



# Children and Young Persons Act (Northern Ireland) 1968

## 1968 CHAPTER 34

### PART II **N.I.**

#### PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER

**N.I.**

#### MISCELLANEOUS OFFENCES IN RELATION TO CHILDREN AND YOUNG PERSONS

#### 20 Cruelty to persons under sixteen. **N.I.**

- (1) If any person who has attained the age of sixteen and has<sup>[F1]</sup> responsibility for] any child or young person under that age, wilfully assaults, ill-treats, neglects, abandons or exposes him, or causes or procures him to be assaulted, ill-treated, neglected, abandoned or exposed in a manner likely to cause him unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of an offence, and shall be liable—
- (a) on conviction on indictment, to<sup>[F2]</sup> an unlimited fine] or to imprisonment for a term not exceeding<sup>[F3]</sup> ten years] or to both;
  - (b) on summary conviction, to a fine not exceeding<sup>[F2]</sup> level 3 on the standard scale] or to imprisonment for a term not exceeding six months or to both.
- (2) For the purposes of this section—
- (a) a parent or other person legally liable to maintain a child or young person<sup>[F1]</sup>, or the legal guardian of a child or young person] shall be deemed to have neglected him in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for him, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging,

*Status: Point in time view as at 01/01/2006.*

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he has failed to take steps to procure it to be provided under the [Health and Personal Social Services (Northern Ireland) Order 1972 ] or<sup>F4</sup> Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992];

- (b) where it is proved that the death of an infant under three years of age was caused by suffocation (not being suffocation caused by disease or the presence of any foreign body in the throat or air passages of the infant) while the infant was in bed with some other person who has attained the age of sixteen, that other person shall, if he was, whilst in bed, under the influence of intoxicating liquor or drugs, be deemed to have neglected the infant in a manner likely to cause injury to its health.

(3) A person may be convicted of an offence under this section—

- (a) notwithstanding that actual suffering or injury to health, or the likelihood of actual suffering or injury to health, was obviated by the action of another person;
- (b) notwithstanding the death of the child or young person in question.

*Subs. (4), (5) rep. by 1989 NI 15*

(6) Nothing in this section shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him.

<b>F1</b>	1995 NI 2
<b>F2</b>	1984 NI 3
<b>F3</b>	1989 NI 15
<b>F4</b>	1992 c. 9

## 21 **Causing or encouraging seduction or prostitution of girl under seventeen. N.I.**

(1) If any person having<sup>F5</sup> responsibility for] a girl under the age of seventeen causes or encourages the commission of unlawful sexual intercourse with,<sup>F6</sup> . . . or the commission of an indecent assault upon, her, he shall be guilty of an offence and shall be liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding two years;
- (b) on summary conviction to a fine not exceeding<sup>F7</sup> level 3 on the standard scale] or to imprisonment for a term not exceeding six months or to both.

(2) For the purposes of this section a person shall be deemed to have caused or encouraged the commission of unlawful sexual intercourse with, or of an indecent assault upon,<sup>F6</sup> . . . a girl who has had unlawful sexual intercourse, or has been indecently assaulted,<sup>F6</sup> . . . if he has knowingly allowed her to consort with, or to enter or continue in the employment of, any prostitute or person of known immoral character.

<b>F5</b>	1995 NI 2
<b>F6</b>	2003 c. 42
<b>F7</b>	1984 NI 3

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## 22 Indecent conduct towards child. **N.I.**

Any person who commits an act of gross indecency with or towards a child, or who incites a child to such an act with him or another, shall be guilty of an offence and shall be liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding<sup>[F8]</sup> ten years;
- (b) on summary conviction to a fine not exceeding<sup>[F9]</sup> level 3 on the standard scale] or to imprisonment for a term not exceeding six months or to both.

<sup>[F10]</sup>(2) In this section, “child” means a person under the age of seventeen.]

**F8** 2003 NI 13  
**F9** 1984 NI 3  
**F10** 2000 c. 43

## 23 Allowing children or young persons to be in brothels. **N.I.**

If any person having<sup>[F11]</sup> responsibility for] a child who has attained the age of four, or of a young person, allows that child or young person to reside in or to frequent a brothel, he shall be guilty of an offence and shall be liable—

- (a) on conviction on indictment to<sup>[F12]</sup> an unlimited fine] or to imprisonment for a term not exceeding six months or to both;
- (b) on summary conviction to a fine not exceeding<sup>[F12]</sup> level 3 on the standard scale] or to imprisonment for a term not exceeding six months or to both.

**F11** 1995 NI 2  
**F12** 1984 NI 3

## 24 Causing or allowing persons under sixteen to be used for begging. **N.I.**

- (1) If any person causes or procures any child or young person under the age of sixteen or, having<sup>[F13]</sup> responsibility for] such a child or young person, allows him to be in any street, premises or place for the purpose of begging or receiving alms, or of inducing the giving of alms (whether or not there is any pretence of singing, playing, performing, offering anything for sale, or otherwise) he shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding<sup>[F14]</sup> level 3 on the standard scale] or to imprisonment for a term not exceeding three months or to both.
- (2) If a person having<sup>[F13]</sup> responsibility for] a child or young person is charged with an offence under this section, and it is proved that the child or young person was in any street, premises or place for any such purpose as aforesaid, and that the person charged allowed the child or young person to be in the street, premises or place, he shall be presumed to have allowed him to be in the street, premises or place for that purpose unless the contrary is proved.
- (3) If any person while singing, playing, performing or offering anything for sale in a street or public place has with him a child who has been lent or hired out to him, the child shall, for the purposes of this section, be deemed to be in that street or place for the purpose of inducing the giving of alms.

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F13 1995 NI 2

F14 1984 NI 3

## 25 Giving intoxicating liquor to children. **N.I.**

If any person gives, or causes to be given, to any child any intoxicating liquor, except upon the order of a doctor or in case of sickness, apprehended sickness, or other urgent cause, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>F15</sup> level 3 on the standard scale].

F15 1984 NI 3

*S. 26 rep. by 1971 c. 13 (NI)*

*Ss. 27, 28 rep. by 1995 NI 2*

## 29 Exposing children under twelve to risk of burning. **N.I.**

- (1) If any person who has attained the age of sixteen, having<sup>F16</sup> responsibility for] any child under the age of twelve, allows the child to be in any room containing an open fire or any heating appliance liable to cause injury to a person by contact therewith, not sufficiently protected to guard against the risk of his being burnt or scalded, without taking reasonable precautions against that risk, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>F17</sup> level 1 on the standard scale].
- (2) Where by reason of a contravention of subsection (1) a child is killed or suffers serious injury no proceedings taken under this section shall affect any liability of any such person to be proceeded against by indictment for any indictable offence.

F16 1995 NI 2

F17 1984 NI 3

## 30 Failing to provide for safety of children at entertainments. **N.I.**

- (1) Where there is provided in any premises an entertainment for children, or an entertainment at which the majority of the persons attending are children, then, if the number of children attending the entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the premises, or to any part thereof, than the premises or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the premises or any part thereof, and to take all other reasonable precautions for the safety of the children.
- (2) Where the occupier of any premises permits, for hire or reward, the premises to be used for the purpose of an entertainment, he shall take all reasonable steps to secure the observance of the provisions of this section.

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- (3) If any person on whom any obligation is imposed by this section fails to fulfil that obligation, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>F18</sup> level 3 on the standard scale], and also, if the premises in which the entertainment is given are licensed<sup>F19</sup>. . . under any of the enactments relating to the licensing of theatres or other premises used for public entertainment, the licence shall be liable to be revoked by the authority by whom the licence was granted or by any authority having jurisdiction in relation to any application for the transfer or renewal of the licence.
- (4) A constable may enter any premises in which he has reason to believe that such an entertainment as aforesaid is being, or is about to be, provided, with a view to seeing whether the provisions of this section are or are about to be carried into effect, and an officer authorised for the purpose by an authority by whom licences are granted under any of the enactments referred to in subsection (3) shall have the like power of entering any premises so licensed by that authority; and if any person wilfully obstructs any constable or officer in the due exercise of any powers conferred on him by or under this subsection he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>F18</sup> level 3 on the standard scale].
- (5) A person (other than a constable in uniform) exercising any power of entry conferred by this section shall, if so required, produce his credentials.
- (6) This section shall not apply to any entertainment given in a private dwelling-house.

**F18** 1984 NI 3

**F19** 1991 NI 12

**Status:**

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