

*Status: Point in time view as at 01/10/2018.*

*Changes to legislation: Criminal Justice Act 2003, Cross Heading: Other offences is up to date with all changes known to be in force on or before 26 April 2024. 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)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 34A

#### CHILD SEX OFFENCES FOR PURPOSES OF SECTION 327A

##### Textual Amendments

- F1** Sch. 34A inserted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 140, 153, [Sch. 24](#); S.I. 2008/1586, [art. 2\(1\)](#), Sch. 1 para. 43

##### *Other offences*

- 7 An offence under any of—
- (a) sections 5 to 8 of the Sexual Offences Act 2003 (rape and other offences against children under 13),
  - (b) sections 9 to [<sup>F2</sup>15A] of that Act (child sex offences),
  - (c) sections 16 to 19 of that Act (abuse of position of trust),
  - (d) sections 25 and 26 of that Act (familial child sex offences), and
  - (e) sections 47 to 50 of that Act ( [<sup>F3</sup>sexual exploitation of children] ).

##### Textual Amendments

- F2** Word in [Sch. 34A para. 7\(b\)](#) substituted (3.4.2017) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 4 para. 70\(2\)](#); S.I. 2017/511, [reg. 2\(b\)\(iv\)](#)
- F3** Words in [Sch. 34A para. 7\(e\)](#) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 4 para. 70\(3\)](#); S.I. 2015/820, [reg. 2\(r\)\(xi\)](#)

- 8 An offence under any of—
- (a) sections 1 to 4 of that Act (rape, assault and causing sexual activity without consent),
  - (b) sections 30 to 41 of that Act (persons with a mental disorder impeding choice, inducements etc to persons with a mental disorder, and care workers for persons with a mental disorder), and
  - (c) section 61 of that Act (administering a substance with intent),
- where the victim of the offence was under 18 at the time of the offence.
- 9 An offence under section 62 or 63 of that Act (committing an offence with intent to commit a sexual offence and trespass with intent to commit a sexual offence) where the intended offence was an offence against a person under 18.
- 10 An offence under section 66 or 67 of that Act (exposure and voyeurism) where the victim or intended victim of the offence was under 18 at the time of the offence.
- 11 An offence under—

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- (a) section 1 of the Protection of Children Act 1978 (indecent photographs of children), or
  - (b) section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of child).
- 12 An offence under section 170 of the Customs and Excise Management Act 1979 (penalty for fraudulent evasion of duty etc) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (indecent or obscene articles) where the prohibited goods included any indecent photograph showing a person under 18.
- 13 An offence under section 63 of the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images) in relation to an image showing a person under 18.
- [<sup>F4</sup>13A An offence under section 62(1) of the Coroners and Justice Act 2009 (possession of prohibited images of children).]

**Textual Amendments**

**F4** Sch. 34A para. 13A inserted (6.4.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177, 182, [Sch. 21 para. 63](#) (with [s. 180](#), [Sch. 22](#)); [S.I. 2010/816](#), [art. 2](#), [Sch. paras. 14\(a\), 20\(a\)](#)

- [<sup>F5</sup>13B An offence under section 69 of the Serious Crime Act 2015 (possession of paedophile manual).]

**Textual Amendments**

**F5** [Sch. 34A para. 13B](#) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 4 para. 70\(4\)](#); [S.I. 2015/820](#), [reg. 2\(r\)\(xi\)](#)

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