

# Get Licensed

SIA licensing criteria

April 2013



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# Introduction

If you work in one of the roles listed below in the UK or employ someone who works in one of those roles, you may need an SIA licence. This booklet tells you when a licence is required and what you need to do to apply for one.

SIA licences:

- Manned guarding including
  - Cash and valuables in transit
  - Close protection
  - Door supervision
  - Public space surveillance (CCTV)
  - Security guarding
- Vehicle immobilisation – only in Northern Ireland (immobilisation, restriction and removal of vehicles)
- Key holding.

## About the SIA

The Security Industry Authority is the organisation responsible for regulating the private security industry. We are an independent body reporting to the Home Secretary, established in 2003 under the terms of the Private Security Industry Act 2001. Our mission is to be an effective, fair and efficient regulator of the private security industry. Our remit covers the UK.

We have two main duties. One is the compulsory licensing of individuals working in specific sectors of the private security industry; the other is to manage the Approved Contractor Scheme, which measures private security companies against a set of independently assessed criteria.

## Better regulation

We are committed to the Government's principles of good regulation.

We aim to be:

- Proportionate by intervening with regulation only where justified
- Accountable by reaching decisions in a logical and open manner
- Consistent by working with partners in the delivery of shared initiatives and policies
- Transparent by consulting on our policies, services and strategies and by ensuring people know what to expect from us
- Targeted by focusing our resources on tackling issues and problem solving.

We are also committed to the obligations in the Regulators' Compliance Code, which is a statutory code of practice for regulators.

## Responsibility for getting a licence

You, the person undertaking licensable activity, are responsible for obtaining a licence to work legally within the private security industry. You will be breaking the law if you work without a licence and your employer will be breaking the law if they use unlicensed staff.

It is not your employer's responsibility to get you licensed, but it is their responsibility to ensure that their security staff always have the right licence for the role they ask them to perform.

## Getting help with applying for a licence

If you do need a licence to do your job, you should ask your employer whether they have arrangements in place to help you to apply for your licence.

Many companies that employ licensable staff will want to ensure that their people are properly trained and ready to apply for a licence in good time. Most companies recognise that it makes good commercial sense to plan ahead so that they can manage staff training programmes and licence applications.

Before applying for a licence we recommend you assess your own criminality using either:

- the information provided within this booklet; or
- the Criminal Records Indicator on our website.

If your self assessment indicates that you are likely to be refused then you will be able to provide further information to us at the same time as which you make your licence application and we will consider it as part of our decision making process if your application falls into the consider additional factors category.

Submitting further information at the point of application may remove the need for you to submit it later in the process and will enable us to make a final decision on your application sooner.

You can also contact us with licensing enquiries via

Security Industry Authority  
PO Box 1293  
Liverpool  
L69 1AX

## Penalties for operating without a licence

For those working in a licensable security role or supplying unlicensed security staff, without an SIA licence the penalties are:

- summary conviction at a Magistrate's Court, Sheriff Court or District Court: a maximum penalty of six months imprisonment and/or a fine of up to the statutory maximum, or
- trial on indictment at Crown Court, High Court of Justiciary or Sheriff and jury trial (for supplying unlicensed staff only), an unlimited fine and/or up to five years imprisonment.

Interested parties should seek their own independent legal advice on this matter if they are concerned about their individual liabilities.

## Keeping up to date

Our published criminality and other criteria are revised from time to time. To ensure that you have the most recent version please consult our website.

You can also keep up to date by consulting the private security industry regulations under the Private Security Industry Act 2001 (as amended). These prescribe through secondary legislation the interpretation of licensable conduct that is defined in this booklet.

# Licensable Roles

Whether or not a licence is required is determined by the role that is performed and the activity that is undertaken. These are described fully in Section 3 and Schedule 2 of the Private Security Industry Act 2001 (as amended).

The following list shows the roles that are licensable. If a role you undertake is shown below then you will need a licence if you also undertake a licensable activity. These role definitions are an interpretation for presentational purposes and are produced in good faith. However, the wording in the Private Security Industry Act 2001 always overrides them.

There are two types of licence:

- a **front line** licence is required if undertaking designated licensable activity other than key holding activities (a front line licence also covers undertaking non-front line activity). A front line licence is in the form of a credit card sized plastic card that must be worn where it can be seen at all times when engaging in designated licensable activity, subject to the licence conditions.
- a **non-front line** licence is required for those, including directors, who manage, supervise and/or employ individuals who engage in designated licensable activity, as long as front line activity is not carried out. A non-front line licence is issued in the form of a letter that also covers front line key holding activities.

For the purposes of the Act, directors include executive and non executive directors, shadow directors, parent company directors and corporate entities holding a directorship. The definition of a director for the purposes of the Private Security Industry Act can be found within Section 25 of the Act.



Role	Licence type	
a) Sole traders, contractors, directors of companies and partners of firms who perform designated licensable activities themselves for the purposes of, or in connection with, any contract to supply services to the consumer	Front line	Note that all these roles are in relation to contracts for the supply of services. These are the 'contract' roles
b) Employees of sole traders, companies or firms who perform the designated activities themselves for the purposes of, or in connection with, any contract to supply services to the consumer	Front line	
c) Employees, directors of companies and partners of firms that perform designated duties themselves under instructions given by the consumer they are contracted to supply the services to	Front line	
d) Any person who manages or supervises employees of a security provider where such employees perform designated activities for the purposes of, or in connection with, any contract to a consumer (see note below)	Non-front line	
e) Any person who manages and supervises agency workers who are instructed to carry out designated activities (see note below)	Non-front line	
f) Directors or partners of a company/firm when any other of the directors, partners or employees of that company/firm perform licensable conduct as described in (a) to (e) above	Non-front line	
g) Any person that employs door supervisors or vehicle immobilisers	Non-front line	These roles are often referred to as 'in-house'
h) Any person (whether an employee, or the director of a company, or the partner of a firm) that performs door supervision or vehicle immobilisation	Front line	
i) Persons who are employed to manage or supervise door supervisors or vehicle immobilisers	Non-front line	
j) Any person performing licensable vehicle immobilisation activity and charging a release fee – this includes landowners, their staff and volunteers	Front line	Special additional role relating to anyone including landowners, their staff and volunteers

Note:

- If you act as a manager or supervisor of an individual where that individual is required to carry out designated licensable activities for the purposes of, or in connection with, a contract for the supply of services, then you will require a licence even if you are an employee of the customer of the services.
- If you merely give directions to a licensable individual on the customer's behalf, you are not considered a manager or supervisor of that person. In addition, if you are engaged by the firm providing the security services, to give directions only, you are not required to be licensed.

# Licensable Activities

## Manned guarding

Manned guarding activity (see paragraph 2 of Schedule 2 of the Private Security Industry Act 2001) includes any of the following:

- a) guarding premises against unauthorised access or occupation, against outbreaks of disorder or against damage.
- b) guarding property against destruction or damage, against being stolen or against being otherwise dishonestly taken or obtained.
- c) guarding one or more individuals against assault or against injuries that might be suffered in consequence of the unlawful conduct of others.

All of the above includes providing a physical presence, or carrying out any form of patrol or surveillance, as to deter or otherwise discourage it from happening or to provide information, if it happens, about what has occurred.

It is important to note that paragraph 2(2) of Schedule 2 of the Private Security Industry Act 2001, expands the activity of guarding premises against unauthorised access by including references to being wholly or partly responsible for determining suitability for admission to the premises. It does not qualify or limit the definition in paragraph 2(1)(a) of Schedule 2 to only those who are wholly or partly responsible for determining suitability for admission that require a licence but also those individuals who are simply part of the process of guarding against unauthorised access.

However, this does not include the activities of a person who exercises control over the persons allowed access to any premises to the extent only of securing, or checking, that persons allowed access have paid for admission or have invitations or passes allowing admission.

The manned guarding activities above do not apply to the activities of a person who, incidentally to the carrying out of any activities in relation to a group of individuals which are neither manned guarding activities or checking that persons allowed access have paid etc. (as above), maintains order or discipline amongst those individuals. An example might be a school teacher accompanying children on an outing.

There is a further exclusion that may apply where individuals who do not undertake licensable activity are faced with a sudden or unexpected situation. This exclusion will not apply if there is an expectation that an individual will respond to such incidents by, for example, its inclusion in their job description.

Exemption from licensing applies to in-house employees when carrying out duties in connection with their employer's use of a certified sports ground or certified sports stand for purposes for which its safety certificate has effect. Employees of a visiting team to such premises are also exempt provided that the visiting team has a certified sports ground or stand. For a more precise description of the exemption see Section 4(6) to 4(12) of the Private Security Industry Act 2001 as amended.

There are certain exclusions mentioned within the Private Security Industry Act 2001. The Act should be referred to for full details of when a licence is not required. It is the responsibility of the individual and his/her employer to ensure that licences are held by those carrying out licensable activity.

It is a criminal offence for any individual to undertake licensable activity, or to supply an individual to undertake licensable activity, without the appropriate licence.

The following lists some examples of the types of guarding roles which are likely to require an SIA licence, but only if they are undertaken in relation to one or more of the manned guarding activities defined above.

## Cash and valuables in transit

A Cash and Valuables in Transit licence is required when guarding property against destruction or damage, against being stolen or against being otherwise dishonestly taken or obtained, involving the secure transportation of property in vehicles specially manufactured or adapted so as to have secure transportation as their primary function. This applies if services are supplied for the purposes of, or in connection with, any contract to a consumer.

## Close protection

A Close Protection licence is required when guarding one or more individuals against assault or against injuries that might be suffered in consequence of the unlawful conduct of others. This applies if services are supplied for the purposes of, or in connection with, any contract to a consumer.

## Door supervision

A Door Supervisor licence is required if manned guarding activities are undertaken in relation to licensed premises\*, except where the activity only involves the use of CCTV equipment or falls within the definition of cash and valuables in transit or close protection described above. A Door Supervisor licence is required if an individual performs this activity on their own behalf or for an employer or where services are supplied for the purposes of, or in connection with, any contract to a consumer.

## Public space surveillance (CCTV)

A Public Space Surveillance (CCTV) licence is required when manned guarding activities are undertaken involving the use of closed circuit television equipment to:

- a) monitor the activities of a member of the public in a public or private place; or
- b) identify a particular person

including the use of CCTV in these cases to record images that are viewed on non-CCTV equipment, for purposes other than identifying a trespasser or protecting property. This applies only if services are supplied for the purposes of, or in connection with, any contract to a consumer.

\* 'in relation to licensed premises' means when those premises are open to the public, at times when alcohol is being supplied for consumption, or regulated entertainment is being provided, on the premises. For a complete understanding of how licensed premises affects manned guarding, please refer to the Private Security Industry Act 2001, Schedule 2, Part 2.

## Security guarding

A Security licence is required when manned guarding activity, that does not fall under the descriptions of door supervision, close protection, cash and valuables in transit, or public space surveillance (CCTV), is undertaken. This applies only if services are supplied for the purposes of, or in connection with, any contract to a consumer.

## Manned guarding flowchart

The flowchart on page 12 gives an indication of which licence you need. Please note that the flowchart should be used as a guide only and is not a substitute for the Act. To avoid any element of doubt, read the Private Security Industry Act 2001, Section 3 and Schedule 2 (as amended).

### Note 1

None of the five 'manned guarding' licences is required. However, you should ensure that your activity does not fall within one of the other types of licensable activity i.e. key holding or vehicle immobilisation, as on page 13.

### Note 2

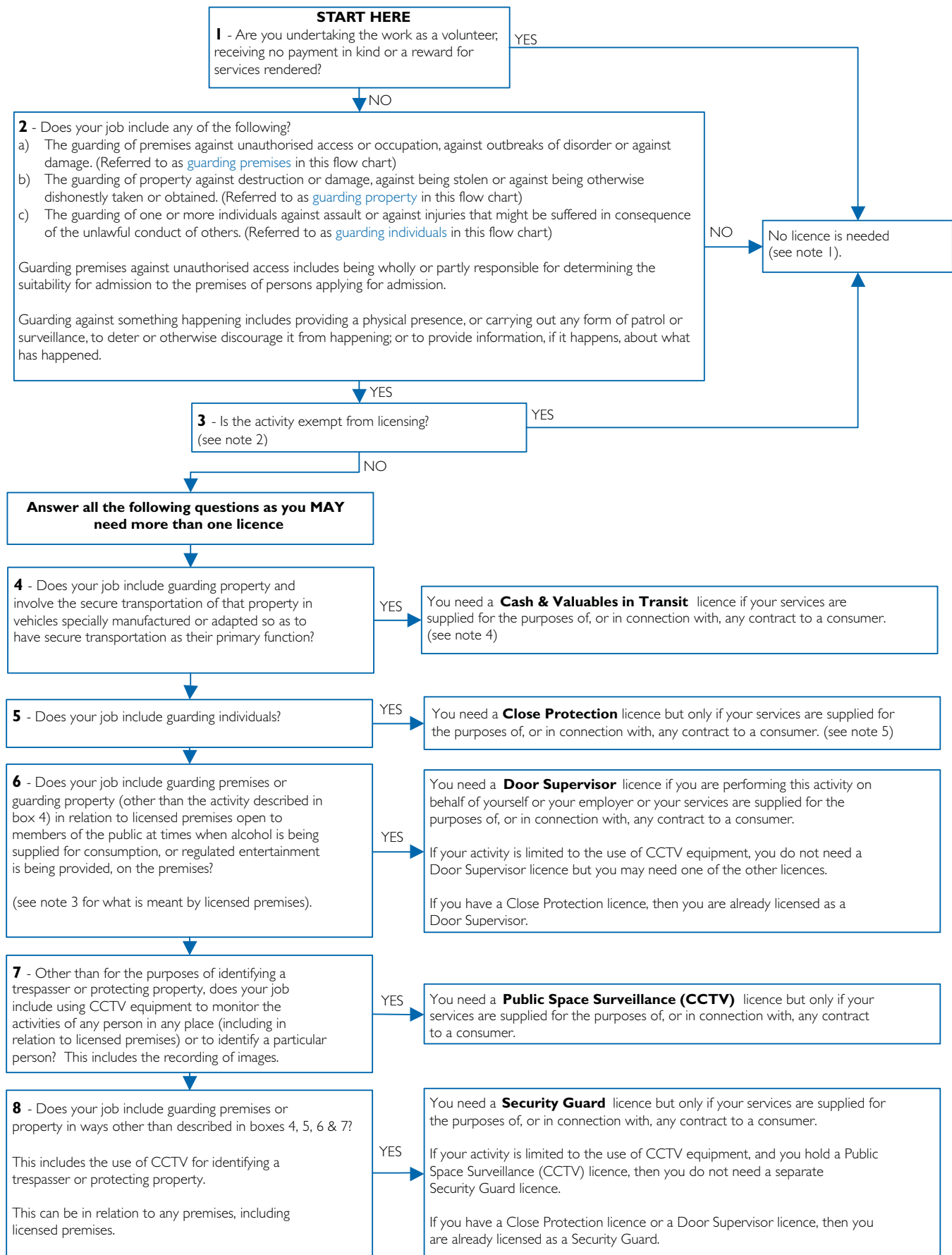
Please see the section about licensed premises on page 15.

### Note 3

As this activity is undertaken in relation to property and not in relation to licensed premises (as defined under the Private Security Industry Act 2001), the additional controls under Schedule 2 of the Act would not apply even if performed on licensed premises.

### Note 4

As this activity is undertaken in relation to persons and not in relation to licensed premises (as defined under the Private Security Industry Act 2001) the additional controls under Schedule 2 of the Act would not apply even if performed on licensed premises.



## Immobilisation, restriction and removal of vehicles

Vehicle immobilising is unlawful in England Scotland and Wales. It is only licensable in Northern Ireland.

This activity is:

- a) moving a vehicle by any means
- b) restricting the movement of a vehicle by any means (including the immobilisation of a vehicle by attaching a device to it)
- c) the release of a vehicle which has been so moved or restricted, where release is effected by returning the vehicle to the control of the person who was otherwise entitled to remove it, by removing any restriction on the movement of the vehicle by removing the device or by any other means, or
- d) demanding or collecting a charge as a condition of any such release of, or for the removal of, the device from a vehicle.

Vehicle immobiliser activity only applies to activities carried out for the purpose of preventing or inhibiting the removal of a vehicle by a person otherwise entitled to remove it.

Vehicle immobiliser activity only applies where it is proposed to impose a charge for the release of the vehicle.

Vehicle immobiliser activity applies to any activities carried out in relation to a vehicle while it is elsewhere than on a road within the meaning of the Road Traffic Act 1988.

The requirement to hold a licence when carrying out the immobilisation, restriction or removal activity as defined in the Act applies to anyone e.g. land occupiers, in-house employees, staff supplied for the purposes of, or in connection with, any contract to a consumer or volunteers.

There are certain exclusions mentioned within the Private Security Industry Act 2001. The Act (see paragraphs 3 and 3A of Schedule 2) should be referred to for full details of when a licence is not required.

## Key holding

A Key Holding licence is required when keeping custody of, or controlling access to, any key or similar device for operating (whether mechanically, electronically or otherwise) any lock. This does not apply to:

- the activities of a person who holds a key or other device for obtaining access to any premises for the purposes incidental to the provision in relation to those premises, or in relation to an individual present on those premises, or any services that do not consist of, or include the carrying out of any of the manned guarding activities.
- to activities carried out merely incidentally to the provision of any services, in connection with a proposal for the sale of any premises, or other property to which the key or similar device gives access. The requirement to hold a key holding licence applies only if services are supplied for the purposes of, or in connection with, any contract to a consumer.

# Licence Integration

In some cases, we are satisfied that the licensing criteria to be met for one licensable activity are sufficient to allow a licensed individual to carry out other licensable activities.

The matrix below shows where a licence may be used to cover more than one activity.

Licence Held	Sectors Covered								
	Cash & valuables in transit	Close protection	Door supervision	Public space surveillance CCTV <sup>2</sup>	Security guarding	CCTV roles only within security guarding <sup>3</sup>	Vehicle immobilisation	Keyholding <sup>1</sup>	Non-front line (all sectors) <sup>1</sup>
Front line Door Supervisor licence holders can work as:			✓		✓	✓		✓	✓
Front line Close Protection licence holders can work as:		✓	✓		✓	✓		✓	✓
Front line Cash and Valuables in Transit licence holders can work as:	✓							✓	✓
Front line Public Space Surveillance CCTV licence holders can work as:				✓		✓		✓	✓
Front line Security licence holders can work as:					✓	✓		✓	✓
Front line Vehicle Immobiliser licence holders can work as:							✓	✓	✓
Key Holder licence <sup>1</sup> holders can work as:								✓	✓
Non-front line licence <sup>1</sup> holders in any sector can work as:								✓	✓

<sup>1</sup> Issued in the form of a letter.

<sup>2</sup> Undertaken to monitor the activities of a member of the public in a public or private place or identify a particular person.

<sup>3</sup> Only to identify a trespasser or to protect property.

# Licensed Premises

## Definition

For the purpose of the Private Security Industry Act 2001 the definition of 'licensed premises' is:

- premises in respect of which a premises licence or temporary event notice has effect under the Licensing Act 2003 to authorise the supply of alcohol (within the meaning of section 14 of that Act) for consumption on the premises;
- premises in respect of which a premises licence or temporary event notice has effect under that Act to authorise the provision of regulated entertainment;
- premises in respect of which a licence of a prescribed description under any prescribed local statutory provision is for the time being in force;
- any premises within the meaning given to "licensed premises" in section 147(1) of the Licensing (Scotland) Act 2005;
- premises comprised in a place or class of place for the time being specified by resolution under section 9(5)(b) of the Civic Government (Scotland) Act 1982 (resolution specifying place or class of place falling to be licensed if to be used as place of public entertainment);
- premises comprised in a place where an activity for the time being designated under section 44(1) of the 1982 Act (additional activities for which a licence is required) is carried on provided that, in the case of an activity designated under paragraph (a) of that section, the requisite resolution under section 9 of that Act has been obtained;
- premises in respect of which a licence, or an occasional licence, under the Licensing (Northern Ireland) Order 1996 is in force;
- any place in respect of which an entertainments licence within the meaning of Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 is in force.

Premises are **not** licensed premises

- if there is in force in respect of the premises a premises licence which authorises regulated entertainment within paragraph 2(1)(a) or (b) of Schedule 1 to the Licensing Act 2003 (plays and films)
- in relation to any occasion on which the premises are being used
  - exclusively for the purposes of a club which holds a club premises certificate in respect of the premises, or
  - for regulated entertainment of the kind mentioned in paragraph 2(1)(a) of Schedule 1 to the Licensing Act 2003 (plays and films), in circumstances where that use is a permitted temporary activity by virtue of Part 5 of the 2003 Act;
- in relation to any occasion on which a casino premises licence or a bingo premises licence is in force in respect of the premises under the Gambling Act 2005, and the premises are being used wholly or mainly for the purposes for which such a licence is required



- for Scotland, in relation to any occasion on which a licence is in force in respect of the premises under the Theatres Act 1968 or the Cinemas Act 1985, and the premises are being used wholly or mainly for the purposes for which the licence is required
- in relation to any occasion on which the premises are being used exclusively for the purposes of a registered club within the meaning of the Registration of Clubs (Northern Ireland) Order 1996
- in relation to any occasion on which a bingo club licence within the meaning of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 is in force in respect of the premises, and the premises are being used wholly or mainly for the purposes for which the licence is required.

## Licensed premises open to the public

For the purpose of the Private Security Industry Act 2001, licensed premises are considered to be open to the public when alcohol is being supplied for consumption, or regulated entertainment is being provided, on the premises. For a complete understanding of how licensed premises affect manned guarding, please refer to the Private Security Industry Act 2001, Schedule 2, Part 2 (as amended).

References to the occasion on which any premises are being used for a particular purpose include references to any time on that occasion when the premises are about to be used for that purpose, or have just been used for that purpose.

### **Examples of when events or venues may be considered open to the public:**

- ticket only event where the public can purchase tickets either at the door or through agents
- an event open to selected members of the public e.g. delegates at a work related conference or exhibition
- a venue open to members e.g. a student union bar which has been issued a premises licence under the Licensing Act 2003.

### **Examples of when events or venues may not be considered to be open to the public, for the purposes of the Private Security Industry Act 2001:**

- the set up and break down of an event or exhibition where access is restricted to exhibitors and those responsible for its organisation
- a beer tent situated within a showground, that is closed to members of the public
- any occasions when alcohol is not being supplied for consumption, or regulated entertainment is not being provided, on the premises.

# Getting your Licence

## Qualifying for a licence

To qualify for an SIA licence to operate in any of the front line licensable activities listed on page 8, you must be aged 18 or over. You will also need to pass an identity check, a criminal record check, and have achieved the appropriate SIA approved training qualification.

To qualify for an SIA licence to operate in a non-front line role, such as a manager or supervisor; you must be aged 18 or over and will need to pass an identity check and a criminal record check. You will not need SIA approved training.

In all cases, we may also need to consider other information as described in the 'Other Criteria' Section on page 44.

You should be aware that your relationship with the SIA is that of a licence applicant and a regulatory body (whether you have been granted a licence; or had your licence revoked or suspended; or whether your licence application was unsuccessful). The SIA is not the employer of the licence holder, as has been confirmed in a Judgment from the Employment Tribunal.

## The cost of a licence application

The fee for processing your licence application is currently £220 for all applications including renewals. The fee is payable whether your licence is granted or refused and no part of the licence fee is refundable.

Licence fees contribute to the following costs:

- Administration in processing and issuing licences
- Performing criminality checks
- Enforcement and compliance
- Communicating to those operating within the industry to help them understand licensing requirements and the application process
- Providing SIA staff and maintaining our office infrastructure
- Research and development to continually enhance the standards of professionalism and performance within the security industry.

If you pay your own licence fee you may be able to claim tax relief against your taxable income.

## Multiple licensing

Despite licence integration in some sectors, it is inevitable that some security operatives will need a licence for more than one licensable activity. It would be unreasonable to expect people to pay the full price for each licence they require but, at the same time, we must cover the cost of processing applications. The cost of a licence for additional activity will, therefore, be discounted by 50%. So, for example, if a security operative has a Security licence it will cost £220. If another licence is required, such as a Public Space Surveillance (CCTV) licence, the second licence will cost £110.

There will be no discount on the Vehicle Immobiliser licence. This is because, unlike other SIA licences, it is valid for one year. However, if for example, a security operative with a Security licence is required to undertake vehicle immobiliser duties, the vehicle immobilisation licence will have to be paid in full. But a discount can then be requested on the Security licence so long as the Vehicle Immobiliser licence is held first. In all cases the full price licence must have more than four months unexpired.

## How to apply for your licence

To find out how to apply for an SIA licence please visit our website or contact your employer.

Any information that you supply in connection with your SIA licence application will be processed in accordance with the Data Protection Act 1998. We are a data controller for the purposes of this Act. Information you supply may be shared with other government departments and law enforcement agencies where it is necessary to carry out our functions and/or where the law permits.

### Licence renewals

If you already hold an SIA licence you will need to apply for a new one before your current one expires.

Anyone undertaking a designated licensable activity is required to hold a valid SIA licence (the only exception to this is if they are deployed temporarily under a Licence Dispensation Notice (LDN)). This applies regardless of whether you are applying for a new licence or renewing your existing licence; there is no grace period.

Licence renewal applications can be made up to four months in advance of the expiry of your current licence.

If your application for renewal is successful and is processed before your existing licence expires the new licence will expire three years after your current licence expires (or 12 months if it is a vehicle immobiliser licence).

An application is treated as a Renewal application only if the application is for the same sector as the currently held licence and the application is received no more than four months before the expiry date of the licence. The application must also be received by the SIA before the expiry of the currently held licence.

We recommend you apply for the licence up to four months before the expiry of your current licence as if your current licence expires before the renewal is granted you will not be permitted to work in the security industry.

## Application processing time

You should allow for the time it will take to complete any training you need, sit any exams and get your qualification. You must have the relevant qualification before applying for your licence. Further details on training and qualifications can be found on our website.

Please check our website for our current processing times. It is important to note that overseas criminality and qualification checks and other potential additional checks may be required in order to process your licence application; these can extend the time it takes to process applications.

## Licence validity

Once your application is approved, your licence will be valid for three years, except for front line vehicle immobiliser licences which are valid for 12 months. We will contact you before the expiry date, to remind you that your licence is due for renewal.

## Conditions of your licence

SIA licences are issued subject to certain conditions, which you must agree to and abide by. If you do not we may:

- Issue you with a written warning, which can be taken into account in future licensing or enforcement decisions.
- Revoke or suspend your licence.
- Prosecute you – contravening licence conditions is a criminal offence under Section 9 of the Private Security Industry Act 2001, the maximum penalty for which is six months imprisonment and/or a fine up to the statutory maximum.

Holders of front line licences must:

- Wear the licence where it can be seen at all times when engaging in designated licensable activity (unless you have reported it lost or stolen, or it is in our possession)\*
- Tell us and the police as soon as practicable in writing if your licence is lost or stolen
- Tell us in writing as soon as practicable of any convictions, cautions or warnings, or charges for relevant offences whether committed in the UK or abroad
- Tell us in writing of any changes to your name or address as soon as practicable.
- Not deface or change the licence in any way. (Should your licence become damaged, you should advise us and request a replacement)
- Not wear a licence that has been defaced or altered in any way
- Produce the licence for inspection on the request of any constable, or other person so authorised by the SIA
- Return the licence to us as soon as practicable if you are asked to do so
- Tell us as soon as practicable of any change to your right to remain or work in the UK.

### \*Covert Activity:

You do not have to wear your licence where it can be seen, if you can demonstrate that the nature of that conduct on that occasion requires that you should not be immediately identifiable as someone engaging in such conduct. On such occasions you must carry your licence on you and be able to produce it on request. This allows store detectives or close protection operatives to perform licensable activities without the need to be identifiable. This cannot apply to vehicle immobilisers.

Non-front line staff and key holders must:

- Tell us and the police in writing as soon as practicable if your licence is lost or stolen
- Tell us in writing as soon as practicable of any convictions, cautions or warnings, or charges for relevant offences whether committed in the UK or abroad
- Tell us in writing of any changes to your name or address as soon as practicable
- Produce the licence for inspection on the request of any constable, any member or employee of the SIA or other person authorised by the SIA
- Return the licence to us as soon as practicable if you are asked to do so
- Not deface or alter the licence in any way or display a defaced or altered licence
- Tell us in writing as soon as practicable of any change to your right to remain or work in the UK.

A non-front line licence is issued in the form of a letter.

### Definition of “as soon as practicable”

In relation to these licence conditions it is the view of the SIA that “as soon as practicable” means within 21 days with the exception of the condition on changes of name and address where “as soon as practicable” means within 42 days.

It is the view of the SIA that you need to inform us of any change to your name or address within 6 weeks (42 days) from the date you made the change in order to comply with the above conditions. Just complete a Change of Personal Details form and send it with evidence of the change to Security Industry Authority, PO Box 1293, Liverpool, L69 1AX.

It is the view of the SIA that “as soon as practicable” should be no longer than 21 days. Therefore you need to inform us within 21 days of any convictions, cautions or warnings, or charges for relevant offences whether committed in the UK or abroad. You also have 21 days to tell us if your licence has been lost or stolen or if there has been any change to your right to remain or work in the UK.

### Applicants with overseas licences and/or qualifications

Where your licence has been granted to any extent based on an existing non-UK licence or qualification, you must:

- Tell us in writing as soon as practicable of any changes to the validity of that qualification or licence
- Tell us in writing as soon as practicable of any disciplinary action taken or proposed to be taken against you in connection with that qualification or licence.

It is the view of the SIA that you need to inform us within 21 days of any changes to the validity of your qualification or licence and to notify us of any disciplinary action proposed to be taken or taken against you.

### Further conditions for vehicle immobiliser licences

When carrying out front line vehicle immobilisation duties the following conditions must be followed.

A vehicle must not be clamped/blocked/towed if:

- a valid disabled badge is displayed on the vehicle
- it is an emergency service vehicle which is in use as such.

If you collect a release fee you must provide a receipt, which must include the following:

- the location where the vehicle was clamped, blocked or towed
- your own name and signature
- your licence number
- the date on which the vehicle was clamped, blocked or towed.

Your licence can be revoked or suspended if the conditions above are not met, please refer to page 50.

## Public register of licence holders

If you are granted a licence details of this are kept on the Register of Licence Holders in line with our statutory obligation under the Private Security Industry Act 2001. The register can be searched online by licence number or by a combination of personal details such as name and date of birth.

The register contains the following information:

- Licence number
- First name, last name
- Activity (e.g. door supervision) for which the individual is licensed.
- Role (front line or non-front line)
- Licence expiry date
- Licence status (active, expired, revoked, suspended, cancelled, replaced)
- The date the licence status changed. For revoked licences this is the date when the information was uploaded onto the register: it may not be the date when the revocation took effect. You should check the letter notifying you of the revocation process for the actual date of revocation.

The public register of licence holders is on our website and can also be accessed 24 hours a day through an automated response service on our contact centre.

## Professional recognition arrangements for EEA applicants

Directive 2005/36/EC, applicable across all professions (with some exceptions), allows individuals from the EEA who would like to work in the UK on a temporary basis to do so, without being licensed.

If you are an EEA citizen and would like to work in the private security industry in the UK on a temporary basis you must first register with the SIA.

For more information about this process, please refer to the SIA website [www.sia.homeoffice.gov.uk/eea](http://www.sia.homeoffice.gov.uk/eea)

If you are an EEA citizen and would like to work in the UK on a long-term or permanent basis you will need to apply for a licence.

# Training and Qualifications

It is important that everyone working in the private security industry has the right skills and knowledge to do their job well and safely. You will need to obtain a recognised qualification by taking a training course and passing an exam in order to get a front line licence in the following sectors:

- Cash and Valuables in Transit
- Close Protection
- Door Supervision
- Public Space Surveillance (CCTV)
- Security Guard
- Vehicle Immobilisers (only permissible in Northern Ireland).

We do not deliver training courses, award qualifications, or provide funding. However, we have endorsed a number of awarding organisations to approve training providers, oversee the standard of assessment and to award qualifications recognised for licensing.

If you need to attend a training course that will lead to an SIA recognised qualification, you should contact an awarding organisation who will provide you with details of approved training organisations that offer the course you need. Alternatively our website [www.sia.homeoffice.gov.uk/trainers](http://www.sia.homeoffice.gov.uk/trainers) can provide a list of training providers approved by the awarding organisations.

It may take a while to organise your training, attend the training course, sit the exam and wait for your result. **You will need to do this before you apply for your SIA licence.**

Only full certification from one of the listed qualifications accepted for SIA licensing offered by an endorsed awarding organisation, will be acceptable evidence of meeting the competency criteria for a front line licence. This qualification must have been achieved no more than three years before the licence application.

If you are renewing your licence we will still accept the qualification even if it is over three years old **unless** there has been a gap greater than three years between holding licences (a gap may be due to expiry or revocation of the previous licence).

## UK qualifications

Training and qualifications have been developed by SIA endorsed awarding organisations; accreditation for Scotland is by the Scottish Qualifications Authority, and accreditation for England, Wales and Northern Ireland is by the Office of the Qualifications and Examinations Regulator.

There is only one SIA licence across the UK. All SIA endorsed qualifications whether Scotland specific or England, Wales and Northern Ireland specific, are equivalent and accepted as part of an SIA licence application regardless of the applicant's location. Changes to the SIA standards were made only where necessary and to reflect the legal differences between Scotland and England/Wales/Northern Ireland. Employers are advised to add any assignment or location specific training not covered by the qualification for licensing.

### Qualification exemptions

Specific UK qualifications which are not licence-linked may be put forward for consideration by awarding organisations, for exemption in relation to the licence-linked qualifications. The appraisal of such qualifications for exemption will include consideration of equivalence of standards, whether the qualification is nationally accredited and any recognition from the industry sector, trade body or other relevant body. It will also include consideration of how long ago the qualification was taken, and therefore how current the content of the qualification can be considered to be. In arriving at a final decision on any exemption, relevant stakeholders, including Skills for Security, awarding organisations and qualifications regulatory authorities will be consulted.

We will publish recognised and agreed exemptions to ensure a common approach and consistency.

For more information on exemptions for overseas qualifications, please refer to the SIA website [www.sia.homeoffice.gov.uk/training-exemptions](http://www.sia.homeoffice.gov.uk/training-exemptions)

### The modules

First-time licence applicants will need to take the relevant modules for the sector in which they wish to work and obtain a licence.

Licence	Common Module	Specialist Module	Conflict Management Module	Physical Intervention Skills Module
Door Supervision	Yes	Door Supervision	Yes	Yes
Security Guarding	Yes	Security	Yes	No
Public Space Surveillance (CCTV)	Yes	Public Space Surveillance CCTV (theory module and practical module)	No	No
Cash and Valuables in Transit	Yes	Cash and Valuables in Transit	No	No
Vehicle Immobiliser	Yes	Vehicle Immobiliser	Yes	No
Close Protection	No	Close Protection	Yes	No



## How long should the training last?

The SIA has stipulated a **minimum** number of guided learning hours and contact hours for each of the modules that make up the licence-linked qualifications. Please refer to the website for more information.

## Qualifications for a Cash and Valuables in Transit licence

The following awarding organisation provide the cash and valuables in transit training qualification required for SIA licensing. One of the following listed qualifications is required for a front line Cash and Valuables in Transit licence.

Awarding Organisation	Qualification	Scotland specific	England/Wales/ Northern Ireland specific
Highfield Awarding Body for Compliance (HABC)	Level 2 Award in Cash and Valuables in Transit		Yes
National Open College Network (NOCN)	Level 2 Award in Cash and Valuables in Transit		Yes
National Open College Network (NOCN)	Level 2 Award in Cash and Valuables in Transit (Scotland)	Yes	
Trident Awards (Laser)	Level 2 Award in Cash and Valuables in Transit		Yes

## Qualifications for a Close Protection licence

The following endorsed awarding organisations and university college, provide the close protection training qualification required for SIA licensing. One of the following listed qualifications is required for a front line Close Protection licence.

Awarding Organisation	Qualification	England/Wales/ Northern Ireland specific
Buckinghamshire New University (BNU)	Level 3 Certificate in Close Protection	Yes
City & Guilds	Level 3 Certificate in Close Protection	Yes
Edexcel	Level 3 Certificate in Close Protection	Yes
Highfield Awarding Body for Compliance (HABC)	Level 3 Certificate in Close Protection	Yes
Industry Qualifications (IQ)	Level 3 Certificate in Close Protection	Yes

**Please note:** When applying for your licence you will be required to produce evidence that you have attained a recognised First Aid award. You should present your valid first aid certificate to your training provider before you start your training. If you do not have a recognised First Aid award you will need to get one in order to get your licence. This is in addition to the minimum 138 hours knowledge and practical skills training.

Recognised First Aid awards required for a licence qualification are:

- First Aid at Work – four day course (HSE approved)
- First Person on Scene (FPOS) Intermediate Award – 30 hours (Edexcel/IHCD)

Candidates may use significant experience of First Aid towards achievement of FPOS. Some training providers will assess this experience against the requirements of the FPOS certificate which may lead to the candidate needing to take less training.

## Qualification exemptions

Close protection operatives can request that their previous training and qualifications to be taken into account regardless of whether these were attained within or outside the EEA. This can be done via Recognition of Prior Learning (RPL). If you hold a previous qualification or have relevant experience, you may not need to take all of the training required for a licence. If you have undertaken any of the training shown below, then take your certificate to a training provider who will tell you what to do next.

Please note that this list is subject to change, you should check the most up to date version on our website.

Arrangements for exemptions and Recognition of Prior Learning are as follows:

1. If you have previously received formal close protection training and are currently employed in an operational close protection role you should take evidence of the training you have received to an approved training provider. Depending on the date and content of the training you have taken, you will be directed to take either the full 138 hours full close protection course or the three-day training refresher course.
2. If you have completed formal close protection training in the past three years from the organisations listed below and have remained in an operational close protection role, you will be exempt from further training but will be required to take a knowledge and a practical skills assessment.
  - Special Air Service Regiment Body Guard Course
  - Royal Military Police Close Protection Course
  - Metropolitan Police Royalty Protection/Special Branch Close Protection Course
  - Police National Close Protection Courses including Northern Ireland.

For the most up to date information, check your current status regarding these exemptions on the SIA website.

It is strongly recommended that you attend a three-day training refresher course before undertaking the assessment. If you have trained in either a police or military environment, you may find the terminology and procedures to be different in a civilian context and taking the refresher course would give you the best opportunity of passing the assessment.

You will need to demonstrate your practical skills as a close protection operative in two ways, by presenting a portfolio of evidence of skills acquired during the training and by undergoing practical skills assessment during the training period.

## Qualifications for a Door Supervisor licence

The following awarding organisations provide the door supervisor qualification required for SIA licensing. One of the following qualifications is required for a frontline Door Supervisor licence.

Awarding Organisation	Qualification
British Institute of Innkeeping (BIIAB)	Level 2 Award in Door Supervision
British Institute of Innkeeping (BIIAB)	(BIIAB) Award in Door Supervision (Scotland)
City & Guilds	Level 2 Award in Door Supervision
City & Guilds	(City & Guilds) Award in Door Supervision (Scotland)
Edexcel	Level 2 Award in Door Supervision
Edexcel	(Edexcel) Award in Door Supervision (Scotland)
EDI	Level 2 Award in Door Supervision
EDI	(EDI) Award in Door Supervision (Scotland)
Highfield Awarding Body for Compliance (HABC)	Level 2 Award in Door Supervision
Highfield Awarding Body for Compliance (HABC)	(HABC) Award in Door Supervision (Scotland)
Industry Qualifications (IQ)	Level 2 Award in Door Supervision
Industry Qualifications (IQ)	(IQ) Award in Door Supervision
National Open College Network (NOCN)	Level 2 Award in Door Supervision
National Open College Network (NOCN)	(NOCN) Award in Door Supervision (Scotland)
SQA	(SQA) Award in Door Supervision (Scotland) SCQF Level
Trident Awards (Laser)	Level 2 Award in Door Supervision

## Previous qualifications

Individuals who have achieved any of the qualifications listed below and have a licence must complete door supervision Level 2 Award for Up-skilling for Door Supervisors if renewing to a door supervisor licence.

Awarding Organisation	Qualification
British Institute of Innkeeping (BIAB)	Level 2 Award in Door Supervision (Pre June 2010)
British Institute of Innkeeping (BIAB)	(BIAB) Award in Door Supervision (Scotland) (Pre September 2010)
British Institute of Innkeeping (BIAB)	Level 2 National Certificate for Door Supervision (Northern Ireland) (Pre June 2010)
City & Guilds	Level 2 National Certificate for Door Supervision (Pre June 2010)
Edexcel	Level 2 Award in Door Supervision (Pre June 2010)
Edexcel	(Edexcel) Award in Door Supervision (Scotland) (Pre September 2010)
EDI	Level 2 Award in Door Supervision (Pre June 2010)
EDI	(EDI) Award in Door Supervision (Scotland) (Pre September 2010)
National Open College Network (NOCN)	Level 2 Award in Door Supervision (Pre June 2010)
National Open College Network (NOCN)	(NOCN) Award in Door Supervision (Scotland) (Pre September 2010)
National Open College Network (NOCN)	Level 2 Award in Door Supervision (Northern Ireland) (Pre June 2010)
SQA	(SQA) Award in Door Supervision (Scotland) (Pre September 2010)

## New requirements for Door Supervision licence holders who attained their qualification before June 2010

From 4 February 2013, Door Supervisors who have achieved a qualification from the list above will be required to take additional training (Level 2 Award for Up-skilling for Door Supervisors) when renewing their licence. The training will include:

- Physical Intervention Skills training
- Awareness of counter terrorist threats
- Considerations in dealing with 14-18 year-olds and;
- First Aid.

This training is already a compulsory part of the current nationally recognised door supervision qualification introduced from June 2010.

Any individual who currently holds a Door Supervision licence but does not carry out licensable activities in this sector can, after 4 February 2013, on renewal of their licence obtain a Security Guarding licence and will not have to take the additional training.

## Level 2 Award for Up-skilling Door Supervisors

Awarding Organisation	Qualification	Scotland specific	England/Wales/ Northern Ireland specific
British Institute of Innkeeping (BIAB)	Level 2 Award for Up-skilling Door Supervisors		Yes
British Institute of Innkeeping (BIAB)	Level 2 Award for Up-skilling Door Supervisors	Yes	
City & Guilds	Level 2 Award for Up-skilling Door Supervisors		Yes
City & Guilds	Level 2 Award for Up-skilling Door Supervisors	Yes	
Edexcel	Level 2 Award for Up-skilling Door Supervisors		Yes
Edexcel	Level 2 Award for Up-skilling Door Supervisors	Yes	
EDI	Level 2 Award for Up-skilling Door Supervisors		Yes
EDI	Level 2 Award for Up-skilling Door Supervisors	Yes	
Highfield Awarding Body for Compliance (HABC)	Level 2 Award for Up-skilling Door Supervisors		Yes
Highfield Awarding Body for Compliance (HABC)	Level 2 Award for Up-skilling Door Supervisors	Yes	
Industry Qualifications (IQ)	Level 2 Award for Up-skilling Door Supervisors		Yes
Industry Qualifications (IQ)	Level 2 Award for Up-skilling Door Supervisors	Yes	
National Open College Network (NOCN)	Level 2 Award for Up-skilling Door Supervisors		Yes
National Open College Network (NOCN)	Level 2 Award for Up-skilling Door Supervisors	Yes	
SQA	Level 2 Award for Up-skilling Door Supervisors	Yes	
Trident Awards (Laser)	Level 2 Award for Up-skilling Door Supervisors		Yes
Trident Awards (Laser)	Level 2 Award for Up-skilling Door Supervisors	Yes	

## Qualifications for a Public Space Surveillance (CCTV) licence

The following awarding organisations provide the public space surveillance CCTV training qualification required for SIA licensing. One of the following listed qualifications is required for a front line Public Space Surveillance CCTV licence.

Awarding Organisation	Qualification
British Institute of Innkeeping (BIIAB)	Level 2 Award in CCTV Operations (Public Space Surveillance)
British Institute of Innkeeping (BIIAB)	(BIIAB) Award in CCTV Operations Public Space Surveillance (Scotland)
City & Guilds	Level 2 Award in CCTV Operations (Public Space Surveillance)
City & Guilds	(City & Guilds) Award in CCTV Operations Public Space Surveillance (Scotland)
Edexcel	Level 2 Award in CCTV Operations (Public Space Surveillance)
Edexcel	(Edexcel) Award in CCTV operations (Public Space Surveillance) (Scotland)
EDI	Level 2 Award in CCTV Operations (Public Space Surveillance)
EDI	(EDI) Award in CCTV operations (Public Space Surveillance) (Scotland)
Highfield Awarding Body for Compliance (HABC)	Level 2 Award in CCTV Operations (Public Space Surveillance)
Highfield Awarding Body for Compliance (HABC)	(HABC) Award in CCTV operations (Public Space Surveillance) (Scotland)
Industry Qualifications (IQ)	Level 2 Award in CCTV Operations (Public Space Surveillance)
National Open College Network (NOCN)	Level 2 Award in CCTV Operations (Public Space Surveillance)
National Open College Network (NOCN)	(NOCN) Award in CCTV operations (Public Space Surveillance) (Scotland)
SQA	(SQA) Award in CCTV Operations (Public Space Surveillance) (Scotland) Scottish SCQF Level
Trident Awards (Laser)	Level 2 Award in CCTV Operations (Public Space Surveillance)

## Exemption from licence-linked training and assessment.

You may be exempt from the SIA-endorsed training and assessment if you hold the S/NVQ Level 2 in Providing Security Services (unit certification must include Units SLP 13, SLP 15 and CTV 13).

If you wish to claim exemption you should contact a training provider approved to offer the licence-linked qualification for CCTV.

## Other Exemption arrangements

You may be exempt from some or all of the practical skills element of the SIA-endorsed training and assessment if you:

- have worked in a public space surveillance CCTV control room within the last three years, and/or;
- hold a certificate for completion of formal CCTV training that has been issued in the last three years.

You will still need to take the knowledge-based exam to achieve the licence-linked qualification.

It is recommended that you undertake a minimum of six hours refresher training before taking the exam.

In all cases, you must still apply to an approved training centre to register for, and obtain one of the qualifications linked to public space surveillance (CCTV) licensing.

## Professional recognition

If you hold a qualification or licence achieved outside the UK, please refer to the section titled 'Professional recognition arrangements' on page 21 for information on what you need to do to apply for a licence.



## Qualifications for a Security Guarding licence

The following awarding organisations provide the security qualifications required for SIA licensing. One of the following listed qualifications is required for a front line Security licence.

Awarding Organisation	Qualification
British Institute of Innkeeping (BIIAB)	Level 2 Award in Security Guarding
British Institute of Innkeeping (BIIAB)	(BIIAB) Award in Security Guarding (Scotland)
City & Guilds	Level 2 Award in Security Guarding
City & Guilds	(City & Guilds) Award in Security Guarding (Scotland)
Edexcel	Level 2 Award in Security Guarding
Edexcel	(Edexcel) Award in Security Guarding (Scotland)
EDI	Level 2 Award in Security Guarding
EDI	(EDI) Award in Security Guarding (Scotland)
Highfield Awarding Body for Compliance (HABC)	Level 2 Award in Security Guarding
Highfield Awarding Body for Compliance (HABC)	(HABC) Award in Security Guarding (Scotland)
Industry Qualifications (IQ)	Level 2 Award in Security Guarding
Industry Qualifications (IQ)	(IQ) Award in Security Guarding (Scotland)
National Open College Network (NOCN)	Level 2 Award in Security Guarding
National Open College Network (NOCN)	(NOCN) Award in Security Guarding (Scotland)
SQA	(SQA) Award in Security Guarding (Scotland)
Trident (Laser Awards)	Level 2 Award in Security Guarding

## Qualification exemptions

If you hold a previous qualification that is less than three years old or have relevant experience, you may not need to complete all of the training and/or assessment required for a licence. The table below shows other qualifications which have an exemption and what you still need to do to achieve a qualification required for an SIA licence. Please note that this list is subject to change, you should check the most up to date version on our website. If you have a certificate for the qualification listed below you should take it to an approved provider who will tell you what to do.

Qualification/Award/Units	Exemption	Training requirement	Exam requirement
NVQ Level 2 in Providing Security Services (Mandatory units HSS1, SLP2, ICS9, SLP4, Unit 224 and Optional units SLP6, SLP7 and SLP 8)	Security Guarding Specialist Module	Working in the Private Security Industry (Common Security Knowledge Module) Conflict Management Module	Working in the Private Security Industry (Common Security Knowledge) Conflict Management Module

No security operatives will be exempt from the conflict management module. Any further exemptions to this list will be advised on the SIA website.

## Qualifications for a Vehicle Immobiliser licence

It is illegal to immobilise vehicles in England, Wales and Scotland. In Northern Ireland however, there is a legal requirement for individuals to be licensed to perform this function.

If you are performing a vehicle immobilisation role in Northern Ireland you will need to have one of the qualifications listed below to be able to apply for a licence.

The following awarding organisation provides the vehicle immobiliser qualification required for SIA licensing. The qualification is required for a front line Vehicle Immobiliser licence:

Awarding Organisation	Qualification	England/Wales/ Northern Ireland specific
Edexcel	Level 2 Award in Vehicle Immobilisation	Yes

## Qualification for a Key Holding licence

There are no training and qualifications required for a key holding licence.

# Criminal Record Checks

We will always carry out a criminal record check on anyone who applies for a licence.

If you have a criminal record, it does not necessarily mean that you will not get a licence. However, if you do have any convictions, warnings, cautions, community resolutions, absolute/conditional discharges, admonishments or charges awaiting trial for offences, we will make our decision according to:

- Whether the offences are included in the lists of relevant offences on pages 52 to 69;
- The actual sentence or disposal given to you for the offence; and
- How recent the offences were.\*

\* The recency of an offence is measured against the date we make the decision to grant or refuse your licence. Where reference is made in this booklet to a time 'before your licence application' (as in the paragraph below) or 'in the past xx years', the date we used for the calculation is the date on which we make the decision, **not** the date you originally submitted your application.

Under our rules, you will be automatically refused a licence, unless you have been free of the sentence restrictions for a conviction, for at least 12 months and up to four years in more serious cases, before your licence application.

## Imprisonment

By 'free of sentence restrictions' for a conviction which resulted in a custodial sentence, we mean that we will start counting the time elapsed from the end of the sentence – not from the date when you were sentenced or when the offence or offences were committed.

For example, if you have been convicted of an offence and spent time in custody, the date for deciding whether the offence is still relevant for licensing purposes is the day after the sentence would have ended. Even if you were released early, we will still regard the offence as relevant up until and including the final date when the sentence restrictions would have ended had the full term been served; the sentence expiry date.

Convictions which resulted in imprisonment of longer than 48 months and sentences of life imprisonment will always be taken into account.

## Suspended sentences

In the case of suspended sentences, you will be deemed to be *free of sentence restrictions* from the end of the sentence period, not the period of suspension. For example a six month sentence suspended for two years would mean you would be considered *free from sentence restrictions* after six months from the date of conviction, not after the whole two years suspension.

## Community disposals

In the case of community orders and disposals, or other similar sentences undertaken in the community, you are deemed to be free of sentence restrictions at the end of the period of the order. If no date is given on the criminal records check, you will be deemed to be free of sentence restrictions 12 months after the date of sentence. If you can provide us with evidence from an independent verifiable source that the community disposal was discharged by the relevant responsible body at an earlier date, we will treat that earlier date as the date you are free from sentence restrictions.

## Fines and other disposals

In the case of fines, one day detention, cautions, warnings<sup>1</sup>, community resolutions, absolute/conditional discharges, and admonishments, you will be deemed to be free of sentence restrictions from the day after the sentence or disposal was imposed.

## Rehabilitation of Offenders Act 1974

Access to a person's criminal record is usually restricted under the provisions of the Rehabilitation of Offenders Act 1974. However, as it is in the public interest for us to have full disclosure of a person's criminal record in order to assess their suitability for a licence, we are exempt from this restriction and are allowed full access to your criminal record. We are able to consider all offences on record including spent convictions.

## How to check if you are eligible

If you have a criminal record you might want to check that it will not prevent you from getting a licence before committing yourself to training and submitting your application and payment – particularly as the payment is non-refundable. You can do this as part of our online step-by-step guide to applying for a licence, available on our website.

Step two of the guide indicates whether you meet our criminality criteria in order to obtain a licence. You will be asked to enter information about all cautions, warnings, community resolutions, absolute/conditional discharges, admonishments and convictions you may have. Throughout this process you will remain anonymous.

The result is based on the information that you have entered and is an indication only. It is not a guaranteed outcome of the actual criminal check that we will conduct with the appropriate criminal records body.

To check your record online go to [www.sia.homeoffice.gov.uk/guide](http://www.sia.homeoffice.gov.uk/guide).

<sup>1</sup>References to cautions and warnings in this booklet refer to Police cautions and warnings unless specifically otherwise identified.

# What we take into account in assessing your criminality

## Offences

The offences we consider relevant to licensing are listed at the back of this booklet from page 52 onwards.

Relevant offences include those involving:

- violent/abusive behaviour
- espionage/terrorism
- offensive weapons
- firearms
- dishonesty (theft and fraud)
- proceeds of crime
- abuse and neglect of children
- sexual offences
- drugs
- criminal damage
- social security offences
- Private Security Industry Act 2001 offences
- Licensing Act offences
- some driving offences.

If your conviction was for a statutory offence named in the list, but at the time of your conviction it was an offence at common law, or was defined in an earlier or later Act, we will regard it in the same way as the listed offences. Also note that in some cases, the offence listed may cover several offences within the same category. If your offence is not in the list and cannot be regarded or interpreted in the same or similar way as a listed relevant offence, then we will not take it into account when making a decision on your licence application.

If the offence(s) for which you were convicted is not explicitly listed but still falls under the same section of the relevant identified Act, we **will** take it into account.

A history of an offence or offences of dishonesty is considered to be relevant in relation to the role of a security operative, since the role frequently involves the exercise of checks and searches, and there should be no concerns about the honesty of the security operative. Likewise a history of an offence or offences of a violent nature suggests that an individual will not be able to exercise proper restraint in pressurised situations. This applies whether the offence was committed while working in the role or whilst off duty.

In considering the circumstances of your case we will give you credit if you do not have a pattern of offending. Also we will give you credit for every year you are clear from criminal activity (beyond the minimum 12 months). We assess this period from the day after the last caution, warning, community resolution, absolute/conditional discharge admonishment, or penalty or for convictions, from the end of your sentence restrictions.

## Assessment of seriousness

When considering how we classify offences under our criteria, we assess both whether the offence is relevant to the work of a security operative and the actual sentence or disposal given to you for each offence/conviction.

## Sentences and Disposals

The actual sentence/disposal you received for your offence is important as it affects the time you will need to be free of the sentence restrictions of a conviction, caution, warning, community resolution, absolute/conditional discharge or admonishment.

The starting point for the calculation, i.e. the day after a caution, warning, community resolution, absolute/conditional discharge, admonishment, fine or the end of a sentence or penalty as appropriate, is described in the table as *'Time since sentence restrictions ended'*.

## Assessment grid

### Single relevant offence

Time since sentence restrictions ended	Actual sentence/disposal	Caution, warning, community resolution, absolute/conditional discharge, admonishment	Fine, Community disposal	Suspended sentence	Prison
0 to ≤12mths	<del>CAF</del>	CAF	Refuse	Refuse	Refuse
>12mths to ≤2yrs	<del>CAF</del>	Grant	CAF	Refuse	Refuse
>2yrs to ≤4yrs	<del>CAF</del>	Grant	Grant	CAF	Refuse
>4yrs to ≤7yrs	<del>CAF</del>	Grant	Grant	CAF	CAF
>7yrs	<del>CAF</del>	Grant	Grant	Grant	Grant

If a sentence type is not listed here or in any other assessment table, or where a new sentence type is introduced after this booklet is published, we will consider that sentence/disposal in line with Sentencing Guidelines and assess it in line with sentences/disposals of a similar nature. Convictions resulting in imprisonment of longer than 48 months or life imprisonment will always be taken into account.

CAF = Consider Additional Factors

≤ = Less than or Equal to

> = Greater than

## Consider additional factors

If your criminal record is such that we need to 'Consider Additional Factors' (CAF) you will be invited to submit mitigation, which may include evidence of other influencing factors, and character references. We will then assess this mitigation and we will:

- Look at the total record of all relevant offences. A criminal record showing that there has been a pattern of offending over a number of years will be treated more seriously than a single episode of offending.
- For the most recent offence, look at whether you have received a warning, caution, community resolution, absolute/conditional discharge or admonishment, or (where there has been a conviction), look at the nature of the sentence and the length of time from when the sentence ended beyond the minimum requirement.

We will assess your mitigation with respect to the implications for public protection from crime and the fear of crime.

Please refer to the 'Mitigation' section on page 48 for more information.

## Rules for multiple convictions/disposals

Where you have more than one conviction/disposal on your record, but where the sentence/disposal is such that each conviction/disposal, *when considered on its own* against the assessment tables would result in an automatic grant or CAF, we will consider your criminality as described in this section of the booklet.

Where you have more than one sentence for a single conviction/disposal, we will consider the impact of both sentences; we will not treat this as multiple convictions/disposals, but instead will consider the recency in terms of the 'greater' penalty according to the table on page 38. For example, if you received a fine and a suspended sentence of six months over two years for one conviction, sentence restrictions would end after six months, as applicable to the suspended sentence part of the conviction.

In the following rules the term "relevant date" means the date that you are free from sentence restrictions.

## Automatic refusal

We will *automatically refuse* your application if you have **any combination** of:

- Three or more convictions – where sentence restrictions ended in the past seven years for relevant offences, where the disposal for each offence would have resulted in CAF.
- Two or more convictions – where sentence restrictions ended within the past four years for relevant offences.
- A custodial sentence\* – where sentence restrictions ended within the seven years before your application, **plus** any conviction, caution, warning, community resolution, absolute/conditional discharge or admonishment – where sentence restrictions ended within the past four years for relevant offences.

If you are automatically refused under the rules above, you will only be invited to submit evidence of factual errors in our assessment.

You will not be automatically refused for any conviction(s) relating to the period of conflict in Northern Ireland (from its commencement in 1969 to the coming into force of the Good Friday Agreement in 1998). Instead those convictions will be treated under the CAF.

\* Includes suspended sentence orders and intermittent custody orders.

## Consider additional factors

Subject to the rules governing Automatic Refusal (above) , we will *consider additional factors* where you have **any combination** of:

- Three or more convictions – where sentence restrictions ended in the past seven years for relevant offences, where the disposal for each offence would have resulted in the granting of a licence.
- Two or more cautions, warnings, community resolution, absolute/conditional discharges or admonishments– where sentence restrictions ended within the past four years for relevant offences.



## SIA Warnings

Our intention is to work to ensure compliance. However, SIA warnings will be considered as other information as described on page 44. These warnings, issued for non-compliance with the Private Security Industry Act 2001, may contribute towards a judgement to refuse a licence (either on first application or renewal) or, where necessary, for revocation.

## Rehabilitation

We consider rehabilitation when making a decision on your eligibility for a licence. Convictions which resulted in imprisonment of longer than 48 months and sentences of life imprisonment will always be taken into account, otherwise:

- As a general rule, convictions where sentence restrictions have ended more than 7 years ago will be disregarded.
- Convictions where sentence restrictions ended prior to a 7 year crime-free period, whenever that crime-free period occurred, will be disregarded, and only convictions, cautions, warnings, absolute/conditional discharges and admonishments since the crime-free period will be taken into account.

## Charges awaiting trial

If, when we process your application, there are outstanding charges against you for relevant offences, then we will wait until the courts have determined the outcome of the charges before making a decision.

If your charges have not been resolved after one year your application will be withdrawn. You are reminded that the licence fee will be non-refundable.

## Ex-juvenile offenders

Offences which you committed as a juvenile will be taken into account in a similar way to adult offences. Criminal records gained between the ages of 10 and 12 are considered spent unless they relate to offence(s) that were **originally** considered serious by the Police and Criminal Evidence Act 1984. Offence in categories 1, 2, 5, 6, 8 and 14 on record between the ages of 12 and 15 will be subject to the assessment grid on page 41 as will all relevant offence(s) on record for those aged 16 and over.

## Single Juvenile Offence

Time since sentence restrictions ended	Actual Sentence/ Disposal	Cautions Warnings Absolute/ Conditional Discharges Admonishments	Fine Reparation/ Referral Order Attendance Centre Order Curfew Order Drug Treatment and Testing Order	Action Plan Community Punishment Order Community rehabilitation Order	Supervision Order	Community Rehabilitation and Punishment Order	Detention and Training Order 4 mths ≤ 12 mths	Detention and Training Order >12 mths ≤ 24 mths	Section <sup>2</sup> 90/91
0 to ≤ 12mths		Grant	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse
> 12 to ≤ 24mths		Grant	Grant	Grant	Grant	CAF	CAF	Refuse	Refuse
> 24mths to ≤ 5 yrs		Grant	Grant	Grant	Grant	Grant	CAF	CAF	Refuse
> 5yrs ≤ 10yrs		Grant	Grant	Grant	Grant	Grant	Grant	Grant	CAF

If a sentence is not listed here, or where a new sentence is introduced after this booklet is published, we will consider that sentence/disposal in line with Sentencing Guidelines and assess it in line with sentences of a similar nature.

<sup>2</sup>Section 90/91 offences can be anywhere up to the adult maximum for the same offence (including life) and will be considered in the same manner as adult sentences.

## If you have lived or worked overseas

This section will apply if you have lived overseas, (including the Channel Islands, the Isle of Man and British territories and former colonies) in the last five years. It relates to both front line and non-front line staff. If you have been based overseas for six continuous months or more during the last five years, you must produce evidence of a criminal record check covering that period from an official source from the country you lived in, which we can verify. An official source will normally mean the government body that issues criminal record certificates.

Any evidence of criminality identified through an overseas disclosure will be judged against the criteria and offences in this booklet. We will **compare** any overseas offences against the nearest similar listed offence for the judgment of relevance.

Please note, overseas records should ideally be provided when you apply for your licence. However, applications can be submitted with overseas criminality checks pending, although a licence cannot be granted until the check which covers at least the previous five years has been satisfactorily verified.

For information about where you can apply for a criminal record certificate from the country concerned, go to our website. If we do not have the information you need, go to the embassy or high commission of the country concerned for advice. You may also contact the appropriate disclosure body.

## Armed forces records certificates

If you live overseas or you have spent six continuous months or more outside the UK in the past five years, we will require evidence of a criminal record check from the relevant country or countries. If you were in military service during this time you may submit an extract from your military record instead.

The extract you send must:

- be the original document you were given, not a copy;
- cover (and state that it covers) all of the periods within the past five years during which you were overseas for six continuous months or more and serving in the military;
- expressly disclose any and all convictions you may have received during this time;
- be from an identified source that we can contact if we need to verify the extract's authenticity.

## Previously held licences

If you currently hold a licence to work in private security abroad and it is a condition of that licence that you have a criminal record check, you may submit this as evidence of your good character. You must inform us about the validity and conditions of your licence, for example what sector it allows you to work in and when it expires. If we are not familiar with that licence, we will seek confirmation of the validity and conditions from the issuing authority. We reserve the right to request further verification.

## Official sources not available to provide criminal record checks

In some exceptional cases official sources do not exist or exist but are unable to supply you with a criminal record check. For example, the government administration has collapsed to a point where there are no credible official sources of information or there is a risk to your personal safety if you make contact with your country of residence. If after thorough investigation (these alternatives can only be approved on a case by case basis), we agree that the official sources are not available to provide criminal record checks, you should provide the following two documents:

1. An oath sworn in front of an EU registered solicitor or Commissioner for Oaths attesting to lack of criminal convictions for this period. The following should be present in the sworn oath:
  - a) A statement of the period of time and country it covers.
  - b) Your name and address.
  - c) A statement regarding your criminal record – either clear with no outstanding charges, cautions, warnings, community resolutions or admonishments, or setting out past offences, cautions, warnings, community resolutions, admonishments or outstanding charges (with full dates and details of the offence or sentence).
  - d) A declaration to us that the information is true.
  - e) Your signature and date.
  - f) Signature and stamp/address of the solicitor/Commissioner for Oaths.

In addition, the solicitor/Commissioner for Oaths should write a letter on their headed paper confirming the authenticity of the sworn declaration.

2. A character reference from a professional (as stated in the application form counter signatory list) who knew you personally during the specified period.

The following checks will be completed by us before oaths and character references are accepted:

- All character references will be thoroughly checked for authenticity; this may take some time.
- If there are multiple gaps in records – for example several periods of four months overseas in the last five years – and there is reason to believe that more information is needed to make a decision about a case, you may be asked to provide further information.

# Other Criteria

As well as checking your identity, training, and criminal record, we may also look at other types of information.

## Mental health

We will take into account any recent mental health problems where you have had to be detained or been subject to other compulsory measures in the five years prior to your application. We will not seek out information about any mental health problems which have not been subject to compulsory measures or resulted in detention.

If you have any recent mental health problems you will be required to provide a current medical report outlining the condition and any ongoing treatments. The report must be from the treating psychiatrist, psychologist or a general practitioner (a report from a nursing professional will not be sufficient) who is in regular contact with you and monitoring your condition.

In assessing what impact such a report will have on your application we will consider:

- Any recommendations that are provided by the medical report. For example if you have to be reviewed by the professional, the frequency of the review may provide guidance as to the intervals when a further report would be required by the SIA.
- In line with such guidance, a condition may be placed on your licence that a report will be requested from the mental health professional overseeing your treatment at certain intervals.
- If the medical report shows that you are required to take medication to maintain stable mental health, the SIA may also require regular reports from a mental health professional. The frequency of providing these reports to the SIA will be at least every 12 months.
- If you are not required to take medication nor require regular reviews, you will still need to provide an updated medical report upon licence renewal.

The cost of providing the report will be borne by you.

## Use of other information

We will not normally seek out information about you that may be held by organisations we work with (such as the police and local authorities) which has not been tested in criminal courts. But if such information is offered to us, or we have other information from our own sources (e.g. SIA Warnings, County Court judgements), then we will consider it. In this context 'information' will normally mean compelling evidence of relevant criminal activity (as defined in the list of offences on pages 52 to 69 of this booklet), anti-social behaviour, criminal association or activity that is likely to bring the industry into disrepute or indicates that the applicant is not a fit and proper person to hold a licence. If we revoke your licence or refuse your licence application on the basis of this information then we will tell you, and you can, if you wish, challenge the decision and the information on which it was based.

Where such information is known to us, we will normally consider the recency of that information in line with the seriousness of the offence to which that information is most clearly related (e.g. CCTV evidence of assault).

In exceptional circumstances we reserve the right to take into account, on a case by case basis, any relevant information from any time period received or known to us from any internal or external source.

## Fixed Penalty Notices/Penalty Notices for Disorder

If we receive, or have information from our own sources concerning Fixed Penalty Notices (FPN) or Penalty Notices for Disorder (PND) which relate to any relevant offences, they will be taken into account as described above.

## The right to work

We may seek information to confirm that you have the right to remain and to work in the UK. This does not replace the statutory responsibility of employers to ensure their employees have the right to work in this country or their responsibility to ensure employees with restricted hours visas do not work more hours than allowed. Employers should also ensure that they know if an employees right to work expires before their SIA licence expires. Employers should not accept the possession of an SIA licence as proof of the licence holders right to work in the UK.

## Further information

If you do not give us the information we need, we may ask you to provide us with more detail. We may check the authenticity of the information you supply to us with the relevant government body or with the help of the police. Whether you have a clean record or have committed any offences, we must be satisfied that the evidence you produce is authentic, up-to-date, complete (so it covers every area where you have lived and lists any offences on your record) and comes from a competent official source which we can confirm.

# Notifying you of our Conclusions

If your application for a licence is successful, you will receive a letter from us informing you of our decision, and enclosing your licence.

If your application for a licence is unsuccessful you will receive a letter from us informing you of our decision and advising you of the options open to you.

# Refusing a Licence

If we judge it necessary to refuse your licence application, we will write to you notifying you of our intention to refuse a licence, providing the basis for our decision, and may invite you to supply further information. If you supplied further information at the point of application and it was not sufficient to mitigate your criminal history our letter will explain what we require from you.

You will then have 21 days from the date on this provisional decision to refuse letter to provide a response. If we do not receive a response from you within the 21 days your licence application will be finally refused.

If you do send in a response within the 21 days we will give it due consideration, and we will write to you to inform you of our final decision. If we decide it is still necessary to refuse your licence, you will then have 21 days from the date of this final decision letter in which to exercise a right of appeal to a Magistrates' or Sheriff Court.

Once a final decision is made the SIA has no power to revisit that decision, no matter how good the mitigation or obvious the factual error without the direction of a Court. If you are having genuine difficulty submitting your evidence within the 21 days you should write to us (within the 21 days) to let us know.

## Licence Dispensation Notices

If you work for an approved contractor under the SIA Approved Contractor Scheme and have been working under a Licence Dispensation Notice you can no longer work legally in any licensable sector following receipt of a final refusal letter from us.

## Automatic Refusal

If we inform you that your application is an automatic refusal case, or you use our Criminal Records Indicator to determine this, then we will **only** be able to consider evidence of factual errors in our decision making.

Evidence of factual errors may include for example:

- An error in identity
- An error in assessing your criminality
- Proof of Remand time which impacts on recency sufficiently to change the decision from an automatic refusal to a Consider Additional Factors (CAF)
- Proof that a Community Order was discharged early and which impacts on recency sufficiently to change the decision from an automatic refusal to a Consider Additional Factors (CAF).

## Consider Additional Factors

If we inform you that your application is a consider additional factors case, or you use our Criminal Records Indicator to determine this, then we will be able to consider evidence of factual errors or mitigation in our decision making.



## The type of mitigation we consider

- Character references that are signed, dated and include a contact number, (more detailed information on character references is shown below).
- Evidence of your rehabilitation since your offence. For example, proof that you have undertaken voluntary training in relation to the original offence or taken part in other community activities.
- Mitigation concerning any offence(s) on your record which you feel may affect our decision.

## What to include in character references

Any character references you submit must:

- Include the **name** and **contact details** of the person writing the reference, including a daytime telephone number
- Be **signed** and **dated** by the referee
- Explain the referee's position and **type of employment**.
- Describe their **relationship to you** and length of relationship
- Be **aware of the specific offences** which are relevant to your application
- Describe any **observations about you** around the time of offending, which may have been out of character or details of events that may have influenced your actions
- Describe any observations about your character since the offence(s) was/were committed
- Describe any evidence of how you have shown **rehabilitation** since the offence.

Your references will carry more weight if they are from independent and verifiable people who have no vested interest in the licensing decision and are unlikely to be personally affected by our decision, such as previous employers or other people of standing in the community.

References from family, friends and current employers are considered to have vested interest, and therefore carry little weight.

Although we want you to send as many as you can, the number of references you send us will not necessarily affect the decision we make; it is the content of the information that you provide which will be considered.

Information which will not be considered relevant and will not be considered in the licensing decision includes:

- Your financial situation
- Whether you hold/held a private security industry licence previously under other licensing
- Schemes (e.g. those run by local authorities or police)
- Whether you hold a firearms licence
- Other SIA licensing decisions which you think are similar to your case
- Emotional circumstances and arguments other than character references.

We will not normally seek out information about you that may be held by others or organisations we work with (such as the police and local authorities) when considering your mitigation, but if it is offered to us, or we already possess it, we may take both positive and negative factors into consideration.

## Remand time

If you believe that remand time you served prior to a relevant custodial sentence will materially effect our proposed decision (where it will affect time you have been free from sentence restrictions so as to change a refusal to a CAF, or CAF to grant), you should submit evidence to us.

If possible you should try to submit the required evidence with your application. However, if we write to you advising that you are either an *automatic refusal*, or that we are *minded to refuse*, you will be invited to submit details of factual error, including evidence of remand time where relevant.

We will take into account remand time defined as 'relevant' under Prison Service<sup>3</sup> Order number 6650 (Sentence Calculation) or subsequent updates. This is:

- any period during which you were in police detention **in connection with the offence for which the sentence was passed**; or
- any period during which you were remanded in custody by a court **in connection with any proceedings relating to that sentence or the offence for which it was passed** (where a charge on an indictment such as GBH is reduced to AOBH, for example, periods of custody in relation to the first charge are 'relevant' to the sentence for the second); or
- any period during which you were remanded in custody by a court **in connection with any proceedings from which the proceedings referred to arose** relating to that sentence (where a prisoner is remanded for burglary, for example, and on sentence this matter is not proceeded with but he is sentenced for handling the same stolen goods on the day in question, the remand time is 'relevant' to the sentence);
- days in which you were remanded into the care of certain types of local authority accommodation.

Documentary evidence that we will accept as proof of remand time is:

- The '*section 40*' note which includes details of the Sentence Expiry Date (SED), if you were sentenced to a custodial sentence of less than 12 months;
- The '*licence*' issued to you for either the '*at risk*' period (up to the three quarter point of the total sentence while on parole), or the unsupervised period up to the SED. In either case you will have been issued with, (and required to have signed) your licence conditions which include details of the SED if you were sentenced to a custodial sentence of greater than 12 months.

If you no longer have the documentation you should contact the Ministry of Justice '*Sentence Calculation Team*'. on 020 3334 5045 or 020 3334 4682 to obtain **certified** copies.

If you believe that remand time may be a significant factor in the time from when you became free of sentence restrictions, **you should ensure you have copies of the relevant documents at the time of application and not wait until we write to you asking for factual error or mitigation.**

<sup>3</sup>Prison Service in England and Wales.

Remand time in Scotland is normally automatically taken into consideration at the time of sentencing.

Where the provisions in Northern Ireland mirror those in England and Wales or in Scotland this will be taken into account in the same way as they are in those jurisdictions.

## Revoking a licence

Your licence will be revoked if:

- You are not the person to whom the named licence has been issued
- You do not have the training qualifications that were claimed on application
- You receive a conviction, caution, warning, absolute/conditional discharge or admonishment for a relevant offence
- You have been working with an SIA licence without the right to work or we have been informed by the relevant authorities that you do not have the right to work or are in the United Kingdom illegally.

Your licence may also be revoked if:

- You break any of the conditions upon which your licence was issued
- We hold information as described on page 44 which indicates you are not a fit and proper person to hold a licence
- You become subject to detention or other compulsory measures due to mental disorder.

If we judge it necessary to revoke your licence, we will write to inform you of this, providing the basis for our decision, and invite you to supply further information. You will then have 21 days to provide a response to our revocation letter.

Your response may include any factual errors in our assessment (for example, an error concerning identity, or an error in assessing your competence or criminal history). We will only invite you to provide mitigation as explained on page 48, if your criminality does not place you in the automatic refusal category. We will then consider your submissions in reaching our final decision.

If you do not send in a response within the 21 days, the decision to revoke your licence will take immediate effect 21 days after the date of the revocation letter. When the decision to revoke your licence takes effect, you will again have a further 21 days in which to exercise a right of appeal to a Magistrates' or Sheriff Court.

If you do send in a response within the 21 days we will give it due consideration and we will write to you to inform you of our final decision. If we decide it is still necessary to revoke your licence, you will then have 21 days from the date of this letter in which to exercise a right of appeal to a Magistrates' or Sheriff Court.

It is important to ensure any response is sent in good time and always within the 21 days including requests for extensions due to difficulty obtaining the evidence. **Once a decision is made (automatically after 21 days) the SIA has no power to revisit that decision without the direction of a Court, no matter how good the mitigation or obvious the factual error.**

**If you appeal against your revocation, your licence remains valid during the appeal process and you can continue to work while your appeal is pending.**

## Suspending a licence

Licence suspensions have immediate effect. **This means you cannot legally work in any licensable sector even if you work for an approved contractor.** We will normally consider suspension only where we are reasonably satisfied that a clear threat to public safety could exist if we did not suspend the licence. This usually means that a serious offence has allegedly taken place, where you have been charged but bailed.

We will suspend a licence in other circumstances if it is in the public interest to do so. If we judge it necessary to suspend your licence, we will write to inform you of this, providing the basis for our decision which will have immediate effect. You will then have 21 days in which to exercise a right of appeal to a Magistrates' Court or Sheriff Court. At the same time, you may also wish to tell us of any factual errors in our assessment, for example, an error of identity, or an error in assessing your competence or criminal history.

If your licence is suspended, it will remain suspended until the matter is resolved, for example, we have revoked your licence or the matter that you have been charged with has been heard and you were found not guilty. We monitor our suspensions and review them every 90 days.

If, after your licence has been suspended we judge it necessary to revoke it, we will be revoking a suspended licence. This means that you will still be unable to work even if you appeal against the revocation.

If your appeal against revocation is successful your licence will normally revert to its suspended status and be subject to the normal review process of 90 days.

# List of Relevant Offences for all Applicants

Unless otherwise stated, a reference to a section includes all subsections. The heading is a guide to the section.

If you are charged with an attempt, aiding, abetting counsel or procuring the commission of the offence you will be treated as if your offence was the substantial offence. If you are convicted of inciting or conspiring to commit a crime or if a person has participated in part and part (is party to the offence/jointly involved) in the commission of an offence, we will treat this as a conviction for that offence under our criteria. These apply whether or not the crime is statutory or at common law.

If your criminal record check lists the penalty section of an act and only the offence is listed in our offences list the actual offence will still be considered.

For ease of reference, we have grouped together similar Scottish and Northern Ireland offences with their equivalent English offence. If an offence is listed for one jurisdiction and an equivalent offence to that exists in another part of the UK, we may regard that equivalent offence in the same way as the first offence.

This list is intended to be exhaustive; however, it is acknowledged that new offences or other offences can exist that are clearly relevant to these criteria, especially in relation to violent/abusive behaviour, sexual offences, terrorism and dishonesty. In exceptional cases we reserve the right to count convictions for those offences as serious under our legislation. This is determined on a case by case basis.

Juvenile offences are taken in account in the way listed on page 40.

Offences committed overseas which fall under the headings of this list will also be taken into consideration.

## Category I – Violent/Abusive Behaviour

Abduction and extortion	Common Law
Administering chloroform	s22 – Offences Against the Person Act 1861
Administering poison so as to endanger life	s23 – Offences Against the Person Act 1861
Administering poison	s24 – Offences Against the Person Act 1861
Affray	s3 – Public Order Act 1986 Common Law
Aggravated burglary	s10 – Theft Act (Northern Ireland) 1968
Aggravated Trespass	s68 – Criminal Justice & Public Order Act 1994 Vagrancy Act 1824
Arson	s1(3) – Criminal Damage Act 1971 Art.3 – Criminal Damage (Northern Ireland) Order 1977
Assault	Common Law s96 – Crime and Disorder Act 1998
Assault/aggravated assault	Common Law
Assault/criminal threats	Common Law
Assault occasioning bodily harm	s47 – Offences Against the Person Act 1861
Assault on constables	s89(1) – Police Act 1996 s41 – Police (Scotland) Act 1967 s66 – Police (Northern Ireland) Act 1998
Assault with intent to commit felony or on peace officers, etc	s38 – Offences Against the Persons Act 1861
Assault with intent to rob	s8(2) – Theft Act 1968 S8(2) – Theft Act (Northern Ireland) 1969
Assaulting a prison officer whilst possessing firearm	s90 – Criminal Justice Act 1991
Assisting prisoners to escape	s39 – Prison Act 1952 s30 – Prison Act (Northern Ireland) 1953
Assisting suicide of another	s13 – Criminal Justice Act (Northern Ireland) 1966
Attempt to cause explosion, making or keeping explosive	s3 and s4 – Explosive Substances Act 1883
Attempt to pervert the course of justice	Common Law
Attempted assault/aggravated assault	Common Law
Attempted murder	Common Law s1 – Criminal Attempts Act 1981 Art.5 – Criminal Attempts and Conspiracy (Northern Ireland) Order 1983
Attempted murder/assault/aggravated assault	Common Law
Attempting to choke or strangle	s21 – Offences Against the Person Act 1861
Battery	Common Law
Breach conditions of an injunction against harassment	s3(6) – Protection from Harassment Act 1997 Art 5(6) – Protection from Harassment (Northern Ireland) Order 1997
Breach of a 'non-harassment' order	s234A – Criminal Procedure (Scotland) Act 1995
Breach of anti-social behaviour order	s1 – Crime and Disorder Act 1988 s9 – Antisocial Behaviour Etc (Scotland) Act 2004 Art.7 – Anti-social Behaviour (Northern Ireland) Order 2004

Breach of molestation order	s42A – Family Law Act 1996
Breach of restraining order	s5 – Protection from Harassment Act 1997 Art. 7(5) – Protection from Harassment (Northern Ireland) Order 1997
Breach of the peace	Common Law (Scotland only)
Broadcasting or including programme intended to incite religious hatred	s29F – Public Order Act 1986
Broadcasting programme to incite hatred or arouse fear	Art.12 – Public Order (Northern Ireland) Order 1987
Bomb hoax	s51 – Criminal Law Act 1977 Art.3 – Criminal Law (Amendment) (Northern Ireland) Order 1977
Burglary	s9 – Theft Act 1968
Causing bodily injury by explosives	s28 – Offences Against the Persons Act 1861
Causing explosion likely to endanger life or property	s2 – Explosive Substances Act 1883 s14 – Aviation and Maritime Security Act 1990 s11 and s14 – Aviation and Maritime Security Act 1990
Causing gunpowder to explode or sending to any person an explosive substance or throwing corrosive fluid on a person with intent to do grievous bodily harm	s29 – Offences Against the Persons Act 1861
Causing or allowing the death of vulnerable child or adult	s5 – Domestic Violence, Crime and Victims Act 2004
Child abduction by a person connected with a child	s6 – Child Abduction Act 1984 Art.3 – Child Abduction (Northern Ireland) Order 1985
Child abduction by parent	s1 – Child Abduction Act 1984 Art.3 – Child Abduction (Northern Ireland) Order 1985
Child Abduction by other person	s2 – Child Abduction Act 1984 Art.4 – Child Abduction (Northern Ireland) Order 1985
Common assault and battery	s39 – Criminal Justice Act 1988 s47 – Offences Against the Person Act 1861
Conspiracy to commit murder	s1, s1(A) and s3 – Criminal Law Act 1977 Art.11 – Criminal Attempts and Conspiracy (Northern Ireland) Order 1983
Criminal threats	Common Law
Culpable and reckless endangerment or assault	Common Law
Culpable and reckless injury/culpable and reckless conduct/culpable and reckless endangerment	Common Law
Culpable homicide	Common Law
Distributing showing or playing a recording to incite hatred or arouse fear	Art.11 – Public Order (Northern Ireland) Order 1987
Distributing showing or playing a recording intending to stir up religious hatred	s29E – Public Order Act 1986
Escaping from lawful custody	Common Law
Failure to comply with conditions imposed on public assembly	s14 – Public Order Act 1986 s7(6) – Public Processions (Northern Ireland) Act 1998

Failure to comply with conditions imposed on public procession	s12 – Public Order Act 1986 s6(7), 7(6) & 8(7)(B) – Public Processions (Northern Ireland) Act 1998
False imprisonment	Common Law
False statements	s318 – Mental Health (Care and Treatment) (Scotland) Act 2003
Fear or provocation of violence	s4 – Public Order Act 1986
Fire-raising	Common Law
Harassment	s2 – Protection from Harassment Act 1997 s8 – Protection from Harassment Act 1997
Harassment, alarm or distress	s5 – Public Order Act 1986
Housebreaking with intent to steal	Common Law
Ill-treatment and wilful neglect of mentally disordered person	Mental Health Act 1983
Ill treatment of persons of unsound mind	s127 – Mental Health Act 1983 Art.121 – Mental Health (Northern Ireland) Order 1986
Improper use of public electronic communications network	s127 – Communications Act 2003
Inflicting grievous bodily harm	s20 – Offences Against the Person Act 1861
Infanticide	Common Law
Intentionally causing harassment, alarm or distress	s4A – Public Order Act 1996
Intimidating a witness or a juror	s51 – Criminal Justice and Public Order Act 1994 Art.47 – Criminal Justice (Northern Ireland) Order 1996
Kidnapping	Common Law
Manslaughter	Common Law s5, 6 & 14 – Criminal Justice Act (Northern Ireland) 1966
Mobbing and rioting	Common Law
Mobbing and rioting or breach of the peace	s96 – Crime and Disorder Act 1998
Mobbing and rioting or breach of the peace	Common Law
Murder	Common Law
Murder or culpable homicide	Common Law
Offences against designated and accredited persons	s46 – Police Reform Act 2002
Offences in connection with trespassory assemblies and arrest thereof	s14B – Public Order Act 1996
Organising or taking part in prohibited procession	s11(8) – Public Processions (Northern Ireland) Act 1998
Placing explosives with intent to cause bodily injury	s30 – Offences Against the Persons Act 1861
Possession of inflammatory material to incite religious hatred	s29G – Public Order Act 1986
Possession of matter to stir up hatred or incite fear	Art.13 – Public Order (Northern Ireland) Order 1987
Prison mutiny	s1 – Prison Security Act 1992
Publishing or distributing written material	s19 – Public Order Act 1986 Art.10 – Public Order (Northern Ireland) Order 1987
Publishing or distributing written material intended to stir religious hatred	s29C – Public Order Act 1986



Putting people in fear of violence	s4 – Protection from Harassment Act 1997 Art 6 – Protection from Harassment (Northern Ireland) Order 1997
Racially aggravated assaults	s29 – Crime and Disorder Act 1998
Racially aggravated conduct causing alarm or distress	s96 – Crime and Disorder Act 1988 s50A – Criminal Law (Consolidation) (Scotland) Act 1995
Racially aggravated harassment	s50A – Criminal Law (Consolidation) (Scotland) Act 1995
Racially or religiously motivated public order offence	s31 – Crime and Disorder Act 1998
Racially or religiously aggravated harassment	s32 – Crime and Disorder Act 1998
Resist, obstruct, assault of constables	s89(2) – Police Act 1996 s41 – Police (Scotland) Act 1967 s66 – Police (Northern Ireland) Act 1998
Religiously or racially aggravated public order offences	s31 – Crime and Disorder Act 1998
Riot	s1 – Public Order Act 1986 Common Law
Riot, rout and affray	Common Law
Riotous and disorderly behaviour	Art.18 – Public Order (Northern Ireland) Order 1987
Robbery	Common Law s8 – Theft Act 1968 s8 – Theft Act (Northern Ireland) 1969
Setting spring guns etc. with intent to inflict grievous bodily harm	Criminal Justice Act 2003
Sending letters etc with intent to cause distress or anxiety	s1 – Malicious Communications Act 1988
Shining a light at an aircraft in flight etc	Art.222 – Air Navigation Order 2009
Stalking	s2A – Protection from Harassment Act 1997
Stalking involving fear of violence etc	s4A – Protection from Harassment Act 1997
Theft by housebreaking	Common Law
Threatening or abusive behaviour	s38 – Criminal Justice and Licensing (Scotland) Act 2010
Threats to kill	s16 – Offences Against the Persons Act 1861
Torture	s134 – Criminal Justice Act 1988
Unlawful detention or abduction	Common Law
Unlawful eviction and harassment of occupier	s1 – Protection from Eviction Act 1977 s2 – Tumultuous Risings (Ireland) Act 1831
Unlawful eviction and harassment of occupier	s22 – Rent (Scotland) Act 1984
Use of words or behaviour or display of written material intended to stir up religious hatred	s29B – Public Order Act 1986
Use of words, behaviour or written material to stir up hatred or arouse fear	Art.9 – Public Order (Northern Ireland) Order 1987
Using violence to enter premises	s6 – Criminal Law Act 1977
Violent disorder	s2 – Public Order Act 1986
Wilful obstruct or resist	s90(2) – Criminal Justice Act 1991
Wounding, shooting, attempting to shoot with intent to do grievous bodily harm	s18 – Offences Against the Person Act 1861

## Category 2 – Espionage/Terrorism

All Offences in the following acts are regarded as relevant offences

- Aviation Security Act 1982
- Anti-Terrorism, Crime and Security Act 2001
- Prevention of Terrorism Act 2005
- Terrorism Act 2000

## Category 3 – Offensive Weapons

Contravene a notice issued under s4, s6 and s7	Chemical Weapons Act 1996
Carrying of offensive weapon in public place	Art.22 – Public Order (Northern Ireland) Order 1987
Disclosure of information	s32 – Chemical Weapons Act 1996
Having an article with a blade or point in a public place	s49 – Criminal Law (Consolidation) (Scotland) Act 1995
Having an article with a blade or point in a public place	s139 – Criminal Justice Act 1988
Information for the purposes of the Act (failure to comply)	s21(2) – Chemical Weapons Act 1996
Information for the purposes of the Act (false or misleading)	s21(3) – Chemical Weapons Act 1996
Offences in connection with dangerous weapons	s1 – Restriction of Offensive Weapons Act 1959
Offences in connection with inspections	s26 – Chemical Weapons Act 1996
Offence of having an article with a blade or point (or offensive weapon) on school premises	s139A – Criminal Justice Act 1988 s49A – Criminal Law (Consolidation) (Scotland) Act 1995
Offences relating to destruction	s9 – Chemical Weapons Act 1996
Offences relating to destruction (relating to s12)	s17 – Chemical Weapons Act 1996
Offensive weapons	s141 – Criminal Justice Act 1988
Possession	s3 – Crossbows Act 1987 Art.5 – Crossbows (Northern Ireland) Order 1988
Possession of an offensive weapon	s1 – Prevention of Crime Act 1953
Possession of an offensive weapon in a public place	s47 – Criminal Law (Consolidation) (Scotland) Act 1995
Premises or equipment for producing chemical weapons	s11 – Chemical Weapons Act 1996
Purchasing and hiring	s2 – Crossbows Act 1987 Art.4 – Crossbows (Northern Ireland) Order 1988
Restriction on development etc of certain biological agents and toxins and of biological weapons	s1 – Biological Weapons Act 1974
Restriction on use etc	s19 – Chemical Weapons Act 1996 s20(6) – Chemical Weapons Act 1996
Sale and letting on hire	s1 – Crossbows Act 1987 Art.3 – Crossbows (Northern Ireland) Order 1988
Sale etc of offensive weapons	s141 – Criminal Justice Act 1988
Sale of knives and certain articles with blade or point to persons under 16	s141A – Criminal Justice Act 1988

Trespassing with a weapon of offence	s8 – Criminal Law Act 1977 Vagrancy Act 1824
Use etc of chemical weapons	s2 – Chemical Weapons Act 1996

## Category 4 – Firearms Offences

Acquisition and possession of firearms by minors	s22 – Firearms Act 1968
Business and other transactions with firearms penalties	s3 – Firearms Act 1968 Art.24 – Firearms (Northern Ireland) Order 2004 Art.37 – Firearms (Northern Ireland) Order 2004
Carriers, auctioneers etc	s9 – Firearms Act 1968
Carrying a firearm in a public place	s19 – Firearms Act 1968 Art.61 – Firearms (Northern Ireland) Order 2004
Carrying a firearm with criminal intent	s18 – Firearms Act 1968 Art.60 – Firearms (Northern Ireland) Order 2004
Certificates supplementary	s28A – Firearms Act 1968 Art.73 – Firearms (Northern Ireland) Order 2004
Compulsory register of transactions in firearms	s40 – Firearms Act 1968
Conversion of weapons	s4 – Firearms Act 1968 Art.67 – Firearms (Northern Ireland) Order 2004
Equipment for ships and aircrafts	s13 – Firearms Act 1968
Exceptions from s22(4)	s23 – Firearms Act 1968
False Statement to procure grant or variation of certificate	Art.73 – Firearms (Northern Ireland) Order 2004
Forfeiture	s52 – Firearms Act 1968 Art.72 – Firearms (Northern Ireland) Order 2004
Having a small calibre pistol outside of licensed pistol clubs	s19A – Firearms Act 1968
Information as to transactions under visitor's permits	s42A – Firearms Act 1968 Art.15 – Firearms (Northern Ireland) Order 2004
Obstructing Constable or Civilian officer in exercise of search powers	s46 – Firearms Act 1968 Art.53 – Firearms (Northern Ireland) Order 2004
Offences in connection with registration	s39 – Firearms Act 1968 Art.30 – Firearms (Northern Ireland) Order 2004
Partial revocation of firearms' certificates	s32B – Firearms Act 1968 Art.21 – Firearms (Northern Ireland) Order 2004
Police permit	s7 – Firearms Act 1968
Police powers in relation to arms traffic	s49 – Firearms Act 1968 Art.56 – Firearms (Northern Ireland) Order 2004
Possession of firearms by persons previously convicted of crime	s21 – Firearms Act 1968 Art.63 – Firearms (Northern Ireland) Order 2004
Possession of firearm with intent to cause fear of violence	s16A – Firearms Act 1968 Art.58 – Firearms (Northern Ireland) Order 2004
Possession of firearm with intent to injure	s16 – Firearms Act 1968 Art.58 – Firearms (Northern Ireland) Order 2004

Possession of firearm while committing offence	s17(2) – Firearms Act 1968 Art.59(2) – Firearms (Northern Ireland) Order 2004
Power to prohibit movement of arms and ammunition	s6 – Firearms Act 1968 Art.48 – Firearms (Northern Ireland) Order 2004
Powers of constables to stop and search	s47 – Firearms Act 1968 Art.53 – Firearms (Northern Ireland) Order 2004
Production of certificates	s48 – Firearms Act 1968 Art.55 – Firearms (Northern Ireland) Order 2004
Reckless discharge of a firearm	Common Law
Removal from register of dealer's name or place of business	s38 – Firearms Act 1968 Art.30 – Firearms (Northern Ireland) Order 2004
Requirement of a certificate for possession of shot guns	s2 – Firearms Act 1968
Requirement of a firearms certificate	s1 – Firearms Act 1968 Art.3 – Firearms (Northern Ireland) Order 2004
Supplying firearm to person drunk or insane	s25 – Firearms Act 1968 Art.66 – Firearms (Northern Ireland) Order 2004
Supplying firearms to minors	s24 – Firearms Act 1968
Trespassing with a firearm	s20 – Firearms Act 1968 Art.62 – Firearms (Northern Ireland) Order 2004
Use of firearm to resist arrest	s17(1) – Firearms Act 1968 Art.59(1) – Firearms (Northern Ireland) Order 2004
Variation, endorsement etc of European documents	s32C – Firearms Act 1968 Art.23 – Firearms (Northern Ireland) Order 2004
Variation of firearms certificate	s29 – Firearms Act 1968 Art.73 – Firearms (Northern Ireland) Order 2004
Weapons subject to general prohibition	s5 – Firearms Act 1968 Art.45 – Firearms (Northern Ireland) Order 2004

## Category 5 – Dishonesty (Theft and Fraud)

Acknowledging recognizance, bail, cognovit, etc in the name of another	s34 – Forgery Act 1861
Aggravated burglary	s10 – Theft Act 1968 s10 – Theft Act (Northern Ireland) 1969
Aggravated vehicle taking	s12A – Theft Act 1968 Art.5 – Criminal Justice (No.2) (Northern Ireland) Order 2004
Aiders, abettors, suborners etc	s7 – Perjury Act 1911
Apparatus designed or adapted for the making of false identification documents	s5 – Identity Documents Act 2010
Assisting a prisoner to escape	s39 – Prison Act 1952
Attempt to pervert the course of justice	Common Law
Blackmail	s21 – Theft Act 1968 s20 – Theft Act (Northern Ireland) 1969

Breach of bail conditions	s27 – Criminal Procedure (Scotland) Act 1995
Burglary	s9 – Theft Act 1968 s9 – Theft Act (Northern Ireland) 1969
Copying of a false statement	s2 – Forgery and Counterfeiting Act 1981
Conspiracy to defraud	s12 – Criminal Justice Act 1987 Common Law
Contempt of Court	Common Law
Conveyance etc of List A articles into or out of prison	s40B – Prison Act 1952
Conveyance etc of List B or C articles into or out of prison	s40C – Prison Act 1952
Convicted thief in possession of tools etc for purposes of theft	s58 – Civic Government (Scotland) Act 1982
Counterfeiting documents	s168 – Customs and Excise Management Act 1979
Counterfeiting etc of dies and marks	s6 – Hallmarking Act 1973
Custody or control of false instrument	s5(2) – Forgery and Counterfeiting Act 1981
Custody or control of false instrument inducing to accept as genuine	s5(1) – Forgery and Counterfeiting Act 1981
Custody or control of machine or implement	s5(3) – Forgery and Counterfeiting Act 1981
Custody or control of machine, implement, paper or material without lawful excuse	s5(4) – Forgery and Counterfeiting Act 1981
Dishonestly retaining wrongful credit	s24A – Theft Act 1968 s23A – Theft Act (Northern Ireland) 1969
Embracery	Common Law
Evasion of liability by deception	s2 – Theft Act 1968
Extortion	Common Law
Fabrication of evidence with intent to mislead a tribunal	Common Law
Failure to Disclose	s330 – Proceeds of Crime Act 2002
False accounting	s17 – Theft Act 1968 s17 – Theft Act (Northern Ireland) 1969
False declarations etc to obtain registration etc for carrying on a vocation	s6 – Perjury Act 1911
False or misleading statements	s75 – Criminal Justice & Public Order Act 1994
False statements	s39 – Goods Vehicles (Licensing of Operators) Act 1995
False statements and withholding material information	s174 – Road Traffic Act 1988
False statements by company directors etc.	s18 – Theft Act (Northern Ireland) 1969
False statements in connection with forgery of or fraudulent use of documents	Art.174 – Road Traffic (Northern Ireland) Order 1981
False statements in declaration providing service etc	s107 – Magistrates Courts Act 1980 s44 – Criminal Law (Consolidation) (Scotland) Act 1995
False statements on oath made otherwise than in a judicial proceeding	s2 – Perjury Act 1911 s44 – Criminal Law (Consolidation) (Scotland) Act 1995
False statements tendered in evidence	s106 – Magistrates Courts Act 1980
False statements, etc as to births or deaths	s4 – Perjury Act 1911 s53 – Registration of Births, Deaths and Marriages (Scotland) Act 1965
False statements, etc with reference to marriage	s3 – Perjury Act 1911 s24 – Marriage (Scotland) Act 1977

False statutory declarations and other false statements	s5 – Perjury Act 1911 s44, s45 and s46 – Criminal Law (Consolidation) (Scotland) Act 1995
False un-sworn statement	s1A – Perjury Act 1911 s44 – Criminal Law (Consolidation) (Scotland) Act 1995
False written statements tended in evidence	s89 – Criminal Justice Act 1967
Falsehood, fraud and wilful imposition	Common Law
Falsehood, fraud and wilful imposition, or embezzlement	Common Law
Forgery	s1 – Forgery and Counterfeiting Act 1981
Forgery and fraud	s44 – Vehicle Excise and Registration Act 1994
Forgery and misuse of documents	s65 – Public Passenger Vehicles Act 1981
Forgery and uttering	Common Law
Forgery of documents	s173 – Road Traffic Act 1988
Forgery of documents etc	s38 – Goods Vehicles (Licensing of Operators) Act 1995
Forgery, false statements etc	s126 – Mental Health Act 1983
Forgery of passport	s36 – Criminal Justice Act 1925
Fraud	s1 – Fraud Act 2006 Common Law
Fraud by false representation	s2 – Fraud Act 2006
Fraud by failing to disclose information	s3 – Fraud Act 2006
Fraud by abuse of position	s4 – Fraud Act 2006
Giving false evidence or contempt of court	Common Law
Going equipped for stealing	s25 – Theft Act 1968 s24 – Theft Act (Northern Ireland) 1969
Handling stolen goods	s22 – Theft Act 1968 s21 – Theft Act (Northern Ireland) 1969
Housebreaking with intent to steal	Common Law
Interfering with the mail: general	s84 – Postal Services Act 2000
Interfering with the mail: postal operators	s83 – Postal Services Act 2000
Impersonation	s43 – Police (Scotland) Act 1967
Impersonation etc	s90 – Police Act 1996
Importation or causes importation of concealed goods	s50 – Customs and Excise Management Act 1979
Issue of false documents [falsification of documents]	s175 – Road Traffic Act 1988
Making off without payment	s3 – Theft Act 1978 s3 – Theft Act (Northern Ireland) 1969
Making or supplying articles for use in frauds	s7 – Fraud Act 2006
Misconduct in Judicial or Public Office	Common Law
Mishandling or falsifying parking documents	s115 – Road Traffic Regulation Act 1984
Obtaining a money transfer by deception	s5A – Theft Act 1968 s15A – Theft Act (Northern Ireland) 1969
Obtaining pecuniary advantage by deception	s16 – Theft Act 1968 s16 – Theft Act (Northern Ireland) 1969
Obtaining property by deception	s15 – Theft Act 1968 s15 – Theft Act (Northern Ireland) 1969
Obtaining services dishonestly	s1 & s11 – Fraud Act 2006 s1 – Theft Act (Northern Ireland) 1969
Obstruction of authorised officers	s29 – Trade Descriptions Act 1968

Obstruction of officers	s18 – Gangmasters (Licensing) Act 2004
Offence committed in connection with	s20 – Forgery and Counterfeiting Act 1981
Offence of absconding by person released on bail	s6 – Bail Act 1976 Art.5 – Criminal Justice (Northern Ireland) Order 2003
Offence of reproducing British currency notes	s18 – Forgery and Counterfeiting Act 1981
Offences involving custody or control of counterfeit notes and coins	s17 – Forgery and Counterfeiting Act 1981
Offences involving custody or control of counterfeit notes and/or coins	s16 – Forgery and Counterfeiting Act 1981
Offences: acting as a gangmaster; being in possession of false documents etc	s12 – Gangmasters (Licensing) Act 2004
Offences of counterfeiting notes and/or coins	s14 – Forgery and Counterfeiting Act 1981
Offences of making (etc) imitation British coins	s19 – Forgery and Counterfeiting Act 1981
Offences of passing etc. counterfeit notes and/or coins	s15 – Forgery and Counterfeiting Act 1981
Participating in fraudulent business carried on by a sole trader etc	s9 – Fraud Act 2006
Penalties for assisting offenders	s4 – Criminal Law Act 1967 s4 – Criminal Law Act (Northern Ireland) 1967
Penalties for concealing offences or giving false information	s5 – Criminal Law Act 1967 s4 – Criminal Law Act (Northern Ireland) 1967
Penalty for fraudulent evasion of duty	s170 – Customs and Excise Management Act 1979
Penalty for improper importation	s50 – Customs and Excise Management Act 1979
Perjury	s1 – Perjury Act 1911 Common Law
Personation of Jurors	Common Law
Pervert the course of justice/personation	Common Law
Possession etc of articles for use in frauds	s6 – Fraud Act 2006
Possession of false identification documents etc	s4, & s6 – Identity Documents Act 2010
Prejudicing an investigation	s36 – Criminal Law (Consolidation) (Scotland) Act 1995
Removal of articles from places open to the public	s11 – Theft Act 1968 s11 – Theft Act (Northern Ireland) 1969
Reset	Common Law
Robbery	s8 – Theft Act (Northern Ireland) 1969
Subornation of perjury	Common Law
Suppression etc. of documents	s19 – Theft Act (Northern Ireland) 1969
Taking motor vehicle or other conveyance without authority	s12(1) – Theft Act 1968 s12 – Theft Act (Northern Ireland) 1969
Taking a motor vehicle without consent	s178 – Road Traffic Act 1978
Taking a motor vehicle without authority	s178 – Road Traffic Act 1988
Theft	s1 & s7 – Theft Act 1968 Common Law s1 & s7 – Theft Act (Northern Ireland) 1969
Theft by housebreaking	Common Law
Theft by opening lockfast places/Opening lockfast places with intent to steal	Common Law
Unauthorised modification of computer material	s3 – Computer Misuse Act 1990

Unlawful obtaining etc of personal data	s55 – Data Protection Act 1998
Unlawful possession of pension documents	s36 – Criminal Justice Act 1925
Using a copy of a false instrument	s4 – Forgery and Counterfeiting Act 1981
Using a false instrument	s3 – Forgery and Counterfeiting Act 1981

## Category 6 – Proceeds of Crime

Acquisition, use and possession	s329 – Proceeds of Crime Act 2002
Arrangements	s328 – Proceeds of Crime Act 2002
Concealing etc	s327 – Proceeds of Crime Act 2002
Failure to disclose: other nominated officers	s332 – Proceeds of Crime Act 2002
Failure to disclose: nominated officers in the regulated sector	s331 – Proceeds of Crime Act 2002
Tipping off	s333A – Proceeds of Crime Act 2002

## Category 7 – Abuse or neglect of Children

Allowing child to be in brothel	s12 – Criminal Law (Consolidation) (Scotland) Act 1995 s24 – Children and Young Persons Act (Northern Ireland) 1968
Allowing persons under 16 to be in brothels	s3 – Children and Young Persons Act 1933
Causing or allowing persons under 16 to be used for begging	s4 – Children and Young Persons Act 1933 s15 – Children and Young Persons (Scotland) Act 1937 s24 – Children and Young Persons Act (Northern Ireland) 1968
Causing or encouraging seduction or prostitution of a girl under seventeen	s21 – Children and Young Persons Act (Northern Ireland) 1968
Child abduction by other person	s2 – Child Abduction Act 1984
Cruelty to persons under 16	s1 – Children and Young Persons Act 1933 s20 – Children and Young Persons Act (Northern Ireland) 1968
Cruelty to children under 16	s12 – Children and Young Persons (Scotland) Act 1937
Exposing children under 12 to risk of burning	s11 – Children and Young Persons Act 1933 s22 – Children and Young Persons (Scotland) Act 1937 s29 – Children and Young Persons Act (Northern Ireland) 1968
Failing to provide for safety of children at entertainments	s12 – Children and Young Persons Act 1933 s23 – Children and Young Persons (Scotland) Act 1937 s30 – Children and Young Persons Act (Northern Ireland) 1968
Giving intoxicating liquor to a child under 5	s5 – Children and Young Persons Act 1933 s16 – Children and Young Persons (Scotland) Act 1937 s25 – Children and Young Persons Act (Northern Ireland) 1968



Indecent photographs of children

s1 – Protection of Children Act 1978  
s160 – Criminal Justice Act 1988  
s52 – Civic Government (Scotland) Act 1982  
Art.3 – Protection of Children (Northern Ireland)  
Order 1978

## Category 8 – Sexual Offences

All Offences in the following acts are regarded as relevant offences

- Sexual Offences Act 2003
- Sexual Offences (Scotland Act) 2009
- Sexual Offences (Northern Ireland) Order 2008

Aiding, abetting, counselling, procuring or inciting the commission of a s311(1) offence	s311(7) – Mental Health (Care and Treatment) (Scotland) Act 2003
Arranging or facilitating child prostitution or pornography	s12 – Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005
Assault/indecent assault (oral penetration)	Common Law
Assault/indecent assault	Common Law
Assault of a child under 13 – re actual intercourse	s5(1) – Criminal Law (Consolidation) (Scotland) Act 1995
Assault of a child under 13 – re attempted intercourse	s5(2) – Criminal Law (Consolidation) (Scotland) Act 1995
Assault/indecent assault, lewd, indecent or libidinous practices re children aged 12 to 16	s6 – Criminal Law (Consolidation) (Scotland) Act 1995
Assault/indecent assault/sodomy	Common Law
Assault with intent to commit buggery	Art.20 – Criminal Justice (Northern Ireland) Order 2003
Assault with intent to commit rape	s2 – Attempted Rape etc. Act (Northern Ireland) 1960
Bestiality	Common Law
Buggery	Art.19 – Criminal Justice (Northern Ireland) Order 2003
Care workers: causing a person with a mental disorder to watch a sexual act	s10 – Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005
Care workers: causing or inciting sexual activity	s313 – Mental Health (Care and Treatment) (Scotland) Act 2003
Care workers: sexual activity with a person with a mental disorder	s313 – Mental Health (Care and Treatment) (Scotland) Act 2003
Causing or inciting a child under 13 to engage in sexual activity – re attempted intercourse	s5(2) – Criminal Law (Consolidation) (Scotland) Act 1995
Causing or inciting a child under 13 to engage in sexual activity – lewd, indecent or libidinous practices re children aged 12 to 16	s6 – Criminal Law (Consolidation) (Scotland) Act 1995
Controlling a child prostitute or a child involved in pornography	s11 – Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005

Homosexual offences	s13 – Criminal Law (Consolidation) (Scotland) Act 1995
Incest	s1 – Punishment of Incest Act 1908 s2 – Punishment of Incest Act 1908 Common Law
Incest – re-intercourse with family members	s1 – Criminal Law (Consolidation) (Scotland) Act 1995
Inciting girl under 16 to have incestuous sexual intercourse	Art.9 – Criminal Justice (Northern Ireland) Order 1980
Indecent conduct towards child	s22 – Children and Young Persons Act (Northern Ireland) 1968
Intercourse of person in position of trust with child under 16	s3 – Criminal Law (Consolidation) (Scotland) Act 1995
Intercourse with girl under 16	s5 – Criminal Law (Consolidation) (Scotland) Act 1995
Intercourse with step-child	s2 – Criminal Law (Consolidation) (Scotland) Act 1995 – re intercourse with family members
Indecent assault/assault/criminal threats/exposure	Common Law
Keeping a brothel	s33 – Sexual Offences Act 1956
Keeping a brothel used for prostitution	s33A – Sexual Offences Act 1956
Landlord letting premises for use as a brothel	s34 – Sexual Offences Act 1956 s35 – Sexual Offences Act 1956
Lewd, indecent and libidinous practices	Common Law
Lewd, indecent and libidinous practices/public indecency	Common Law
Meeting a child following certain preliminary contact	s1 – Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005
Outraging public decency	Common Law
Paying for sexual services of a child	s9 – Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005
Protection of patients	Art.123 – Mental Health (Northern Ireland) Order
Protection of women suffering mental handicap	Art.122 – Mental Health (Northern Ireland) Order 1986
Procuring	s7 – Criminal Law (Consolidation) (Scotland) Act 1995
Rape	Common Law
Rape – vaginal penetration only	Common Law
Sexual activity with a child – re actual intercourse	s5(1) – Criminal Law (Consolidation) (Scotland) Act 1995
Sexual activity with a child – re attempted intercourse	s5(2) – Criminal Law (Consolidation) (Scotland) Act 1995
Sexual activity with a child – lewd, indecent or libidinous practices re children aged 12 to 16	s6 – Criminal Law (Consolidation) (Scotland) Act 1995
Sexual activity with a person with a mental disorder impeding choice	s311 – Mental Health (Care and Treatment) (Scotland) Act 2003
Sexual intercourse with woman with mental handicap	Art.122 – Mental Health (Northern Ireland) Order 1986
Sexual intercourse with patient	Art.123 – Mental Health (Northern Ireland) Order 1986
Sodomy – anal penetration only	Common Law
Tenant permitting premises to be used for prostitution	s36 – Sexual Offences Act 1956
Trading in Prostitution and Brothel-keeping	s11 – Criminal Law (Consolidation) (Scotland) Act 1995
Trading in prostitution and brothel-keeping	s11 – Criminal Law (Consolidation) (Scotland) Act 1995
Trafficking into the UK for sexual exploitation	s22 – Criminal Justice (Scotland) Act 2003
Unlawful sexual intercourse with girl under 14	s4 – Criminal Law (Amendment) Act 1885
Unlawful sexual intercourse with girl under 17	s5 – Criminal Law (Amendment) Act 1885

## Category 9 – Drug Offences

Acquisition, use and possession	s329 – Proceeds of Crime Act 2002
Arrangements	s328 – Proceeds of Crime Act 2002
Assisting in or inducing commission outside United Kingdom	s20 – Misuse of Drugs Act 1971
Attempts to commit offences	s19 – Misuse of Drugs Act 1971
Concealing	s327 – Proceeds of Crime Act 2002
Contravention directions prohibiting prescribing supply etc of controlled drugs by practitioners in other cases	s13(3) – Misuse of Drugs Act 1971
Cultivation of cannabis plant	s6 – Misuse of Drugs Act 1971
Directions prohibiting prescribing, supply etc of controlled drugs by practitioners etc convicted of certain offences	s12 – Misuse of Drugs Act 1971
Forgery or use of false prescription in respect of drugs listed in Schedule 2 of the Misuse of Drugs Act 1971 (category 5)	
Fraudulent evasion of duty etc	s170 – Customs and Excise Management Act 1979
Improper Importation of goods – ‘Class A drugs’	s50 – Customs and Excise Management 1979
Manufacture and supply of scheduled substances	s12 – Criminal Justice (International Co-operation) Act 1990
Miscellaneous offences	s18 – Misuse of Drugs Act 1971
Occupiers etc of premises to be punishable for permitting certain activities to take place thereon	s8 – Misuse of Drugs Act 1971
Obstructing exercise of powers of search etc or concealing books, drugs, etc	s23(4) – Misuse of Drugs Act 1971
Penalty for interfering with revenue vessels	s85 – Customs and Excise Management Act 1979
Prejudicing an investigation	s58 – Drug Trafficking Act 1994
Prohibition of certain activities etc relating to opium	s9 – Misuse of Drugs Act 1971
Prohibition of supply of articles for administering or preparing controlled drugs	s9A – Misuse of Drugs Act 1971
Power to direct special precautions for safe custody of controlled drugs to be taken at certain premises	s11 – Misuse of Drugs Act 1971
Power to obtain information from Doctors, Pharmacists etc in certain circumstances	s17 – Misuse of Drugs Act 1971
Restriction of importation and exportation of controlled drugs	s3 – Misuse of Drugs Act 1971
Restriction of production and supply of controlled drugs	s4 – Misuse of Drugs Act 1971
Restriction of possession of controlled drugs (Class A and B drugs)	s5 – Misuse of Drugs 1971
Restriction of possession of controlled drugs (Class C drugs)	s5 – Misuse of Drugs 1971
Ships used for illicit traffic	s19 – Criminal Justice (International Co-operation) Act 1990
Supply of potentially noxious substances Scotland only	Common Law
Tipping off	s333 – Proceeds of Crime Act 2002

## Category 10 – Criminal Damage

Destroying or damaging property	s1 – Criminal Damage Act 1971 Art.3 – Criminal Damage (Northern Ireland) Order 1977
Malicious mischief	Common Law
Racially aggravated harassment and conduct	s50 – Criminal Law (Consolidation) (Scotland) Act 1995
Racially aggravated offences	s74 – Criminal Justice (Scotland) Act 2003
Racially or religiously aggravated criminal damage	s30 – Crime and Disorder Act 1998
Threats to destroy or damage property	s2 – Criminal Damage Act 1971
Vandalism	s52 – Criminal Law (Consolidation) (Scotland) Act 1995
Violation of sepulchres	Common Law

## Category 11 – Social Security Offences

Breach of regulations	s113 – Social Security Administration Act 1992
Delay, obstruction etc of inspection	s111 – Social Security Administration Act 1992
Dishonest representations for obtaining benefit etc	s111A – Social Security Administration Act 1992
Failure to maintain – general	s105 – Social Security Administration Act 1992
False representations for obtaining a benefit etc	s112 – Social Security Administration Act 1992
Impersonation of officers	s181 – Social Security Administration Act 1992
Illegal possession of documents	s182 – Social Security Administration Act 1992
Information offences	s14A – Child Support Act 1991
Making a statement or representation known to be false	s34 – Jobseekers Act 1995
Offences in relation to contributions	s114 – Social Security Administration Act 1992
Powers of investigation – failure to comply with a requirement	s139B – Social Security Administration Act 1992
Statutory sick pay and statutory maternity pay: breach of regulations	s113 – Social Security Administration Act 1992
Statutory sick pay and statutory maternity pay: fraud and negligence	s113B – Social Security Administration Act 1992
Unauthorised disclosure of information relating to particular persons	s123 – Social Security Administration Act 1992

## Category 12 – Private Security Industry Offences

Conduct prohibited without a licence	s3 – Private Security Industry Act 2001 Para.4 Sch.6 – Justice and Security (Northern Ireland) Act 2007
False information	s22 – Private Security Industry Act 2001 Para.8(3) Sch.6 – Justice and Security (Northern Ireland) Act 2007
Imposition of requirements for approval (contravention of)	s17 – Private Security Industry Act 2001
Licence conditions (contravention of)	s9 – Private Security Industry Act 2001
Offence of using unlicensed operative	s5 – Private Security Industry Act 2001 Para.6 Sch.6 – Justice and Security (Northern Ireland) Act 2007

Offence of using unlicensed wheel clampers	s6 – Private Security Industry Act 2001
Powers of entry and inspections	s19 – Private Security Industry Act 2001 Para.20 Sch.6 – Justice and Security (Northern Ireland) Act 2007
Right to use approved status (misuse of)	s16 – Private Security Industry Act 2001

## Category 13 – Licensing Act 2003

Allowing disorderly conduct on licensed premises etc	s140 – Licensing Act 2003 s78(1) – Licensing (Scotland) Act 1976 Art.61 – Licensing (Northern Ireland) Order 1996
Allowing the sale of alcohol to children	s147 – Licensing Act 2003
Consumption of alcohol by children	s150 – Licensing Act 2003 s16 – Children and Young Persons (Scotland) Act 1937
Delivering alcohol to children	s151 – Licensing Act 2003
Exposing alcohol for unauthorised sale	s137 – Licensing Act 2003
Failure to leave licensed premises etc	s143 – Licensing Act 2003
False statements made for the purposes of this Act	s158 – Licensing Act 2003
Keeping alcohol on premises for unauthorised sale etc	s38 – Licensing Act 2003
Keeping of smuggled goods	s144 – Licensing Act 2003
Licensee or employee or agent drunk on licensed premises	s77 – Licensing (Scotland) Act 1976
Obtaining alcohol for a person who is drunk	s142 – Licensing Act 2003 s75 – Licensing (Scotland) Act 1976 Art.62 – Licensing (Northern Ireland) Order 1996
Prohibition on sale of intoxicating liquor without a licence	Art.3 – Licensing (Northern Ireland) Order 1996
Prohibition of unsupervised sales by children	s151 – Licensing Act 2003
Prostitutes, criminals and stolen goods	s80 – Licensing (Scotland) Act 1976
Purchase of alcohol by or on behalf of children	s149 – Licensing Act 2003 s68(2) – Licensing (Scotland) Act 1976 Art.60 – Licensing (Northern Ireland) Order 1996
Sale of alcohol to a person who is drunk	s141 – Licensing Act 2003 s76 – Licensing (Scotland) Act 1976 Art.61 – Licensing (Northern Ireland) Order 1996
Sale of alcohol to children	s146 – Licensing Act 2003 s68(1) – Licensing (Scotland) Act 1976 Art.60 – Licensing (Northern Ireland) Order 1996
Sale of liqueur confectionary to children under 16	s148 – Licensing Act 2003
Sending a child to obtain alcohol	s152 – Licensing Act 2003
Trafficking or bartering without a licence or hawking of liquor	s90 – Licensing (Scotland) Act 1976
Unaccompanied children prohibited from certain premises	s145 – Licensing Act 2003
Unauthorised licensable activities	s136 – Licensing Act 2003
Under 14's prohibited from the bar area of licensed premises	s69 – Licensing (Scotland) Act 1976

## Category 14 – Driving Offences

Causing death by careless driving when under the influence of drink or drugs	s3A – Road Traffic Act 1988 Art.14 – Road Traffic (Northern Ireland) Order 1995
Causing death by dangerous driving	s1 – Road Traffic Act 1988 Art.9 – Road Traffic (Northern Ireland) Order 1995
Causing serious injury by dangerous driving	s143 – Legal Aid, Sentencing and Punishment of Offenders Act 2012
Culpable homicide	Common Law

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