

Changes to legislation: Prisoners and Criminal Proceedings (Scotland) Act 1993, PART 3 is up to date with all changes known to be in force on or before 27 December 2023. 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) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 1A

OFFENCES CARRYING RESTRICTED ELIGIBILITY OF TERRORIST PRISONERS FOR RELEASE ON LICENCE

Textual Amendments

- F1** Sch. 1A substituted (29.6.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(o), Sch. 10

PART 3

OTHER OFFENCES PUNISHABLE WITH IMPRISONMENT FOR LIFE

- 13 Culpable homicide.
- 14 Manslaughter (under the law of England and Wales or Northern Ireland).
- 15 Abduction.
- 16 Assault by explosive device.
- 17 Assault to severe injury.
- 18 Assault and poisoning.
- 19 Poisoning.
- 20 Robbery.
- 21 Assault with intent to rob.
- 22 Wilful fire-raising.
- 23 Malicious mischief.
- 24 Kidnapping (under the law of England and Wales or Northern Ireland).
- 25 False imprisonment (under the law of England and Wales or Northern Ireland).
- 26 Riot (under the law of Northern Ireland).
- 27 Affray (under the law of Northern Ireland).
- 28 An offence under any of the following provisions of the Offences against the Person Act 1861—
- (a) section 4 (soliciting murder);
 - (b) section 18 (wounding with intent to cause grievous bodily harm);
 - (c) section 21 (attempting to choke, suffocate or strangle in order to commit or assist in the committing of an indictable offence);

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- (d) section 22 (using chloroform etc to commit or assist in the committing of any indictable offence);
 - (e) section 28 (causing bodily injury by explosives);
 - (f) section 29 (using explosives etc with intent to do grievous bodily harm);
 - (g) section 32 (endangering the safety of railway passengers).
- 29 An offence under any of the following provisions of the Explosive Substances Act 1883—
- (a) section 2 (causing explosion likely to endanger life or property);
 - (b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property);
 - (c) section 4 (making or possession of explosive under suspicious circumstances);
 - (d) section 5 (punishment of accessories to offences of causing or attempting to cause explosions or making or possessing explosives).
- 30 An offence under section 1 of the Infant Life (Preservation) Act 1929 (child destruction).
- 31 An offence under section 1 of the Infanticide Act 1938 (infanticide).
- 32 An offence under section 1 of the Infanticide Act (Northern Ireland) 1939 (c. 5 (N.I.)) (infanticide).
- 33 An offence under section 25 of the Criminal Justice Act (Northern Ireland) 1945 (c. 15 (N.I.)) (child destruction).
- 34 An offence under any of the following provisions of the Firearms Act 1968—
- (a) section 16 (possession of firearm with intent to endanger life);
 - (b) section 17(1) (use of firearm to resist arrest);
 - (c) section 17(2) (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act);
 - (d) section 18 (carrying a firearm with criminal intent).
- 35 An offence under either of the following provisions of the Theft Act 1968—
- (a) section 8 (robbery or assault with intent to rob);
 - (b) section 10 (aggravated burglary).
- 36 An offence under either of the following provisions of the Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))—
- (a) section 8 (robbery);
 - (b) section 10 (aggravated burglary).
- 37 (1) An offence of arson under section 1 of the Criminal Damage Act 1971.
- (2) An offence under section 1(2) of that Act (destruction or damage of property with intent or recklessness as to endangerment of life) other than an offence of arson.
- 38 An offence under section 1 of the Biological Weapons Act 1974 (developing certain biological agents and toxins or biological weapons).
- 39 (1) An offence of arson under Article 3 of the Criminal Damage (Northern Ireland) Order 1977 (S.I. 1977/426 (N.I. 4)).
- (2) An offence under Article 3(2) of that Order (destruction or damage of property with intent or recklessness as to endangerment of life) other than an offence of arson.

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- 40 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).
- 41 An offence under any of the following provisions of the Aviation Security Act 1982—
- (a) section 1 (hijacking);
 - (b) section 2 (destroying, damaging or endangering safety of aircraft);
 - (c) section 3 (other acts endangering or likely to endanger safety of aircraft);
 - (d) section 6(2) (inducing or assisting the commission of offences relating to safety of aircraft).
- 42 An offence under either of the following provisions of the Nuclear Material (Offences) Act 1983—
- (a) section 1B (offences relating to damage to the environment);
 - (b) section 2 (preparatory acts and threats).
- 43 An offence under section 134 of the Criminal Justice Act 1988 (torture).
- 44 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
- (a) section 1 (endangering safety at aerodromes);
 - (b) section 9 (hijacking of ships);
 - (c) section 10 (seizing or exercising control of fixed platforms);
 - (d) section 11 (destroying ships or fixed platforms or endangering their safety);
 - (e) section 12 (other acts endangering or likely to endanger safe navigation);
 - (f) section 13 (offences involving threats);
 - (g) section 14(4) (inducing or assisting the commission of offences relating to hijacking of ships, or destroying ships or fixed platforms or endangering their safety).
- 45 An offence under Part 2 of the Channel Tunnel (Security) Order 1994 (S.I. 1994/570) (offences relating to Channel Tunnel trains and the tunnel system).
- 46 An offence under either of the following provisions of the Chemical Weapons Act 1996—
- (a) section 2 (use etc of chemical weapons);
 - (b) section 11 (premises or equipment used for producing chemical weapons).
- 47 An offence under any of the following provisions of the International Criminal Court Act 2001, other than an offence involving murder—
- (a) section 51 (genocide, crimes against humanity and war crimes: England and Wales);
 - (b) section 52 (conduct ancillary to genocide etc: England and Wales);
 - (c) section 58 (genocide, crimes against humanity and war crimes: Northern Ireland);
 - (d) section 59 (conduct ancillary to genocide etc: Northern Ireland).
- 48 An offence under either of the following provisions of the Anti-Terrorism, Crime and Security Act 2001—
- (a) section 47 (use etc of nuclear weapons);
 - (b) section 50 (assisting or inducing certain weapons-related acts overseas).
- 49 An offence under section 1 or 2 of the International Criminal Court (Scotland) Act 2001 (asp 13) (genocide, crimes against humanity, war crimes and related offences), other than one involving murder.

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- 50 An offence under any of the following provisions of the Firearms (Northern Ireland) Order 2004 (S.I. 2004/702 (N.I. 3))—
- (a) Article 58(1) (possession of firearm with intent to endanger life etc);
 - (b) Article 59(1) (use of firearm to resist arrest);
 - (c) Article 59(2) (possession of firearm while committing other offence);
 - (d) Article 60 (carrying a firearm with criminal intent).
- 51 An offence under either of the following provisions of the Modern Slavery Act 2015—
- (a) section 1 (slavery, servitude and forced or compulsory labour);
 - (b) section 2 (human trafficking).
- 52 An offence under either of the following provisions of the Human Trafficking and Exploitation (Scotland) Act 2015 (asp 12)—
- (a) section 1 (human trafficking);
 - (b) section 4 (slavery, servitude and forced or compulsory labour).
- 53 An offence under either of the following provisions of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2 (N.I.))—
- (a) section 1 (slavery, servitude and forced or compulsory labour);
 - (b) section 2 (human trafficking).
- 54 An offence under any of the following provisions of Schedule 4 to the Space Industry Act 2018—
- (a) paragraph 1 (hijacking of spacecraft);
 - (b) paragraph 2 (destroying, damaging or endangering the safety of spacecraft);
 - (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft);
 - (d) paragraph 4 (endangering safety at spaceports).
- 55 (1) An attempt to commit an offence specified in a preceding paragraph of this Part of this Schedule (“a listed offence”).
- (2) Conspiracy to commit a listed offence.
 - (3) Incitement to commit a listed offence.
 - (4) Aiding, abetting, counselling or procuring the commission of a listed offence.
 - (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which a listed offence is the offence (or one of the offences) which the person intended or believed would be committed.
- 56 (1) An attempt to commit murder.
- (2) Conspiracy to commit murder.
 - (3) Incitement to commit murder.
 - (4) Aiding, abetting, counselling or procuring murder.
 - (5) An offence under Part 2 of the Serious Crime Act 2007 in relation to which murder is the offence (or one of the offences) which the person intended or believed would be committed.

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An offence that—

- (a) was abolished before the coming into force of this Schedule, and
- (b) if committed on the day on which this Schedule came into force, would have constituted an offence specified in any of the preceding paragraphs of this Part of this Schedule.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A(3A) inserted by [2019 asp 14 s. 51\(2\)](#)
- s. 3B inserted by [2019 asp 14 s. 51\(3\)](#)
- s. 3B(1)(a) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(a\)](#)
- s. 3B(1)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(b\)\(i\)](#)
- s. 3B(1)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(b\)\(ii\)](#)
- s. 3B(4)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(c\)](#)
- s. 3C-3E and cross-heading inserted by [2023 asp 4 s. 11\(2\)](#)
- s. 3AA(4)(aa) inserted by [2023 asp 4 s. 9\(4\)\(b\)\(ii\)](#)
- s. 3AA(7A) inserted by [2023 asp 4 s. 9\(4\)\(d\)](#)
- s. 3AB3AC inserted by [2023 asp 4 s. 9\(5\)](#)
- s. 11(3C)(3D) inserted by [2023 asp 4 s. 9\(6\)\(b\)](#)
- s. 12(3A) inserted by [2023 asp 4 s. 11\(3\)](#)
- s. 12AA(7) inserted by [2023 asp 4 s. 9\(8\)\(d\)](#)
- s. 12ZA inserted by [2023 asp 4 s. 11\(4\)](#)
- s. 16(2A) inserted by [2016 asp 1 s. 86\(4\)](#)
- s. 17(2A)(2B) inserted by [2023 asp 4 s. 10\(2\)](#)
- s. 17A(2B)(2C) inserted by [2023 asp 4 s. 10\(3\)\(a\)](#)
- s. 17B inserted by [2023 asp 4 s. 10\(4\)](#)
- s. 27(7A)(7B) inserted by [2023 asp 4 s. 8\(2\)\(b\)](#)