

SCHEDULE 1

Article 2(1)(a)

Qualifying Offences

Offences against the Person

Murder

1. Murder.

Attempted murder

2. An offence under section 1 of the Criminal Attempts Act 1981(1) of attempting to commit murder.

Soliciting murder

3. An offence under section 4 of the Offences against the Person Act 1861(2).

Manslaughter

4. Manslaughter.

Kidnapping

5. Kidnapping.

Sexual Offences

Rape

6. An offence under section 1 of the Sexual Offences Act 1956(3) or section 1 of the Sexual Offences Act 2003(4).

Attempted rape

7. An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence under section 1 of the Sexual Offences Act 1956 or section 1 of the Sexual Offences Act 2003.

Intercourse with a girl under thirteen

8. An offence under section 5 of the Sexual Offences Act 1956(5).

(1) 1981 c. 47. Section 1 was amended by section 7(3) of the Computer Misuse Act 1990 (c. 18) and by paragraph 58 of Schedule 21 to the Coroners and Justice Act 2009 (c. 25).

(2) 1861 c. 100. Section 4 was amended by section 5(10) of, and Schedule 13 to, the Criminal Law Act 1977 (c. 45).

(3) 1956 c. 69. Section 1 was repealed by paragraph 11(a) of Schedule 6 to the Sexual Offences Act 2003 (c. 42).

(4) 2003 c. 42.

(5) Section 5 was repealed by paragraph 11(a) of Schedule 6 to the Sexual Offences Act 2003 (c. 42).

Status: This is the original version (as it was originally made).

Incest by a man with a girl under thirteen

9. An offence under section 10 of the Sexual Offences Act 1956⁽⁶⁾ alleged to have been committed with a girl under thirteen.

Assault by penetration

10. An offence under section 2 of the Sexual Offences Act 2003.

Causing a person to engage in sexual activity without consent

11. An offence under section 4 of the Sexual Offences Act 2003 where it is alleged that the activity caused involved penetration within subsection (4)(a) to (d) of that section.

Rape of a child under thirteen

12. An offence under section 5 of the Sexual Offences Act 2003.

Attempted rape of a child under thirteen

13. An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence under section 5 of the Sexual Offences Act 2003.

Assault of a child under thirteen by penetration

14. An offence under section 6 of the Sexual Offences Act 2003.

Causing a child under thirteen to engage in sexual activity

15. An offence under section 8 of the Sexual Offences Act 2003 where it is alleged that an activity involving penetration within subsection (2)(a) to (d) of that section was caused.

Sexual activity with a person with a mental disorder impeding choice

16. An offence under section 30 of the Sexual Offences Act 2003 where it is alleged that the touching involved penetration within subsection (3)(a) to (d) of that section.

Causing a person with a mental disorder impeding choice to engage in sexual activity

17. An offence under section 31 of the Sexual Offences Act 2003 where it is alleged that an activity involving penetration within subsection (3)(a) to (d) of that section was caused.

Drugs Offences

Unlawful importation of Class A drug

18. An offence under section 50(2) of the Customs and Excise Management Act 1979⁽⁷⁾ alleged to have been committed in respect of a Class A drug (as defined by section 2 of the Misuse of Drugs Act 1971).

(6) Section 10 was repealed by paragraph 11(a) of Schedule 6 to the Sexual Offences Act 2003 (c. 42).

(7) 1979 c. 2. Section 50(2) was amended by section 114(1) of the Police and Criminal Evidence Act 1984 (c. 60).

Unlawful exportation of Class A drug

19. An offence under section 68(2) of the Customs and Excise Management Act 1979(8) alleged to have been committed in respect of a Class A drug (as defined by section 2 of the Misuse of Drugs Act 1971).

Fraudulent evasion in respect of Class A drug

20. An offence under section 170(1) or (2) of the Customs and Excise Management Act 1979(9) alleged to have been committed in respect of a Class A drug (as defined by section 2 of the Misuse of Drugs Act 1971).

Producing or being concerned in production of Class A drug

21. An offence under section 4(2) of the Misuse of Drugs Act 1971 alleged to have been committed in relation to a Class A drug (as defined by section 2 of that Act).

Criminal Damage Offences

Arson endangering life

22. An offence under section 1(2) of the Criminal Damage Act 1971(10) alleged to have been committed by destroying or damaging property by fire.

Causing explosion likely to endanger life or property

23. An offence under section 2 of the Explosive Substances Act 1883(11).

Intent or conspiracy to cause explosion likely to endanger life or property

24. An offence under section 3(1)(a) of the Explosive Substances Act 1883(12).

War Crimes and Terrorism

Genocide, crimes against humanity and war crimes

25. An offence under section 51 or 52 of the International Criminal Court Act 2001(13).

Grave breaches of the Geneva Conventions

26. An offence under section 1 of the Geneva Conventions Act 1957(14).

(8) Section 68(2) was amended by section 114(1) of the Police and Criminal Evidence Act 1984 (c. 60).

(9) Section 170(1) and (2) were amended by section 114(1) of the Police and Criminal Evidence Act 1984 (c. 60).

(10) 1971 c. 48.

(11) 1883 c. 3. Section 2 was substituted by section 7 of the Criminal Jurisdiction Act 1975 (c. 59).

(12) Section 3(1)(a) was substituted by section 7 of the Criminal Jurisdiction Act 1975 (c. 59) and amended by section 17(5) of the Terrorism Act 2006 (c. 11) and Schedule 12 to the Criminal Law Act 1977 (c. 45).

(13) 2001 c. 17.

(14) 1957 c. 52. Section 1 has been amended by Part III of Schedule 3 to the Criminal Law Act 1967 (c. 58), section 1 of the Geneva Conventions (Amendment) Act 1995 (c. 27), section 70(1) of the International Criminal Court Act 2001 (c. 17) and section 1 of the Geneva Conventions and United Nations Personnel (Protocols) Act 2009 (c. 6).

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Directing terrorist organisation

27. An offence under section 56 of the Terrorism Act 2000**(15)**.

Hostage-taking

28. An offence under section 1 of the Taking of Hostages Act 1982**(16)**.

Conspiracy

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29. An offence under section 1 of the Criminal Law Act 1977**(17)** of conspiracy to commit an offence listed in this Schedule.

(15) 2000 c. 11.

(16) 1982 c. 28.

(17) 1977 c. 45. Section 1 has been amended by section 5(1) of the Criminal Attempts Act 1981 (c. 47) and Schedule 1 to the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52).