



Criminal Attempts Act 1981

1981 CHAPTER 47

PART I

ATTEMPTS ETC.

Attempt

1 Attempting to commit an offence.

(1) If, with intent to commit an offence to which this section applies, a person does an act which is more than merely preparatory to the commission of the offence, he is guilty of attempting to commit the offence.

[^{F1}(1A) Subject to section 8 of the Computer Misuse Act 1990 (relevance of external law), if this subsection applies to an act, what the person doing it had in view shall be treated as an offence to which this section applies.

(1B) Subsection (1A) above applies to an act if—

- (a) it is done in England and Wales; and
- (b) it would fall within subsection (1) above as more than merely preparatory to the commission of an offence under section 3 of the Computer Misuse Act 1990 but for the fact that the offence, if completed, would not be an offence triable in England and Wales.]

(2) A person may be guilty of attempting to commit an offence to which this section applies even though the facts are such that the commission of the offence is impossible.

(3) In any case where—

- (a) apart from this subsection a person's intention would not be regarded as having amounted to an intent to commit an offence; but
- (b) if the facts of the case had been as he believed them to be, his intention would be so regarded,

then, for the purposes of subsection (1) above, he shall be regarded as having had an intent to commit that offence.

Changes to legislation: There are currently no known outstanding effects for the Criminal Attempts Act 1981, Section 1. (See end of Document for details)

- (4) This section applies to any offence which, if it were completed, would be triable in England and Wales as an indictable offence, other than—
- (a) conspiracy (at common law or under section 1 of the ^{M1}Criminal Law Act 1977 or any other enactment);
 - (b) aiding, abetting, counselling, procuring or suborning the commission of an offence;
 - [^{F2}(ba) an offence under section 2(1) of the Suicide Act 1961 (c. 60) (encouraging or assisting suicide);]
 - (c) offences under section 4(1) (assisting offenders) or 5(1) (accepting or agreeing to accept consideration for not disclosing information about an arrestable offence) of the ^{M2}Criminal Law Act 1967;
 - [^{F3}(d) an offence under section 184(1) of the Online Safety Act 2023 (encouraging or assisting serious self-harm).]
- [^{F4}(5) This section also applies to low-value shoplifting (which is defined in, and is triable only summarily by virtue of, section 22A of the Magistrates' Courts Act 1980).]

Textual Amendments

- F1** S. 1(1A)(1B) inserted by [Computer Misuse Act 1990 \(c. 18, SIF 39:1\)](#), **s. 7(3)**
- F2** S. 1(4)(ba) inserted (1.2.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(5), **Sch. 21 para. 58** (with s. 180); S.I. 2010/145, art. 2(2), Sch. para. 25(a)
- F3** S. 1(4)(d) inserted (31.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), s. 240(1), **Sch. 14 para. 9**; S.I. 2024/31, reg. 2
- F4** S. 1(5) inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), **ss. 176(5)(a), 185(1)** (with ss. 8, 21, 33, 42, 58, 75, 93, 176(8)); S.I. 2014/949, art. 3, Sch. para. 17

Modifications etc. (not altering text)

- C1** S. 1(4) modified (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 42(6), **43(2)**, 47(3), 383(2); S.I. 2009/812, **art. 3(a)(b)**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)

Marginal Citations

- M1** 1977 c. 45.
- M2** 1967 c. 58.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Attempts Act 1981, Section 1.