

**Changes to legislation:** Youth Justice and Criminal Evidence Act 1999, SCHEDULE 1A is up to date with all changes known to be in force on or before 14 October 2023. 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) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1A

#### RELEVANT OFFENCES FOR THE PURPOSES OF SECTION 17

##### Textual Amendments

- F1** Sch. 1A inserted (27.6.2011) by Coroners and Justice Act 2009 (c. 25), ss. 99(4), 182(5), **Sch. 14** (with s. 180, Sch. 22 paras. 23, 24); S.I. 2011/1452, art. 2(a)

##### *Murder and manslaughter*

- 1 Murder in a case where it is alleged that a firearm or knife was used to cause the death in question.
- 2 Manslaughter in a case where it is alleged that a firearm or knife was used to cause the death in question.
- 3 Murder or manslaughter in a case (other than a case falling within paragraph 1 or 2) where it is alleged that—
  - (a) the accused was carrying a firearm or knife at any time during the commission of the offence, and
  - (b) a person other than the accused knew or believed at any time during the commission of the offence that the accused was carrying a firearm or knife.

##### *Offences against the Person Act 1861 (c. 100)*

- 4 An offence under section 18 of the Offences against the Person Act 1861 (wounding with intent to cause grievous bodily harm etc) in a case where it is alleged that a firearm or knife was used to cause the wound or harm in question.
- 5 An offence under section 20 of that Act (malicious wounding) in a case where it is alleged that a firearm or knife was used to cause the wound or inflict the harm in question.
- 6 An offence under section 38 of that Act (assault with intent to resist arrest) in a case where it is alleged that a firearm or knife was used to carry out the assault in question.
- 7 An offence under section 47 of the Offences against the Person Act 1861 (assault occasioning actual bodily harm) in a case where it is alleged that a firearm or knife was used to inflict the harm in question.
- 8 An offence under section 18, 20, 38 or 47 of the Offences against the Person Act 1861 in a case (other than a case falling within any of paragraphs 4 to 7) where it is alleged that—
  - (a) the accused was carrying a firearm or knife at any time during the commission of the offence, and

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- (b) a person other than the accused knew or believed at any time during the commission of the offence that the accused was carrying a firearm or knife.

*Prevention of Crime Act 1953 (c. 14)*

9 An offence under section 1 of the Prevention of Crime Act 1953 (having an offensive weapon in a public place).

[  
F29A An offence under section 1A of that Act (threatening with offensive weapon in public).]

**Textual Amendments**

**F2** Sch. 1A para. 9A inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 26 para. 8\(2\)](#); S.I. 2012/2770, art. 2(f)

*Firearms Act 1968 (c. 27)*

10 An offence under section 1 of the Firearms Act 1968 (requirement of firearm certificate).

11 An offence under section 2(1) of that Act (possession etc of a shot gun without a certificate).

12 An offence under section 3 of that Act (business and other transactions with firearms and ammunition).

13 An offence under section 4 of that Act (conversion of weapons).

14 An offence under section 5(1) of that Act (weapons subject to general prohibition).

15 An offence under section 5(1A) of that Act (ammunition subject to general prohibition).

16 An offence under section 16 of that Act (possession with intent to injure).

17 An offence under section 16A of that Act (possession with intent to cause fear of violence).

18 An offence under section 17 of that Act (use of firearm to resist arrest).

19 An offence under section 18 of that Act (carrying firearm with criminal intent).

20 An offence under section 19 of that Act (carrying firearm in a public place).

21 An offence under section 20 of that Act (trespassing with firearm).

22 An offence under section 21 of that Act (possession of firearms by person previously convicted of crime).

23 An offence under section 21A of that Act (firing an air weapon beyond premises).

24 An offence under section 24A of that Act (supplying imitation firearms to minors).

*Criminal Justice Act 1988 (c. 33)*

25 An offence under section 139 of the Criminal Justice Act 1988 (having article with blade or point in public place).

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- 26 An offence under section 139A of that Act (having article with blade or point (or offensive weapon) on school premises).
- [<sup>F3</sup>26A An offence under section 139AA of that Act (threatening with article with blade or point or offensive weapon).]

#### Textual Amendments

- F3** Sch. 1A para. 26A inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012](#) (c. 10), s. 151(1), [Sch. 26 para. 8\(3\)](#); S.I. 2012/2770, art. 2(f)

#### *Violent Crime Reduction Act 2006 (c. 38)*

- 27 An offence under section 28 of the Violent Crime Reduction Act 2006 (using someone to mind a weapon).
- 28 An offence under section 32 of that Act (sales of air weapons by way of trade or business to be face to face).
- 29 An offence under section 36 of that Act (manufacture, import and sale of realistic imitation firearms).

#### *[<sup>F4</sup>Serious Crime Act 2015*

#### Textual Amendments

- F4** [Sch. 1A para. 29A](#) and cross-heading inserted (7.6.2022) by [Domestic Abuse Act 2021](#) (c. 17), s. 90(6), [Sch. 2 para. 5\(2\)](#); S.I. 2022/553, regs. 1(2), 3(b)

- 29A An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation) in a case where it is alleged that—
- (a) the accused was carrying a firearm or knife at any time during the commission of the offence, and
  - (b) a person other than the accused knew or believed at any time during the commission of the offence that the accused was carrying a firearm or knife.]

#### *General*

- 30 A reference in any of paragraphs 1 to 8 [<sup>F5</sup> and 29A] to an offence (“offence A”) includes—
- (a) a reference to an attempt to commit offence A in a case where it is alleged that it was attempted to commit offence A in the manner or circumstances described in that paragraph,
  - (b) a reference to a conspiracy to commit offence A in a case where it is alleged that the conspiracy was to commit offence A in the manner or circumstances described in that paragraph,
  - (c) a reference to an offence under Part 2 of the Serious Crime Act 2007 in relation to which offence A is the offence (or one of the offences) which the person intended or believed would be committed in a case where it is alleged that the person intended or believed offence A would be committed in the manner or circumstances described in that paragraph, and

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- (d) a reference to aiding, abetting, counselling or procuring the commission of offence A in a case where it is alleged that offence A was committed, or the act or omission charged in respect of offence A was done or made, in the manner or circumstances described in that paragraph.

#### Textual Amendments

**F5** Words in [Sch. 1A para. 30](#) inserted (7.6.2022) by [Domestic Abuse Act 2021 \(c. 17\)](#), s. 90(6), [Sch. 2 para. 5\(3\)](#); [S.I. 2022/553](#), regs. 1(2), 3(b)

- 31 A reference in any of paragraphs 9 to 29 to an offence (“offence A”) includes—
- (a) a reference to an attempt to commit offence A,
  - (b) a reference to a conspiracy to commit offence A,
  - (c) a reference to an offence under Part 2 of the Serious Crime Act 2007 in relation to which offence A is the offence (or one of the offences) which the person intended or believed would be committed, and
  - (d) a reference to aiding, abetting, counselling or procuring the commission of offence A.

#### *Interpretation*

- 32 In this Schedule—
- “firearm” has the meaning given by section 57 of the Firearms Act 1968;
  - “knife” has the meaning given by section 10 of the Knives Act 1997.]

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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. 33BA33BB inserted by [2009 c. 25 s. 104\(1\)](#)