

SCHEDULE

Article 3

OFFENCES PRESCRIBED FOR THE PURPOSES OF SECTION 14(2) OF THE CRIMINAL JUSTICE (SCOTLAND) ACT 2003

Non-sexual crimes of violence

1. Murder.
2. Culpable homicide.
3. Abduction.
4. Assault.
5. Robbery.
6. Cruel and unnatural treatment.
7. An offence under section 12 of the Children and Young Persons (Scotland) Act 1937 (c. 37) (cruelty to persons under 16).
8. An offence under section 41(1)(a) of the Police (Scotland) Act 1967 (c. 77) (assault on constables etc.) but only in respect of an assault on a constable.

Sexual crimes of violence and indecent crimes

9. Rape.
10. Sodomy.
11. Abduction of a woman or girl with intent to rape.
12. Assault with intent to rape or ravish.
13. Indecent assault.
14. Lewd, indecent or libidinous behaviour or practices.
15. An offence under section 311 or 313 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13).
16. An offence under any of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39):—
 - (a) sections 1–3 (incest and related offences);
 - (b) section 5 (unlawful sexual intercourse with a girl under the age of 16);
 - (c) section 6 (indecent behaviour towards a girl between the ages of 12 and 16);
 - (d) section 7(1), (2) and (3) (procuring);
 - (e) section 8 (abduction and unlawful detention);
 - (f) section 10 (seduction, prostitution etc. of a girl under the age of 16);
 - (g) section 13(5)(b) or (c) (homosexual offences).
17. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (c. 44) (abuse of position of trust).
18. Any offence where there was a significant sexual aspect to the offender's behaviour in committing the offence.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Housebreaking etc.

19. Theft by housebreaking.

Racially motivated crimes

20. An offence under section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995 (racially-aggravated harassment).

21. An offence under section 96 of the Crime and Disorder Act 1998 (c. 37) (offences racially aggravated).

Road Traffic Offences

22. An offence under section 1 of the Road Traffic Act 1988 (c. 52) (causing death by dangerous driving).

23. An offence under section 2B of that Act (causing death by careless or inconsiderate driving).

24. An offence under section 3A of that Act (causing death by careless driving when under the influence of drink or drugs).

25. An offence under section 3ZB of that Act (causing death by driving: unlicensed, disqualified or uninsured drivers).

Other

26. Fireraising.

Inchoate offences

27. An offence of conspiring or inciting the commission of an offence specified in paragraphs 1 to 26 of this Schedule.

28. An offence of aiding, abetting, counselling or procuring the commission of such an offence.