

SCHEDULE

PART I

SPECIFIED OFFENCES

Offences Against Children

- (a) (a) any offence against a child within the meaning of section 26(1) of the 2000 Act; or
- (b) any offence other than an offence referred to in (a) involving bodily injury to, or death of a child; save that

a person is not disqualified under this paragraph in respect of any offence if that person has successfully appealed against the disqualification order (pursuant to section 31 of the 2000 Act) or if the Tribunal has determined (pursuant to section 32 of that Act) that the person in question is no longer to be subject to the disqualification order (unless the High Court has restored the disqualification order pursuant to section 34 of that Act following such a determination).

Other Offences

2. Any offence —

- (a) committed against a person aged 18 or over and mentioned in paragraph 2 of Schedule 4 to the 2000 Act in respect of which a qualifying sentence has been imposed by a senior court; or
- (b) with which a person has been charged, against a person aged 18 or over and mentioned in paragraph 2 of Schedule 4 to the 2000 Act, in respect of which a relevant order has been imposed by a senior court; save that

a person is not disqualified under this paragraph in respect of any offence if that person has successfully appealed against the disqualification order (pursuant to section 31 of the 2000 Act) or if the Tribunal has determined (pursuant to section 32 of that Act) that the person is no longer to be subject to the disqualification order, (unless the High Court has restored the disqualification order pursuant to section 34 of that Act following such a determination), and further a person ceases to be disqualified under this paragraph where the rehabilitation period applicable to the conviction under the Rehabilitation of Offenders Act 1974 has expired.

3. An offence under any of the following —

- (a) the Sexual Offences Act 2003(1);
- (b) section 49 or 50(9) of the Act (offences relating to the abduction of a child in care);
- (c) section 70 of the Act, section 16 of the Foster Children Act 1980(2), or section 14 of the Children Act 1958(3) (offences relating to private fostering);
- (d) sections 78C, 79D, 79E and 79F of the Act (offences relating to child minding and day care); or
- (e) paragraph 1(5) of Schedule 5 to, section 63(10) of, or paragraph 2(3) of Schedule 6 to, the Act (offences relating to voluntary homes and children's homes)(4).

(1) 2003 c. 42.

(2) 1980 c. 6. This provision was repealed by the Children Act 1989.

(3) 1958 c. 65. This provision was repealed by the Foster Children Act 1980.

(4) These provisions were repealed by the Care Standards Act 2000 with effect from 1st April 2002 (S.I.2001/3852).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

- (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).

Offences in Scotland

- 5. An offence of rape.
- 6. An offence specified in Schedule 1 to the Criminal Procedure (Scotland) Act 1995(5).
- 7. The common law offence of plagium (theft of a child below the age of puberty).
- 8. An offence under section 52 or 52A of the Civic Government (Scotland) Act 1982 (offences relating to indecent photographs of children)(6).
- 9. An offence under section 3 of the Sexual Offences (Amendment) Act 2000(7) (abuse of trust).
- 10. An offence under any of the following —
 - (a) section 81, 83 or 89 of the Children (Scotland) Act 1995(8) or section 17(8) or 71 of the Social Work (Scotland) Act 1968(9) (harbouring offences);
 - (b) section 6 of the Child Abduction Act 1984 (taking or sending child out of United Kingdom)(10);
 - (c) sections 78, 79D, 79E and 79F of the Act (offences relating to child minding and day care); or
 - (d) section 15 of the Foster Children (Scotland) Act 1984(11) (offences relating to private fostering).
- 11. 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).
- 12. 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(12) —
 - (a) section 21 (offences relating to registration);
 - (b) section 22 (false statements in applications); or
 - (c) section 29(10) (offences in regulations).

Offences in Northern Ireland

13. An offence specified in the Schedule to the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003(13).

(5) 1995 c. 46.

(6) 1982 c. 45. Section 52A was inserted by section 161 of the Criminal Justice Act 1988 (c. 33).

(7) 2000 c. 44.

(8) 1995 c. 36.

(9) 1968.c.49. Sections 17(8) and 71 of the 1968 Act were repealed by the Children (Scotland) Act 1995.

(10) 1984 c. 37.

(11) 1984 c. 56.

(12) 2001 asp.8.

(13) S.I.2003/417 (N.I. 4).

14. An offence under any of the following —

- (a) article 68 or 69(9) of the Children (Northern Ireland) Order 1995 (offences relating to the abduction of a child in care)(**14**);
- (b) article 132 of the Children (Northern Ireland) Order 1995, or section 14 of the Children and Young Persons Act (Northern Ireland) 1968 (offences relating to child minding and day care)(**15**);
- (c) 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); or
- (d) 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).

Offences in the Channel Islands

15. An offence contrary to —

- (a) Part 7 of the Children's Jersey Law 1969(**16**); or
- (b) the Day Care of Children (Jersey) Law 2002(**17**).

16. An offence contrary to —

- (a) the 'Loi pour la Puniton d'inceste' (Law for the Punishment of Incest) 1909(**18**);
- (b) the 'Loi Relative a la Protection des Femmes et des Filles Mineures' (Law for the Protection of Women and Young Girls) 1914(**19**);
- (c) the 'Loi relative a la Sodomie' (Law relating to Sodomy) 1929(**20**);
- (d) article 7, 9, 10, 11 or 12, section 1 of article 41 or section 1, 2, 3 or 4 of article 51 of the 'Loi ayant rapport a la protection des Enfants et des Jeunes Personnes' (Law relating to the protection of Children and Young Persons) 1917(**21**);
- (e) the Children and Young Persons (Guernsey) Law 1967(**22**); or
- (f) the Protection of Children (Bailiwick of Guernsey) Law 1985(**23**).

Offences in the Isle of Man

17. An offence specified in Schedule 8 to the Children and Young Persons Act 2001 (an Act of Tynwald)(**24**).

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

(15) 1968 c.

(16) Jersey Law 16/1969.

(17) Jersey Law 51/2002

(18) Orders in Council Vol IV p.288.

(19) Orders in Council Vol V p.74

(20) Orders in Council Vol VIII p.273

(21) Orders in Council Vol V p.342 as amended by Loi Supplémentaire a la Loi ayant rapport a la Protection des Enfants et des Jeunes Personnes 1937, Orders in Council Vol XI p.116 and the Protection of Children and Young Persons (Amendment) Law 1955, Orders in Council Vol XVI p.277.

(22) Order in Council 1 of 1967.

(23) Orders in Council Vol XXIX as amended by The Administration of Justice (Bailiwick of Guernsey) (Law) 1985 Order in Council 1 of 1991.

(24) 2001 c. 20 (Isle of Man).

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Other Offences

18. An offence contrary to section 170 of the Customs and Excise Management Act 1979⁽²⁵⁾ in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (prohibitions and restrictions)⁽²⁶⁾ where the prohibited goods included indecent photographs of children under the age of 16.

19. An offence by virtue of —

- (a) section 7 of the Sex Offenders Act 1997 (extension of jurisdiction: England and Wales and Northern Ireland)⁽²⁷⁾; or
- (b) section 16B of the Criminal Law (Consolidation) (Scotland) Act 1995 (commission of certain sexual offences outside the United Kingdom)⁽²⁸⁾.

20. An offence contrary to section 32(3) of the Children and Young Persons Act 1969 (detention of absentees).

⁽²⁵⁾ 1979 c. 2.
⁽²⁶⁾ 1876 c. 36.
⁽²⁷⁾ 1997 c. 51.
⁽²⁸⁾ 1995 c. 39.