 1 modified (13.3.2009) by Safeguarding Vulnerable Groups (Transitory Provisions) Order (Northern Ireland) 2009 (S.R. 2009/38), **art. 6**
- C1** Sch. 1 revocation of earlier affecting provision S.R. 2009/304, arts. 5, 10 (10.9.2012) by The Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order (Northern Ireland) 2012 (S.R. 2012/320), arts. 1, 4

PART I

CHILDREN'S BARRED LIST

Risk of harm

- 5.—(1) This paragraph applies to a person if—
- (a) it appears to [F¹ISA] that the person [F²—
 - (i) falls within sub-paragraph (4), and
 - (ii) is or has been, or might in future be, engaged in regulated activity relating to children,], and
 - (b) [F¹ISA] proposes to include him in the children's barred list.
- (2) [F¹ISA] must give the person the opportunity to make representations as to why he should not be included in the children's barred list.
- (3) [F¹ISA] must include the person in the children's barred list if—
- (a) it is satisfied that the person falls within sub-paragraph (4)
- [F³(aa) it has reason to believe that the person is or has been, or might in future be, engaged in regulated activity relating to children,], and
- (b) it [F⁴is satisfied] that it is appropriate to include the person in the list.
- (4) A person falls within this sub-paragraph if he may—
- (a) harm a child,
 - (b) cause a child to be harmed,
 - (c) put a child at risk of harm,
 - (d) attempt to harm a child, or

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(e) incite another to harm a child.

Textual Amendments

- F1** Words in Order substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 81(2)(3)(o)(ii)**, [116\(5\)\(a\)](#)
- F2** Words in Sch. 1 para. 5(1)(a) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 7 para. 4(4)(a)**; S.I. 2012/2234, art. 2(z)(i) (with arts. 6-16) (as amended (31.3.2014) by S.I. 2014/831, art. 2(2))
- F3** Sch. 1 para. 5(3)(aa) inserted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 7 para. 4(4)(b)**; S.I. 2012/2234, art. 2(z)(i) (with arts. 6-16) (as amended (31.3.2014) by S.I. 2014/831, art. 2(2))
- F4** Words in [Sch. 1 para. 5\(3\)\(b\)](#) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, **Sch. 7 para. 4(4)(c)**; S.I. 2012/2234, art. 2(z)(i) (with arts. 6-16) (as amended (31.3.2014) by S.I. 2014/831, art. 2(2))

Commencement Information

- I1** Sch. 1 para. 5 wholly in operation; Sch. 1 para. 5 not in operation at date of making see art. 1(3); Sch. 1 para. 5 in operation for certain purposes at 14.4.2008 by [S.R. 2008/127](#), **art. 4(a)**; Sch. 1 para. 5 in operation at 13.3.2009 by [S.R. 2009/41](#), **art. 3(1)(i)**

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