



# Serious Crime Act 2015

## 2015 CHAPTER 9

### PART 5

#### PROTECTION OF CHILDREN AND OTHERS

##### *Protection of children*

#### 66 Child cruelty offence

- (1) Section 1 of the Children and Young Persons Act 1933 (cruelty to persons under 16) is amended as follows.
- (2) In subsection (1)—
  - (a) after “ill-treats” insert “(whether physically or otherwise)”;
  - (b) after “ill-treated” insert “(whether physically or otherwise)”.
- (3) In that subsection, for the words from “(including” to “derangement)” substitute “(whether the suffering or injury is of a physical or a psychological nature)”.
- (4) In that subsection, for “a misdemeanour” substitute “an offence”.
- (5) In subsection (2), in paragraph (b)—
  - (a) after “to bed” insert “or at any later time before the suffocation”;
  - (b) after “drink” insert “or a prohibited drug”.
- (6) After that subsection insert—

“(2A) The reference in subsection (2)(b) to the infant being “in bed” with another (“the adult”) includes a reference to the infant lying next to the adult in or on any kind of furniture or surface being used by the adult for the purpose of sleeping (and the reference to the time when the adult “went to bed” is to be read accordingly).

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*Status: This is the original version (as it was originally enacted).*

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(2B) A drug is a prohibited drug for the purposes of subsection (2)(b) in relation to a person if the person’s possession of the drug immediately before taking it constituted an offence under section 5(2) of the Misuse of Drugs Act 1971.”