



The Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012

The Minister for Justice and Equality, Frances Fitzgerald T.D., today announced the commencement of two Acts:

- The Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016
- The National Vetting Bureau (Children and Vulnerable Persons) Act 2012

The Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 provides that a range of minor offences will become spent after seven years. The provisions of the Act do not apply to persons who are vetted by the PSA for licensing purpose (Section 11(1)(f)). **Persons completing vetting forms for PSA licensing must continue to disclose all offences.**

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 provides for the use of soft information in regard to vetting, referred to in the Act as “specified information”. Specified information is information other than a court determined criminal conviction and the Act provides that such “specified information” is only disclosed where it raises a bona-fide concern that a person poses a threat to children or vulnerable person. The Act lists in detail the types of work or activities for which soft information is disclosed. These include:

- Childcare services.
- Schools.
- Hospitals and health services.
- Residential services or accommodation for children or vulnerable persons.
- Treatment, therapy or counselling services for children or vulnerable persons.
- Provision of leisure, sporting or physical activities to children or vulnerable persons.

The provision of security services is not a prescribed activity under the Act. If you provide a security service to a client whose work or activities are listed in the Act you should clarify with the client if your security personnel require vetting in accordance with the Act. If required, the client should arrange for the personnel to be vetted. **The PSA does not vet people for compliance with the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.** Any queries on the matter should be addressed to the client/provider of the types of work/activities listed in the Act.

You should retain copies of all communications between you and your clients on this matter.