



# Criminal Justice Act (Northern Ireland) 1945

## 1945 CHAPTER 15

### PART II

#### PROVISIONS AS TO OFFENCES, SENTENCES, PENALTIES AND COSTS

##### OFFENCES

#### 26 Provisions as to prosecution of offence of child destruction.

- (1) Where upon the trial of any person for the murder or manslaughter of any child, or for infanticide, <sup>F1</sup>..., the jury are of opinion that the person charged is not guilty of murder, manslaughter or infanticide, <sup>F1</sup>..., as the case may be, but that he is shown by the evidence to be guilty of the [<sup>F2</sup> offence] of child destruction, the jury may find him guilty of that [<sup>F2</sup> offence], and thereupon the person convicted shall be liable to be punished as if he had been convicted upon an indictment for child destruction.

<sup>F3</sup>(2) .....

*Subs.(3) rep. by 1967 c.18 (NI)*

*Subs.(4) rep. by 1989 NI 12*

- F1** Words in s. 26(1) omitted (31.3.2020) by virtue of [The Abortion \(Northern Ireland\) Regulations 2020 \(S.I. 2020/345\)](#), regs. 1(b), **14(2)(a)** (with reg. 15); and (14.5.2020) by virtue of [The Abortion \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/503\)](#), regs. 1(1)(b), **14(2)(a)** (with reg. 15)
- F2** 1967 c.18 (NI)
- F3** S. 26(2) omitted (31.3.2020) by virtue of [The Abortion \(Northern Ireland\) Regulations 2020 \(S.I. 2020/345\)](#), regs. 1(b), **14(2)(b)** (with reg. 15); and (14.5.2020) by virtue of [The Abortion \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/503\)](#), regs. 1(1)(b), **14(2)(b)** (with reg. 15)

**Changes to legislation:**

There are currently no known outstanding effects for the *Criminal Justice Act (Northern Ireland) 1945, Section 26*.