

SCHEDULES

SCHEDULE 1

Article 12(1).

SERIOUS OFFENCES

1. Manslaughter.
2. Rape.
3. Kidnapping.
4. Riot.
5. Affray.
6. False imprisonment.

The Offences against the Person Act 1861 (c. 100)

7. An offence under—
 - section 4 (soliciting murder),
 - section 16 (threats to kill),
 - section 18 (wounding with intent to cause grievous bodily harm),
 - section 21 (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence),
 - section 22 (using chloroform etc. to commit or assist in the committing of any indictable offence),
 - section 23 (maliciously administering poison etc. so as to endanger life or inflict grievous bodily harm),
 - section 28 (causing bodily injury by explosives),
 - section 29 (using explosives etc. with intent to do grievous bodily harm),
 - section 30 (placing explosives with intent to do bodily injury),
 - section 32 (endangering the safety of railway passengers),
 - section 52 (indecent assault upon a female),
 - section 53 (abduction of woman etc.), or
 - section 54 (abduction of woman by force).

The Explosive Substances Act 1883 (c. 3)

8. An offence under—
 - section 2 (causing explosion likely to endanger life or property),
 - section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property), or
 - section 4 (possession of explosives in suspicious circumstances).

The Criminal Law Amendment Act 1885 (c. 69)

9. An offence under section 4 of attempted intercourse with girl under 14.

The Infanticide Act (Northern Ireland) 1939 (c. 5)

10. An offence under section 1 (infanticide).

The Criminal Justice Act (Northern Ireland) 1945 (c. 15)

11. An offence under section 25 (child destruction).

The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)

12. An offence under—
section 20 (cruelty to children), or
section 22 (indecent conduct towards child).

The Theft Act (Northern Ireland) 1969 (c. 16)

13. An offence under section 8 (robbery or assault with intent to rob).
14. An offence under section 9 of burglary with intent to—
(a) inflict grievous bodily harm on a person,
(b) commit rape; or
(c) do unlawful damage to a building or anything in it.
15. An offence under section 10 (aggravated burglary).

^{F1}*The Criminal Jurisdiction Act 1975 (c. 59)*

Annotations:

Amendments (Textual)

- F1** Sch. 1 para. 15A and preceding cross-heading inserted (5.5.2011) by [Justice Act \(Northern Ireland\) 2011 \(c. 24\)](#), **ss. 57(1)(a)(2)**, **111(1)(b)** (with s. 106(4), Sch. 6 para. 6)

- 15A. An offence under section 2 (hi-jacking of vehicles or ships).]

The Criminal Damage (Northern Ireland) Order 1977 (NI 4)

16. An offence of arson under Article 3.
17. An offence under Article 3(2) (destroying or damaging property) other than offence of arson.

The Protection of Children (Northern Ireland) Order 1978 (NI 17)

18. An offence under Article 3 (indecent photographs of children).

The Road Traffic (Northern Ireland) Order 1981 (NI 1)

19. An offence under Article 172B (aggravated vehicle-taking causing death or grievous bodily injury).

The Taking of Hostages Act 1982 (c. 28)

20. An offence under section 1 (hostage-taking).

The Aviation Security Act 1982 (c. 36)

21. An offence under—
section 1 (hijacking),
section 2 (destroying, damaging or endangering safety of aircraft), or
section 3 (other acts endangering or likely to endanger safety of aircraft).

The Criminal Justice Act 1988 (c. 33)

22. An offence under section 134 (torture).

The Aviation and Maritime Security Act 1990 (c. 31)

23. An offence under—
section 1 (endangering safety at aerodromes)
section 9 (hijacking of ships),
section 10 (seizing or exercising control of fixed platforms),
section 11 (destroying fixed platforms or endangering their safety),
section 12 (other acts endangering or likely to endanger safe navigation), or
section 13 (offences involving threats).

The Channel Tunnel (Security) Order 1994 (S.I.1994/570)

24. An offence under Part 2 (offences relating to Channel Tunnel trains and the tunnel system).

The Road Traffic (Northern Ireland) Order 1995 (NI 18)

25. An offence under—
Article 9 (causing death or grievous bodily injury by dangerous driving), or
Article 14 (causing death or grievous bodily injury by careless driving when under the influence of drink or drugs).

^[F2]*The Terrorism Act 2000 (c. 11)*

Annotations:

Amendments (Textual)

- F2** Sch. 1 para. 25A and preceding cross-heading inserted (12.1.2010) by Coroners and Justice Act 2009 (c. 25), ss. 139(2), 182(5) (with s. 180, Sch. 22 para. 38); S.I. 2010/28, art. 2(a)

- 25A. An offence under—
section 54 (weapons training),
section 56 (directing terrorist organisation),
section 57 (possession of article for terrorist purposes), or
section 59 (inciting terrorism overseas).]

The International Criminal Court Act 2001 (c. 17)

26. An offence under section 51 or 52 (genocide, crimes against humanity, war crimes and related offences), other than one involving murder.

^{F3}*The Anti-terrorism, Crime and Security Act 2001 (c. 24)*

Annotations:

Amendments (Textual)

- F3** Sch. 1 para. 26A and preceding cross-heading inserted (12.1.2010) by [Coroners and Justice Act 2009](#) (c. 25), **ss. 139(3)**, 182(5) (with s. 180, Sch. 22 para. 38); S.I. 2010/28, **art. 2(a)**

26A. An offence under—

section 47 (use etc of nuclear weapons),
 section 50 (assisting or inducing certain weapons-related acts overseas), or
 section 113 (use of noxious substance or thing to cause harm or intimidate).]

The Female Genital Mutilation Act 2003 (c. 31)

27. An offence under—

section 1 (female genital mutilation),
 section 2 (assisting a girl to mutilate her own genitalia), or
 section 3 (assisting a non-UK person to mutilate overseas a girl's genitalia).

The Sexual Offences Act 2003 (c. 42)

28. An offence under—

section 15 (meeting a child following sexual grooming etc.),
 section 47 (paying for sexual services of a child) where subsection (3) or (4) of that section applies,
 section 48 (causing or inciting child prostitution or pornography),
 section 49 (controlling a child prostitute or a child involved in pornography),
 section 50 (arranging or facilitating child prostitution or pornography),
 section 57 (trafficking into the UK for sexual exploitation),
 section 58 (trafficking within the UK for sexual exploitation), or
 section 59 (trafficking out of the UK for sexual exploitation).

The Criminal Justice (Northern Ireland) Order 2003 (NI 13)

29. An offence under—

Article 20 (assault with intent to commit buggery), or
 Article 21 (indecent assault on a male).

The Domestic Violence, Crime and Victims Act 2004 (c. 28)

30. An offence under section 5 (causing or allowing the death of a child or vulnerable adult).

The Firearms (Northern Ireland) Order 2004 (NI 3)

31. An offence under—

Article 58 (possession with intent),
 Article 59 (use of firearm to resist arrest),
 Article 60 (carrying firearm with criminal intent),
 Article 64 (possession of a firearm or ammunition in suspicious circumstances).

[^{F4}The Terrorism Act 2006 (c. 11)

Annotations:

Amendments (Textual)

- F4** Sch. 1 para. 31ZA and preceding cross-heading inserted (12.1.2010) by Coroners and Justice Act 2009 (c. 25), ss. 139(4), 182(5) (with s. 180, Sch. 22 para. 38); S.I. 2010/28, art. 2(a)

31ZA. An offence under—

- section 5 (preparation of terrorist acts),
- section 6 (training for terrorism),
- section 9 (making or possession of radioactive device or material),
- section 10 (use of radioactive device or material for terrorist purposes etc), or
- section 11 (terrorist threats relating to radioactive devices etc).]

[^{F5}The Sexual Offences (Northern Ireland) Order 2008 (NI 2)

Annotations:

Amendments (Textual)

- F5** Sch. 1 para. 31A and preceding cross-heading inserted (2.2.2009) by Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2)), arts. 1(3), 81, Sch. 1 para. 35(2); S.R. 2008/510, art. 2

31A. An offence under—

- Article 5 (rape),
- Article 6 (assault by penetration),
- Article 7 (sexual assault),
- Article 8 (causing a person to engage in sexual activity without consent),
- Article 12 (rape of a child under 13),
- Article 13 (assault of a child under 13 by penetration),
- Article 14 (sexual assault of a child under 13),
- Article 15 (causing or inciting a child under 13 to engage in sexual activity),
- Article 16 (sexual activity with a child),
- Article 17 (causing or inciting a child to engage in sexual activity),
- Article 18 (engaging in sexual activity in the presence of a child),
- Article 19 (causing a child to watch a sexual act),
- Article 21 (arranging or facilitating commission of a sexual offence against a child),
- Article 22 (meeting a child following sexual grooming etc.),
- Article 32 (sexual activity with a child family member) where paragraph (4) of that Article applies,
- Article 33 (inciting a child family member to engage in sexual activity) where paragraph (4) of that Article applies,
- Article 37 (paying for sexual services of a child) where paragraph (3) or (4) of that Article applies,

- Article 38 (causing or inciting child prostitution or pornography),
- Article 39 (controlling a child prostitute or a child involved in pornography),
- Article 40 (arranging or facilitating child prostitution or pornography),
- Article 43 (sexual activity with a person with a mental disorder impeding choice),
- Article 44 (causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity),
- Article 45 (engaging in sexual activity in the presence of a person with a mental disorder impeding choice),
- Article 46 (causing a person, with a mental disorder impeding choice, to watch a sexual act),
- Article 47 (inducement, threat or deception to procure sexual activity with a person with a mental disorder),
- Article 48 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception),
- Article 49 (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder),
- Article 50 (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception),
- Article 51 (care workers: sexual activity with a person with a mental disorder),
- Article 52 (care workers: causing or inciting sexual activity),
- Article 62 (causing or inciting prostitution for gain),
- Article 63 (controlling prostitution for gain),
- Article 65 (administering a substance with intent),
- Article 66 (committing an offence with intent to commit a sexual offence),
- Article 67 (trespass with intent to commit a sexual offence).]

Other offences

- 32.** An offence of—
 - (a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this Schedule,
 - (b) conspiring to commit an offence so specified,
 - (c) attempting to commit an offence so specified.
- 34.** An offence under Part 2 of the Serious Crime Act 2007 (c. 27) (encouraging or assisting crime) in relation to an offence specified in this Schedule.
- 35.** An attempt to commit murder or a conspiracy to commit murder.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Criminal Justice (Northern Ireland) Order 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- Sch. 1 para. 31A and cross-heading inserted by 2015 c. 2 (N.I.) s. 5(2)
- Sch. 1 para. 28 word repealed by 2013 c. 7 (N.I.) Sch. 4 Pt. 2
- Sch. 1 para. 28 words inserted by 2013 c. 7 (N.I.) s. 6(3)(a)
- Sch. 1 para. 28 words repealed by 2015 c. 2 (N.I.) Sch. 5

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 Pt. 2 para. 13 words inserted by 2013 c. 7 (N.I.) s. 6(3)(b)
- Sch. 2 Pt. 2 para. 13 words repealed by 2015 c. 2 (N.I.) Sch. 5
- Sch. 3 para. 5(5) inserted by 2016 c. 21 (N.I.) s. 32(2)
- Sch. 3 para. 6(1A) inserted by 2016 c. 21 (N.I.) s. 32(3)
- art. 4(2)(e) added by 2015 c. 2 (N.I.) s. 7(8)(a)
- art. 5(1)(b)(iv) and word added by 2015 c. 2 (N.I.) s. 7(8)(b)
- art. 7(3)(c) added by 2015 c. 2 (N.I.) s. 7(8)(c)
- art. 19(1A) inserted by 2015 c. 9 (N.I.) s. 82
- art. 45(1A) inserted by 2011 c. 24 (N.I.) s. 58(2)
- art. 50(2A) inserted by 2015 c. 9 (N.I.) s. 48(3)
- art. 70(2)(aa) inserted by 2014 c. 9 (N.I.) Sch. para. 4(2)
- art. 70(7)(8) inserted by 2014 c. 9 (N.I.) Sch. para. 4(3)
- art. 79(3)(aa) inserted by 2015 c. 9 (N.I.) s. 54(3)
- art. 100(3A) inserted by 2016 c. 21 (N.I.) s. 29(10)(b)

Commencement Orders yet to be applied to the The Criminal Justice (Northern Ireland) Order 2008

Commencement Orders bringing legislation that affects this Order into force:

- S.R. 2015/193 art. 2 commences (2014 c. 11 (N.I.))
- S.R. 2016/387 art. 2 commences (2015 c. 9 (N.I.))