



# Children and Young Persons Act 1933

## CHAPTER 12

### CHILDREN AND YOUNG PERSONS ACT 1933

#### PART I

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

###### *Offences*

- 1 Cruelty to persons under sixteen.
- 2 .....
- 3 Allowing persons under sixteen to be in brothels.
- 4 Causing or allowing persons under sixteen to be used for begging.
- 5 Giving intoxicating liquor to children under five.
- 6 .....
- 7 Sale of tobacco, &c. to persons under eighteen.
- 8 .....
- 9 .....
- 10 Vagrants preventing children from receiving education.
- 11 †Exposing children under seven to risk of burning.
- 12 Failing to provide for safety of children at entertainments.

###### *Persistent sales of tobacco to persons under 18*

- 12A Restricted premises orders
- 12B Restricted sale orders
- 12C Enforcement
- 12D Interpretation

###### *Special Provisions as to Prosecutions for Offences specified in First Schedule*

- 13 (1) .....
- 14 Mode of charging offences and limitation of time.

*Status: Point in time view as at 01/02/2010.*

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15 .....

*Supplemental*

16 .....

17 Interpretation of Part I.

**PART II**

EMPLOYMENT

*General Provisions as to Employment*

18 Restrictions on employment of children.

19 .....

20 Street trading.

21 Penalties and legal proceedings in respect of general provisions as to employment.

*Entertainments and Performances*

22 .....

23 Prohibition against persons under sixteen taking part in performances endangering life or limb.

24 Restrictions on training for performances of a dangerous nature.

*Employment Abroad*

25 Restrictions on persons under eighteen going abroad for the purpose of performing for profit.

26 Punishment of contraventions of last foregoing section and proceedings with respect thereto.

*Supplemental*

27 Byelaws.

28 Powers of entry.

29 Savings.

30 Interpretation of Part II.

**PART III**

PROTECTION OF CHILDREN AND YOUNG PERSONS IN  
 RELATION TO CRIMINAL AND SUMMARY PROCEEDINGS

*General Provisions as to Preliminary Proceedings*

31 Separation of children and young persons from adults in police stations, courts, &c.

32 .....

33 .....

34 Attendance at court of parent of child or young person charged with an offence, &c.

34A Attendance at court of parent or guardian.

35 .....

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*General Provisions as to Proceedings in Court*

- 36 Prohibition against children being present in court during the trial of other persons.
- 37 Power to clear court while child or young person is giving evidence in certain cases.
- 38 Evidence of child of tender years.
- 39 Power to prohibit publication of certain matter in newspapers.

*Special Procedure with regard to Offences specified in First Schedule*

- 40 Warrant to search for or remove a child or young person.
- 41 Power to proceed with case in absence of child or young person.
- 42 Extension of power to take deposition of child or young person.
- 43 Admission of deposition of child or young person in evidence.

*Principles to be observed by all Courts in dealing with Children and Young Persons*

- 44 General considerations.

*Youth Courts*

- 45 Constitution of Youth courts.
- 46 Assignment of certain matters to youth courts.
- 47 Procedure in youth courts.
- 48 Miscellaneous provisions as to powers of youth courts.
- 49 Restrictions on reports of proceedings in which children or young persons are concerned.

*Juvenile Offenders*

- 50 Age of criminal responsibility.
- 51 .....
- 52 .....
- 53 Punishment of certain grave crimes.
- 54 .....
- 55 Power to order parent or guardian to pay fine, etc.
- 56 Power of other courts to remit juvenile offenders to juvenile courts.
- 57 .....
- 58 Power of Secretary of State to send certain juvenile offenders to approved schools.
- 59 Miscellaneous provisions as to summary proceedings against juvenile offenders.
- 60 .....
- 61 .....
- 62—76 .....

**PART IV**

**REMAND HOMES, APPROVED SCHOOLS, AND PERSONS TO WHOSE CARE CHILDREN AND YOUNG PERSONS MAY BE COMMITTED**

*Remand Homes*

- 77 Provision of remand homes by councils of counties and county boroughs.
- 78 .....

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### *Approved Schools*

- 79 Approval of schools.
- 80 Provision of approved schools by local authorities.
- 81 Classification, administration, and management.
- 82—85 .....
- 86—89 .....
- 90, 91 .....

### **PART V**

- 92, 93 .....
- 94 .....
- 95 .....

### **PART VI**

#### SUPPLEMENTAL

#### *Local Authorities*

- 96 ` Provisions as to local authorities.
- 97 Modifications of last foregoing section as to City of London.
- 98 †Institution of proceedings by local or poor law authorities.

#### *Supplementary Provisions as to Legal Proceedings*

- 99 Presumption and determination of age.
- 100 Evidence of wages of defendant.
- 101 Application of Summary Jurisdiction Acts.
- 102 †Appeals to quarter sessions.

#### *Supplementary Provisions as to Secretary of State*

- 103 Power of Secretary of State to appoint inspectors.
- 104 Exchequer grants and expenses of Secretary of State.

#### *General*

- 105 Variation of Orders in Council.
- 106 Provisions as to documents, &c.
- 107 Interpretation.
- 108 Transitory provisions.
- 109 †Short title, commencement, extent, and repeals.

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### SCHEDULES

#### FIRST SCHEDULE — Offences against Children and Young Persons, with respect to which Special Provisions of this Act apply

- The murder or manslaughter of a child or young person....
- Infanticide.
- An offence under section 2(1) of the Suicide Act 1961...
- An offence under section 5 of the Domestic Violence, Crime...
- Any offence under sections twenty-seven, . . . or fifty-six...
- Common assault, or battery. . . .

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Any offence under sections one, . . . three, four, ...  
Any offence against a child or young person under any...  
Any other offence involving bodily injury to a child or...

SCHEDULE 2 —

Part I — OUTSIDE METROPOLITAN AREA

*Youth court panels*

1 The following provisions of this Part of this Schedule shall...

*Qualification to sit as member of youth court.*

2 A justice shall not be qualified to sit as a...

*Constitution by single District Judge (Magistrates' Courts)*

2A A youth court may consist of a District Judge (Magistrates'...

*Youth court panels.*

3 Subject to the following provisions of this Part of this...

*Combined youth court panels*

4 A magistrates' courts committee may make recommendations to the  
Lord...

5 It shall be the duty of the magistrates' courts committee...

6 Subject to the provisions of this Schedule—

*Effect of order establishing combined panel*

7 Where a combined youth court panel is formed for any petty...

*Restrictions on formation of combined panels*

8 No order under this Schedule shall provide for the formation...

8A .....

9 An order under this Schedule providing for the formation of...

*Consultations and notices*

10 A magistrates' courts committee, before submitting recommendations  
for an order...

11 Where the Lord Chancellor proposes to make an order under...

12 Where notice of recommendations or a copy of a proposed...

Part II — METROPOLITAN AREA

13 The following provisions of this Part of this Schedule shall...

14 Youth courts shall be constituted for the whole of the...

15 Subject to the following provisions of this Schedule—

15A (1) Where, in the the case of any sitting of...

16 If at any time, by reason of illness or other...

17 Where it appears to the chairman that a youth court...

18 The Lord Chief Justice, in nominating any persons under this...

19 .....

Part III — GENERAL

20 An order of the Lord Chancellor under this Schedule shall...

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- 21 Any such order may contain supplementary, incidental and consequential provisions....
- 22 The Lord Chief Justice may nominate a judicial office holder...

THIRD SCHEDULE —

FOURTH SCHEDULE — Provisions as to Administration of Approved Schools and Treatment of Persons sent thereto

*General Provisions*

- 1 (1) The Secretary of State may make rules for the...
- 2 No substantial addition to, or diminution or alteration of, the...

*Treatment of Pupils*

- 3 A minister of the religious persuasion to which a person...
- 4—13 .....

*Superannuation of Officers*

- 14 The Managers of any approved school may, as part of...

FIFTH SCHEDULE — Transitory Provisions

- 1 Any Order in Council, order, or regulation made, any certificate...
- 2 Any rule, byelaw, warrant or licence under any enactment repealed...
- 3 .....
- 4 .....
- 5 .....
- 6 .....
- 7 .....
- 8 .....
- 9 .....
- 10 .....
- 11 .....
- 12 .....
- 13 .....
- 14 .....
- 15 .....

SIXTH SCHEDULE —

**Status:**

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