

SCHEDULE 2

Regulation 4(5)

REPEALED STATUTORY OFFENCES

- 1.—(1) An offence under any of the following sections of the Sexual Offences Act 1956(1);
- (a) section 1(rape);
 - (b) section 2 or 3 (procurement of woman by threats or false pretences);
 - (c) section 4 (administering drugs to obtain or facilitate intercourse);
 - (d) section 5 (intercourse with a girl under 13);
 - (e) section 6 (intercourse with a girl under 16);
 - (f) section 14 or 15 (indecent assault);
 - (g) section 16 (assault with intent to commit buggery);
 - (h) section 17 (abduction of women by force or for the sake of her property);
 - (i) section 19 or 20 (abduction of girl under 18 or 16);
 - (j) section 24 (detention of woman in brothel or other premises);
 - (k) section 25 or 26 (permitting girl under 13, or between 13 and 16, to use premises for intercourse);
 - (l) section 28 (causing or encouraging prostitution of, intercourse with or indecent assault on, girl under 16).
- (2) An offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards young child)(2).
- (3) An offence under section 54 of the Criminal Law Act 1977 (inciting girl under 16 to incest)(3).
- (4) An offence under section 3 of the Sexual Offences (Amendment) Act 2000(4) (abuse of trust).
- (5) An offence under section 70 of the 1989 Act, section 16 of the Foster Children Act 1980(5) or section 14 of the Children Act 1958 (offences relating to private fostering)(6).
- (6) An offence under section 63(10) of, paragraph 1(5) of Schedule 5 to, or paragraph 2(3) of Schedule 6 to, the 1989 Act (offences relating to voluntary homes and children’s homes)(7).
- (7) An offence under or by virtue of any of the following sections of the Regulation of Care (Scotland) Act 2001(8)—
- (a) section 21 (offences in relation to registration);
 - (b) section 22 (false statements in applications); or
 - (c) section 29(10) (offences under regulations).
2. P falls within this paragraph if P has been found to have committed an offence under any of the following provisions committed against or involving a child—
- (a) section 7 of the Sexual Offences Act 1956 (intercourse with defective);

(1) 1956 c. 69. All the sections referred to in paragraphs (a) to (l) of this sub-paragraph, were repealed by paragraph 1 of Schedule 7 to the Sexual Offences Act 2003 (c. 42) (“the 2003 Act”).

(2) 1960 c. 33. Section 1 was repealed by paragraph 1 of Schedule 7 to the 2003 Act.

(3) 1977 c. 45. Section 54 was repealed by paragraph 1 of Schedule 7 to the 2003 Act.

(4) 2000 c. 44. Section 3 extends to Scotland and Northern Ireland (see sections 7(2) and (4)) but was repealed in relation to England and Wales and Northern Ireland by the 2003 Act.

(5) 1980 c. 6. This Act was repealed by section 108 of the 1989 Act.

(6) 1958 c. 65. Section 14 was repealed by the Foster Children Act 1980. The 1980 Act was repealed by the 1989 Act.

(7) Each of these provisions was repealed by the Care Standards Act 2000 (c. 14).

(8) 2001 asp. 8. Each of the provisions in paragraphs (a) to (c) were repealed by paragraph 37 of Schedule 14 to the Public Services Reform (Scotland) Act 2010 asp 8.

Status: This is the original version (as it was originally made).

- (b) section 9 of that Act (procurement of defective);
- (c) section 10 of that Act (incest by a man);
- (d) section 11 of that Act (incest by a woman);
- (e) section 12 of that Act (buggery) except if the other party to the act of buggery was aged 16 or over and consented to the act;
- (f) section 13 of that Act (indecent between men) except if the other party to the act of gross indecency was aged 16 or over and consented to the act;
- (g) section 21 of that Act (abduction of defective from parent or guardian);
- (h) section 22 of that Act (causing prostitution of women);
- (i) section 23 of that Act (procurement of girl under 21);
- (j) section 27 of that Act (permitting defective to use premises for intercourse);
- (k) section 29 of that Act (causing or encouraging prostitution of defective);
- (l) section 30 of that Act (man living on earnings of prostitution);
- (m) section 31 of that Act (woman exercising control over prostitute);
- (n) section 128 of the Mental Health Act 1959⁽⁹⁾ (sexual intercourse with patients);
- (o) section 4 of the Sexual Offences Act 1967⁽¹⁰⁾ (procuring others to commit homosexual acts);
- (p) section 5 of that Act (living on earnings of male prostitution);
- (q) section 9(1)(a) of the Theft Act 1968⁽¹¹⁾ (burglary); or
- (r) an offence that is related to an offence specified in sub-paragraphs (a) to (q).

⁽⁹⁾ 1959 c. 72. Section 128 was repealed by paragraph 13 of Schedule 7 to the Sexual Offences Act 2003 (c. 42) (“the 2003 Act”).

⁽¹⁰⁾ 1967 c. 60. Section 4 was repealed by paragraph 15 of Schedule 7 to the 2003 Act.

⁽¹¹⁾ 1968 c. 60.