

Changes to legislation: There are currently no known outstanding effects for the Domestic Violence, Crime and Victims (Amendment) Act 2012. (See end of Document for details)

SCHEDULE

Section 3

CONSEQUENTIAL AMENDMENTS

Criminal Justice Act 1982

- 1 In Schedule 1 to the Criminal Justice Act 1982 (offences excluded from early release provisions), in Part 2, in the entry relating to section 5 of the Domestic Violence, Crime and Victims Act 2004, for “the death of a child or vulnerable adult” substitute “ a child or vulnerable adult to die or suffer serious physical harm ”.

Commencement Information

- II** Sch. para. 1 in force at 2.7.2012 by S.I. 2012/1432, art. 2

Coroners Act 1988

- 2 (1) The Coroners Act 1988 is amended as follows.
- (2) In section 16 (adjournment of inquest in event of criminal proceedings), in subsection (1)(a)(iv), for “(causing or allowing the death of a child or vulnerable adult)” substitute “ of causing or allowing the death of a child or vulnerable adult ”.
- (3) In section 17 (provisions supplementary to section 16), in subsections (1)(d) and (2) (d), for “(causing or allowing the death of a child or vulnerable adult)” substitute “ of causing or allowing the death of a child or vulnerable adult ”.
- (4) The amendments made by this paragraph cease to have effect when the repeal of that Act by Schedule 23 to the Coroners and Justice Act 2009 has effect for all purposes.

Commencement Information

- I2** Sch. para. 2 in force at 2.7.2012 by S.I. 2012/1432, art. 2

Law Reform (Year and a Day Rule) Act 1996

- 3 In section 2 of the Law Reform (Year and a Day Rule) Act 1996 (restriction on institution of proceedings for fatal offence), in subsection (3)(c), for “(causing or allowing the death of a child or vulnerable adult)” substitute “ of causing or allowing the death of a child or vulnerable adult ”.

Commencement Information

- I3** Sch. para. 3 in force at 2.7.2012 by S.I. 2012/1432, art. 2

Criminal Justice and Court Services Act 2000

- 4 (1) In Schedule 4 to the Criminal Justice and Court Services Act 2000 (meaning of “offence against a child” for purposes of disqualification orders), in paragraph 3(sb), for “the death of a child or vulnerable adult” substitute “ a child or vulnerable adult to die or suffer serious physical harm ”.

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- (2) The amendment made by sub-paragraph (1) ceases to have effect when the repeal of that Schedule by Schedule 10 to the Safeguarding Vulnerable Groups Act 2006 has effect for all purposes.

Commencement Information

I4 [Sch. para. 4](#) in force at 2.7.2012 by [S.I. 2012/1432, art. 2](#)

Sexual Offences Act 2003

- 5 In Schedule 5 to the Sexual Offences Act 2003 (offences for purposes of making sexual offences prevention orders), in paragraph 63A, for “the death of a child or vulnerable adult” substitute “ a child or vulnerable adult to die or suffer serious physical harm ”.

Commencement Information

I5 [Sch. para. 5](#) in force at 2.7.2012 by [S.I. 2012/1432, art. 2](#)

Criminal Justice Act 2003

- 6 In Part 1 of Schedule 15 to the Criminal Justice Act 2003 (specified violent offences for purposes of Chapter 5 of Part 12 of that Act), in paragraph 63A, for “the death of a child or vulnerable adult” substitute “ a child or vulnerable adult to die or suffer serious physical harm ”.

Commencement Information

I6 [Sch. para. 6](#) in force at 2.7.2012 by [S.I. 2012/1432, art. 2](#)

Domestic Violence, Crime and Victims Act 2004

- 7 The Domestic Violence, Crime and Victims Act 2004 is amended as follows.

Commencement Information

I7 [Sch. para. 7](#) in force at 2.7.2012 by [S.I. 2012/1432, art. 2](#)

- 8 (1) In section 6 (evidence and procedure: England and Wales), in subsection (5), after “section 5” insert “ of causing or allowing a person's death ”.
- (2) The heading of that section becomes “ **Evidence and procedure in cases of death: England and Wales** ”.

Commencement Information

I8 [Sch. para. 8](#) in force at 2.7.2012 by [S.I. 2012/1432, art. 2](#)

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9 In section 8 (evidence and procedure: the Court Martial), after subsection (3) insert—

“(4) Section 6A(1), (3) and (5) has effect in relation to proceedings before the Court Martial with the following adaptations.

(5) A reference to an offence—

- (a) listed in section 6A(2), or
- (b) under section 5,

is to be read as a reference to 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 that offence.

(6) A reference to the court or jury is to be read as a reference to the court.”

Commencement Information

I9 Sch. para. 9 in force at 2.7.2012 by S.I. 2012/1432, art. 2

10 In section 62(4) (extent of section 8), after “section 6” insert “ or 6A ”.

Commencement Information

I10 Sch. para. 10 in force at 2.7.2012 by S.I. 2012/1432, art. 2

Armed Forces Act 2006

11 In section 51 of the Armed Forces Act 2006 (jurisdiction of Service Civilian Court), in subsection (5)(a), for “(causing or allowing death of child etc)” substitute “ of causing or allowing the death of a child or vulnerable adult ”.

Commencement Information

I11 Sch. para. 11 in force at 2.7.2012 by S.I. 2012/1432, art. 2

Coroners and Justice Act 2009

12 In paragraph 1 of Schedule 1 to the Coroners and Justice Act 2009 (suspension of investigations where certain criminal charges may be brought), in subparagraph (6), in paragraph (d) of the definition of “homicide offence”, for “(causing or allowing the death of a child or vulnerable adult)” substitute “ of causing or allowing the death of a child or vulnerable adult ”.

Commencement Information

I12 Sch. para. 12 in force at 2.7.2012 by S.I. 2012/1432, art. 2

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