

Status: Point in time view as at 02/02/2009.

Changes to legislation: Criminal Justice Act 2003, SCHEDULE 15A is up to date with all changes known to be in force on or before 19 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

[^{F1}SCHEDULE 15A

OFFENCES SPECIFIED FOR THE PURPOSES OF SECTIONS 225(3A) AND 227(2A)

Textual Amendments

- F1** Sch. 15A inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 13(2), 153, Sch. 5; S.I. 2008/1586, art. 2(1), Sch. 1 para. 4

PART 1

OFFENCES UNDER THE LAW OF ENGLAND AND WALES

- 1 Murder.
- 2 Manslaughter.
- 3 An offence under section 4 of the Offences against the Person Act 1861 (c. 100) (soliciting murder).
- 4 An offence under section 18 of that Act (wounding with intent to cause grievous bodily harm).
- 5 An offence under section 1 of the Sexual Offences Act 1956 (c. 69) (rape).
- 6 An offence under section 5 of that Act (intercourse with a girl under 13).
- 7 An offence under section 16 of the Firearms Act 1968 (c. 27) (possession of firearm with intent to endanger life).
- 8 An offence under section 17(1) of that Act (use of a firearm to resist arrest).
- 9 An offence under section 18 of that Act (carrying a firearm with criminal intent).
- 10 An offence of robbery under section 8 of the Theft Act 1968 (c. 60) where, at some time during the commission of the offence, the offender had in his possession a firearm or an imitation firearm within the meaning of the Firearms Act 1968.
- 11 An offence under section 1 of the Sexual Offences Act 2003 (c. 42) (rape).
- 12 An offence under section 2 of that Act (assault by penetration).
- 13 An offence under section 4 of that Act (causing a person to engage in sexual activity without consent) if the offender was liable on conviction on indictment to imprisonment for life.
- 14 An offence under section 5 of that Act (rape of a child under 13).
- 15 An offence under section 6 of that Act (assault of a child under 13 by penetration).

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- 16 An offence under section 8 of that Act (causing or inciting a child under 13 to engage in sexual activity) if the offender was liable on conviction on indictment to imprisonment for life.
- 17 An offence under section 30 of that Act (sexual activity with a person with a mental disorder impeding choice) if the offender was liable on conviction on indictment to imprisonment for life.
- 18 An offence under section 31 of that Act (causing or inciting a person with a mental disorder to engage in sexual activity) if the offender was liable on conviction on indictment to imprisonment for life.
- 19 An offence under section 34 of that Act (inducement, threat or deception to procure sexual activity with a person with a mental disorder) if the offender was liable on conviction on indictment to imprisonment for life.
- 20 An offence under section 35 of that Act (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement etc.) if the offender was liable on conviction on indictment to imprisonment for life.
- 21 An offence under section 47 of that Act (paying for sexual services of a child) if the offender was liable on conviction on indictment to imprisonment for life.
- 22 An offence under section 62 of that Act (committing an offence with intent to commit a sexual offence) if the offender was liable on conviction on indictment to imprisonment for life.
- 23 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part of this Schedule (“a listed offence”).
- (2) Conspiracy to commit a listed offence.
- (3) Incitement to commit a listed offence.
- (4) 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.
- (5) Aiding, abetting, counselling or procuring the commission of a listed offence.

PART 2

OFFENCES UNDER THE LAW OF SCOTLAND

- 24 Murder.
- 25 Culpable homicide.
- 26 Rape.
- 27 Assault where the assault—
- (a) is aggravated because it caused severe injury or endangered the victim's life, or
- (b) was carried out with intent to rape or ravish the victim.
- 28 Sodomy where the person against whom the offence was committed did not consent.
- 29 Lewd, indecent or libidinous behaviour or practices.

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- 30 Robbery, where, at some time during the commission of the offence, the offender had in his possession a firearm or an imitation firearm within the meaning of the Firearms Act 1968 (c. 27).
- 31 An offence under section 16 of the Firearms Act 1968 (possession of firearm with intent to endanger life).
- 32 An offence under section 17(1) of that Act (use of a firearm to resist arrest).
- 33 An offence under section 18 of that Act (carrying a firearm with criminal intent).
- 34 An offence under section 5(1) of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39) (unlawful intercourse with a girl under 13).
- 35 (1) An attempt to commit an offence specified in the preceding paragraphs 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.

PART 3

OFFENCES UNDER THE LAW OF NORTHERN IRELAND

- 36 Murder.
- 37 Manslaughter.
- 38 Rape.
- 39 An offence under section 4 of the Offences against the Person Act 1861 (c. 100) (soliciting murder).
- 40 An offence under section 18 of that Act (wounding with intent to cause grievous bodily harm).
- 41 An offence under section 4 of the Criminal Law Amendment Act 1885 (c. 69) (intercourse with a girl under 14).
- 42 An offence of robbery under section 8 of the Theft Act (Northern Ireland) 1969 (c. 16) where, at some time during the commission of the offence, the offender had in his possession a firearm or an imitation firearm within the meaning of the Firearms (Northern Ireland) Order 2004 (S.I. 2004/702 (N.I.3)).
- 43 An offence under Article 17 of the Firearms (Northern Ireland) Order 1981 (S.I. 1981/155 (N.I.2)) (possession of firearm with intent to endanger life).
- 44 An offence under Article 18(1) of that Order (use of a firearm to resist arrest).
- 45 An offence under Article 19 of that Order (carrying a firearm with criminal intent).
- 46 An offence under Article 58 of the Firearms (Northern Ireland) Order 2004 (possession of firearm with intent to endanger life).
- 47 An offence under Article 59 of that Order (use of a firearm to resist arrest).
- 48 An offence under Article 60 of that Order (carrying a firearm with criminal intent).

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49 An offence under section 47 of the Sexual Offences Act 2003 (paying for sexual services of a child) if the offender was liable on conviction on indictment to imprisonment for life.

[
F2 49A An offence under Article 5 of the Sexual Offences (Northern Ireland) Order 2008 (rape).

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49B An offence under Article 6 of that Order (assault by penetration).

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49C An offence under Article 8 of that Order (causing a person to engage in sexual activity without consent) if the offender was liable on conviction on indictment to imprisonment for life.

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49D An offence under Article 12 of that Order (rape of a child under 13).

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49E An offence under Article 13 of that Order (assault of a child under 13 by penetration).

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49F An offence under Article 15 of that Order (causing or inciting a child under 13 to engage in sexual activity) if the offender was liable on conviction on indictment to imprisonment for life.

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

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49G An offence under Article 37 of that Order (paying for sexual services of a child) if the offender was liable on conviction on indictment to imprisonment for life.

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49H An offence under Article 43 of that Order (sexual activity with a person with a mental disorder impeding choice) if the offender was liable on conviction on indictment to imprisonment for life.

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49I An offence under Article 44 of that Order (causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity) if the offender was liable on conviction on indictment to imprisonment for life.

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49J An offence under Article 47 of that Order (inducement, threat or deception to procure sexual activity with a person with a mental disorder) if the offender was liable on conviction on indictment to imprisonment for life.

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49K An offence under Article 48 of that Order (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception) if the offender was liable on conviction on indictment to imprisonment for life.

Textual Amendments

F2 Sch. 15A Pt. 3 paras. 49A-49L inserted (2.2.2009) by The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2, 17; S.R. 2008/510, art. 2

49L An offence under Article 66 of that Order (committing an offence with intent to commit a sexual offence) if the offender was liable on conviction on indictment to imprisonment for life.]

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- 50 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part of this Schedule (“a listed offence”).
- (2) Conspiracy to commit a listed offence.
- (3) Incitement to commit a listed offence.
- (4) 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.
- (5) Aiding, abetting, counselling or procuring the commission of a listed offence.

PART 4

OFFENCES UNDER SERVICE LAW

- 51 An offence under section 70 of the Army Act 1955, section 70 of the Air Force Act 1955 or section 42 of the Naval Discipline Act 1957 as respects which the corresponding civil offence (within the meaning of the Act in question) is an offence specified in Part 1 of this Schedule.
- 52 (1) An offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales (within the meaning given by that section) is an offence specified in Part 1 of this Schedule.
- (2) Section 48 of the Armed Forces Act 2006 (attempts, conspiracy etc.) applies for the purposes of this paragraph as if the reference in subsection (3)(b) of that section to any of the following provisions of that Act were a reference to this paragraph.

PART 5

INTERPRETATION

- 53 In this Schedule, “imprisonment for life” includes custody for life and detention for life.]

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