SCHEDULE 1   Articles 3(2), 3(3), 5(1) and 5(2)

Scottish offences leading to automatic listing in the children's list

1. Murder where the offence was committed against a child.

2. Rape.

3. Sodomy.

4. An offence under section 5(1) (intercourse with a girl under 13) of the Criminal Law Consolidation) (Scotland) Act 1995(**1**).

5. An offence under section 311(2)(a) (non consensual sexual acts with a mentally disordered person) of the Mental Health (Care and Treatment) (Scotland) Act 2003(**2**).

6. An offence under section 1 (rape) of the Sexual Offences (Scotland) Act 2009(**3**).

7. An offence under section 2 (sexual assault by penetration) of that Act.

8. An offence under section 3(1) and (2)(a) (sexual assault by penetrating the victim's vagina, anus or mouth by any means) of that Act.

9. An offence under section 18 (rape of a young child under 13) of that Act.

10. An offence under section 19 (sexual assault on a young child (under 13) by penetration) of that Act.

11. An offence under section 20(1) and (2)(a) (sexual assault on a young child (under 13) by penetration of the vagina, anus or mouth by any means) of that Act.

12. Any offence contrary to section 42 (criminal conduct) of the Armed Forces Act 2006(**4**) where the corresponding offence under the law of England and Wales is one which corresponds to an offence specified in this Schedule, provided that where it corresponds to an offence at paragraph 1 the offence under the Armed Forces Act 2006 was committed in the relevant circumstances applicable to that offence.

(**1**)   1995 c.39 to which there are no relevant amendments.
(**2**)   2003 asp 9.
(**3**)   2009 asp 9.
(**4**)   2006 c.52.