

Status: Point in time view as at 27/06/2011.

Changes to legislation: Criminal Justice Act 2003, Cross Heading: Sexual Offences is up to date with all changes known to be in force on or before 20 July 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 5

QUALIFYING OFFENCES FOR PURPOSES OF PART 10

PART 1

LIST OF OFFENCES FOR ENGLAND AND WALES

Sexual Offences

Rape

- 6 An offence under section 1 of the Sexual Offences Act 1956 (c. 69) or section 1 of the Sexual Offences Act 2003 (c. 42).

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and S.I. 2005/950, **art. 2(1)**, Sch. 1 para. 30 (subject to **art. 2(2)**, Sch. 2)

Attempted rape

- 7 An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence under section 1 of the Sexual Offences Act 1956 or section 1 of the Sexual Offences Act 2003.

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and S.I. 2005/950, **art. 2(1)**, Sch. 1 para. 30 (subject to **art. 2(2)**, Sch. 2)

Intercourse with a girl under thirteen

- 8 An offence under section 5 of the Sexual Offences Act 1956.

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and S.I. 2005/950, **art. 2(1)**, Sch. 1 para. 30 (subject to **art. 2(2)**, Sch. 2)

Status: Point in time view as at 27/06/2011.

Changes to legislation: Criminal Justice Act 2003, Cross Heading: Sexual Offences is up to date with all changes known to be in force on or before 20 July 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)

Incest by a man with a girl under thirteen

- 9 An offence under section 10 of the Sexual Offences Act 1956 alleged to have been committed with a girl under thirteen.

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Assault by penetration

- 10 An offence under section 2 of the Sexual Offences Act 2003 (c. 42).

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Causing a person to engage in sexual activity without consent

- 11 An offence under section 4 of the Sexual Offences Act 2003 where it is alleged that the activity caused involved penetration within subsection (4)(a) to (d) of that section.

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Rape of a child under thirteen

- 12 An offence under section 5 of the Sexual Offences Act 2003.

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Attempted rape of a child under thirteen

- 13 An offence under section 1 of the Criminal Attempts Act 1981 (c. 47) of attempting to commit an offence under section 5 of the Sexual Offences Act 2003.

Commencement Information

- II** Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Status: Point in time view as at 27/06/2011.

Changes to legislation: Criminal Justice Act 2003, Cross Heading: Sexual Offences is up to date with all changes known to be in force on or before 20 July 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)

Assault of a child under thirteen by penetration

14 An offence under section 6 of the Sexual Offences Act 2003.

Commencement Information

II Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Causing a child under thirteen to engage in sexual activity

15 An offence under section 8 of the Sexual Offences Act 2003 where it is alleged that an activity involving penetration within subsection (2)(a) to (d) of that section was caused.

Commencement Information

II Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Sexual activity with a person with a mental disorder impeding choice

16 An offence under section 30 of the Sexual Offences Act 2003 where it is alleged that the touching involved penetration within subsection (3)(a) to (d) of that section.

Commencement Information

II Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Causing a person with a mental disorder impeding choice to engage in sexual activity

17 An offence under section 31 of the Sexual Offences Act 2003 where it is alleged that an activity involving penetration within subsection (3)(a) to (d) of that section was caused.

Commencement Information

II Sch. 5 Pt. 1 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), **art. 2(1)**, [Sch. 1 para. 30](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Status:

Point in time view as at 27/06/2011.

Changes to legislation:

Criminal Justice Act 2003, Cross Heading: Sexual Offences is up to date with all changes known to be in force on or before 20 July 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.