

2000 No. 1139

POLICE

**The National Police Records (Recordable Offences)
Regulations 2000**

<i>Made - - - -</i>	<i>17th April 2000</i>
<i>Laid before Parliament</i>	<i>4th May 2000</i>
<i>Coming into force</i>	<i>1st June 2000</i>

The Secretary of State, in exercise of the powers conferred upon him by section 27(4) of the Police and Criminal Evidence Act 1984(a), hereby makes the following Regulations:

1. These Regulations may be cited as the National Police Records (Recordable Offences) Regulations 2000 and shall come into force on 1st June 2000.

2. The National Police Records (Recordable Offences) Regulations 1985(b), the National Police Records (Recordable Offences) (Amendment) Regulations 1989(c) and the National Police Records (Recordable Offences) (Amendment) Regulations 1997(d) are hereby revoked.

3.—(1) There may be recorded in national police records—

- (a) convictions for; and
- (b) cautions, reprimands and warnings given in respect of,

any offence punishable with imprisonment and any offence specified in the Schedule to these Regulations.

(2) In paragraph (1) above—

- (a) the reference to an offence punishable with imprisonment shall be construed without regard to any prohibition or restriction imposed by or under any enactment on the punishment of young offenders;
- (b) “caution” has the same meaning as in Part V of the Police Act 1997(e); and
- (c) “reprimand” and “warning” mean a reprimand or, as the case may be, a warning given under section 65 of the Crime and Disorder Act 1998(f).

(a) 1984 c. 60; section 27 was amended by paragraph 61 of Schedule 8 to the Crime and Disorder Act 1998 (c. 37).
(b) S.I. 1985/1941.
(c) S.I. 1989/694.
(d) S.I. 1997/566.
(e) 1997 c. 50.
(f) 1998 c. 37.

(3) Where the conviction of any person is recordable in accordance with this regulation, there may also be recorded in national police records his conviction for any other offence of which he is convicted in the same proceedings.

Home Office
17th April 2000

Charles Clarke
Minister of State

SPECIFIED OFFENCES

The following offences are specified for the purposes of section 27(4) of the Police and Criminal Evidence Act 1984, that is to say, an offence under:

1. section 5 of the Children and Young Persons Act 1933**(a)** (offence of giving intoxicating liquor to children under five);
2. section 11 of the Children and Young Persons Act 1933 (offence of exposing children under twelve to risk of burning)**(b)**;
3. section 12 of the Children and Young Persons Act 1933 (offence of failing to provide for safety of children at entertainments)**(c)**;
4. section 91 of the Criminal Justice Act 1967**(d)** (offence of drunkenness in a public place);
5. section 139(1) of the Criminal Justice Act 1988**(e)** (offence of having article with blade or point in public place);
6. section 2 of the Crossbows Act 1987**(f)** (offence of purchasing or hiring a crossbow or part of a crossbow by person under the age of seventeen);
7. section 3 of the Crossbows Act 1987 (offence of possessing a crossbow or parts of a crossbow by unsupervised person under the age of seventeen);
8. section 5(6) of the Firearms Act 1968**(g)** (offence of failing to deliver up authority to possess prohibited weapon or ammunition);
9. section 22(3) of the Firearms Act 1968 (offence of possessing an assembled shotgun by unsupervised person under the age of fifteen);
10. section 22(4) of the Firearms Act 1968 (offence of possessing an air weapon or ammunition for an air weapon by unsupervised person under the age of fourteen);
11. section 22(5) of the Firearms Act 1968 (offence of possessing in a public place an air weapon by unsupervised person under the age of seventeen);
12. section 2 of the Football (Offences) Act 1991**(h)** (offence of throwing missiles);
13. section 3 of the Football (Offences) Act 1991**(i)** (offence of indecent or racist chanting);
14. section 4 of the Football (Offences) Act 1991 (offence of unlawfully going on to the playing area);
15. section 30 of the Game Act 1831**(j)** (offences of trespassing in daytime on land in search of game, etc.);
16. section 31 of the Game Act 1831 (offence of refusal of person trespassing in daytime on land in search of game to give his name and address);

(a) 1933 c. 54.

(b) Section 11 was amended, Schedule 13, paras. 2, 3(c) of the Children Act 1989 (c. 41) and Schedule, para. 1 of the Children and Young Persons (Amendment) Act 1952 (15 and 16 Geo 6 and Eliz c. 50).

(c) Section 12 was amended by the Cinemas Act 1985 (c. 13), Schedule 2, para. 2, Schedule 3 and Schedule 8, para. 5 of the Local Government Act 1985 (c. 51).

(d) 1967 c. 60.

(e) 1988 c. 33.

(f) 1987 c. 32.

(g) 1968 c. 27.

(h) 1991 c. 19.

(i) Section 3 was amended by section 9 of the Football (Offences and Disorder) Act 1999 (c. 21).

(j) 1 and 2 Will 4 c. 32.

- 17.** section 32 of the Game Act 1831 (offence of five or more persons being found armed in daytime in search of game and using violence or refusal of such persons to give name and address);
- 18.** section 12 of the Licensing Act 1872(**a**) (offence of being drunk in highway or public place);
- 19.** section 45 of the Licensing Act 1964(**b**) (offence of obstructing a constable or local authority official inspecting premises which are the subject of an application to be registered as a club);
- 20.** section 172 of the Licensing Act 1964 (offence of licensee permitting drunkenness, etc. on licensed premises);
- 21.** section 174(2) of the Licensing Act 1964 (offence of failing to leave licensed premises when requested to do so);
- 22.** section 175 of the Licensing Act 1964 (offence of allowing prostitutes to assemble on licensed premises);
- 23.** section 176 of the Licensing Act 1964 (offence of permitting licensed premises to be a brothel);
- 24.** section 178 of the Licensing Act 1964 (offence of allowing constables to remain on licensed premises while on duty, supplying liquor or refreshments to constables on duty or bribing a constable);
- 25.** paragraph 21 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982(**c**) (offence of making false statement in connection with an application for a sex establishment licence);
- 26.** section 1 of the Malicious Communications Act 1988(**d**) (offence of sending letters etc. with intent to cause distress or anxiety);
- 27.** section 13 of the Nurses, Midwives and Health Visitors Act 1997(**e**) (offence of falsely claiming a professional qualification);
- 28.** section 1 of the Night Poaching Act 1828(**f**) (offence of taking or destroying game or rabbits by night, or entering any land for that purpose);
- 29.** section 90(2) of the Police Act 1996(**g**) (offence of wearing police uniform with intent to deceive);
- 30.** section 90(3) of the Police Act 1996 (offence of unlawful possession of article of police uniform);
- 31.** section 5 of the Public Order Act 1986(**h**) (offence of causing harassment, alarm or distress);
- 32.** section 11 of the Public Order Act 1986 (offence of failing to give advance notice of public procession);
- 33.** section 12(5) of the Public Order Act 1986 (offence of failing to comply with conditions imposed on a public procession);

(a) 35 and 36 Vict c. 94.

(b) 1964 c. 26.

(c) 1982 c. 30.

(d) 1988 c. 27.

(e) 1997 c. 24; the whole Act is repealed, with effect from a day to be appointed, by Schedule 5 to the Health Act 1999 (c. 8).

(f) 9 Geo 4 c. 69.

(g) 1996 c. 16.

(h) 1986 c. 64.

- 34.** section 13(8) of the Public Order Act 1986 (offence of taking part in a prohibited public procession);
- 35.** section 14(5) of the Public Order Act 1986 (offence of failing to comply with conditions imposed on a public assembly);
- 36.** section 14B(2) of the Public Order Act 1986**(a)** (offence of taking part in a prohibited assembly);
- 37.** section 14C(3) of the Public Order Act 1986**(b)** (offence of failing to comply with directions);
- 38.** section 6 of the Road Traffic Act 1988**(c)** (offence of failing to provide specimen of breath);
- 39.** section 25 of the Road Traffic Act 1988 (penalisation of tampering with vehicles);
- 40.** section 1 of the Sexual Offences Act 1985**(d)** (offence of kerb crawling);
- 41.** section 2 of the Sexual Offences Act 1985 (offence of persistently soliciting women for the purpose of prostitution);
- 42.** section 1(2) of the Sporting Events (Control of Alcohol Etc.) Act 1985**(e)** (offence of allowing alcohol to be carried on public vehicles on journey to or from designated sporting event);
- 43.** section 1(4) of the Sporting Events (Control of Alcohol Etc.) Act 1985 (offence of being drunk on public vehicles on journey to or from designated sporting event);
- 44.** section 1A(2) of the Sporting Events (Control of Alcohol Etc.) Act 1985**(f)** (offence of allowing alcohol to be carried in vehicles on journey to or from designated sporting event);
- 45.** section 2(2) of the Sporting Events (Control of Alcohol Etc.) Act 1985 (offence of trying to enter designated sports ground while drunk);
- 46.** section 5B(3) of the Sporting Events (Control of Alcohol Etc.) Act 1985**(g)** (offence of consuming or taking alcohol at designated sports ground while unauthorised);
- 47.** section 5C(4) of the Sporting Events (Control of Alcohol Etc.) Act 1985 (consuming or obtaining alcohol during designated sporting events other than at registered premises);
- 48.** section 5C(5) of the Sporting Events (Control of Alcohol Etc.) Act 1985 (offence by officials of club in relation to supplying alcohol at designated sports ground);
- 49.** section 5D(3) of the Sporting Events (Control of Alcohol Etc.) Act 1985 (offence of consuming or obtaining alcohol during designated sporting event other than when sold by retail);
- 50.** section 1 of the Street Offences Act 1959**(h)** (offence of loitering or soliciting for purposes of prostitution);
- 51.** section 43 of the Telecommunications Act 1984**(i)** (offence of improper use of public telecommunications system); and
- 52.** section 12(5) of the Theft Act 1968**(j)** (offence of taking or riding a pedal cycle without owner's consent).

(a) Section 14B was inserted by section 70 of the Criminal Justice and Public Order Act 1994 (c. 33).

(b) Section 14C was inserted by section 71 of the Criminal Justice and Public Order Act 1994.

(c) 1988 c. 52.

(d) 1985 c. 44.

(e) 1985 c. 57.

(f) Section 1A was inserted by Schedule 1, Part 1, paras. 1 and 2 to the Public Order Act 1986 (c. 64).

(g) Sections 5B to 5D were inserted by Schedule 1, Part 1, para. 4 to the Public Order Act 1986.

(h) 1959 c. 57; section 1(2) was substituted by the Criminal Justice Act 1982 (c. 48), section 71.

(i) 1984 c. 12.

(j) 1968 c. 60.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the National Police Records (Recordable Offences) Regulations 1985 (the 1985 Regulations), as amended. They provide for the recording in national police records of convictions, cautions, reprimands, and warnings for the offences specified in the Schedule and for any offence which is punishable with imprisonment in the case of an adult.

The changes made by these Regulations are—

- (a) the inclusion of cautions, reprimands and warnings as matters which may be recorded; and
- (b) the addition of offences under sections 2 and 3 of the Crossbows Act 1987 (purchase, hire and possession of crossbow by person under seventeen) and offences under sections 2, 3 and 4 of the Football (Offences) Act 1991 (missile throwing and chanting at designated football matches and unlawfully going onto the playing area).

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