

**Changes to legislation:** Criminal Justice and Public Order Act 1994, Schedule 7A is up to date with all changes known to be in force on or before 01 September 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## [<sup>F1</sup>SCHEDULE 7A

Section 137B

### OFFENCES SPECIFIED FOR THE PURPOSES OF SECTION 137A

#### Annotations:

#### Amendments (Textual)

- F1** Sch. 7A inserted (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#)
- ,  
s. 183(1)  
(5)(e)
- ,  
[Sch. 15](#)
- ;  
[S.I. 2018/227](#)
- ,  
art. 2(g)

### PART 1

#### OFFENCES UNDER THE LAW OF ENGLAND AND WALES

- 1 Any of the following offences at common law—
  - (a) false imprisonment;
  - (b) kidnapping;
  - (c) indecent exposure;
  - (d) cheating in relation to the public revenue.
- 2 An offence under any of the following provisions of the Offences against the Person Act 1861—
  - (a) section 20 (inflicting bodily injury);
  - (b) section 24 (administering poison etc with intent);
  - (c) section 27 (exposing child whereby life is endangered etc);
  - (d) section 31 (setting spring-guns etc with intent);
  - (e) section 37 (assaulting an officer etc on account of his preserving wreck);
  - (f) section 47 (assault occasioning actual bodily harm).
- 3 (1) An offence under any of the following provisions of the Sexual Offences Act 1956—
  - (a) section 10 (incest by a man);
  - (b) section 11 (incest by a woman);
  - (c) section 30 (man living on the earnings of prostitution);
  - (d) section 31 (woman exercising control over a prostitute);
  - (e) section 33A (keeping a brothel used for prostitution).

(2) An offence under section 12 of that Act (buggery), other than an offence committed by a person where the other person involved in the conduct constituting the offence consented to it and was aged 16 or over.

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- (3) An offence under section 13 of that Act (indecenty between men), where the offence was committed by a man aged 21 or over and the other person involved in the conduct constituting the offence was under the age of 16.
- 4 An offence under section 4 of the Criminal Law Act 1967 (assisting offenders).
- 5 An offence under section 5 of the Sexual Offences Act 1967 (living on the earnings of male prostitution).
- 6 An offence under any of the following provisions of the Firearms Act 1968—
- (a) section 1(1) (possession etc of firearms or ammunition without certificate);
  - (b) section 2(1) (possession etc of shot gun without certificate);
  - (c) section 3(1) (manufacturing, selling etc firearms or ammunition by way of trade or business without being registered as a firearms dealer).
- 7 An offence under section 106A of the Taxes Management Act 1970 (fraudulent evasion of income tax).
- 8 (1) An offence under section 50(2) or (3) of the Customs and Excise Management Act 1979 (improper importation of goods), other than an offence mentioned in subsection (5B) of that section.
- (2) An offence under section 68(2) of that Act (exportation of prohibited or restricted goods).
- (3) An offence under section 170 of that Act (fraudulent evasion of duty etc), other than an offence mentioned in subsection (4B) of that section.
- 9 An offence under section 4 of the Aviation Security Act 1982 (offences in relation to certain dangerous articles).
- 10 An offence under section 127 of the Mental Health Act 1983 (ill-treatment of patients).
- 11 An offence under either of the following provisions of the Child Abduction Act 1984—
- (a) section 1 (abduction of child by parent etc);
  - (b) section 2 (abduction of child by other persons).
- 12 An offence under section 1 of the Prohibition of Female Circumcision Act 1985 (prohibition of female circumcision).
- 13 An offence under either of the following provisions of the Public Order Act 1986—
- (a) section 2 (violent disorder);
  - (b) section 3 (affray).
- 14 An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of a child).
- 15 An offence under section 2 of the Computer Misuse Act 1990 (unauthorised access with intent to commit or facilitate commission of further offences).
- 16 An offence under section 72(1), (3) or (8) of the Value Added Tax Act 1994 (fraudulent evasion of VAT etc).
- 17 An offence under either of the following provisions of the Protection from Harassment Act 1997—
- (a) section 4 (putting people in fear of violence);

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- (b) section 4A (stalking involving fear of violence or serious alarm or distress).
- 18 An offence under section 29(1)(a) or (b) of the Crime and Disorder Act 1998 (certain racially or religiously aggravated assaults).
- 19 An offence under section 38B of the Terrorism Act 2000 (information about acts of terrorism).
- 20 An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (sexual activity with a person aged under 18 in abuse of a position of trust).
- 21 An offence under section 35 of the Tax Credits Act 2002 (tax credit fraud).
- 22 (1) An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 13 (child sex offences committed by children or young persons);
  - (b) section 16 (abuse of position of trust: sexual activity with a child);
  - (c) section 17 (abuse of position of trust: causing or inciting a child to engage in sexual activity);
  - (d) section 18 (abuse of position of trust: sexual activity in the presence of a child);
  - (e) section 19 (abuse of position of trust: causing a child to watch a sexual act);
  - (f) section 40 (care workers: sexual activity in the presence of a person with a mental disorder);
  - (g) section 41 (care workers: causing a person with a mental disorder to watch a sexual act);
  - (h) section 52 (causing or inciting prostitution for gain);
  - (i) section 53 (controlling prostitution for gain).
- (2) An offence under section 25 or 26 of that Act (family child sex offences) where the offence is committed by a person under the age of 18.
- (3) An offence under section 47 of that Act (paying for sexual services of a child), where the offence is committed against a person aged 16 or over.
- 23 An offence under either of the following provisions of the Terrorism Act 2006—
- (a) section 1 (encouragement of terrorism);
  - (b) section 2 (dissemination of terrorist publications).
- 24 An offence under section 45 of the Serious Crime Act 2015 (participating in activities of organised crime group).
- 25 An offence under section 68 of the Policing and Crime Act 2017 (breach of pre-charge bail conditions relating to travel).

## PART 2

### OFFENCES UNDER THE LAW OF SCOTLAND

- 26 Any of the following offences at common law—
- (a) culpable homicide;
  - (b) treason;
  - (c) rape;
  - (d) assault, where the assault results in serious injury or endangers life;
  - (e) assault with intent to rape or ravish;

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- (f) indecent assault;
  - (g) abduction with intent to rape;
  - (h) public indecency;
  - (i) clandestine injury to women;
  - (j) lewd, indecent or libidinous behaviour or practices;
  - (k) sodomy, other than an offence committed by a person where the other person involved in the conduct constituting the offence consented to it and was aged 16 or over;
  - (l) abduction;
  - (m) mobbing;
  - (n) fire-raising;
  - (o) robbery;
  - (p) fraud;
  - (q) extortion;
  - (r) embezzlement;
  - (s) theft;
  - (t) threats;
  - (u) attempting to pervert the course of justice.
- 27 An offence under any of the following provisions of the Firearms Act 1968—
- (a) section 1(1) (possession etc of firearms or ammunition without certificate);
  - (b) section 2(1) (possession etc of shot gun without certificate);
  - (c) section 3(1) (manufacturing, selling etc firearms or ammunition by way of trade or business without being registered as a firearms dealer).
- 28 An offence under section 106A of the Taxes Management Act 1970 (fraudulent evasion of income tax).
- 29 (1) An offence under section 50(2) or (3) of the Customs and Excise Management Act 1979 (improper importation of goods), other than an offence mentioned in subsection (5B) of that section.
- (2) An offence under section 68(2) of that Act (exportation of prohibited or restricted goods).
- (3) An offence under section 170 of that Act (fraudulent evasion of duty etc), other than an offence mentioned in subsection (4B) of that section.
- 30 An offence under section 4 of the Aviation Security Act 1982 (offences in relation to certain dangerous articles).
- 31 An offence under either of the following provisions of the Civic Government (Scotland) Act 1982—
- (a) section 51(2) (publication etc of obscene material);
  - (b) section 52 (taking, distributing etc indecent photographs of children).
- 32 An offence under section 6 of the Child Abduction Act 1984 (parent etc. taking or sending a child out of the United Kingdom).
- 33 An offence under section 1 of the Prohibition of Female Circumcision Act 1985 (prohibition of female circumcision).
- 34 An offence under section 2 of the Computer Misuse Act 1990 (unauthorised access with intent to commit or facilitate commission of further offences).

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- 35 An offence under section 72(1), (3) or (8) of the Value Added Tax Act 1994 (fraudulent evasion of VAT etc).
- 36 An offence under any of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995—
- (a) section 7 (procuring prostitution etc);
  - (b) section 8(3) (unlawful detention of women and girls);
  - (c) section 10 (parents etc encouraging girls under 16 to engage in prostitution etc);
  - (d) section 11(1)(b) (males soliciting etc for immoral purposes).
- 37 An offence under section 38B of the Terrorism Act 2000 (information about acts of terrorism).
- 38 An offence under section 35 of the Tax Credits Act 2002 (tax credit fraud).
- 39 An offence under section 313 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (persons providing care services: sexual offences).
- 40 An offence under either of the following provisions of the Terrorism Act 2006—
- (a) section 1 (encouragement of terrorism);
  - (b) section 2 (dissemination of terrorist publications).
- 41 Any of the following offences under the Sexual Offences (Scotland) Act 2009—
- (a) section 8 (sexual exposure);
  - (b) section 9 (voyeurism);
  - (c) section 11 (administering a substance for sexual purposes);
  - (d) section 32 (causing an older child to be present during a sexual activity);
  - (e) section 33 (causing an older child to look at a sexual image);
  - (f) section 34(1) (communicating indecently with an older child);
  - (g) section 34(2) (causing an older child to see or hear an indecent communication);
  - (h) section 35 (sexual exposure to an older child);
  - (i) section 36 (voyeurism towards an older child);
  - (j) section 42 (sexual abuse of trust);
  - (k) section 46 (sexual abuse of trust of a mentally disordered person).
- 42 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).
- 43 An offence under section 2 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (disclosing etc an intimate photograph or film).

### PART 3

#### OFFENCES UNDER THE LAW OF NORTHERN IRELAND

- 44 Any of the following offences at common law—
- (a) false imprisonment;
  - (b) kidnapping;
  - (c) riot;

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- (d) affray;
  - (e) indecent exposure;
  - (f) cheating in relation to the public revenue.
- 45 An offence under any of the following provisions of the Offences against the Person Act 1861—
- (a) section 20 (inflicting bodily injury);
  - (b) section 24 (administering poison etc with intent);
  - (c) section 27 (exposing child whereby life is endangered etc);
  - (d) section 31 (setting spring-guns etc with intent);
  - (e) section 37 (assaulting an officer etc on account of his preserving wreck);
  - (f) section 47 (assault occasioning actual bodily harm).
- 46 An offence under section 11 of the Criminal Law Amendment Act 1885 (indecenty between men), where the offence was committed by a man aged 21 or over and the other person involved in the conduct constituting the offence was under the age of 16.
- 47 An offence under either of the following provisions of the Punishment of Incest Act 1908—
- (a) section 1 (incest by a man);
  - (b) section 2 (incest by a woman).
- 48 An offence under section 4 of the Criminal Law Act (Northern Ireland) 1967 (assisting offenders).
- 49 An offence under section 106A of the Taxes Management Act 1970 (fraudulent evasion of income tax).
- 50 (1) An offence under section 50(2) or (3) of the Customs and Excise Management Act 1979 (improper importation of goods), other than an offence mentioned in subsection (5B) of that section.
- (2) An offence under section 68(2) of that Act (exportation of prohibited or restricted goods).
- (3) An offence under section 170 of that Act (fraudulent evasion of duty etc), other than an offence mentioned in subsection (4B) of that section.
- 51 An offence under section 4 of the Aviation Security Act 1982 (offences in relation to certain dangerous articles).
- 52 An offence under Article 8 of the Homosexual Offences (Northern Ireland) Order 1982 ([S.I. 1982/1536 \(N.I. 19\)](#)) (living on the earnings of male prostitution).
- 53 An offence under section 1 of the Prohibition of Female Circumcision Act 1985 (prohibition of female circumcision).
- 54 An offence under either of the following provisions of the Child Abduction (Northern Ireland) Order 1985 ([S.I. 1985/1638 \(N.I. 17\)](#))—
- (a) Article 3 (abduction of child by parent etc);
  - (b) Article 4 (abduction of child by other persons).

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- 55 An offence under Article 121 of the Mental Health (Northern Ireland) Order 1986 ([S.I. 1986/595 \(N.I. 4\)](#)) (ill-treatment of patients).
- 56 An offence under Article 15 of the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 ([S.I. 1988/1847 \(N.I. 17\)](#)) (possession of indecent photograph of a child).
- 57 An offence under section 2 of the Computer Misuse Act 1990 (unauthorised access with intent to commit or facilitate commission of further offences).
- 58 An offence under section 72(1), (3) or (8) of the Value Added Tax Act 1994 (fraudulent evasion of VATetc).
- 59 An offence under Article 6 of the Protection from Harassment (Northern Ireland) Order 1997 ([S.I. 1997/1180 \(N.I. 9\)](#)) (putting people in fear of violence).
- 60 An offence under section 38B of the Terrorism Act 2000 (information about acts of terrorism).
- 61 An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (sexual activity with a person aged under 18 in abuse of a position of trust).
- 62 An offence under section 35 of the Tax Credits Act 2002 (tax credit fraud).
- 63 An offence under section 53 of the Sexual Offences Act 2003 (controlling prostitution for gain).
- 64 An offence under any of the following provisions of the Firearms (Northern Ireland) Order 2004 ([S.I. 2004/702 \(N.I. 3\)](#))—
- (a) Article 3(1)(b) (possession etc of firearms other than handguns without certificate);
  - (b) Article 3(2) (possession etc of ammunition without certificate);
  - (c) Article 24(1) (manufacturing, selling etc firearms or ammunition by way of trade or business without being registered as a firearms dealer).
- 65 An offence under either of the following provisions of the Terrorism Act 2006—
- (a) section 1 (encouragement of terrorism);
  - (b) section 2 (dissemination of terrorist publications).
- 66 (1) An offence under any of the following provisions of the Sexual Offences (Northern Ireland) Order 2008 ([S.I. 2008/1769 \(N.I. 2\)](#))—
- (a) Article 20 (child sex offences committed by children or young persons);
  - (b) Article 23 (abuse of position of trust: sexual activity with a child);
  - (c) Article 24 (abuse of position of trust: causing or inciting a child to engage in sexual activity);
  - (d) Article 25 (abuse of position of trust: sexual activity in the presence of a child);
  - (e) Article 51 (care workers: sexual activity with a person with a mental disorder);

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- (f) Article 53 (care workers: sexual activity in the presence of a person with a mental disorder);
  - (g) Article 62 (causing or inciting prostitution for gain);
  - (h) Article 63 (controlling prostitution for gain);
  - (i) Article 64 (keeping a brothel used for prostitution).
- (2) An offence under Article 32 or 33 of that Order (family child sex offences) where the offence is committed by a person under the age of 18.
- (3) An offence under Article 37 of that Order (paying for sexual services of a child), where the offence is committed against a person aged 16 or over.
- 67 An offence under section 68 of the Policing and Crime Act 2017 (breach of pre-charge bail conditions relating to travel).]



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

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

- s. 51(10)(a) (ia) inserted by  
2003 c. 44  
Sch. 36  
para. 11(3)