

Status: Point in time view as at 17/06/2013.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 4 is up to date with all changes known to be in force on or before 22 May 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

SCHEDULE 4

Section 26.

MEANING OF “OFFENCE AGAINST A CHILD”

- [^{F1}1 The offences mentioned in paragraph (a) of subsection (1) of section 26 are—
- (a) an offence under section 1 of the ^{M1}Children and Young Persons Act 1933 (cruelty to children),
 - (b) an offence under section 1 of the ^{M2}Infanticide Act 1938 (infanticide),
 - ^{F2}(c)
 - ^{F2}(d)
 - ^{F2}(e)
 - ^{F2}(f)
 - ^{F2}(g)
 - ^{F2}(h)
 - ^{F2}(i)
 - (j) an offence under section 1 of the ^{M3}Protection of Children Act 1978 (indecent photographs of children),
 - (k) an offence under section 1 of the ^{M4}Child Abduction Act 1984 (abduction of child by parent),
 - (l) an offence under section 160 of the ^{M5}Criminal Justice Act 1988 (possession of indecent photograph of child),
 - [^{F3}(m) an offence under any of sections 5 to 26 and 47 to 50 of the Sexual Offences Act 2003 (offences against children).]

Extent Information

- E1** sch.4 para.1 extends to UK.see s.81(1)(2)(a) for th eextent

Textual Amendments

- F1** Sch. 4 repealed (E.W.) (12.10.2009 for specified purposes, 30.3.2010 for specified purposes, 17.6.2013 in so far as not already in force) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), s. 65, **Sch. 10** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 3; S.I. 2010/1101, art. 5; S.I. 2012/2231, art. 4 (see S.I. 2013/1180, art. 2(b))
- F2** Sch. 4 paras. 1(c)-(i) repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, **Sch. 7**; S.I. 2004/874, art. 2
- F3** Sch. 4 para. 1(m) substituted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, **Sch. 6 para. 44(5)(a)**; S.I. 2004/874, art. 2

Marginal Citations

- M1** 1933 c. 12.
M2 1938 c. 36.
M3 1978 c. 37.

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- M4** 1984 c. 37.
M5 1988 c. 33.

- 2 The offences mentioned in paragraph (b) of that subsection are—
- (a) murder,
 - (b) manslaughter,
 - (c) kidnapping,
 - (d) false imprisonment,
 - (e) an offence under section 18 or 20 of the Offences against the ^{M6}Person Act 1861 (wounding and causing grievous bodily harm),
 - (f) an offence under section 47 of that Act (assault occasioning actual bodily harm),
 - ^{F4}(g)
 - ^{F4}(h)
 - ^{F4}(i)
 - ^{F4}(j)
 - ^{F4}(k)
 - ^{F4}(l)
 - ^{F4}(m)
 - ^{F5}^{F6}(n) an offence under any of sections 1 to 4, 30 to 41, 52, 53, 57 to 61, 66 and 67 of the Sexual Offences Act 2003.]]
 - ^{F7}(o) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking people for exploitation).]

Extent Information

- E2** Sch. 4 para. 2 extends to UK, see s. 81(1)(2)(a) for the extent

Textual Amendments

- F1** Sch. 4 repealed (E.W.) (12.10.2009 for specified purposes, 30.3.2010 for specified purposes, 17.6.2013 in so far as not already in force) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), s. 65, **Sch. 10** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 3; S.I. 2010/1101, art. 5; S.I. 2012/2231, art. 4 (see S.I. 2013/1180, art. 2(b))
- F4** Sch. 4 paras. 2(g)-(m) repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, **Sch. 7**; S.I. 2004/874, art. 2
- F5** Sch. 4 para. 2(n) inserted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), ss. **146(4)**, 162(2) (with s. 159); S.I. 2003/1, art. 2, Sch.
- F6** Sch. 4 para. 2(n) substituted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, **Sch. 6 para. 44(5)(b)**; S.I. 2004/874, art. 2
- F7** Sch. 4 para. 2(o) inserted (1.12.2004) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. **5(6)**, 48(3); S.I. 2004/494; S.I. 2004/2999, art. 2, Sch.

Marginal Citations

- M6** 1861 c. 100.

- 3 A person falls within this paragraph if—
- (a) he commits an offence under section 16 of the Offences against the ^{M7}Person Act 1861 (threats to kill) by making a threat to kill a child,

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- F8(b)
- F8(c)
- F8(d)
- F8(e)
- F8(f)
- F8(g)
- F8(h)
- F8(i)
- F8(j)
- F8(k)
- F8(l)
- F8(m)
- F8(n)
- F8(o)
- F8(p)
- F8(q)
- F8(r)
- (s) he commits an offence under section 4(3) of the ^{M8}Misuse of Drugs Act 1971 by—
 - (i) supplying or offering to supply a Class A drug to a child,
 - (ii) being concerned in the supplying of such a drug to a child, or
 - (iii) being concerned in the making to a child of an offer to supply such a drug,
- [^{F9}(sa) he commits an offence under section 62 or 63 of the Sexual Offences Act 2003 (committing an offence or trespassing with intent to commit a sexual offence) in a case where the intended offence was an offence against a child.]
- [^{F10}(sb) he commits an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing [^{F11}the death of a child or vulnerable adult][^{F11}a child or vulnerable adult to die or suffer serious physical harm]) in respect of a child.]
- (t) he commits an offence of—
 - (i) aiding, abetting, counselling, procuring or inciting the commission of an offence against a child, or
 - (ii) conspiring or attempting to commit such an offence.]

Extent Information

E3 sch.4 para.3 extends to UK.see s.81(1)(2)(a) for the extent

Textual Amendments

F1 Sch. 4 repealed (E.W.) (12.10.2009 for specified purposes, 30.3.2010 for specified purposes, 17.6.2013 in so far as not already in force) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 10](#) (with [ss. 51, 57\(3\), 60\(4\), 64\(5\)](#)); [S.I. 2009/2611, art. 3](#); [S.I. 2010/1101, art. 5](#); [S.I. 2012/2231, art. 4](#) (see [S.I. 2013/1180, art. 2\(b\)](#))

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- F8** Sch. 4 paras. 3(b)-(r) repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, **Sch. 7**; S.I. 2004/874, art. 2
- F9** Sch. 4 para. 3(sa) inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, **Sch. 6 para. 44(5)** (c); S.I. 2004/874, art. 2
- F10** Sch. 4 para. 3(sb) inserted (21.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, **Sch. 10 para. 56**; S.I. 2005/579, art. 2(c)
- F11** Words in Sch. 4 para. 3(sb) substituted (E.W.) (2.7.2012) by [Domestic Violence, Crime and Victims \(Amendment\) Act 2012 \(c. 4\)](#), s. 4(2), **Sch. para. 4(1)** (with Sch. para. 4(2)); S.I. 2012/1432, art. 2

Modifications etc. (not altering text)

- C1** Sch. 4 para. 3(t)(i) modified (E.W.N.I.) (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), **Sch. 6 para. 40** (with Sch. 13 para. 5); S.I. 2008/2504, art. 2(a)

Marginal Citations

- M7** 1861 c. 100.
- M8** 1971 c. 38.

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