

*Status: Point in time view as at 03/05/2015.*

*Changes to legislation: Criminal Justice Act 2003, SCHEDULE 15B is up to date with all changes known to be in force on or before 28 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

### [<sup>F1</sup>SCHEDULE 15B

Sections 224A, 226A and 246A

#### OFFENCES LISTED FOR THE PURPOSES OF SECTIONS 224A, 226A AND 246A

##### Textual Amendments

- F1** Sch. 15B inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 18](#); S.I. 2012/2906, art. 2(p)

### PART 1

#### OFFENCES UNDER THE LAW OF ENGLAND AND WALES LISTED FOR THE PURPOSES OF SECTIONS 224A(1), 224A(4), 226A AND 246A

The following offences to the extent that they are offences under the law of England and Wales—

- 1 Manslaughter.
- 2 An offence under section 4 of the Offences against the Person Act 1861 (soliciting murder).
- 3 An offence under section 18 of that Act (wounding with intent to cause grievous bodily harm).
- [<sup>F2</sup>3A An offence under section 28 of that Act (causing bodily injury by explosives).

##### Textual Amendments

- F2** Sch. 15B paras. 3A-3E inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 3\(2\)](#), [95\(1\)](#) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

- 3B An offence under section 29 of that Act (using explosives etc with intent to do grievous bodily harm).

##### Textual Amendments

- F2** Sch. 15B paras. 3A-3E inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 3\(2\)](#), [95\(1\)](#) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

- 3C An offence under section 2 of the Explosive Substances Act 1883 (causing explosion likely to endanger life or property).

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**Textual Amendments**

**F2** Sch. 15B paras. 3A-3E inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), **ss. 3(2)**, 95(1) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

3D An offence under section 3 of that Act (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property).

**Textual Amendments**

**F2** Sch. 15B paras. 3A-3E inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), **ss. 3(2)**, 95(1) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

3E An offence under section 4 of that Act (making or possession of explosive under suspicious circumstances).]

**Textual Amendments**

**F2** Sch. 15B paras. 3A-3E inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), **ss. 3(2)**, 95(1) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

4 An offence under section 16 of the Firearms Act 1968 (possession of a firearm with intent to endanger life).

5 An offence under section 17(1) of that Act (use of a firearm to resist arrest).

6 An offence under section 18 of that Act (carrying a firearm with criminal intent).

7 An offence of robbery under section 8 of the Theft Act 1968 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.

8 An offence under section 1 of the Protection of Children Act 1978 (indecent images of children).

[ An offence under section 54 of the Terrorism Act 2000 (weapons training).]

<sup>F3</sup>8A

**Textual Amendments**

**F3** Sch. 15B para. 8A inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), **ss. 3(3)**, 95(1) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

9 An offence under section 56 of [<sup>F4</sup>that Act] (directing terrorist organisation).

**Textual Amendments**

**F4** Words in Sch. 15B para. 9 substituted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), **ss. 3(4)**, 95(1) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

10 An offence under section 57 of that Act (possession of article for terrorist purposes).

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- 11 An offence under section 59 of that Act (inciting terrorism overseas) if the offender is liable on conviction on indictment to imprisonment for life.
- 12 An offence under section 47 of the Anti-terrorism, Crime and Security Act 2001 (use etc of nuclear weapons).
- 13 An offence under section 50 of that Act (assisting or inducing certain weapons-related acts overseas).
- 14 An offence under section 113 of that Act (use of noxious substance or thing to cause harm or intimidate).
- 15 An offence under section 1 of the Sexual Offences Act 2003 (rape).
- 16 An offence under section 2 of that Act (assault by penetration).
- 17 An offence under section 4 of that Act (causing a person to engage in sexual activity without consent) if the offender is liable on conviction on indictment to imprisonment for life.
- 18 An offence under section 5 of that Act (rape of a child under 13).
- 19 An offence under section 6 of that Act (assault of a child under 13 by penetration).
- 20 An offence under section 7 of that Act (sexual assault of a child under 13).
- 21 An offence under section 8 of that Act (causing or inciting a child under 13 to engage in sexual activity).
- 22 An offence under section 9 of that Act (sexual activity with a child).
- 23 An offence under section 10 of that Act (causing or inciting a child to engage in sexual activity).
- 24 An offence under section 11 of that Act (engaging in sexual activity in the presence of a child).
- 25 An offence under section 12 of that Act (causing a child to watch a sexual act).
- 26 An offence under section 14 of that Act (arranging or facilitating commission of a child sex offence).
- 27 An offence under section 15 of that Act (meeting a child following sexual grooming etc).
- 28 An offence under section 25 of that Act (sexual activity with a child family member) if the offender is aged 18 or over at the time of the offence.
- 29 An offence under section 26 of that Act (inciting a child family member to engage in sexual activity) if the offender is aged 18 or over at the time of the offence.
- 30 An offence under section 30 of that Act (sexual activity with a person with a mental disorder impeding choice) if the offender is liable on conviction on indictment to imprisonment for life.
- 31 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 is liable on conviction on indictment to imprisonment for life.
- 32 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 is liable on conviction on indictment to imprisonment for life.

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- 33 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 is liable on conviction on indictment to imprisonment for life.
- 34 An offence under section 47 of that Act (paying for sexual services of a child) against a person aged under 16.
- 35 An offence under section 48 of that Act (causing or inciting [<sup>F5</sup>sexual exploitation of a child] ).

**Textual Amendments**

**F5** Words in [Sch. 15B para. 35](#) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 4 para. 69\(2\)](#); S.I. 2015/820, reg. 2(r)(x)

- 36 An offence under section 49 of that Act (controlling a child [<sup>F6</sup>in relation to sexual exploitation] ).

**Textual Amendments**

**F6** Words in [Sch. 15B para. 36](#) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 4 para. 69\(3\)](#); S.I. 2015/820, reg. 2(r)(x)

- 37 An offence under section 50 of that Act (arranging or facilitating [<sup>F7</sup>sexual exploitation of a child] ).

**Textual Amendments**

**F7** Words in [Sch. 15B para. 37](#) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), [Sch. 4 para. 69\(4\)](#); S.I. 2015/820, reg. 2(r)(x)

- 38 An offence under section 62 of that Act (committing an offence with intent to commit a sexual offence) if the offender is liable on conviction on indictment to imprisonment for life.
- 39 An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing the death of a child or vulnerable adult).
- 40 An offence under section 5 of the Terrorism Act 2006 (preparation of terrorist acts).
- [<sup>F8</sup>40A An offence under section 6 of that Act (training for terrorism).]

**Textual Amendments**

**F8** [Sch. 15B para. 40A](#) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 3\(5\)](#), 95(1) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, [Sch. 1 para. 3](#)

- 41 An offence under section 9 of that Act (making or possession of radioactive device or materials).
- 42 An offence under section 10 of that Act (misuse of radioactive devices or material and misuse and damage of facilities).

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- 43 An offence under section 11 of that Act (terrorist threats relating to radioactive devices, materials or facilities).
- 44 (1) An attempt to commit an offence specified in the preceding paragraphs of this Part of this Schedule (“a listed offence”) or murder.
- (2) Conspiracy to commit a listed offence or murder.
- (3) Incitement to commit a listed offence or murder.
- (4) An offence under Part 2 of the Serious Crime Act 2007 in relation to which a listed offence or murder 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

### FURTHER OFFENCES UNDER THE LAW OF ENGLAND AND WALES LISTED FOR THE PURPOSES OF SECTIONS 224A(4), 226A AND 246A

The following offences to the extent that they are offences under the law of England and Wales—

- 45 Murder.
- 46 (1) Any offence that—
- (a) was abolished (with or without savings) before the coming into force of this Schedule, and
- (b) would, if committed on the relevant day, have constituted an offence specified in Part 1 of this Schedule.
- (2) “Relevant day”, in relation to an offence, means—
- (a) for the purposes of this paragraph as it applies for the purposes of section 246A(2), the day on which the offender was convicted of that offence, and
- (b) for the purposes of this paragraph as it applies for the purposes of sections 224A(4) and 226A(2), the day on which the offender was convicted of the offence referred to in section 224A(1)(a) or 226A(1)(a) (as appropriate).

## PART 3

### OFFENCES UNDER SERVICE LAW LISTED FOR THE PURPOSES OF SECTIONS 224A(4), 226A AND 246A

- 47 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 or 2 of this Schedule.
- 48 (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 or 2 of this Schedule.

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- (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 4

##### OFFENCES UNDER THE LAW OF SCOTLAND, NORTHERN IRELAND OR A MEMBER STATE OTHER THAN THE UNITED KINGDOM LISTED FOR THE PURPOSES OF SECTIONS 224A(4) AND 226A

- 49 [F<sup>9</sup>A civilian offence] for which the person was convicted in Scotland, Northern Ireland or a member State other than the United Kingdom and which, if committed in England and Wales at the time of the conviction, would have constituted an offence specified in Part 1 or 2 of this Schedule.

##### Textual Amendments

**F9** Words in Sch. 15B para. 49 substituted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), ss. 3\(7\), 95\(1\)](#) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

- [<sup>F10</sup>49A A member State service offence which, if committed in England and Wales at the time of the conviction, would have constituted an offence specified in Part 1 or 2 of this Schedule.

##### Textual Amendments

**F10** Sch. 15B paras. 49A, 49B inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), ss. 3\(8\), 95\(1\)](#) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

- 49B In this Part of this Schedule—  
 “civilian offence” means an offence other than an offence described in Part 3 of this Schedule or a member State service offence;  
 “member State service offence” means an offence which was the subject of proceedings under the law of a member State, other than the United Kingdom, governing all or any of the naval, military or air forces of that State].

##### Textual Amendments

**F10** Sch. 15B paras. 49A, 49B inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\), ss. 3\(8\), 95\(1\)](#) (with s. 3(9)-(11)); S.I. 2015/778, art. 3, Sch. 1 para. 3

#### PART 5

##### INTERPRETATION

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

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