COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Replies to the thematic questionnaire

"Screening of professionals, volunteers and other persons in contact with children"

CZECH REPUBLIC

Replies received by the Secretariat on 30 June 2026

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term "screening" is used in this questionnaire, this should be understood as "verification of criminal convictions for sexual offences against children".

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate:

a. State Party in respect of which the questionnaire is submitted

The Czech Republic

b. Entities and bodies which have been involved in responding to this questionnaire

Ministry of Justice

Ministry of Interior

Ministry of Education, Youth and Sports

Ministry of Labour and Social Affairs

Ministry of Health

<u>Persons concerned by screening requirements</u>

1. Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	YES	YES	YES	YES	
Education – Primary	YES	YES	YES	YES	
Education – Secondary	YES	YES	YES	YES	
Education – Tertiary	YES				
Education – Extracurricular (e.g. language schools)	YES	YES	YES	YES	
Childcare (e.g. kindergartens, crèches, childminders	YES	YES	YES	YES	
Institutional or residential care (e.g. foster homes, orphanages, closed	YES	YES	YES	YES	This requirement applies to all individuals who will be directly providing social services.

residential facilities)					These are individuals who are in direct contact with social service clients.
Detention	YES	-	-	-	Members of the Prison Service of the Czech Republic.
Migration facilities (e.g. reception centres)	YES	-	-	-	
Sport	YES	YES	YES	YES	
Culture and leisure activities	YES	YES	YES	YES	
Entertainment sector	YES	YES	YES	YES	
Faith and religion	NO	-	-	-	
Healthcare (including psychological and psychiatric services)	YES	YES	YES	YES	
Social protection services	YES	YES	YES	YES	Persons authorised to provide social and legal protection based on a decision on authorisation to perform such activities.
Law enforcement	YES	YES	YES	YES	Members of the security forces – persons performing service in the Police of the Czech Republic, the Fire and Rescue Service of the Czech Republic, the Customs Administration of the Czech

					Republic, the Prison Service of the Czech Republic, the General Inspectorate of the Security Forces, the Security Information Service and the Office for Foreign Relations and Information.
Judicial	YES	YES	YES	YES	Judges, assessors, public prosecutors.
Civil society organisations	YES	YES	YES	YES	
Victim services (including Barnahus, domestic violence services)	YES, if services for victims are provided as social services, the same rules apply to them as to other social services described in the section on social protection services.	YES	YES	YES	
Any other sectors (please specify)					

From 1 January 2027, a new legislation (Act No. 270/2025 Coll.) will take effect requiring <u>all individuals working with children</u> to submit a <u>new type of criminal record extract and transcript issued specially for work with children</u> (known as the "Child certificate"). This certificate will take into account even expunged convictions for serious crimes and sex offences, the commission of which will constitute a barrier to working with children.

The amendment of the Criminal Code was adopted in 2025 as part of one of the most extensive reforms of Czech criminal law in recent years, aimed at modernising the penal system and strengthening the protection of vulnerable persons, in particular children.

The amendment of the Criminal Code introduces a centralised system aimed at strengthening child protection by systematically preventing persons convicted of serious or sexual offences from accessing professions, employment or volunteer activities involving direct and regular contact with children. It establishes a specific register of persons unsuitable to work with children and provides for long-term or lifelong prohibitions in such cases, thereby creating a clear and uniform legal requirement across all sectors working with minors.

Currently, the recording of facts relevant to work with children applies to teachers and educational staff (Acts No. 563/2004 Coll. and No. 247/2014 Coll.), doctors and healthcare professionals working with children (Acts No. 95/2004 Coll. and No. 96/2004 Coll.), workers in social services focused on children (Act No. 108/2006 Coll.), as well as coaches, camp leaders, and volunteers involved in children's organisations (Act No. 198/2002 Coll.). This obligation does not apply only to employees in the public and private sectors, but also to self-employed persons. Act No. 455/1991 Coll., as amended with effect from 1 January 2027, lays down a list of trades for which the performance of the activity is conditional upon the absence of an entry in the register of facts relevant to work with children maintained by the Ministry of Justice. According to Annex No. 7 of the Act, these trades include: (a) the provision of physical education and sports services, (b) childcare services for children under three years of age provided on a daily basis, (c) psychological counselling and diagnostics, and (d) massage, reconditioning, and regenerative services.

Furthermore, only a person with good character may be appointed to provide social and legal protection. A person with good character is considered to be without criminal record if he has not been convicted of (any) intentional crime or a negligent crime committed in connection with activities similar to those carried out in providing social and legal protection. When assessing the person's good character, the expungement of a conviction and the decision of the President (e.g. on a pardon) are not taken into account.

Regarding a law enfrocement, only a citizen of good repute may become a member of the security forces. A citizen is not considered to be of good repute if:

- **in the last 10 years he has been finally convicted of an intentional crime with a maximum sentence of imprisonment not exceeding 2 years,**
- **in the last 15 years he has been finally convicted of an intentional crime with a maximum sentence of imprisonment exceeding 2 years but not exceeding 5 years,**
- **in the last 5 years he has been finally convicted of an intentional crime with a maximum sentence of imprisonment exceeding 5 years or to an exceptional punishment, or**

- **in the last 5 years he has been finally convicted of a crime committed through negligence, if his actions, by which he committed the crime, are in conflict with the requirements imposed on a member.**
- **whose criminal prosecution for an intentional crime has been discontinued on the basis of a final decision approving a settlement, and 5 years have not yet passed since this decision, if the conduct by which he committed the crime is in conflict with the requirements imposed on a member,**
- **whose criminal prosecution for an intentional crime has been discontinued on a final condition, and 10 years have not yet passed since the expiry of the probationary period or the period within which it is to be decided that he has proven himself, or a decision was made in the criminal proceedings conducted against him to conditionally postpone the submission of a motion for punishment and 5 years have not yet passed since this decision, if the conduct by which he committed the crime is in conflict with the requirements imposed on a member,**
- **who has been finally found guilty of a misdemeanor in the last 5 years, if the conduct by which he committed the misdemeanor is in conflict with the requirements imposed on a member,**
- **who shows signs of addiction to alcohol or other psychotropic substances or activities.**

When assessing integrity, the expungement of convictions or the decision of the President (e.g., on pardon) is not taken into account.

2. In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:

    a. define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification

    NO.

    b. distinguish between direct, indirect or online contact with children?

    NO.

The definition of cases where a clean criminal record is required for the performance of certain activities is set out in special regulations. These determine not only which criminal offences result in a person not fulfilling the integrity requirement, but also whether or not the expungement of convictions is taken into account. From 1 January 2027, a regulation will come into effect according to which information about some already expunged convictions, which are contained in the so-called register of facts relevant to work with children, may be part of the extracts from the criminal record (the so-called extract from the criminal record issued for work with children).

Generally speaking, in cases where a clean criminal record is proven by a "regular" extract from the criminal record, there is no distinction according to the criteria stated in the question.

However, in cases where an extract from the criminal record issued for work with children is (or will be from 1 January 2027) required, special regulations may stipulate such a requirement only for certain activities involving direct and regular contact with children (e.g. when assessing the integrity of a social service worker, expunged convictions are not taken into account; when assessing the integrity of a social service worker whose activities consist of direct and regular contact with children, convictions

entered in the so-called register of facts relevant to work with children are also taken into account, regardless of whether they have already been expunged or not).

3. Is the absence of criminal convictions for sexual offences against children required to become:
   a. an adoptive parent **YES.**
   b. a foster parent **YES.**
   c. a child's legal guardian (including for unaccompanied children)? **YES.**

The role of guardians for unaccompanied minors is performed by staff of the OSPOD (child social and legal protection authorities), who are required to provide a criminal conviction check.

Under current law, all the above categories of individuals must submit a clean criminal record check in general (not just when working with children). The Social Services Act (Act No. 108/2006 Coll.), the Act on the Social and Legal Protection of Children (Act No. 359/1999 Coll.) and the Act on Children's Groups (Act No. 247/2014 Coll.) define the requirement to have a clean criminal record. For applicants seeking adoption or foster care placement, a criminal conviction check is required by law too.

As mentioned above, starting 1 January 2027, the new legislation will take effect requiring all individuals working with children to submit a new type of criminal record extract and transcript issued specially for work with children (known as the "Child certificate"). The certificate will take into account even expunged convictions for serious crimes and sex offences, the commission of which will constitute a barrier to working with children. This new regulation will also apply to all the above-mentioned groups of individuals.

4. Is the absence of criminal convictions for sexual offences against children required for the household members of:
   a. persons carrying out professional activity in their home who are in contact with children **YES.**
   b. persons carrying out volunteering activity in their home who are in contact with children **YES.**
   c. persons wishing to become an adoptive parent, a foster parent, or a child's legal guardian? **YES.**

For more information, please see answer to question 3.

5. Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to:
   a. children applying for professional or volunteer positions

      YES.

A record in the criminal register, including its sub-register (the register of facts relevant to work with children), may also be held for juveniles. Therefore, if a person under 18 applies for a position that requires a "clean criminal record," i.e. no entry in the register of facts relevant to work with children, they will have to prove their integrity by submitting an extract from the criminal register, or an extract specifically issued for working with children.

b. adults in respect of criminal convictions received before the age of 18?

YES.

The new legislation, effective from 1 January 2027 (more details above), also applies to offences committed before the age of 18. Similarly, children over the age of 15 must provide a criminal conviction check for professional or volunteer positions with children. If a particular activity falls under the category of working with children, which requires the submission of a criminal conviction check, a person aged 15–18 must submit this document just as an adult would, because the law does not provide an exception for them.

6. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

In the Czech Republic, the identification of individuals and the linking of their criminal history to their identity—including in cases of a change of name—are ensured through a combination of basic registers and the Criminal Register, relying primarily on unique personal identifiers rather than names alone. Identification is carried out within the system of basic registers, where both citizens and foreigners are identified using a source identifier of a natural person, such as the birth number (or an equivalent identifier for foreigners). In addition to a person's current name, identifying data include, inter alia, the birth surname, date and place of birth, and personal identification number, ensuring a stable and unambiguous connection to the individual.

When a person changes their name or gender, this information is updated in the basic registers, in particular in the population register, which are interconnected with other public administration systems. At the same time, the Criminal Register maintains records of previous names, allowing the continuity and traceability of criminal history to be preserved regardless of changes in identity in the form of a name. As a result, all records relating to criminal convictions remain linked to the same individual, ensuring consistency across systems. The proper functioning of this linkage is ensured in particular by the Ministry of Justice and the Ministry of the Interior.

7. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

YES.

In the Czech Republic, access to public funds for projects involving contact with children is in practice closely linked to compliance with legal and safeguarding requirements, including the absence of relevant criminal convictions, although this is not always formulated as a uniform, standalone statutory condition across all funding schemes. Public authorities and grant providers typically require that organisations ensure the integrity and suitability of their staff and volunteers, which in regulated sectors (such as education or social services) includes the obligation to demonstrate a clean criminal record, particularly in relation to offences against children. Compliance

with these requirements is often verified through eligibility criteria, contractual conditions, or subsequent controls. As a result, while the obligation is often indirectly imposed through sectoral legislation and funding rules rather than a single general provision, in practice projects involving contact with children are expected to engage only persons who meet the standard of legal integrity, and failure to do so may lead to refusal, withdrawal, or recovery of public funding.

Information included in screening

8. Does the criminal record check include criminal convictions for:

As mentioned in question 2, the definition of cases where integrity is required for the performance of certain activities is set out in special regulations. These determine not only which criminal offences result in a person not meeting the integrity requirement (most often defined as the absence of a conviction for an intentional crime or for negligent crimes committed, for example, in connection with a regulated activity), but also whether or not the expungement of convictions is taken into account. In some cases, from 1 January 2027, in order to meet the integrity requirement, it will be necessary not to have a record in the so-called register of facts relevant to work with children. This record is de facto lifelong (see below) and can be made if, due to the circumstances of the case and the person of the perpetrator, there is a risk that the perpetrator will commit a serious crime or an act otherwise criminal against a child in connection with an activity that includes direct and regular contact with children.

The legal regulation provides a list of crimes that are recorded in the register, unless the court decides otherwise, but the court may decide to record another crime that is not included in this list.

The answers below relate only to which crimes generally lead to the recording in the register of facts relevant to work with children (which are recorded unless the court decides otherwise), so they do not answer the question of how integrity is defined for individual activities that involve contact with children.

a. sexual abuse of a child (Article 18 of the Lanzarote Convention) **YES.**

   Article 18 of the Lanzarote Convention is implemented through Sections 185, 186, and 187 of the Criminal Code, all of which are included in the list of offences recorded in the so-called “child certificate”.

b. sexual exploitation of a child (“child prostitution” Article 19 of the Lanzarote Convention) **YES.**

   Article 19 of the Lanzarote Convention is implemented through Section 168 of the Criminal Code, which is included in the list of offences recorded in the so-called “child certificate”.

c. acts involving child sexual abuse material (“child pornography” Article 20 of the Lanzarote Convention) **NO.**

d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention) **Partially. The exploitation of children for the production of pornography is included, whereas attendance at a child pornography performance is not included.**

e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention) **Partially. Sexual coercion, that is, forcing a child to engage in sexual intercourse, masturbation, exposure, or other comparable conduct by**

exploiting the child's distress, dependence, or one's position and the resulting trust or influence is included, whereas general endangerment of a child's upbringing and seducing a child into sexual intercourse is not included.

f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention) **NO. Grooming as such is not recorded, whereas in scenario where grooming is a preparatory act relating to a more serious offence such as rape, it is recorded in the the so-called "child certificate".**

g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention) **Partially, aiding and abetting or attempting of the above listed offences is included where the main relevant offence is also included (see above).**

h. any other convictions (please specify)?

In addition to the above, the list of offences to be recorded also includes convictions for murder, aggravated assault, assault on a child under the age of 15, abuse of a person in one's care, and abuse of a person living in the same household. Furthermore, a court may decide to record a conviction even in the case of a criminal offence other than those listed.

9. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:

   a. relevant administrative or disciplinary sanctions

      NO.

   b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?

      NO.

Proof of a clean criminal record by means of a criminal record extract or a criminal record extract issued for work with children always relates to criminal convictions. Decisions on misdemeanours, disciplinary or civil decisions are not examined (in the case of a clean criminal record).

10. If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:

    a. life-long?
       NO.

In the Czech Republic, restrictions on the exercise of activities involving contact with children are not automatically life-long in all cases, but they can be de facto long-term or permanent depending on the nature and seriousness of the offence.

For regulated professions (e.g. teachers, social workers), the requirement of "legal integrity" means that a person cannot perform the activity as long as their criminal record includes a relevant conviction, particularly for sexual offences against children. In practice, this often results in long-lasting or indefinite exclusion, since such offences are treated as particularly serious and may remain recorded for a long period or permanently, especially in cases of severe sentences.

b. if they are not life-long, please specify the time-limits applicable

Czech criminal law includes the institution of expungement of convictions, which means that if a convicted person has led a normal life for a certain period of time after serving or pardoning a sentence or after the statute of limitations has expired, the record of his conviction will be erased from his criminal record and will continue to be regarded as if he had not been convicted. In the case of a conviction to an exceptional sentence, this is a period of 15 years; in the case of a conviction to a sentence longer than 5 years, this is a period of 10 years; in the case of a conviction to a sentence longer than 1 year, this is a period of 5 years; in the case of a conviction to a sentence up to 1 year or to a sentence of expulsion, this is a period of 3 years and in the case of a conviction to some alternative sentences, this is a period of 1 year. In specific cases, the court may shorten this period by decision. After this period, an extract from the criminal record will show a conviction for the given crime. After the conviction is expunged, the conviction will no longer appear in the extract from the criminal record, but it will still be visible in the transcript from the criminal record (proving good repute through a transcript from the criminal record, i.e. a situation where the expungement of the conviction is not taken into account when assessing good repute, is admitted rather exceptionally).

The record in the register of facts relevant to work with children (the so-called "child certificate") is kept for a period of 100 years from the birth of a natural person who committed a crime with an upper limit of a criminal sentence of at least 5 years. It is kept for a period of 20 years in the case of a person who committed a crime with an upper limit of a criminal sentence of less than 5 years. And in the case of a person who committed a crime of another kind, it is kept for a period determined by the court. (This is an amendment effective from 1 January 2027).

c. are they applied only to activities in the public sector?

NO.

Specific legislation may also require criminal record check (regarding all or certain offences, e.g. sexual offences against children) for private practice, business, and volunteer work.

In practice, the requirement of "legal integrity" is embedded in sector-specific legislation (such as in education and social services), which covers public institutions as well as private providers operating in these fields. As a result, individuals with relevant criminal convictions are excluded from working with children regardless of whether the activity is performed within a public authority, a private company, or a non-governmental organisation.

Similarly, in less regulated areas (e.g. volunteering or leisure activities), although the legal framework may be less explicit, organisations are generally expected to ensure the suitability of persons working with children, and in practice they also require proof of a clean criminal record.

Looking ahead, the introduction of the "child certificate" in January 2027 is expected to further reinforce this principle by creating a system that applies across sectors, enabling employers and organisations both public and private to verify whether a person is barred from activities involving children.

11. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

For more information, please see answer to question 2.

Screening procedure

12. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)?

The screening procedure in the Czech Republic is defined in a number of specific legal regulations, which not only determine for which criminal offences the condition of "good repute" (legal integrity) is not fulfilled, but also specify the method of proving compliance with this requirement. Depending on the applicable legislation, this may involve submitting a standard extract or a full record from the Criminal Register. With effect from 1 January 2027, good repute will, in relevant cases, be demonstrated by means of a criminal record extract issued specifically for work with children, which will also include certain convictions even if they have already been expunged (see above).

The obligation to provide an extract from the register of facts relevant to work with children is established by several legal acts (in some cases limited to activities involving direct and regular contact with children), in particular:

- **Trade Licensing Act (Act No. 455/1991 Coll., as amended by Act No. 270/2025 Coll., effective from 1 January 2027), including the annex listing trades subject to this requirement;**
- **Act on the Social and Legal Protection of Children (Act No. 359/1999 Coll., effective from 1 January 2027);**
- **Act on the Protection of Public Health (Act No. 258/2000 Coll., effective from 1 January 2027);**
- **Act on the Provision of Institutional or Protective Education in School Facilities and on Preventive Educational Care in School Facilities (Act No. 109/2002 Coll., effective from 1 January 2027);**
- **Act on Voluntary Service (Act No. 198/2002 Coll., effective from 1 January 2027);**
- **Act on the Conditions for Obtaining and Recognising Professional Competence and Specialised Competence to Practise the Health Professions of a Doctor, Dentist and Pharmacist (Act No. 95/2004 Coll., effective from 1 January 2027);**
- **Act on Non-Medical Health Professions (Act No. 96/2004 Coll., effective from 1 January 2027);**
- **Act on Pedagogical Workers (Act No. 563/2004 Coll., effective from 1 January 2027);**
- **Act on Social Services (Act No. 108/2006 Coll., effective from 1 January 2027);**
- **Labour Code (Act No. 262/2006 Coll., effective from 1 January 2027);**
- **Act on Health Services (Act No. 372/2011 Coll., effective from 1 January 2027);**
- **Act on the Provision of Child Care Services in a Children's Group (Act No. 247/2014 Coll., effective from 1 January 2027).**

In addition, the requirement to demonstrate good repute more generally (without necessarily relying exclusively on the register of facts relevant to work with children) may also arise from other legal regulations.

Social Services – Act No. 108/2006 Coll., on Social Services

Section 79(c) of the Act on Social Services stipulates that a prerequisite for registration (i.e., obtaining authorisation to provide social services) is that all natural persons who will directly provide social services must have a clean criminal record.

According to paragraph 1(c), the following are considered to have a clean criminal record:

a) a social services worker pursuant to Section 116(1) who has not been finally convicted of a prison sentence for an intentional criminal offence committed in connection with the performance of activities in the provision of social services or comparable activities, or who is deemed not to have been convicted,

b) a natural person performing professional activities in social services, with the exception of the worker referred to in subparagraph a), and a legal entity that has not been finally convicted of an intentional criminal offence committed in connection with the performance of activities in the provision of social services or comparable activities, or is deemed not to have been convicted.

Good character is demonstrated by an extract from the criminal record, which shall not be older than 3 months.

The social services provider must meet the registration requirements (including the good character of employees) throughout the entire period of providing social services (pursuant to Section 81a of the Social Services Act).

The provider is also required to notify the registering authority in writing of any changes regarding staffing, at which point the absence of a criminal record is verified again. The social service provider is required to report these changes by the fifteenth day of the calendar month following the calendar month in which the changes occurred and to document these changes with the relevant supporting documents.

13. If screening is required, who is required to act?

    a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities

    b. the candidate must provide proof of absence of convictions

In the Czech Republic, the responsibility to obtain information for screening purposes generally lies with the individual concerned, who must provide an extract from the Criminal Register; however, in practice, the employer, volunteer recruiter, or competent child protection authority plays an active role by requiring this document as a condition for employment, engagement, or approval. In certain cases and with the individual's consent, these entities may also obtain the extract directly. In proceedings concerning adoptive or foster parents or legal guardians, child protection authorities are

responsible for ensuring that all necessary information, including criminal background checks, is collected and assessed as part of the overall evaluation process.

Where a clean criminal record is assessed by a public authority, that authority itself obtains the extract from the register.

c. another scenario. Please specify

14. If screening is required, who bears the costs of screening procedures?

The individual being screened normally pays the administrative fee for obtaining the criminal record extract, unless another party explicitly agrees or is required to cover it.

Submitting an application for an extract from the register via online tools is free of charge. If the application is submitted in person at an office counter or at a post office, a fee of CZK 100 (around 4 EURO) is charged.

15. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

Monitoring compliance with screening is not done through a single specialised mechanism. Instead, the Czech system relies on a combination of supervisory authorities, inspections, and complaint-based oversight across relevant sectors.

Employers and recruiters are supervised primarily by the State Labour Inspection Office (SÚIP) and its regional inspectorates, which carry out planned, risk-based, random, or complaint-triggered inspections to verify compliance with labour law, including whether statutory conditions for certain positions (such as integrity requirements) are met. Inspectors may review documentation, interview staff and conduct on-site visits, sometimes without prior notice.

In the area of child protection, municipal Authorities for Social and Legal Protection of Children (OSPOD) provide continuous supervision, including home visits, interviews and ongoing monitoring of foster families and guardians, rather than one-off checks. Compliance is further supported by mandatory reporting duties for professionals and the public where a child may be at risk.

Additionally, the Public Defender of Rights (Ombudsman) can investigate whether public authorities act lawfully and in the best interests of the child, based on complaints.

Finally, screening practices involving personal data are overseen by data protection authorities under GDPR.

Overall, compliance is ensured through inspections, ongoing supervision, complaint mechanisms, and independent oversight, rather than through a single specialised body.

With regard to social services, every provider (i.e., employer) must ensure that all individuals who will directly provide social services meet the requirement of good character. The state (through the regional authority acting under delegated authority) verifies this during the registration of social services—authorisation to provide social services is issued if compliance with all conditions is demonstrated, including the condition of good character (Section 81 of the Social Services Act).

The registering authority monitors compliance with registration conditions (including the condition of good character of employees) by social service providers to whom it has issued a registration decision. The registering authority is authorised to impose measures on social service providers to remedy deficiencies identified during this inspection. The social service provider is obligated to comply with these imposed measures within the deadline set by the registering authority.

At the same time, the Ministry of Labour and Social Affairs supervises the exercise of delegated powers by regional authorities in the area of social service registration pursuant to Section 129 et seq. of the Act on Regions. Among other things, it checks whether the regional authority is acting in accordance with the law, i.e., whether it verifies the integrity of social service workers. Inspections are conducted on an ongoing (thematic), ad hoc (e.g., based on a complaint), or scheduled basis. If any misconduct is identified, it imposes corrective measures.

16. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

Potential liability could be considered where a clean criminal record is a statutory condition for performing a particular activity. If, in such a case, a person who does not meet the prescribed requirement of integrity were allowed to perform that activity, it would constitute a procedure contrary to the law. In such circumstances, liability under special legal regulations could arise where provided for (e.g., withdrawal of authorisation to carry out the activity or liability for an administrative offence, if such conduct fulfils the elements of an offence), or, depending on the nature of the specific case, liability for improper official procedure or civil liability.

For example, if a social service provider employs a person who does not meet the requirements and allows that person to perform their duties, the provider is in violation of its legal obligations regarding the provision of social services. In such a case, the registration authority or the social services quality inspection authority shall impose corrective measures on the provider.

If the provider fails to take corrective action, or if the violation occurs repeatedly, their conduct may be deemed a misdemeanour under Section 107(2)(m) or (n) of Act No. 108/2006 Coll., for which a fine of up to CZK 100,000 may be imposed, or up to CZK 500,000, depending on the nature of the violated obligation.

17. Is regular screening, beyond the initial recruitment process, required, for:
    a. professionals in contact with children **No general requirement (mainly at entry, occasional sector-specific repetition possible).**
    b. volunteers in contact with children **NO.**
    c. foster parents and legal guardians? **NO (ongoing supervision instead of systematic re-screening).**

If regular screening is required, please specify its frequency and provide other details. **Based on Section 82a of the Social Services Act the registering authority monitors compliance with the registration requirements (including, among other things, the requirement that staff members have a clean criminal record) by social service providers to whom it has issued a registration decision. The registering authority is authorised to impose measures on social service providers to remedy any deficiencies**

identified during such an inspection. The social service provider is required to comply with these imposed measures within the time limit set by the registering authority.

Inspections of registration conditions are conducted based on an inspection plan (though not on a regular basis) or, where appropriate, based on a complaint.

18. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

In the Czech Republic, the law enforcement authorities (e.g. the Czech Police) are generally subject to a duty of confidentiality regarding ongoing criminal proceedings. Informing an employer or organisation that a specific person is under investigation is not standard practice and is only possible if the legal conditions are met.

In certain cases, especially if it is necessary to protect children or to prevent further criminal activity, the competent authority may take measures that may have an indirect impact on the person's work or volunteer activities (e.g. limiting contact with children as part of criminal proceedings).

The consequences may include, for example: (temporary release from work, transfer to another position, termination of cooperation by the employer, and also based on its own risk assessment).

However, employers often rely primarily on conviction data (extract from the Criminal Record), rather than on the mere initiation of criminal prosecution.

Cross-border screening

19. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:

Generally, whether a clean criminal record is verified also in relation to foreign countries depends on the specific sectoral regulation.

Where a candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in other countries, Czech law does not impose a general obligation to systematically verify the absence of convictions for sexual offences against children in each such country. However, various instruments—particularly extracts from the Criminal Register, international exchange of information (notably via ECRIS within the EU), and, from 1 January 2027, the new register of facts relevant to work with children—play a key role in practice. The extent of verification differs depending on the category of persons concerned:

a. Professionals

For professionals working with children, Czech law requires proof of integrity primarily through an extract from the Criminal Register. This extract may include information obtained from other EU Member States via ECRIS, especially in the case of foreign nationals or Czech nationals who have been convicted abroad. While there is no explicit statutory duty to obtain criminal record extracts from every country of previous

residence, employers may require additional documentation (e.g. foreign certificates of good conduct), particularly where the person has spent a significant period abroad. From 1 January 2027, the "child certificate" (výpis z evidence skutečností důležitých pro práci s dětmi) will further strengthen screening.

b. Volunteers

In the case of volunteers, the legal requirements are generally less formalised. There is no uniform obligation under Czech law to verify foreign criminal records. However, organisations working with children commonly adopt internal safeguarding rules requiring affidavits of integrity, criminal record extracts, or—where relevant—foreign checks. In practice, the level of scrutiny depends on the nature, duration, and responsibility of the activity. The new register effective from 2027 may also be used in this context.

c. Prospective adoptive parents, foster parents, or legal guardians

The strictest regime applies in proceedings concerning substitute family care. Authorities (courts and child protection bodies) thoroughly assess the applicant's integrity and overall suitability. This may include obtaining criminal record extracts not only from the Czech Republic but also, where relevant and feasible, from countries of previous long-term residence. International cooperation mechanisms are used where available. Although even here there is no absolute obligation to always obtain records from every country worldwide, in practice the authorities seek to verify the absence of serious criminal convictions—including sexual offences against children—as comprehensively as possible.

Czech law relies primarily on its national Criminal Register, supplemented by EU-level exchange (ECRIS) and, from 2027, a specialised child-related register. Verification of foreign criminal history is not universally mandatory in every case, but in practice it is required or expected particularly for professionals and is most rigorous in the context of adoption and foster care proceedings.

With regard to social services and workers residing in foreign countries, the following applies:

Good conduct is demonstrated by documents issued by the countries in which a natural person has resided continuously for more than three months during the past three years, or in which a legal entity has carried out activities for at least three months during the past three years. A criminal record extract and other documents proving good character shall not be older than 3 months. When recognising a document of good character issued by a competent authority of another European Union member state, the procedure is governed by a special legal regulation (Act No. 18/2004 Coll., on the Recognition of Professional Qualifications and Other Competencies of Nationals of European Union Member States and on Amendments to Certain Acts (Act on the Recognition of Professional Qualifications), as amended.)

With regards to healthcare professionals residing in foreign countries, the following applies:

In the case of medical doctors, dentists and pharmacists, integrity is assessed in accordance with Section 3(5) of Act No. 95/2004 Coll.

Integrity is demonstrated by:

- **an extract from the Czech Criminal Register,**

- **a document proving integrity issued by the State of which the individual is a national, and**
- **documents issued by States in which the individual has resided for a continuous period exceeding six months within the last three years.**

Such documents must not be older than three months. Where a State does not issue criminal record extracts or equivalent documents, or where such documents cannot be obtained, the individual shall submit an affidavit of integrity made before a notary or a competent authority of that State.

A foreign national who is or has been a citizen of another EU Member State, or who has or has had residence in another EU Member State, may, instead of a foreign criminal record extract, prove integrity by submitting an extract from the Czech Criminal Register accompanied by an annex containing information recorded in the criminal register of that other EU Member State (via ECRIS).

In the case of non-medical healthcare professionals, a similar regime applies under Section 3(5) of Act No. 96/2004 Coll.

Integrity is demonstrated by:

- **an extract from the Czech Criminal Register, or**
- **a document proving integrity issued by the State of which the individual is a national, and**
- **documents issued by States in which the individual has resided for a continuous period exceeding six months within the last three years.**

Again, all documents must not be older than three months. Where a State does not issue such documents or they cannot be obtained, the individual shall submit an affidavit of integrity.

A foreign national with links to another EU Member State may likewise prove integrity through a Czech Criminal Register extract accompanied by information from that Member State's criminal records system.

20. Is there a mechanism to:

a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings[1] (please specify)

YES, there is a mechanism based on Directive (EU) 2019/884, which incorporates the requirements of Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children, as well as child pornography.

b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

Pursuant to Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography, the relevant provision was implemented into national law — specifically, section 16e of the Act on the Criminal Register and the Register of Misdemeanours — to establish a mechanism for transmitting information on convictions within the ECRIS system (pursuant to Directive (EU) 2019/884 of the European Parliament and of the Council).

21. Is there an obligation to provide data about a person's criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

YES, as mentioned in 20) b).

<u>Additional details and reflections</u>

22. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

In the Czech Republic, screening procedures for individuals working with children are primarily based on the requirement to demonstrate a clean criminal background, complemented by sector-specific legal obligations and employer-led safeguarding measures. The core element is the extract from the Criminal Register (výpis z rejstříku trestů), which serves to confirm whether an individual has any prior convictions. This extract is typically required prior to employment and may be requested either by the individual or, with their consent, directly by the employer. For professions involving regular contact with children, such as teachers, social workers, or childcare staff, legal integrity ("bezúhonnost") is a formal condition for employment, and any record of offences—particularly those related to violence, sexual integrity, or offences against minors—generally results in exclusion from such positions.

The legal basis for these screening requirements is dispersed across several legislative acts, including the Education Act for pedagogical staff, the Act on Social Services, and general provisions within the Labour Code, which obliges employers to ensure that employees are suitable for their roles. In addition to criminal background checks, employers commonly assess professional qualifications, previous work experience, and references, and may also consider the overall personal suitability of candidates for

[1] For purposes of recruitment, volunteering, adoption, foster care or guardianship.

working with children. In certain regulated professions, health fitness and professional competence are also taken into account.

While the criminal record extract is usually required at the recruitment stage, in some sectors employers may request updated extracts or declarations of integrity during employment, particularly where there is ongoing and close contact with minors. The processing of such sensitive personal data is subject to strict data protection rules in line with EU and national legislation, ensuring that information is collected only for legitimate purposes, stored securely, and accessed only by authorised persons.

Beyond formal legal requirements, many organisations including schools, social service providers, and civil society organisations implement internal child protection policies. These may include codes of conduct, internal reporting procedures, and additional vetting or supervision mechanisms aimed at preventing risks to children. However, the Czech system relies primarily on documented criminal convictions and does not include a comprehensive centralised register of individuals barred from working with children. As a result, responsibility for safeguarding is shared between the legal framework and the due diligence of individual employers and organisations.

23. What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child's legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?

In the Czech Republic, the system for screening criminal convictions for sexual offences against children is generally well-established and functions effectively in practice, with several strengths while still facing some practical challenges. A key positive aspect is the existence of a centralised Criminal Register, which enables efficient, reliable, and widely accessible verification of an individual's criminal history. For most professionals and applicants working with children, as well as for prospective adoptive and foster parents, this check constitutes a standard and legally grounded requirement, ensuring a consistent baseline of protection. In practice, obtaining an extract is typically quick and does not impose a significant administrative or financial burden in domestic cases.

Screening procedures are further strengthened by the comprehensive and multi-layered assessments applied in adoption, foster care, and guardianship proceedings. Criminal background checks are systematically combined with social assessments, psychological evaluations, and detailed inquiries carried out by competent child protection authorities. This holistic approach enhances the capacity to identify risks and contributes to well-informed decision-making in the best interests of the child.

The Czech Republic also benefits from participation in European systems of cross-border criminal records exchange, which allows authorities to take into account relevant convictions from other EU Member States. Although obtaining information from abroad may in some cases take additional time, particularly in more complex situations, these mechanisms significantly improve the overall completeness and reliability of screening compared to purely national systems.

At the same time, the system is evolving. A significant upcoming development is the introduction of the so-called "child certificate" (dětský certifikát), expected to enter into force in January 2027. This new instrument is intended to further strengthen child protection by creating a specific register of persons who are prohibited from working with children, particularly due to convictions for serious offences, including sexual

offences. Unlike the current system, which relies primarily on extracts from the Criminal Register, the child certificate is designed to function as a more targeted preventive tool, enabling employers and competent authorities to verify whether a person is explicitly barred from activities involving children.

From a practical perspective, this reform is expected to significantly enhance the effectiveness and clarity of screening procedures. It should reduce the need for case-by-case interpretation of criminal records and provide a clearer, more accessible indication of whether an individual is eligible to work with children. At the same time, it may contribute to greater consistency across sectors, including areas such as volunteering, where current practices can vary.

Nevertheless, even within a generally well-functioning system, some challenges remain. Screening is still primarily based on final criminal convictions, which may limit its ability to capture certain risks that have not resulted in a conviction. Cross-border cooperation, while robust within the EU framework, may involve delays or incomplete information in specific cases, particularly where non-EU countries are concerned. In addition, the coexistence of different legal regimes for professionals, volunteers, and applicants in child-care procedures can lead to some differences in practice.

<u>In practice, the following challenges arise in the Czech Republic:</u>

1. **<u>Administrative complexity</u>**
   Need to repeatedly provide evidence of an extract from the Criminal Record with various entities.

2. **<u>Time delays</u>**
   Although the extract is available relatively quickly, in some cases (e.g. for foreigners) there may be delays.

3. **<u>Cross-border cooperation</u>**
   More difficult to obtain information on the criminal history of persons who have lived or worked abroad.
   Dependence on cooperation between states, which may not always be fully effective and fast.

4. **<u>Incompleteness of information</u>**
   The extract from the register contains only final convictions, not ongoing proceedings, but these can be obtained through the Czech Police system.

5. **<u>Personal data protection</u>**
   Need to balance the protection of children and the individual's right to privacy.
   Limitations on the scope of information that can be shared with employers or organisations.

These factors may in practice affect the effectiveness of prevention and control of persons coming into contact with children.

24. What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?

In the Czech Republic, a key promising practice is the combination of an efficient, centralised Criminal Register, which provides quick and reliable background checks

across sectors, with comprehensive, multi-layered assessments in sensitive areas such as adoption and foster care, where criminal screening is complemented by social and psychological evaluations. This is further strengthened by clear legal requirements on integrity in regulated professions and increasing use of organisational safeguarding measures.

Looking ahead, the introduction of the "child certificate" in January 2027 stands out as a particularly important development, as it will establish a dedicated register of persons barred from working with children, significantly enhancing clarity, consistency, and the preventive capacity of the overall screening system.