

## SCHEDULES

### SCHEDULE 4

Section 26.

#### MEANING OF “OFFENCE AGAINST A CHILD”

- 1 The offences mentioned in paragraph (a) of subsection (1) of section 26 are—
- (a) an offence under section 1 of the Children and Young Persons Act 1933 (cruelty to children),
  - (b) an offence under section 1 of the Infanticide Act 1938 (infanticide),
  - (c) an offence under section 5 of the Sexual Offences Act 1956 (intercourse with a girl under 13),
  - (d) an offence under section 6 of that Act (intercourse with a girl under 16),
  - (e) an offence under section 19 or 20 of that Act (abduction of girl under 18 or 16),
  - (f) an offence under section 25 or 26 of that Act (permitting girl under 13, or between 13 and 16, to use premises for intercourse),
  - (g) an offence under section 28 of that Act (causing or encouraging prostitution of, intercourse with or indecent assault on, girl under 16),
  - (h) an offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards young child),
  - (i) an offence under section 54 of the Criminal Law Act 1977 (inciting girl under sixteen to incest),
  - (j) an offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children),
  - (k) an offence under section 1 of the Child Abduction Act 1984 (abduction of child by parent),
  - (l) an offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of child),
  - (m) an offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).
- 2 The offences mentioned in paragraph (b) of that subsection are—
- (a) murder,
  - (b) manslaughter,
  - (c) kidnapping,
  - (d) false imprisonment,
  - (e) an offence under section 18 or 20 of the Offences against the Person Act 1861 (wounding and causing grievous bodily harm),
  - (f) an offence under section 47 of that Act (assault occasioning actual bodily harm),
  - (g) an offence under section 1 of the Sexual Offences Act 1956 (rape),
  - (h) an offence under section 2 or 3 of that Act (procurement of woman by threats or false pretences),

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*Status: This is the original version (as it was originally enacted).*

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- (i) an offence under section 4 of that Act (administering drugs to obtain or facilitate intercourse),
- (j) an offence under section 14 or 15 of that Act (indecent assault),
- (k) an offence under section 16 of that Act (assault with intent to commit buggery),
- (l) an offence under section 17 of that Act (abduction of woman by force or for the sake of her property),
- (m) an offence under section 24 of that Act (detention of woman in brothel or other premises).

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A person falls within this paragraph if—

- (a) he commits an offence under section 16 of the Offences against the Person Act 1861 (threats to kill) by making a threat to kill a child,
- (b) he commits an offence under section 7 of the Sexual Offences Act 1956 (intercourse with defective) by having sexual intercourse with a child,
- (c) he commits an offence under section 9 of that Act (procurement of defective) by procuring a child to have sexual intercourse,
- (d) he commits an offence under section 10 of that Act (incest by a man) by having sexual intercourse with a child,
- (e) she commits an offence under section 11 of that Act (incest by a woman) by allowing a child to have sexual intercourse with her,
- (f) he commits an offence under section 12 of that Act by committing buggery with a child under the age of 16,
- (g) he commits an offence under section 13 of that Act by committing an act of gross indecency with a child,
- (h) he commits an offence under section 21 of that Act (abduction of defective from parent or guardian) by taking a child out of the possession of her parent or guardian,
- (i) he commits an offence under section 22 of that Act (causing prostitution of women) in relation to a child,
- (j) he commits an offence under section 23 of that Act (procurement of girl under 21) by procuring a child to have sexual intercourse with a third person,
- (k) he commits an offence under section 27 of that Act (permitting defective to use premises for intercourse) by inducing or suffering a child to resort to or be on premises for the purpose of having sexual intercourse,
- (l) he commits an offence under section 29 of that Act (causing or encouraging prostitution of defective) by causing or encouraging the prostitution of a child,
- (m) he commits an offence under section 30 of that Act (man living on earnings of prostitution) in a case where the prostitute is a child,
- (n) she commits an offence under section 31 of that Act (woman exercising control over prostitute) in a case where the prostitute is a child,
- (o) he commits an offence under section 128 of the Mental Health Act 1959 (sexual intercourse with patients) by having sexual intercourse with a child,
- (p) he commits an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts) by—
  - (i) procuring a child to commit an act of buggery with any person, or
  - (ii) procuring any person to commit an act of buggery with a child,

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- (q) he commits an offence under section 5 of that Act (living on earnings of male prostitution) by living wholly or in part on the earnings of prostitution of a child,
- (r) he commits an offence under section 9(1)(a) of the Theft Act 1968 (burglary), by entering a building or part of a building with intent to rape a child,
- (s) he commits an offence under section 4(3) of the Misuse of Drugs Act 1971 by—
  - (i) supplying or offering to supply a Class A drug to a child,
  - (ii) being concerned in the supplying of such a drug to a child, or
  - (iii) being concerned in the making to a child of an offer to supply such a drug,
- (t) he commits an offence of—
  - (i) aiding, abetting, counselling, procuring or inciting the commission of an offence against a child, or
  - (ii) conspiring or attempting to commit such an offence.