Issue Area 8: Prohibition

It was proposed that people who have received a negative notice will be prohibited from reapplying to the WWVP Screening Unit for registration for a period of five years unless there has been a material change in the information upon which the negative notice was issued.

There were 13 comments. Twelve respondents generally supported the proposal.

One respondent commented that the proposed prohibitions were unreasonable, arguing that individuals should be able to reapply on an annual basis if they so choose, and that they should be provided with support to do so. This respondent states that the WWCVP Screening Unit must be compelled to apply a full risk assessment in response to reapplications for registration and to provide reasons for any further denial of registration.

One respondent suggested that there should be provision for flexibility in determining the period of prohibition.

Should there period of prohibition be fixed? If so should it be tied to the period of registration?
If there is to be provision for flexibility, what criteria could be used to determine the length of prohibition?

We would advocate a prohibition period of at least 5 yrs and only if there has been a material change in relevant information. We cannot see any justification for allowing an annual reassessment.

UK system has different prohibition periods depending on age of applicant: 1yr, 5yrs, 10yrs

Prohibition should apply in relation to any negative assessment. Such an assessment would be based upon serious risks to children and young people and likely apply to serious child sex offending.

Regardless of the period of prohibition, if an applicant is able to reapply, it should be conditional upon the applicant providing a formal report conducted by an acceptably accredited-qualified professional attesting to the level of risk the applicant poses to the position. The report would include specific reference to all relevant circumstances leading to the negative notice plus identified risks inherent in the position applied for.