



2021 CHAPTER 2

**PART 1**

Domestic abuse: offence and aggravation

CHAPTER 2

Aggravation as to domestic abuse

*Sentencing aggravation*

**Exception regarding the aggravation**

**17.—(1)** For the purposes of section 16, an offence committed by a person (“A”) cannot be aggravated in relation to another person (“B”) by reason of involving domestic abuse if, at the time of the commission of the offence—

- (a) B is under 16 years of age, and
- (b) A has responsibility for B.

(2) Section 36 of the Children and Young Persons Act (Northern Ireland) 1968 applies for the purposes of determining whether A has responsibility for B as it applies for the purposes of determining whether a person has responsibility for a child or young person within the meaning of that Act.

**Commencement Information**

**II** S. 17 in operation at 21.2.2022 by S.R. 2022/57, art. 2(q)

**Changes to legislation:**

There are currently no known outstanding effects for the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021, Section 17.