

## SCHEDULES

### SCHEDULE 9

#### OFFENCES FOR PURPOSES OF PART 5

#### PART 2

#### STATUTORY OFFENCES

##### *Offences against the Person Act 1861*

- 23 An offence under any of the following provisions of the Offences against the Person Act 1861—
- (a) section 4 (soliciting murder);
  - (b) section 16 (threats to kill);
  - (c) section 18 (wounding with intent);
  - (d) section 20 (inflicting bodily injury, with or without weapon);
  - (e) section 21 (attempting to choke etc in order to commit any indictable offence);
  - (f) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);
  - (g) section 28 (causing bodily injury by explosives);
  - (h) section 29 (using explosives etc with intent to do grievous bodily harm);
  - (i) section 30 (placing explosives with intent to do bodily injury);
  - (j) section 35 (drivers of carriages injuring persons by furious driving);
  - (k) section 42 (common assault or battery);
  - (l) section 47 (assault occasioning bodily harm).

##### *Explosive Substances Act 1883*

- 24 An offence under either 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).

##### *Theft Act 1968*

- 25 An offence under any of the following provisions of the Theft Act 1968—
- (a) section 9, where the offence is burglary with intent to—
    - (i) inflict grievous bodily harm on a person, or
    - (ii) do unlawful damage to a building or anything in it;
  - (b) section 10 (aggravated burglary);

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- (c) section 12A (aggravated vehicle-taking);
- (d) section 21 (blackmail).

*Theft Act (Northern Ireland) 1969*

- 26 An offence under any of the following provisions of the Theft Act (Northern Ireland) 1969—
- (a) section 9, where the offence is burglary with intent to—
    - (i) inflict grievous bodily harm on a person, or
    - (ii) do unlawful damage to a building or anything in it;
  - (b) section 10 (aggravated burglary);
  - (c) section 20 (blackmail).

*Criminal Damage Act 1971*

- 27 An offence under any of the following provisions of the Criminal Damage Act 1971—
- (a) section 1(1) (destroying or damaging property);
  - (b) section 1(2) (destroying or damaging property intending, or being reckless as to, endangerment of life);
  - (c) section 1(3) (arson);
  - (d) section 2 (threats to destroy or damage property).

*Protection from Eviction Act 1977*

- 28 An offence under section 1 of the Protection from Eviction Act 1977 (unlawful eviction and harassment of occupier).

*Criminal Law Act 1977*

- 29 An offence under either of the following provisions of the Criminal Law Act 1977—
- (a) section 6 (violence for securing entry);
  - (b) section 51 (bomb hoaxes).

*Criminal Damage (Northern Ireland) Order 1977*

- 30 An offence under any of the following provisions of the Criminal Damage (Northern Ireland) Order 1977—
- (a) article 3(1) (destroying or damaging property);
  - (b) article 3(2) (destroying or damaging property intending, or being reckless as to, endangerment of life);
  - (c) article 3(3) (arson);
  - (d) article 4 (threats to destroy or damage property).

*Rent (Northern Ireland) Order 1978*

- 31 An offence under article 54 of the Rent (Northern Ireland) Order 1978 (unlawful eviction and harassment of occupier).

*Road Traffic (Northern Ireland) Order 1981*

- 32 An offence under article 172A or 172B of the Road Traffic (Northern Ireland) Order 1981 (aggravated vehicle taking).

*Taking of Hostages Act 1982*

- 33 An offence under section 1 of the Taking of Hostages Act 1982 (hostage taking).

*Rent (Scotland) Act 1984*

- 34 An offence under section 22 of the Rent (Scotland) Act 1984 (unlawful eviction and harassment of occupier).

*Public Order Act 1986*

- 35 An offence under any of the following provisions of the Public Order Act 1986—
- (a) section 1 (riot);
  - (b) section 2 (violent disorder);
  - (c) section 3 (affray);
  - (d) section 4 (using threatening or abusive words or behaviour etc with intent to cause fear of violence etc);
  - (e) section 4A (intentional harassment, alarm or distress);
  - (f) section 5 (using threatening or abusive words or behaviour within the hearing or sight of someone likely to be caused alarm or distress);
  - (g) section 18 (racial hatred: use of words or behaviour or display of written material);
  - (h) section 19 (racial hatred: publishing or distributing written material);
  - (i) section 20 (racial hatred: public performance of play);
  - (j) section 21 (racial hatred: distributing, showing or playing a recording);
  - (k) section 22 (racial hatred: broadcasting or including programme in programme service);
  - (l) section 29B (religious hatred or hatred on the grounds of sexual orientation: use of words or behaviour or display of written material);
  - (m) section 29C (religious hatred or hatred on the grounds of sexual orientation: publishing or distributing written material);
  - (n) section 29D (religious hatred or hatred on the grounds of sexual orientation: public performance of play);
  - (o) section 29E (religious hatred or hatred on the grounds of sexual orientation: distributing, showing or playing a recording);
  - (p) section 29F (religious hatred or hatred on the grounds of sexual orientation: broadcasting or including programme in programme service).

*Public Order (Northern Ireland) Order 1987*

- 36 An offence under any of the following provisions of the Public Order (Northern Ireland) Order 1987—
- (a) article 9 (racial hatred: use of words or behaviour or display of written material);
  - (b) article 10 (racial hatred: publishing or distributing written material);

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- (c) article 11 (racial hatred: distributing, showing or playing a recording);
- (d) article 12 (racial hatred: broadcasting or including programme in programme service);
- (e) article 18(1)(a) (disorderly behaviour);
- (f) article 18(1)(b) (breach of the peace);
- (g) article 18(3) (riotous behaviour).

*Criminal Justice Act 1988*

- 37 An offence under either of the following provisions of the Criminal Justice Act 1988—
- (a) section 39(1) (common assault or battery);
  - (b) section 134 (torture).

*Malicious Communications Act 1988*

- 38 An offence under section 1 of the Malicious Communications Act 1988 (sending communications with intent to cause distress or anxiety).

*Malicious Communications (Northern Ireland) Order 1988*

- 39 An offence under article 3 of the Malicious Communications (Northern Ireland) Order 1988 (sending communications with intent to cause distress or anxiety).

*Trade Union and Labour Relations (Consolidation) Act 1992*

- 40 An offence under section 241 of the Trade Union and Labour Relations (Consolidation) Act 1992 (intimidation or annoyance by violence or otherwise).

*Criminal Justice and Public Order Act 1994*

- 41 An offence under section 68 of the Criminal Justice and Public Order Act 1994 (aggravated trespass).

*Criminal Law (Consolidation) (Scotland) Act 1995*

- 42 An offence under either of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995—
- (a) section 50A (racially aggravated harassment);
  - (b) section 52 (vandalism).

*Protection from Harassment Act 1997*

- 43 An offence under any of the following provisions of the Protection from Harassment Act 1997—
- (a) section 2 (harassment);
  - (b) section 2A (stalking);
  - (c) section 4 (harassment involving putting a person in fear of violence);
  - (d) section 4A (stalking involving putting a person in fear of violence).

*Protection from Harassment (Northern Ireland) Order 1997*

- 44 An offence under either of the following provisions of the Protection from Harassment (Northern Ireland) Order 1997—
- (a) article 4 (harassment);
  - (b) article 6 (course of conduct involving putting someone in fear of violence).

*Crime and Disorder Act 1998*

- 45 An offence under any of the following provisions of the Crime and Disorder Act 1998—
- (a) section 29 (racially or religiously aggravated assault);
  - (b) section 30 (racially or religiously aggravated criminal damage);
  - (c) section 31 (racially or religiously aggravated offences under section 4, 4A or 5 of the Public Order Act 1986);
  - (d) section 32 (racially or religiously aggravated harassment or stalking).

*Communications Act 2003*

- 46 An offence under section 127 of the Communications Act 2003 (improper use of public electronic communications network).

*Sexual Offences Act 2003*

- 47 An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 1 (rape);
  - (b) section 2 (assault by penetration);
  - (c) section 3 (sexual assault);
  - (d) section 62 (committing an offence with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under section 1, 2, 3 or 66;
  - (e) section 63 (trespass with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under section 1, 2, 3 or 66;
  - (f) section 66 (exposure).

*Sexual Offences (Northern Ireland) Order 2008*

- 48 An offence under any of the following provisions of the Sexual Offences (Northern Ireland) Order 2008—
- (a) article 5 (rape);
  - (b) article 6 (assault by penetration);
  - (c) article 7 (sexual assault);
  - (d) article 66 (committing an offence with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under article 5, 6, 7 or 70;
  - (e) article 67 (trespass with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under article 5, 6, 7 or 70;
  - (f) article 70 (exposure).

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*Sexual Offences (Scotland) Act 2009 (asp 9)*

- 49 An offence under any of the following provisions of the Sexual Offences (Scotland) Act 2009—
- (a) section 1 (rape);
  - (b) section 2 (sexual assault by penetration);
  - (c) section 3 (sexual assault);
  - (d) section 8 (sexual exposure).

*Criminal Justice and Licensing (Scotland) Act 2010 (asp 13)*

- 50 An offence under either of the following provisions of the Criminal Justice and Licensing (Scotland) Act 2010—
- (a) section 38 (threatening or abusive behaviour);
  - (b) section 39 (stalking).

*Serious Crime Act 2015*

- 51 An offence under section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship).

*Hate Crime and Public Order (Scotland) Act 2021 (asp 14)*

- 52 An offence under section 3 of the Hate Crime and Public Order (Scotland) Act 2021 (racially aggravated harassment).