

SCHEDULES

SECOND SCHEDULE

Section 37.

TABLE OF OFFENCES, WITH MODE OF PROSECUTION, PUNISHMENTS, ETC.

PART I

Felonies and attempts at felonies

Offence	Mode of prosecution	Punishment	Provisions as to alternative verdicts etc.
1. (a) Rape (section one)	On indictment, not triable at quarter sessions.	Life	The jury may find the accused guilty— (i) of procurement of a woman by threats (section two); or (ii) of procurement of a woman by false pretences (section three); or (iii) of administering drugs to obtain or facilitate intercourse (section four); or (iv) of intercourse with a girl under thirteen (section five); or (v) of intercourse with a girl between thirteen and sixteen (section six); or (vi) of intercourse with an idiot or imbecile (section seven); or (vii) of intercourse with a defective

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Offence	Mode of prosecution	Punishment	Provisions as to alternative verdicts etc. (section eight); or (viii) of incest (section ten); or (ix) of indecent assault on a woman (section fourteen).
(b) An attempt to commit this offence.	On indictment	Seven years	—
2. (a) Intercourse with girl under thirteen (section five).	On indictment, not triable at quarter sessions.	Life	The jury may find the accused guilty of any of the offences mentioned in paragraphs (i), (ii), (iii), (v), (vi), and (ix) of the foregoing entry in this column.
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions.	Two years	—
3. (a) Buggery (section twelve)	On indictment, not triable at quarter sessions.	Life	—
(b) An attempt to commit this offence.	On indictment	Ten years	—
4. Abduction of woman by force or for the sake of her property (section seventeen).	On indictment, not triable at quarter sessions.	Fourteen years	—
5. Fraudulent abduction of heiress from parent or guardian (section eighteen).	On indictment, not triable at quarter sessions.	Fourteen year	—
6. Permitting girl under thirteen to use premises for intercourse (section twenty-five).	On indictment, not triable at quarter sessions.	Life	The jury may find the accused guilty of an offence under section three of the Children and Young Persons Act, 1933.

PART II*Offences other than felonies and attempts at felonies*

7. (a) Procurement of woman by threats (section two).	On indictment, not triable at quarter sessions.	Two years	—
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions.	Two years	—
8. Procurement of woman by false pretences (section three).	On indictment, not triable at quarter sessions.	Two years	—
9. Administering drugs to obtain or facilitate intercourse (section four).	On indictment, not triable at quarter sessions.	Two years	—
10. (a) Intercourse with girl between thirteen and sixteen (section six).	On indictment, not triable at quarter sessions; a prosecution may not be commenced more than twelve months after the offence charged.	Two years	—
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions; a prosecution may not be commenced more than twelve months after the offence charged.	Two years	—
11. (a) Intercourse with idiot or imbecile (section seven).	On indictment, not triable at quarter sessions.	Two years	—
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions.	Two years	—
12. (a) Intercourse with defective (section eight).	On indictment, not triable at quarter sessions.	Two years	—
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions.	Two years	—

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13. (a) Procurement of defective (section nine).	On indictment, not triable at quarter sessions.	Two years	—
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions.	Two years	—
14. (a) Incest by a man (section ten).	On indictment, not triable at quarter sessions; a prosecution may not be commenced without the sanction of the Attorney General, except by or on behalf of the Director of Public Prosecutions (subject however to sections thirteen and forty of the Children and Young Persons Act, 1933).	If with a girl under thirteen, and so charged in the indictment, life; otherwise seven years.	The jury may find the accused guilty— (i) of intercourse with a girl under thirteen (section five); or (ii) of intercourse with a girl between thirteen and sixteen (section six); or (iii) of intercourse with an idiot or imbecile (section seven).
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions; a prosecution may not be commenced without the sanction of the Attorney General, except by or on behalf of the Director of Public Prosecutions (subject however to sections thirteen and forty of the Children and Young Persons Act, 1933).	Two years	—
15. (a) Incest by a woman (section eleven).	On indictment, not triable at quarter sessions; a prosecution may not be commenced without the sanction of the Attorney General, except by or on behalf of the Director of Public Prosecutions (subject however to sections thirteen and forty	Seven years	—

(b) An attempt to commit this offence.	of the Children and Young Persons Act, 1933). On indictment, not triable at quarter sessions; a prosecution may not be commenced without the sanction of the Attorney General, except by or on behalf of the Director of Public Prosecutions (subject however to sections thirteen and forty of the Children and Young Persons Act, 1933).	Two years	—
16. (a) Indecency between men (section thirteen).	On indictment, triable at quarter sessions under section two of the Administration of Justice (Miscellaneous Provisions) Act, 1938 (which relates to courts with a legally qualified chairman), but not otherwise.	Two years	—
(b) An attempt to procure the commission by a man of an act of gross indecency with another man.	On indictment triable at quarter sessions under section two of the Administration of Justice (Miscellaneous Provisions) Act, 1938 (which relates to courts with a legally qualified chairman), but not otherwise.	Two years	—
17. Indecent assault on a woman (section fourteen).	(i) On indictment (ii) Where section nineteen of the Magistrates' Courts Act, 1952, applies, summarily under that section.	Two years	—
		As provided by that section (that is to say, six months, or one hundred pounds, or both).	—

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18. Indecent assault on a man (section fifteen).	(i) On indictment	Ten years	—
	(ii) Where section nineteen of the Magistrates' Courts Act, 1952, applies, summarily under that section.	As provided by that section (that is to say, six months or one hundred pounds, or both).	—
19. Assault with intent to commit buggery (section sixteen).	On indictment	Ten years	—
20. Abduction of girl under eighteen from parent or guardian (section nineteen).	On indictment, not triable at quarter sessions.	Two years	—
21. Abduction of girl under sixteen from parent or guardian (section twenty).	On indictment, not triable at quarter sessions.	Two years	—
22. Abduction of defective from parent or guardian (section twenty-one).	On indictment, not triable at quarter sessions.	Two years	—
23. (a) Causing prostitution of a woman (section twenty-two).	On indictment, not triable at quarter sessions.	Two years	—
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions.	Two years	—
24. (a) Procurement of girl under twenty-one (section twenty-three).	On indictment, not triable at quarter sessions.	Two years	—
(b) An attempt to commit this offence.	On indictment, not triable at quarter sessions.	Two years	—
25. Detention of woman in brothel (section twenty-four).	On indictment, not triable at quarter sessions.	Two years	—
26. Permitting girl between thirteen and sixteen to use premises for intercourse (section twenty-six).	On indictment, not triable at quarter sessions.	Two years	The jury may find the accused guilty of an offence under section three of the Children and Young Persons Act, 1933.

27. Permitting defective to use premises for intercourse (section twenty-seven).	On indictment, not triable at quarter sessions.	Two years	—
28. Causing or encouraging prostitution, etc., of girl under sixteen (section twenty-eight).	On indictment	Two years	—
29. Causing or encouraging prostitution of defective (section twenty-nine).	On indictment, not triable at quarter sessions.	Two years	—
30. Living on earnings of prostitution (section thirty).	(i) On indictment	Two years	The accused cannot claim to be tried on indictment under section twenty-five of the Magistrates' Courts Act, 1952.
	(ii) Summarily	Six months	
31. Controlling a prostitute (section thirty-one).	(i) On indictment	Two years	The accused cannot claim to be tried on indictment under section twenty-five of the Magistrates' Courts Act, 1952.
	(ii) Summarily	Six months	
32. Solicitation by a man (section thirty-two).	(i) On indictment	Two years	The accused cannot claim to be tried on indictment under section twenty-five of the Magistrates' Courts Act, 1952.
	(ii) Summarily	Six months	
33. Keeping a brothel (section thirty-three).	Summarily (but subject to the right of the accused, if he has been previously convicted, to claim under section twenty-five of the Magistrates' Courts Act, 1952, to be tried on indictment).	For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.	A conviction of an offence punishable under section thirty-four, thirty-five or thirty-six of this Act, or under section thirteen of the Criminal Law Amendment Act, 1885 (the section replaced for England

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<p>34. Letting premises for use as brothel (section thirty-four).</p>	<p>Summarily (but subject to the right of the accused, if he has been previously convicted, to claim under section twenty-five of the Magistrates' Courts Act, 1952, to be tried on indictment).</p>	<p>For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.</p>	<p>and Wales by sections thirty-three to thirty-six of this Act), shall be taken into account as a previous conviction in the same way as a conviction of an offence punishable under section thirty-three of this Act.</p> <p>A conviction of an offence punishable under section thirty-three, thirty-five or thirty-six of this Act, or under section thirteen of the Criminal Law Amendment Act, 1885 (the section replaced for England and Wales by sections thirty-three to thirty-six of this Act), shall be taken into account as a previous conviction in the same way as a conviction of an offence punishable under section thirty-four of this Act.</p>
<p>35. Tenant permitting premises to be used as brothel (section thirty-five).</p>	<p>Summarily (but subject to the right of the accused, if he has been previously convicted, to claim under section twenty-five of the Magistrates' Courts Act, 1952, to be tried on indictment).</p>	<p>For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.</p>	<p>A conviction of an offence punishable under section thirty-three, thirty-four or thirty-six of this Act, or under section thirteen of the Criminal Law Amendment Act, 1885 (the section replaced for England and Wales by sections thirty-three to thirty-six of this Act), shall be taken into account as a previous conviction in the same way as a conviction of an</p>

<p>36. Tenant permitting premises to be used for prostitution (section thirty-six).</p>	<p>Summarily (but subject to the right of the accused, if he has been previously convicted, to claim under section twenty-five of the Magistrates' Courts Act, 1952, to be tried on indictment).</p>	<p>For an offence committed after a previous conviction, six months, or two hundred and fifty pounds, or both; otherwise, three months, or one hundred pounds, or both.</p>	<p>offence punishable under section thirty-five of this Act.</p> <p>A conviction of an offence punishable under section thirty-three, thirty-four or thirty-five of this Act, or under section thirteen of the Criminal Law Amendment Act, 1885 (the section replaced for England and Wales by sections thirty-three to thirty-six of this Act), shall be taken into account as a previous conviction in the same way as a conviction of an offence punishable under section thirty-six of this Act.</p>
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