

## SCHEDULE 3

### SPECIFIED OFFENCES

#### Offences in Scotland

- 2.—(1) An offence of rape.
- (2) An offence specified in Schedule 1 to the Criminal Procedure (Scotland) Act 1995<sup>(1)</sup>.
- (3) The common law offence of plagiary (theft of a child below the age of puberty).
- (4) An offence under section 52 or 52A of the Civic Government (Scotland) Act 1982 (offences relating to indecent photographs of children)<sup>(2)</sup>.
- (5) An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust)<sup>(3)</sup>.
- (6) An offence under any of the following—
- (a) section 81, 83 or 89 of the Children (Scotland) Act 1995 or section 17(8) or 71 of the Social Work (Scotland) Act 1968 (harbouring offences)<sup>(4)</sup>;
  - (b) section 6 of the Child Abduction Act 1984 (taking or sending child out of United Kingdom)<sup>(5)</sup>; or
  - (c) section 15 of the Foster Children (Scotland) Act 1984 (offences relating to private fostering).
- (7) An offence under or by virtue of section 60(3), 61(3) or 62(6) of the Social Work (Scotland) Act 1968 (offences relating to residential and other establishments)<sup>(6)</sup>.
- (8) An offence in relation to a care home service, child minding or day care of children, under or by virtue of any of the following provisions of the Regulation of Care (Scotland) Act 2001<sup>(7)</sup>—
- (a) section 21 (offences in relation to registration);
  - (b) section 22 (false statements in applications); or
  - (c) section 29(10) (offences under regulations).

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(1) 1995 c. 46.

(2) 1982 c. 45. Section 52 was amended by section 84 of the 1994 Act, Schedule 4 of the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40) and section 19 of the Criminal Justice (Scotland) Act 2003 (asp 7). Section 52A was inserted by section 161 of the Criminal Justice Act 1988 (c. 33) and was amended by section 19 of the Criminal Justice (Scotland) Act 2003. Both sections 52 and 52A were amended by section 16 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 (asp 9).

(3) 2000 c. 44; section 3 was amended in relation to Scotland by paragraph 62 of Part 4 of Schedule 28 to the Civil Partnership Act 2004 (c. 33).

(4) Sections 17(8) and 71 of the 1968 Act were repealed by the Children (Scotland) Act 1995.

(5) 1984 c. 37; section 6 was amended in relation to Scotland by paragraph 34(c) of Schedule 4 to the Children (Scotland) Act 1995.

(6) Sections 60 to 68 were repealed by Schedule 4 to the Regulation of Care (Scotland) Act 2001 (asp 8) with effect from 1 April 2002 (S.S.I. 2002/162).

(7) 2001 asp 8.