

SCHEDULE

PART I

Offences in England and Wales

1. Murder.
2. Manslaughter.
3. Kidnapping.
4. False imprisonment.
5. An offence under section 16 of the Offences against the Person Act 1861 (threats to kill)(1).
6. An offence under section 18, 20 or 47 of that Act (wounding and causing bodily harm).
7. An offence under section 1 of the Children and Young Persons Act 1933 (cruelty to children)(2).
8. An offence under section 1 of the Infanticide Act 1938 (infanticide)(3).
9. An offence under section 1 of the Sexual Offences Act 1956 (rape)(4).
10. An offence under section 2 or 3 of that Act (procurement of woman by threats or false pretences).
11. An offence under section 4 of that Act (administering drugs to obtain or facilitate intercourse).
12. An offence under section 5 of that Act (intercourse with a girl under 13).
13. An offence under section 6 of that Act (intercourse with a girl under 16).
14. An offence under section 7 of that Act (intercourse with defective)(5).
15. An offence under section 9 of that Act (procurement of defective).
16. An offence under section 10 of that Act (incest by a man).
17. An offence under section 11 of that Act (incest by a woman).
18. An offence under section 12 of that Act by committing buggery with a child under the age of 16.
19. An offence under section 13 of that Act by committing an act of gross indecency with a child.
20. An offence under section 14 or 15 of that Act (indecent assault).
21. An offence under section 16 of that Act (assault with intent to commit buggery).
22. An offence under section 17 of that Act (abduction of woman by force or for the sake of her property).
23. An offence under section 19 or 20 of that Act (abduction of girl under 18 or 16).
24. An offence under section 21 of that Act (abduction of defective from parent or guardian) by taking a child out of the possession of the child's parent or guardian.

(1) 1861 c. 100. Section 16 was substituted by the Criminal Law Act 1977 (c. 45).

(2) 1933 c. 12.

(3) 1938 c. 36.

(4) 1956 c. 69. Section 1 was substituted by the Criminal Justice and Public Order Act 1994 (c. 33).

(5) Section 7 was substituted by the Mental Health Act 1959 (c. 72).

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25. An offence under section 22 of that Act (causing prostitution of women).
26. An offence under section 23 of that Act (procurement of girl under 21).
27. An offence under section 24 of that Act (detention of woman in brothel or other premises).
28. An offence under section 25 or 26 of that Act (permitting girl under 13, or between 13 and 16, to use premises for intercourse).
29. An offence under section 27 of that Act (permitting defective to use premises for intercourse).
30. An offence under section 28 of that Act (causing or encouraging prostitution of, intercourse with or indecent assault on, girl under 16).
31. An offence under section 29 of that Act (causing or encouraging prostitution of defective).
32. An offence under section 30 of that Act (man living on earnings of prostitution).
33. An offence under section 31 of that Act (woman exercising control over prostitute).
34. An offence under section 128 of the Mental Health Act 1959 (sexual intercourse with patients)(6).
35. An offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards young child)(7).
36. An offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts)(8) by—
 - (a) procuring a child to commit an act of buggery with any person, or
 - (b) procuring any person to commit an act of buggery with a child.
37. An offence under section 5 of that Act (living on earnings of male prostitution).
38. An offence under section 9(1)(a) of the Theft Act 1968 (burglary)(9) by entering a building or part of a building with intent to rape a child.
39. An offence under section 4(3) of the Misuse of Drugs Act 1971(10).
40. An offence under section 54 of the Criminal Law Act 1977 (inciting girl under sixteen to incest)(11).
41. An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children)(12).
42. An offence under section 170 of the Customs and Excise Management Act 1979(13) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (prohibitions and restrictions relating to pornography)(14) where the prohibited goods included indecent photographs of children under the age of 16.
43. An offence under section 1 of the Child Abduction Act 1984 (abduction of child by parent)(15) or section 32(3) of the Children and Young Persons Act 1969 (incitement etc. of absentees)(16).

(6) 1959 c. 72.

(7) 1960 c. 33.

(8) 1967 c. 60. Section 4(2) was repealed by the Criminal Law Act 1977.

(9) 1968 c. 60.

(10) 1971 c. 38.

(11) 1977 c. 45.

(12) 1978 c. 37.

(13) 1979 c. 2.

(14) 1876 c. 36.

(15) 1984 c. 37.

(16) 1969 c. 54.

44. An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of child)(17).

45. An offence under section 14 of the Children Act 1958(18), section 16 of the Foster Children Act 1980(19) or section 70 of the Act (offences relating to private fostering).

46. An offence under section 44(15), 49 or 50(9) of the Act (offences of obstruction and relating to the abduction of a child in care).

47. An offence under section 63(10) of, paragraph 1(5) of Schedule 5 to, or paragraph 2(3) of Schedule 6 to, the Act (offences relating to voluntary homes and children's homes)(20).

48. An offence under section 78, 79D or 79F(6) of the Act (offences relating to child minding and daycare)(21).

49. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust)(22).

50. An offence in relation to a children's home under or by virtue of the following provisions of the 2000 Act—

- (a) section 11(1) (failure to register);
- (b) section 24 (failure to comply with conditions);
- (c) section 25 (contravention of regulations);
- (d) section 26 (false descriptions of establishments and agencies); or
- (e) section 27 (false statements in applications).

51. An offence of—

- (a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in paragraphs 1 to 50 of this Schedule; or
- (b) conspiring or attempting to commit such an offence.

Offences in Scotland

52. An offence of rape.

53. Murder.

54. Culpable homicide.

55. An offence under or by virtue of section 60(3), 61(3) or 62(6) of the Social Work (Scotland) Act 1968 (offences relating to residential and other establishments)(23).

56. An offence under section 32(3) of the Children and Young Persons Act 1969 (inciting etc. of absentee).

57. An offence specified in Schedule 1 to the Criminal Procedure (Scotland) Act 1995(24).

58. The common law offence in Scotland of plagium (theft of a child below the age of puberty).

(17) 1988 c. 33.

(18) 1958 c. 65.

(19) 1980 c. 86.

(20) Provision for the repeal of these provisions is contained in the Care Standards Act 2000.

(21) Sections 79D and 79F are inserted into the 1989 Act by the Care Standards Act 2000.

(22) 2000 c. 44.

(23) 1968 c. 49.

(24) 1995 c. 46.

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59. An offence under section 170 of the Customs and Excise Management Act 1979 in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (prohibitions and restrictions relating to pornography) where the prohibited goods included indecent photographs of children under the age of 16.

60. An offence under Section 52 or 52A of the Civic Government (Scotland) Act 1982 (offences relating to indecent photographs of children)(**25**).

61. An offence under section 6 of the Child Abduction Act 1984 (taking or sending child out of the United Kingdom).

62. An offence under section 15 of the Foster Children (Scotland) Act 1984 (offences relating to private fostering)(**26**).

63. An offence under section 78 of the Act (offences relating to child minding and day care).

64. An offence under section 81, 83 or 89 of the Children (Scotland) Act 1995(**27**) or section 17(8) or 71 of the Social Work (Scotland) Act 1968(**28**) (harbouring offences).

65. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).

66. An offence in relation to a care home service, child minding or day care of children, under or by virtue of any of the following provisions of the Regulation of Care (Scotland) Act 2001(**29**)—

- (a) section 21 (offences in relation to registration);
- (b) section 22 (false statements in applications); or
- (c) section 29(10) (offences in regulations).

Offences in Northern Ireland

67. An offence of rape.

68. An offence specified in Schedule 1 to the Children and Young Persons Act (Northern Ireland) 1968(**30**).

69. An offence under section 32(3) of the Children and Young Persons Act 1969 (inciting etc. of absentee).

70. An offence under Article 3 of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs)(**31**).

71. An offence under section 170 of the Customs and Excise Management Act 1979 in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (prohibitions and restrictions relating to pornography) where the prohibited goods included indecent photographs of children under the age of 16.

72. An offence contrary to Article 9 of the Criminal Justice (Northern Ireland) Order 1980 (inciting girl under 16 to have incestuous sexual intercourse)(**32**).

(25) 1982 c. 45. Section 52A was inserted by section 161 of the Criminal Justice Act 1988 (c. 33).

(26) 1984 c. 56.

(27) 1995 c. 36.

(28) Sections 17(8) and 71 of the 1968 Act were repealed by the Children (Scotland) Act 1995.

(29) 2001 asp 8.

(30) 1968 c. 34 (N.I.). Schedule 1 was amended by the Criminal Justice (Northern Ireland) Order 1980; the Child Abduction (Northern Ireland) Order 1985; the Mental Health (Northern Ireland) Order 1986. Reference in the Protection of Children (Northern Ireland) Order 1978 to offences under Schedule 1 include an offence under the Protection of Children (Northern Ireland) Order 1978.

(31) S.I.1978/1047 (N.I.17).

(32) S.I. 1980/1704 (N.I.6).

73. An offence under Article 15 of the Criminal Justice (Evidence etc.) (Northern Ireland) Order 1988 (possession of indecent photographs of children)(**33**).

74. An offence under Article 63(15), 68 or 69(9) of the Children (Northern Ireland) Order 1995 (offences of obstruction and relating to the abduction of a child in care)(**34**).

75. An offence under section 32(3), 140(6) or 144(3) of the Children and Young Persons Act (Northern Ireland) 1968.

76. An offence under Article 132 of the Children (Northern Ireland) Order 1995 or section 14 of the Children and Young Persons Act (Northern Ireland) Order 1968 (offences relating to child minding and day care)(**35**).

77. An offence under Article 117 of the Children (Northern Ireland) Order 1995 or section 9(1) of the Children and Young Persons Act (Northern Ireland) 1968 (offences relating to private fostering).

78. An offence under Article 79(3), 81(4), 95(3) or 97(4) of the Children (Northern Ireland) Order 1995 or section 127(5) or 129(3) of the Children and Young Persons Act (Northern Ireland) 1968 (offences relating to voluntary homes and children's homes).

79. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).

Other offences

80. Any offence, other than the offences mentioned in paragraphs 1 to 79, involving injury or threat of injury to another person.

81. An offence by virtue of—

- (a) section 7 of the Sex Offenders Act 1997 (extension of jurisdiction: England and Wales and Northern Ireland)(**36**); or
- (b) section 16B of the Criminal Law (Consolidation)(Scotland) Act 1995 (commission of certain sexual offences outside the United Kingdom)(**37**).

(33) S.I. 1988/1847 (N.I.17).

(34) S.I. 1995/755 (N.I.2)

(35) This section of the Children and Young Persons Act (Northern Ireland) 1968 and those mentioned in the following subparagraphs were repealed by the Children (Northern Ireland) Order 1995.

(36) 1997 c. 51.

(37) 1995 c. 39. Section 16B was inserted by section 8 of the Sex Offenders Act 1997.