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SCHEDULES

SCHEDULE 14 **E+W**

EXTENDED SENTENCES: THE EARLIER OFFENCE CONDITION: OFFENCES

PART 1 **E+W**

OFFENCES UNDER THE LAW OF ENGLAND AND WALES

PROSPECTIVE

The following offences to the extent that they are offences under the law of England and Wales—

Manslaughter

1 Manslaughter.

Commencement Information

I1 Sch. 14 para. 1 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Offences against the Person Act 1861

2 An offence under any of the following sections of the Offences against the Person Act 1861—

- (a) section 4 (soliciting murder);
- (b) section 18 (wounding with intent to cause grievous bodily harm);
- (c) section 28 (causing bodily injury by explosives);
- (d) section 29 (using explosives etc with intent to do grievous bodily harm).

Commencement Information

I2 Sch. 14 para. 2 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Explosive Substances Act 1883

3 An offence under any of the following provisions of the Explosive Substances Act 1883—

- (a) section 2 (causing explosion likely to endanger life or property);
- (b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property);

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- (c) section 4 (making or possession of explosive under suspicious circumstances).

Commencement Information

I3 Sch. 14 para. 3 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Firearms Act 1968

- 4 An offence under any of the following provisions of the Firearms Act 1968—
- (a) section 16 (possession of a firearm with intent to endanger life);
 - (b) section 17(1) (use of a firearm to resist arrest);
 - (c) section 18 (carrying a firearm with criminal intent).

Commencement Information

I4 Sch. 14 para. 4 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Theft Act 1968

- 5 An offence of robbery under section 8 of the Theft Act 1968 where, at some time during the commission of the offence, the offender had in his or her possession a firearm or an imitation firearm within the meaning of the Firearms Act 1968.

Commencement Information

I5 Sch. 14 para. 5 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Protection of Children Act 1978

- 6 An offence under section 1 of the Protection of Children Act 1978 (indecent images of children).

Commencement Information

I6 Sch. 14 para. 6 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Terrorism Act 2000

- 7 An offence under any of the following provisions of the Terrorism Act 2000—
- (a) section 54 (weapons training);
 - (b) section 56 (directing terrorist organisation);
 - (c) section 57 (possession of article for terrorist purposes);
 - (d) section 59 (inciting terrorism overseas) if the offender is liable on conviction on indictment to imprisonment for life.

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I7 Sch. 14 para. 7 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Anti-terrorism Crime and Security Act 2001

- 8 An offence under any of the following provisions of the Anti-terrorism, Crime and Security Act 2001—
- (a) section 47 (use etc of nuclear weapons);
 - (b) section 50 (assisting or inducing certain weapons-related acts overseas);
 - (c) section 113 (use of noxious substance or thing to cause harm or intimidate).

Commencement Information

I8 Sch. 14 para. 8 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Sexual Offences Act 2003

- 9 An offence under any of the provisions of the Sexual Offences Act 2003 listed in column 1 of the following table that meets the condition (if any) listed in relation to it in column 2—

<i>Provision of the Sexual Offences Act 2003</i>	<i>Condition</i>
(a) Section 1 (rape)	
(b) Section 2 (assault by penetration)	
(c) Section 4 (causing a person to engage in sexual activity without consent)	The offender is liable on conviction on indictment to imprisonment for life
(d) Section 5 (rape of a child under 13)	
(e) Section 6 (assault of a child under 13 by penetration)	
(f) Section 7 (sexual assault of a child under 13)	
(g) Section 8 (causing or inciting a child under 13 to engage in sexual activity)	
(h) Section 9 (sexual activity with a child)	
(i) Section 10 (causing or inciting a child to engage in sexual activity)	
(j) Section 11 (engaging in sexual activity in the presence of a child)	
(k) Section 12 (causing a child to watch a sexual act)	
(l) Section 14 (arranging or facilitating commission of a child sex offence)	

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| (m) Section 15 (meeting a child following sexual grooming etc) | |
| (n) Section 25 (sexual activity with a child family member) | The offender is aged 18 or over at the time of the offence |
| (o) Section 26 (inciting a child family member to engage in sexual activity) | The offender is aged 18 or over at the time of the offence |
| (p) Section 30 (sexual activity with a person with a mental disorder impeding choice) | The offender is liable on conviction on indictment to imprisonment for life |
| (q) Section 31 (causing or inciting a person with a mental disorder to engage in sexual activity) | The offender is liable on conviction on indictment to imprisonment for life |
| (r) Section 34 (inducement, threat or deception to procure sexual activity with a person with a mental disorder) | The offender is liable on conviction on indictment to imprisonment for life |
| (s) Section 35 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement etc) | The offender is liable on conviction on indictment to imprisonment for life |
| (t) Section 47 (paying for sexual services of a child) | The offence is against a person aged under 16 |
| (u) Section 48 (causing or inciting sexual exploitation of a child) | |
| (v) Section 49 (controlling a child in relation to sexual exploitation) | |
| (w) Section 50 (arranging or facilitating sexual exploitation of a child) | |
| (x) Section 62 (committing an offence with intent to commit a sexual offence) | The offender is liable on conviction on indictment to imprisonment for life. |

Commencement Information

I9 Sch. 14 para. 9 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Domestic Violence, Crime and Victims Act 2004

- 10 An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing the death of a child or vulnerable adult).

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I10 Sch. 14 para. 10 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

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Terrorism Act 2006

- 11 An offence under any of the following provisions of the Terrorism Act 2006—
- (a) section 5 (preparation of terrorist acts);
 - (b) section 6 (training for terrorism);
 - (c) section 9 (making or possession of radioactive device or materials);
 - (d) section 10 (misuse of radioactive devices or material and misuse and damage of facilities);
 - (e) section 11 (terrorist threats relating to radioactive devices, materials or facilities).

Commencement Information

I11 Sch. 14 para. 11 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Modern Slavery Act 2015

- 12 An offence under either of the following provisions of the Modern Slavery Act 2015—
- (a) section 1 (slavery, servitude and forced or compulsory labour);
 - (b) section 2 (human trafficking).

Commencement Information

I12 Sch. 14 para. 12 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Murder

- 13 Murder.

Commencement Information

I13 Sch. 14 para. 13 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Inchoate offences

- 14 An inchoate offence (see section 398) in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule.

Commencement Information

I14 Sch. 14 para. 14 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Abolished offences

- 15 Any offence that—
- (a) was abolished (with or without savings) before 3 December 2012, and

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- (b) would, if committed on the day on which the offender is convicted of the offence referred to in section 267(1)(a) or 280(1)(a) (as appropriate), have constituted an offence specified in any of the preceding paragraphs in this Part of this Schedule.

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I15 Sch. 14 para. 15 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

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