



Children and Young Persons Act 1969

1969 CHAPTER 54

PART I

CARE AND OTHER TREATMENT OF JUVENILES THROUGH COURT PROCEEDINGS

[^{F1} Care of children and young persons through juvenile courts]

Textual Amendments

F1 Ss. 1–3 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F2¹

Textual Amendments

F2 Ss. 1–3 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F3²

Textual Amendments

F3 Ss. 1–3 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F4³

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: *Children and Young Persons Act 1969 is up to date with all changes known to be in force on or before 08 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

- F4** Ss. 1–3 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

Consequential changes in criminal proceedings etc.

PROSPECTIVE

F5 4

Textual Amendments

- F5** S. 4 repealed (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), ss. 72, 101(2), [Sch 13](#); [S.I. 1992/333](#), [art. 2\(2\)](#), [Sch.2](#)

5 Restrictions on criminal proceedings for offences by young persons.

F6(1)

F6(2)

F6(3)

F6(4)

F6(5)

F6(6)

F6(7)

- (8) It shall be the duty of a person who decides to lay an information in respect of an offence in a case where he has reason to believe that the alleged offender is a young person to give notice of the decision to the appropriate local authority unless he is himself that authority.

- (9) In this section—

“the appropriate local authority”, in relation to a young person, means the local authority for the area in which it appears to the informant in question that the young person resides or, if the young person appears to the informant not to reside in the area of a local authority, the local authority in whose area it is alleged that the relevant offence or one of the relevant offences was committed; and

F7 . . .

and **F7** . . .; but nothing in this section shall be construed as preventing any council or other body from acting by an agent for the purposes of this section.

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Textual Amendments

- F6** S. 5(1)–(7) repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 72, 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch. 2**
- F7** Definitions in s. 5(9) repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 72, 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch. 2**

6 **F8**

Textual Amendments

- F8** S. 6 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(2), **Sch. 9**

7 Alterations in treatment of young offenders etc.

(1) **F9**

(2) **F10**

(3) **F11**

(5) An order sending a person to an approved school shall not be made after such day as the Secretary of State may by order specify for the purposes of this subsection.

^{X1}(6) Sections 54 and 57 of the Act of 1933 (which among other things enables a child or young person found guilty of an offence to be sent to a remand home or committed to the care of a fit person) shall cease to have effect.

F12(7)

F13(7A)

F14(7B)

F14(7C)

F12(8)

F12(8A)

F12(8B)

F12(9)

Editorial Information

- X1** The text of s. 7(6) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F9** S. 7(1) repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), **Sch. 16**
- F10** S. 7(2) repealed by Powers of Criminal Courts Act 1973 (c. 62, SIF 39:1), **Sch. 6**
- F11** S. 7(3)(4) repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), **Sch. 16**

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- F12** S. 7(7)-(9) repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)
- F13** S. 7(7A) (which was inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 23(b)**) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch. 15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**
- F14** S. 7(7B)(7C) (which were inserted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(4)(6), Sch. 12 para. 21 (with **Sch. 14 para. 1(1)**; S.I. 1991/828, **art. 3(2)**) repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch. 2**

Modifications etc. (not altering text)

- C1** 31.12.1970 specified for purposes of s. 7(5) by S.I. 1970/1499, **art. 2**

F15 **7A**

Textual Amendments

- F15** S. 7A repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F16 **8**

Textual Amendments

- F16** S. 8 repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 72, 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch.2**

9 Investigations by local authorities.

- (1) Where a local authority ^{F17}... bring ^{F18}... proceedings for an offence alleged to have been committed by a young person or are notified that any such proceedings are being brought, it shall be the duty of the authority, unless they are of opinion that it is unnecessary to do so, to make such investigations and provide the court before which the proceedings are heard with such information relating to the home surroundings, school record, health and character of the person in respect of whom the proceedings are brought as appear to the authority likely to assist the court.
- (2) If the court mentioned in subsection (1) of this section requests the authority aforesaid to make investigations and provide information or to make further investigations and provide further information 4 relating to the matters aforesaid, it shall be the duty of the authority to comply with the request.

Textual Amendments

- F17** Words in s. 9(1) repealed (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, Sch. 2 para. 23(2), **Sch. 3 Pt. 2**

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F18 Words in s. 9(1) repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

10 Further limitations on publication of particulars of children and young persons etc.

F19(1)

F19(2)

(3) **F20**

Textual Amendments

F19 [S. 10\(1\)\(2\)](#) repealed (3.2.1995) by [1994 c. 33](#), s. 168(3), [Sch.11](#); [S.I. 1995/127](#), [art. 2\(1\)](#), [Sch.1](#)
Appendix C

F20 [S. 10\(3\)](#) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154(2), [Sch. 9](#)

Supervision

F21 **11**

Textual Amendments

F21 [S. 11](#) repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11](#) paras. 1, 2)

F22 **11A**

Textual Amendments

F22 [S. 11A](#) (which was inserted by [Children Act 1975 \(c. 72, SIF 49:9\)](#), [Sch. 3 para. 68](#)) repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

F23 **12**

Textual Amendments

F23 [S. 12](#) repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11](#) paras. 1, 2)

F24 **12A**

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Textual Amendments

F24 [S. 12A](#) repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))

F25 **12AA**

Textual Amendments

F25 [S. 12AA](#) repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#)) and subject to amendment (2.4.2001) by [1999 c. 22](#), s. 24, [Sch. 4 paras. 4, 5](#) (with [s. 107](#), [Sch. 14 para. 7\(2\)](#)); [S.I. 2001/916](#), [art. 3\(a\)\(ii\)](#)

F26 **12B**

Textual Amendments

F26 [S. 12B](#) repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))

F27 **12C**

Textual Amendments

F27 [S. 12C](#) repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))

F28 **12D**

Textual Amendments

F28 [S. 12D](#) repealed (30.9.1998) by [1998 c. 37](#), ss. 119, 120(2), [Sch. 8 para. 18](#), [Sch.10](#); [S.I. 1998/2327](#), [art.2\(1\)\(y\)\(aa\)\(2\)\(h\)\(3\)\(k\)](#)

F29 **13**

Textual Amendments

F29 [S. 13](#) repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))

F30 **14**

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Textual Amendments

F30 S. 14 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F31} **14A**

Textual Amendments

F31 S. 14A (which was inserted by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), **Sch. 2 para. 11**) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch. 15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

^{F32} **15**

Textual Amendments

F32 S. 15 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F33} **16**

Textual Amendments

F33 S. 16 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F34} **16A**

Textual Amendments

F34 S. 16A repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F35} **16B**

Textual Amendments

F35 S. 16B repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F36} **17**

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Textual Amendments

F36 S. 17 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F37} **18**

Textual Amendments

F37 S. 18 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2) and subject to amendment (1.4.2001) by 1999 c. 22, s. 90, **Sch. 13 para. 63(a)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)**

^{F38} **19**

Textual Amendments

F38 S. 19 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2) and subject to amendment (1.4.2001) by 1999 c. 22, s. 90, **Sch. 13 para. 63(b)** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)**

Committal to care of local authorities

^{F39} **20**

Textual Amendments

F39 Ss. 20–22 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

^{F40} **20A**

Textual Amendments

F40 S. 20A (inserted) by Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 22** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

^{F41} **21**

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Textual Amendments

- F41** Ss. 20–22 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

^{F42}**21A**

Textual Amendments

- F42** S. 21A repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

^{F43}**22**

Textual Amendments

- F43** Ss. 20–22 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch. 14 para. 27\(4\)](#), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

^{F44}**23** Remands and committals to local authority accommodation.

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Textual Amendments

- F44** S. 23 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 6](#); [S.I. 2012/2906](#), art. 2(j) (with art. 7(2)(3))

Modifications etc. (not altering text)

- C2** S. 23 modified (1.6.1999) by [1998 c. 37](#), [s. 98](#); [S.I. 1999/1279](#), [art. 2\(g\)\(i\)](#) (and, as so modified, amended (2.4.2001) by [1999 c. 22](#), s. 24, [Sch. 4 paras. 4, 7](#); [S.I. 2001/916](#), [art. 3\(a\)\(ii\)](#) (with Sch. 2 para. 2) and (1.4.2001 in respect of Sch. 7 Pt. I and otherwise *prosp.*) by [2000 c. 43](#), ss. 74, 75, [Sch. 7 Pt. I para. 4\(1\)\(2\)](#), [Pt. II para. 39](#), [Sch. 8](#); [S.I. 2001/919](#), [art. 2\(f\)\(i\)](#) and (2.10.2006) by 2006 c. 9, ss. 4(2)(b)(3), 5(2); [S.I. 2006/2491](#), art. 2
- C3** S. 23: amendment to earlier affecting provision 1998 c. 37 s. 98 (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 para. 5](#); [S.I. 2013/453](#), art. 3(h) (with savings and transitional provisions in [S.I. 2013/534](#), art. 6)

^{F45}**23A** Liability to arrest for breaking conditions of remand.

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Textual Amendments

F45 S. 23A omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012](#) (c. 10), s. 151(1), [Sch. 12 para. 8](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

^{F46}**23B Report by local authority in certain cases where person remanded on bail**

- (1) Subsection (2) below applies where a court remands a person aged 10 or 11 on bail and either—
 - (a) the person is charged with or has been convicted of a serious offence, or
 - (b) in the opinion of the court the person is a persistent offender.
- (2) The court may order a local authority to make an oral or written report specifying where the person is likely to be placed or maintained if he is further remanded to local authority accommodation [^{F47}under section 91(3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.]
- (3) An order under subsection (2) above must designate the local authority which is to make the report; and that authority must be the local authority which the court would have designated under [^{F48}section 92(2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012] if the person had been remanded to local authority accommodation.
- (4) An order under subsection (2) above must specify the period within which the local authority must comply with the order.
- (5) The maximum period that may be so specified is seven working days.
- (6) If the Secretary of State by order so provides, subsection (2) above also applies where—
 - (a) a court remands on bail any person who has attained the age of 12 and is under the age of [^{F49}18] ,
 - [^{F50}(b) the requirements in section 94(3) and (4) or 95(3) and (4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 would have been fulfilled if the person had not been remanded on bail, and]
 - (c) in a case where he is remanded after conviction, the court is satisfied that the behaviour which constituted the offence was due, to a significant extent, to the circumstances in which the offender was living.
- (7) In this section—

“serious offence” means [^{F51}(subject to subsection (8))] an offence punishable in the case of an adult with imprisonment for a term of two years or more.

“working day” means any day other than—

 - (a) a Saturday or a Sunday,
 - (b) Christmas day or Good Friday, or
 - (c) a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971.]

[^{F52}(8) For the purposes of the application of this section to a person remanded on bail in connection with proceedings under the Extradition Act 2003—

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- (a) an offence is a “serious offence” if the conduct constituting the offence would, if committed in England and Wales, constitute an offence punishable in the case of an adult with imprisonment for a term of two years or more, and
- (b) the reference in subsection (1)(a) to a person being charged with a serious offence includes a reference to the person having been accused of such an offence.]

Textual Amendments

- F46** S. 23B inserted (31.7.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), **ss. 90, 93**; S.I. 2004/1502, art. 3
- F47** Words in s. 23B(2) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(2)**; S.I. 2012/2906, art. 2(j)
- F48** Words in s. 23B(3) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(3)**; S.I. 2012/2906, art. 2(j)
- F49** Word in s. 23B(6)(a) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(4)(a)**; S.I. 2012/2906, art. 2(j)
- F50** S. 23B(6)(b) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(4)(b)**; S.I. 2012/2906, art. 2(j)
- F51** Words in s. 23B(7) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(5)**; S.I. 2012/2906, art. 2(j)
- F52** S. 23B(8) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 9(6)**; S.I. 2012/2906, art. 2(j)

^{F53}23AAElectronic monitoring of conditions of remand

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Textual Amendments

- F53** S. 23AA omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 7**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

24 ^{F54}

Textual Amendments

- F54** Ss. 24, 27 repealed by [Child Care Act 1980 \(c. 5\)](#), SIF 20), s. 89, Sch. 6

Transfer

^{F55}25 Transfers between England or Wales and Northern Ireland. **E+W**

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Extent Information

- E1** This version of this provision extends to E.W. only; a separate version has been created for N.I. only

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Textual Amendments

F55 S. 25 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), Sch. 4 para. 15, **Sch. 28 Pt. 1** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)(u)

Modifications etc. (not altering text)

C4 Ss. 25, 26: power to amend conferred (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 101(5)(a), (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

^{F55}25 Transfers between England or Wales and Northern Ireland. **N.I.**

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Extent Information

E4 This version of this provision extends to N.I. only; a separate version has been created for E.W. only

Textual Amendments

F55 S. 25 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), Sch. 4 para. 15, **Sch. 28 Pt. 1** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)(u)

Modifications etc. (not altering text)

C10 Ss. 25, 26: power to amend conferred (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 101(5)(a), (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

26 Transfers between England or Wales and the Channel Islands or Isle of Man.

(1) The Secretary of State may by order designate for the purposes of this section an order of any description which—

- (a) a court in the Isle of Man or any of the Channel Islands is authorised to make by the law for the time being in force in that country; and
- (b) provides for the committal to the care of a public authority of a person who has not attained the age of eighteen; and
- (c) appears to the Secretary of State to be of the same nature as a care order other than an interim order [^{F56} or as a [^{F57} youth rehabilitation order imposing a local authority residence requirement]] ;

and in this section “relevant order” means an order of a description for the time being so designated and “the relevant authority”, in relation to a relevant order, means the authority in the Isle of Man or any of the Channel Islands to whose care the person to whom the order relates is, under the law of that country, committed by the order [^{F58} and “care order” means an order made under section 31 of the Children Act 1989].

(2) The Secretary of State may authorise a local authority to receive into their care any person named in the authorisation who is the subject of a relevant order; and while such an authorisation is in force in respect of any person he shall, subject to the following subsection [^{F59} be deemed to be the subject of a care order placing the child in the care of a named local authority or, where the relevant order was made as a criminal disposal in criminal proceedings, a [^{F60} youth rehabilitation order imposing a local authority residence requirement] with a requirement that the child be accommodated by a designated local authority].

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Children and Young Persons Act 1969 is up to date with all changes known to be in force on or before 08 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(4) An authorisation given to a local authority under this section shall cease to have effect when—

- (a) the local authority is informed by the Secretary of State that he has revoked it; or
- (b) the relevant order to which the authorisation relates ceases to have effect by the effluxion of time under the law of the place where the order was made or the local authority is informed by the relevant authority that the order has been discharged under that law; or
- (c) the person to whom the relevant order relates is again received into the care of the relevant authority;

and if a local authority having by virtue of this section the care of a person to whom a relevant order relates is requested by the relevant authority to make arrangements for him to be received again into the care of the relevant authority, it shall be the duty of the local authority to comply with the request.

Extent Information

E2 S. 26 extends to England, Wales, the Channel Islands and the Isle of Man only

Textual Amendments

F56 Words in s. 26(1)(c) inserted (14.10.1991) by [S.I. 1991/2032](#), [reg. 8\(2\)\(a\)](#).

F57 Words in [s. 26\(1\)\(c\)](#) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008](#) (c. 4), s. 153(7), [Sch. 4 para. 16\(2\)](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074](#), art. 2(p)(iii)

F58 Words in s. 26(1) inserted (14.10.1991) by [S.I. 1991/2032](#), [reg. 8\(2\)\(a\)](#).

F59 Words in s. 26(2) substituted (14.10.1991) for words to the end of subsection (3) by [S.I. 1991/2032](#), [reg. 8\(2\)\(b\)](#).

F60 Words in [s. 26\(2\)](#) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008](#) (c. 4), s. 153(7), [Sch. 4 para. 16\(3\)](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074](#), art. 2(p)(iii)

Modifications etc. (not altering text)

C5 Ss. 25, 26: power to amend conferred (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), [s. 101\(5\)\(a\)](#), (with [Sch. 14 para. 1\(1\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#)

27 **F61**

Textual Amendments

F61 Ss. 24, 27 repealed by [Child Care Act 1980](#) (c. 5), SIF 20), s. 89, Sch. 6 (s. 27(4) expressed to be repealed (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(6)(7), [Sch.15](#), (with [Sch. 14 paras. 1\(1\), 27\(4\), 36\(3\)\(a\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#))

Detention

F62 28

Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

- F62** S. 28 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)(6)); [S.I. 1991/828](#), [art. 3\(2\)](#)

[^{F63}29 **Recognisance on release of arrested child or young person.**

[A child or young person arrested in pursuance of a warrant shall not be released ^{F64}(1)] unless. . . ^{F65}his parent or guardian (with or without sureties) enters into a recognisance for such amount as the custody officer at the police station where he is detained considers will secure his attendance at the hearing of the charge; and the recognisance entered into in pursuance of this section may, if the custody officer thinks fit, be conditioned for the attendance of the parent or guardian at the hearing in addition to the child or young person.

^{F66}[(2) In this section “young person” means a person who has attained the age of fourteen and is under the age of seventeen years.]

Textual Amendments

- F63** S. 29 substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 121(1), [Sch. 6 para. 19\(b\)](#)
- F64** S. 29 renumbered as subsection (1) (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), ss. 68, 101(1), [Sch. 8, para. 4\(1\)](#), [Sch. 12, para. 22\(1\)](#); [S.I. 1992/333](#), art. 2(2), [Sch.2](#)
- F65** Words repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, [Sch. 15 para. 36](#), [Sch. 16](#)
- F66** S. 29(2) inserted (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), ss. 68, 101(1), [Sch. 8, para. 4\(1\)](#), [Sch. 12, para. 22\(1\)](#); [S.I. 1992/333](#), art. 2(2), [Sch.2](#)

Modifications etc. (not altering text)

- C6** S. 29 excluded by [Prevention of Terrorism \(Temporary Provisions\) Act 1984 \(c. 8, SIF 39:2\)](#), [s. 12\(6\)](#)

30 **Detention of young offenders in community homes.**

- (1) The power to give directions under [^{F67}section 92 of the Powers of Criminal Courts (Sentencing) Act 2000][^{F68}or section 260 of the Sentencing Code] (under which young offenders convicted on indictment of certain grave crimes may be detained in accordance with directions given by the Secretary of State) shall include power to direct detention by a local authority specified in the directions in a home so specified which is a community home provided by the authority or a controlled community home for the management, equipment and maintenance of which the authority are responsible; but a person shall not be liable to be detained in the manner provided by this section after he attains the age of nineteen.
- (2) It shall be duty of a local authority specified in directions given in pursuance of this section to detain the person to whom the directions relate in the home specified in the directions subject to and in accordance with such instructions relating to him as the Secretary of State may give to the authority from time to time; and the authority shall be entitled to recover from the Secretary of State any expenses reasonably incurred by them in discharging that duty.

Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

- F67** Words in s. 30(1) substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), **Sch. 9 para. 40**
F68 Words in s. 30(1) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 23**
 (with **Sch. 27**); S.I. 2020/1236, reg. 2

31 **F69**

Textual Amendments

- F69** S. 31 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), **Sch. 16**

32 Detention of absentees. E+W

(1) If any of the following persons, that is to say—

- (a) **F70**
- (b) **F71**
- (c) **F72**

(d) a person sent to a remand home, special reception centre or training school or committed to the care of a fit person under the ^{M1}Children and Young Persons Act (Northern Ireland) 1968 [^{F73}(but not deemed by virtue of Schedule 8 to the Children (Northern Ireland) Order 1995 to be the subject of a care order within the meaning of that Order)],

is absent from premises at which he is required by. . . ^{F74} the relevant Northern Ireland authority to live, or as the case may be is absent from the home, remand home, special reception centre or training school, at a time when he is not permitted by. . . ^{F74} the relevant Northern Ireland authority to be absent from it, he may be arrested by a constable anywhere in the United Kingdom or the Channel Islands without a warrant and shall if so arrested be conducted, at the expense of the authority. . . ^{F74} to the premises or other place aforesaid or such other premises as the authority. . . ^{F74} may direct.

[^{F75}(1A) If a child or young person is absent, without the consent of the responsible person—

- (a) from a place of safety to which he has been taken under [^{F76}paragraph 4(2) (a) of Schedule 4, paragraph 7(2)(a) of Schedule 5 or paragraph 24(2)(a) of Schedule 7 to the Sentencing Code; or]

[^{F77}(aa) from a place of safety to which he has been taken under paragraph 9(3) of the Schedule to the Street Offences Act 1959; or]

[^{F78}(b) from local authority accommodation—

- (i) in which he is required to live by virtue of a youth rehabilitation order imposing a local authority residence requirement (within [^{F79}the meaning given by section 173 of the Sentencing Code]); or

(ii) to which he has been remanded under [^{F80}paragraph 5 of Schedule 4, paragraph 8 of Schedule 5 or paragraph 25 of Schedule 7 to the Sentencing Code; or]

[^{F81}(ia) to which he has been remanded under paragraph 10 of the Schedule to the Street Offences Act 1959; or]

[^{F82}(iii)]

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[^{F83}(c) from a place in which the child or young person has been accommodated pursuant to a remand under section 91 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012,]

(1B) A person so arrested shall be conducted to—

- (a) the place of safety;
- (b) the local authority accommodation;
- [^{F84}(ba) the place mentioned in subsection (1A)(c); or]
- (c) such other place as the responsible person may direct, at the responsible person's expense.

[^{F85}(1C) In this section “the responsible person” means, as the case may be—

- (a) the person who made the arrangements under [^{F86}paragraph 4(2)(a) of Schedule 4, paragraph 7(2)(a) of Schedule 5 or paragraph 24(2)(a) of Schedule 7 to the Sentencing Code;]
- [^{F87}(aa) the person who made the arrangements under paragraph 9(3) of the Schedule to the Street Offences Act 1959;]
- (b) the authority specified under [^{F88}paragraph 24(3)(b) of Schedule 6 to the Sentencing Code];
- (c) the authority designated under [^{F89}paragraph 5 of Schedule 4, paragraph 8 of Schedule 5 or paragraph 25 of Schedule 7 to the Sentencing Code;]
- [^{F90}(ca) the authority designated under paragraph 10(5) of the Schedule to the Street Offences Act 1959;]
- [^{F91}(d) where the child or young person was accommodated pursuant to a remand under section 91(3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (remands to local authority accommodation), the designated authority within the meaning of section 107(1) of that Act; or
- (e) where the child or young person was accommodated pursuant to a remand under section 91(4) of that Act (remands to youth detention accommodation), the Secretary of State.]

[^{F92}(1D) If a child or young person—

- (a) is required to reside with a local authority foster parent by virtue of a youth rehabilitation order with fostering, and
- (b) is absent, without the consent of the responsible officer (within [^{F93}the meaning given by section 191 of the Sentencing Code]), from the place in which he is required to reside,

he may be arrested by a constable anywhere in the United Kingdom without a warrant.

(1E) A person so arrested shall be conducted to—

- (a) the place where he is required to reside, or
 - (b) such other place as the local authority specified under [^{F94}paragraph 26(2)(b) of Schedule 6 to the Sentencing Code] may direct,
- at that local authority's expense.]

(2) If a magistrates' court is satisfied by information on oath that there are reasonable grounds for believing that a person specified in the information can produce a person who is absent as mentioned in subsection (1) [^{F95}, (1A) or (1D)] of this section, the court may issue a summons directed to the person so specified and requiring him to attend and produce the absent person before the court; and a person who without reasonable excuse fails to comply with any such requirement shall, without prejudice

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to any liability apart from this subsection, be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding [^{F96}level 3 on the standard scale].

In the application of this subsection to Northern Ireland, “magistrates court” means a magistrates’ court within the meaning of the ^{M2}[^{F97}Magistrates’ Courts (Northern Ireland) Order 1981].

[^{F98}(2A) Without prejudice to its powers under subsection (2) of this section, a magistrates’ court (within the meaning of that subsection) may, if it is satisfied by information on oath that there are reasonable grounds for believing that a person who is absent as [^{F99}mentioned in subsection (1), [^{F100}(1A)(a), (aa) or (b)(i), (ii) or (ia)] or (1D) of this section is in premises] specified in the information, issue a search warrant authorising a constable to search the premises for that person.

(2B) A court shall not issue a summons or search warrant under subsection (2) or (2A) of this section in any case where the person who is absent is a person to whom subsection (1A) [^{F101}or (1D)] of this section applies, unless the information referred to in the said subsection (2) or (2A) is given by the [^{F102}responsible person][^{F103}or the responsible officer, as the case may be.]]

(3) A person who knowingly compels, persuades, incites or assists another person to become or continue to be absent as mentioned in subsection (1) [^{F104}, (1A) or (1D)] of this section shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or a fine of an amount not exceeding [^{F105}level 5 on the standard scale] or both.

(4) The reference to a constable in [^{F106}subsections (1),(1A) [^{F107}, (1D)] and (2A)] of this section includes a reference to a person who is a constable under the law of any part of the United Kingdom, to a member of the police in Jersey and to an officer of police within the meaning of section 43 of the Larceny (Guernsey) Law 1958 or any corresponding law for the time being in force, and in [^{F106}subsection (1)] “the relevant Northern Ireland authority” means in the case of a person committed to the care of a fit person, the fit person, and in the case of a person sent to a remand home, special reception centre or training school, the person in charge of that home or centre or the managers of that school.

(5) Nothing in this section authorises the arrest in Northern Ireland of, or the taking there of any proceedings in respect of, such a person as is mentioned in paragraph (d) of subsection (1) of this section.]]

Extent Information

E3 This version of this provision extends to England and Wales only; a separate version has been created for Scotland and Northern Ireland only

Textual Amendments

F70 S. 32(1)(a) repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), ss. 89, 90(1), [Sch. 6](#)

F71 S. 32(1)(b) repealed by [Children Act 1975 \(c. 72, SIF 49:9, 10\)](#), [s. 68\(1\)\(2\)](#)

F72 S. 32(1)(c) repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), ss. 89, 90(1), [Sch. 6](#)

F73 Words in s. 32(1)(d) inserted (4.11.1996) by [S.I. 1995/756](#), [art. 7\(4\)](#); S.R. (N.I.) 1996/297, art. 3

F74 Words repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), [ss. 89, 90\(1\)](#) Sch. 6

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- F75** S. 32(1A)–(1C) substituted (14.10.1991) for subsection (1A) (which was inserted by Children Act 1975 (c. 72, SIF 49:9, 10) s. 68(1)(3)) by Children Act 1989 (c. 41, SIF 20), s. 108(4)(6), **Sch. 12 para. 27(1)**, (with Sch. 14 paras. 1(1), 30); S.I. 1991/828, **art. 3(2)**
- F76** Words in s. 32(1A)(a) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(2)(a)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F77** S. 32(1A)(aa) inserted (1.4.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 18(2)(a)**; S.I. 2010/507, art. 5(v)
- F78** S. 32(1A)(b) substituted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(2)(b)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F79** Words in s. 32(1A)(b)(i) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(2)(b)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F80** Words in s. 32(1A)(b)(ii) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(2)(c)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F81** S. 32(1A)(b)(ia) inserted (1.4.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 18(2)(b)**; S.I. 2010/507, art. 5(v)
- F82** S. 32(1A)(b)(iii) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 10(2)(a)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F83** S. 32(1A)(c) inserted (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 10(2)(b)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F84** S. 32(1B)(ba) substituted for word (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 10(3)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F85** S. 32(1C) substituted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(3)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F86** Words in s. 32(1C)(a) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(3)(a)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F87** S. 32(1C)(aa) inserted (1.4.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 18(3)(a)**; S.I. 2010/507, art. 5(v)
- F88** Words in s. 32(1C)(b) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(3)(b)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F89** Words in s. 32(1C)(c) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(3)(c)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F90** S. 32(1C)(ca) inserted (1.4.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 18(3)(c)**; S.I. 2010/507, art. 5(v)
- F91** S. 32(1C)(d)(e) substituted for s. 32(1C)(d) (3.12.2012) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 10(4)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F92** S. 32(1D)(1E) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(4)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F93** Words in s. 32(1D)(b) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(4)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F94** Words in s. 32(1E)(b) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 24(5)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F95** Words in s. 32(2) substituted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(5)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F96** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and S.I. 1984/703 (N.I. 3), **art. 6**
- F97** Words substituted by S.I. 1981/1675 (N.I. 26), **Sch. 6 para. 17**
- F98** S. 32(2A)(2B) inserted by Children Act 1975 (c. 72, SIF 49:9, 10), **s. 68(1)(5)**
- F99** Words in s. 32(2A) substituted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(6)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F100** Words in s. 32(2A) substituted (1.4.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 18(4)**; S.I. 2010/507, art. 5(v)
- F101** Words in s. 32(2B) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(7)(a)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)

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- F102** Words in s. 32(2B) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(4)(6), **Sch. 12 para. 27(2)**, (with Sch. 14 paras. 1(1), 30); S.I. 1991/828, **art. 3(2)**
- F103** Words in s. 32(2B) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(7)(b)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F104** Words in s. 32(3) substituted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(8)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F105** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**, Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G** (as inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 54**) and S.I. 1984/703 (N.I. 3), **art. 6**
- F106** Words substituted by Children Act 1975 (c. 72, SIF 49:9, 10), **s. 68(1)(7)**
- F107** Word in s. 32(4) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(9)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)

Modifications etc. (not altering text)

- C7** S. 32(3) excluded (14.10.1991) by Children Act 1989 (c. 41, SIF 20), **s. 51(5)–(7)**, (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- S. 32(3) restricted (4.11.1996) by S.I. 1995/755, **art. 70(6)(7)(d)**; S.R. (N.I.) 1996/297, art. 2(2)

Marginal Citations

- M1** 1968 c. 34. (N.I.)
- M2** S.I. 1981/1675 (N.I. 26).

[^{F75}32 Detention of absentees. **S+N.I.**

(1) If any of the following persons, that is to say—

- (a) ^{F174}
- (b) ^{F175}
- (c) ^{F176}
- (d) a person sent to a remand home, special reception centre or training school or committed to the care of a fit person under the ^{M18}Children and Young Persons Act (Northern Ireland) 1968 [^{F177}(but not deemed by virtue of Schedule 8 to the Children (Northern Ireland) Order 1995 to be the subject of a care order within the meaning of that Order)],

is absent from premises at which he is required by. . . ^{F178} the relevant Northern Ireland authority to live, or as the case may be is absent from the home, remand home, special reception centre or training school, at a time when he is not permitted by. . . ^{F178} the relevant Northern Ireland authority to be absent from it, he may be arrested by a constable anywhere in the United Kingdom or the Channel Islands without a warrant and shall if so arrested be conducted, at the expense of the authority. . . ^{F178} to the premises or other place aforesaid or such other premises as the authority. . . ^{F178} may direct.

[If a child or young person is absent, without the consent of the responsible person—

- ^{F179}(1A) (a) from a place of safety to which he has been taken under [^{F76}paragraph 4(2) (a) of Schedule 4, paragraph 7(2)(a) of Schedule 5 or paragraph 24(2)(a) of Schedule 7 to the Sentencing Code; or]
- [from a place of safety to which he has been taken under paragraph 9(3) of the
- ^{F77}(aa) Schedule to the Street Offences Act 1959; or]
- [^{F78}(b) from local authority accommodation—

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- (i) in which he is required to live by virtue of a youth rehabilitation order imposing a local authority residence requirement (within [^{F79}the meaning given by section 173 of the Sentencing Code]); or
 - (ii) to which he has been remanded under [^{F80}paragraph 5 of Schedule 4, paragraph 8 of Schedule 5 or paragraph 25 of Schedule 7 to the Sentencing Code; or]
 - [^{F81}(ia) to which he has been remanded under paragraph 10 of the Schedule to the Street Offences Act 1959; or]
 - ^{F82}(iii)]
 - [^{F83}(c) from a place in which the child or young person has been accommodated pursuant to a remand under section 91 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012,]
- (1B) A person so arrested shall be conducted to—
- (a) the place of safety;
 - (b) the local authority accommodation;
 - [^{F84}(ba) the place mentioned in subsection (1A)(c); or]
 - (c) such other place as the responsible person may direct, at the responsible person's expense.
- [^{F85}(1C) In this section “the responsible person” means, as the case may be—
- (a) the person who made the arrangements under [^{F86}paragraph 4(2)(a) of Schedule 4, paragraph 7(2)(a) of Schedule 5 or paragraph 24(2)(a) of Schedule 7 to the Sentencing Code;]
 - [^{F87}(aa) the person who made the arrangements under paragraph 9(3) of the Schedule to the Street Offences Act 1959;]
 - (b) the authority specified under [^{F88}paragraph 24(3)(b) of Schedule 6 to the Sentencing Code];
 - (c) the authority designated under [^{F89}paragraph 5 of Schedule 4, paragraph 8 of Schedule 5 or paragraph 25 of Schedule 7 to the Sentencing Code;]
 - [^{F90}(ca) the authority designated under paragraph 10(5) of the Schedule to the Street Offences Act 1959;]
 - [^{F91}(d) where the child or young person was accommodated pursuant to a remand under section 91(3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (remands to local authority accommodation), the designated authority within the meaning of section 107(1) of that Act; or
 - (e) where the child or young person was accommodated pursuant to a remand under section 91(4) of that Act (remands to youth detention accommodation), the Secretary of State.]
- [^{F92}(1D) If a child or young person—
- (a) is required to reside with a local authority foster parent by virtue of a youth rehabilitation order with fostering, and
 - (b) is absent, without the consent of the responsible officer (within [^{F93}the meaning given by section 191 of the Sentencing Code]), from the place in which he is required to reside,
- he may be arrested by a constable anywhere in the United Kingdom without a warrant.
- (1E) A person so arrested shall be conducted to—
- (a) the place where he is required to reside, or

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(b) such other place as the local authority specified under [F94]paragraph 26(2)(b) of Schedule 6 to the Sentencing Code] may direct, at that local authority's expense.]

- (2) If a magistrates' court is satisfied by information on oath that there are reasonable grounds for believing that a person specified in the information can produce a person who is absent as mentioned in subsection (1) [F95, (1A) or (1D)] of this section, the court may issue a summons directed to the person so specified and requiring him to attend and produce the absent person before the court; and a person who without reasonable excuse fails to comply with any such requirement shall, without prejudice to any liability apart from this subsection, be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding [F180]level 3 on the standard scale].

In the application of this subsection to Northern Ireland, "magistrates court" means a magistrates' court within the meaning of the M19[F181]Magistrates' Courts (Northern Ireland) Order 1981].

- [F182](2A) Without prejudice to its powers under subsection (2) of this section, a magistrates' court (within the meaning of that subsection) may, if it is satisfied by information on oath that there are reasonable grounds for believing that a person who is absent as [F99]mentioned in subsection (1), [F100](1A)(a), (aa) or (b)(i), (ii) or (ia)] or (1D) of this section is in premises] specified in the information, issue a search warrant authorising a constable to search the premises for that person.

- (2B) A court shall not issue a summons or search warrant under subsection (2) or (2A) of this section in any case where the person who is absent is a person to whom subsection (1A) [F101]or (1D)] of this section applies, unless the information referred to in the said subsection (2) or (2A) is given by the [F183]responsible person][F103]or the responsible officer, as the case may be.]]

- (3) A person who knowingly compels, persuades, incites or assists another person to become or continue to be absent as mentioned in subsection (1) [F104, (1A) or (1D)] of this section shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or a fine of an amount not exceeding [F184]level 5 on the standard scale] or both.

- (4) The reference to a constable in [F185]subsections (1),(1A) [F107, (1D)] and (2A)] of this section includes a reference to a person who is a constable under the law of any part of the United Kingdom, to a member of the police in Jersey and to an officer of police within the meaning of section 43 of the Larceny (Guernsey) Law 1958 or any corresponding law for the time being in force, and in [F185]subsection (1)] "the relevant Northern Ireland authority" means in the case of a person committed to the care of a fit person, the fit person, and in the case of a person sent to a remand home, special reception centre or training school, the person in charge of that home or centre or the managers of that school.

- (5) Nothing in this section authorises the arrest in Northern Ireland of, or the taking there of any proceedings in respect of, such a person as is mentioned in paragraph (d) of subsection (1) of this section.]]]

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Extent Information

- E5** This version of this provision extends to Scotland and Northern Ireland only; a separate version has been created for England and Wales only.

Textual Amendments

- F75** S. 32(1A)–(1C) substituted (14.10.1991) for subsection (1A) (which was inserted by [Children Act 1975 \(c. 72, SIF 49:9, 10\)](#) s. 68(1)(3)) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(4)(6), [Sch. 12 para. 27\(1\)](#), (with [Sch. 14 paras. 1\(1\), 30](#)); S.I. 1991/828, [art. 3\(2\)](#)
- F76** Words in s. 32(1A)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(2\)\(a\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F77** S. 32(1A)(aa) inserted (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 7 para. 18\(2\)\(a\)](#); S.I. 2010/507, art. 5(v)
- F78** S. 32(1A)(b) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 17\(2\)\(b\)](#) (with [Sch. 27 paras. 1, 5](#)); S.I. 2009/3074, art. 2(p)(iii)
- F79** Words in s. 32(1A)(b)(i) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(2\)\(b\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F80** Words in s. 32(1A)(b)(ii) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(2\)\(c\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F81** S. 32(1A)(b)(ia) inserted (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 7 para. 18\(2\)\(b\)](#); S.I. 2010/507, art. 5(v)
- F82** S. 32(1A)(b)(iii) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 10\(2\)\(a\)](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F83** S. 32(1A)(c) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 10\(2\)\(b\)](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F84** S. 32(1B)(ba) substituted for word (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 10\(3\)](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F85** S. 32(1C) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 17\(3\)](#) (with [Sch. 27 paras. 1, 5](#)); S.I. 2009/3074, art. 2(p)(iii)
- F86** Words in s. 32(1C)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(3\)\(a\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F87** S. 32(1C)(aa) inserted (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 7 para. 18\(3\)\(a\)](#); S.I. 2010/507, art. 5(v)
- F88** Words in s. 32(1C)(b) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(3\)\(b\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F89** Words in s. 32(1C)(c) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(3\)\(c\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F90** S. 32(1C)(ca) inserted (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(1), [Sch. 7 para. 18\(3\)\(c\)](#); S.I. 2010/507, art. 5(v)
- F91** S. 32(1C)(d)(e) substituted for s. 32(1C)(d) (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 10\(4\)](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F92** S. 32(1D)(1E) inserted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 17\(4\)](#) (with [Sch. 27 paras. 1, 5](#)); S.I. 2009/3074, art. 2(p)(iii)
- F93** Words in s. 32(1D)(b) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(4\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F94** Words in s. 32(1E)(b) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 24\(5\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F95** Words in s. 32(2) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 17\(5\)](#) (with [Sch. 27 paras. 1, 5](#)); S.I. 2009/3074, art. 2(p)(iii)
- F99** Words in s. 32(2A) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 17\(6\)](#) (with [Sch. 27 paras. 1, 5](#)); S.I. 2009/3074, art. 2(p)(iii)

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- F100** Words in s. 32(2A) substituted (1.4.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 18(4)**; S.I. 2010/507, art. 5(v)
- F101** Words in s. 32(2B) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(7)(a)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F103** Words in s. 32(2B) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(7)(b)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F104** Words in s. 32(3) substituted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(8)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F107** Word in s. 32(4) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 17(9)** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(p)(iii)
- F174** S. 32(1)(a) repealed by Child Care Act 1980 (c. 5, SIF 20), ss. 89, 90(1), **Sch. 6**
- F175** S. 32(1)(b) repealed by Children Act 1975 (c. 72, SIF 49:9, 10), **s. 68(1)(2)**
- F176** S. 32(1)(c) repealed by Child Care Act 1980 (c. 5, SIF 20), ss. 89, 90(1), **Sch. 6**
- F177** Words in s. 32(1)(d) inserted (4.11.1996) by S.I. 1995/756, **art. 7(4)**; S.R. (N.I.) 1996/297, art. 3
- F178** Words repealed by Child Care Act 1980 (c. 5, SIF 20), **ss. 89, 90(1)** Sch. 6
- F179** S. 32(1A)–(1C) substituted (14.10.1991) for subsection (1A) (which was inserted by Children Act 1975 (c. 72, SIF 49:9, 10) s. 68(1)(3)) by Children Act 1989 (c. 41, SIF 20), s. 108(4)(6), **Sch. 12 para. 27(1)**, (with Sch. 14 paras. 1(1), 30); S.I. 1991/828, **art. 3(2)**
- F180** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and S.I. 1984/703 (N.I. 3), **art. 6**
- F181** Words substituted by S.I. 1981/1675 (N.I. 26), **Sch. 6 para. 17**
- F182** S. 32(2A)(2B) inserted by Children Act 1975 (c. 72, SIF 49:9, 10), **s. 68(1)(5)**
- F183** Words in s. 32(2B) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(4)(6), **Sch. 12 para. 27(2)**, (with Sch. 14 paras. 1(1), 30); S.I. 1991/828, **art. 3(2)**
- F184** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**, Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G** (as inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 54**) and S.I. 1984/703 (N.I. 3), **art. 6**
- F185** Words substituted by Children Act 1975 (c. 72, SIF 49:9, 10), **s. 68(1)(7)**

Modifications etc. (not altering text)

- C11** S. 32(3) excluded (14.10.1991) by Children Act 1989 (c. 41, SIF 20), **s. 51(5)–(7)**, (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- S. 32(3) restricted (4.11.1996) by S.I. 1995/755, **art. 70(6)(7)(d)**; S.R. (N.I.) 1996/297, art. 2(2)
- S. 32(3) restricted (S.) (12.12.1996 for certain purposes and 1.4.1997 for all remaining purposes) by 1995 c. 36, **s. 38(4)(b)** (with ss. 90, 103(1)); S.I. 1996/3201, **arts. 3(1)(7)**

Marginal Citations

- M18** 1968 c. 34. (N.I.)
- M19** S.I. 1981/1675 (N.I. 26).

Conflict of interest between parent and child or young person

F108 **32A**

Textual Amendments

- F108** **Ss. 32A–32C** repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch. 15**, (with Sch. 14 para. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

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^{F109}**32B**

Textual Amendments

F109 Ss. 32A-32C repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

^{F110}**32C**

Textual Amendments

F110 Ss. 32A-32C repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

33 ^{F111}

Textual Amendments

F111 [S. 33](#) repealed by [Legal Aid Act 1974 \(c. 4, SIF 77:1\)](#), [Sch. 5 Pt. I](#)

Transitional modifications of Part I for persons of specified ages

34 Transitional modifications of Part I for persons of specified ages.

(1) The Secretary of State may by order provide—

- ^{F112}(a)
- (b)
- (c) that any reference to a young person in section 5(8), ^{F113}... 9(1)^{F114}... or 29(1) of this Act shall be construed as including a child who has attained such age as may be so specified;
- (d) ^{F115}
- ^{F116}(e) ^{F117}
- (f)

(2) In the case of a person who has not attained [^{F118}the age of eighteen] but has attained such lower age as the Secretary of State may by order specify, no proceedings ^{F119}... for an offence shall be begun in any court unless the person proposing to begin the proceedings has, in addition to any notice falling to be given by him to a local authority in pursuance of section ^{F119}... 5(8) of this Act, given notice of the proceedings to [^{F120}an officer of a local probation board][^{F121}, or an officer of a provider of probation services, acting in the area] for which the court acts; ^{F119}...

(3) In the case of a person who has attained such age as the Secretary of State may by order specify, an authority shall, without prejudice to subsection (2) of section 9 of this Act, not be required by virtue of subsection (1) of that section to make investigations or provide information which it does not already possess with respect to his home

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surroundings if, by direction of the justices or [^{F122}local probation board] acting for [^{F123}, or a provider of probation services operating in,] any relevant area, arrangements are in force for information with respect to his home surroundings to be furnished to the court in question by [^{F120}an officer of a local probation board][^{F124}or an officer of a provider of probation services].

(4) Except in relation to section 13(2) of this Act, references to a child in subsection (1) of this section do not include references to a person under the age of ten.

(5) ^{F125}

(6) Without prejudice to the generality of section 69(4) of this Act, an order under this section may specify different ages for the purposes of different provisions of this Act specified in the order.

(7) A draft of any order proposed to be made under this section shall be laid before Parliament and, in the case of an order of which the effect is that the reference to a child in section 4 of this Act includes a child who has attained an age of more than twelve, shall not be made unless the draft has been approved by a resolution of each House of Parliament.

Textual Amendments

- F112** S. 34(1)(a) repealed (30.9.1998) by 1998 c. 37, s. 120(2), **Sch. 10**; S.I. 1998/2327, **art. 2(1)(aa)**.
- F113** Words in s. 34(c) repealed (30.9.1998) by 1998 c. 37, ss. 106, 120(2), **Sch. 7 para. 8**, **Sch. 10**; S.I. 1998/2327, **art. 2(1)(w)(aa)(3)(k)**.
- F114** Words in s. 34(1)(c) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 11(a)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F115** S. 34(1)(d) repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), **Sch. 16**
- F116** S. 34(1)(e) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 11(b)**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))
- F117** S. 34(1)(f) repealed by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 170(2), **Sch. 16**
- F118** Words in s. 34(2) substituted (3.2.1995) by 1994 c. 33, s. 168(1), **Sch. 9 para. 9**; S.I. 1995/127, art. 2(1), **Sch. 1** Appendix A
- F119** Words in s. 34(2) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch. 15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**
- F120** Words in s. 34(2)(3) substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. I para. 4(2)**; S.I. 2001/919, **art. 2(f)(i)**
- F121** Words in s. 34(2) substituted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 3(2)(a)**
- F122** Words in s. 34(3) substituted (1.4.2001) by virtue of 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 40**; S.I. 2001/919, **art. 2(f)(ii)**
- F123** Words in s. 34(3) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 3(2)(b)(i)**
- F124** Words in s. 34(3) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 3(2)(b)(ii)**
- F125** S. 34(5) repealed by Criminal Law Act 1977 (c. 45, SIF 39:1), **Sch. 13**

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PART II

ACCOMMODATION ETC. FOR CHILDREN IN CARE, AND FOSTER CHILDREN

Community homes

35— F126
 45.

Textual Amendments

F126 Ss. 35–45, 47–50 repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)

46 Discontinuance of approved schools etc. on establishment of community homes.

- (1) If in the case of any approved school, [F127 or remand home within the meaning of the M3Criminal Justice Act 1948 or approved probation hostel F128 . . . (hereafter in this section referred to as an “approved institution”) it appears to the Secretary of State that in consequence of the establishment of community homes for a planning area the institution as such is no longer required, he may by order provide that it shall cease to be an approved institution on a date specified in the order.
- (2) The provisions of Schedule 3 to this Act shall have effect in relation to institutions which are, or by virtue of this section have ceased to be, approved institutions.]

Textual Amendments

F127 Words substituted by [Powers of Criminal Courts Act 1973 \(c. 62, SIF 39:1\)](#), [Sch. 5 para. 36](#)

F128 Words in s. 46(1) repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, [Sch. 7 Pt. II para. 41](#), [Sch. 8: S.I. 2001/919, art. 2\(f\)\(ii\)\(g\)](#)

Modifications etc. (not altering text)

C8 S. 46 amended by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), [Sch. 2 para. 17](#)

Marginal Citations

M3 1948 c. 58(39:1).

47— F129
 50.

Textual Amendments

F129 Ss. 35–45, 47–50 repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)

51 F130

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Textual Amendments

F130 Ss. 51, 52(1)–(3) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

52

(1) **F131**

^{x2}(4) Section 37 of the ^{M4} Adoption Act 1958 (which defines “protected child” for the purposes of Part IV of that Act) shall have effect subject to the following modifications:—

- (a) in paragraph (a) of subsection (1) (which refers to arrangements for placing a child in the care of a person who is not a parent, guardian or relative of his) after the words “relative of his” there shall be inserted the words “but who proposes to adopt him” ;
- (b) in subsection (1) (which among other matters excludes a foster child from the definition of “a protected child”) the words “but is not a foster child within the meaning of Part I of the Children Act 1958” shall be omitted ; and
- (c) in subsection (2) (which excludes certain children from the definition of protected child, including children only temporarily in the care and possession of a person under such arrangements as are referred to in subsection (1)(a) of that section) the words from “by reason” to “that subsection, nor” shall be omitted.

(5) **F132**

Editorial Information

X2 The text of s. 52(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F131 Ss. 51, 52(1)–(3) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

F132 Ss. 52(5), 53–55 repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

Marginal Citations

M4 1958 c. 5. (7 & 8 Eliz. 2.)

53— **F133**
55.

Textual Amendments

F133 Ss. 52(5), 53–55 repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

56, 57. **F134**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Children and Young Persons Act 1969 is up to date with all changes known to be in force on or before 08 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F134 Ss. 56, 57 repealed by (E.W.) Foster Children Act 1980 (c. 6, SIF 20), **Sch. 3** and (S.) Foster Children (Scotland) Act 1984 (c. 56, SIF 20), **Sch. 3**

Words "49 and the said sections" in s. 57(4) expressed to be repealed (3.2.1995) by 1994 c. 33, s. 168(3), **Sch.11**; S.I. 1995/127, art. 2(1), **Sch.1** Appendix C

58, 59. **F135**

Textual Amendments

F135 Ss. 58, 59 repealed by Child Care Act 1980 (c. 5, SIF 20), s. 89, **Sch. 6**

PART III

MISCELLANEOUS AND GENERAL

60 **F136**

Textual Amendments

F136 S. 60 repealed by Extradition Act 1989 (c. 33, SIF 48), s. 37(1), **Sch. 2**

61 **F137**

Textual Amendments

F137 S. 61 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(2), **Sch. 9**

62— **F138**
64A.

Textual Amendments

F138 Ss. 62–64A, 65(1) repealed by Child Care Act 1980 (c. 5, SIF 20), s. 89, **Sch. 6**

Financial provisions

65 Grants to voluntary organisations etc.

(1) **F139**

(2) **F140**

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Children and Young Persons Act 1969 is up to date with all changes known to be in force on or before 08 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) Where an order has been made under section 46 of this Act in relation to an approved institution within the meaning of that section and no ^{F141}part of the premises occupied by the institution forms part of a controlled or assisted community home.]
- (4) No grant shall be made under subsection (3) of this section in respect of a liability relating to an institution unless it appears to the Secretary of State that, on or within a reasonable time after the date specified in the order referred to in that subsection, the premises of the institution are to be used for a purpose which is of benefit to children; and any grant made under that subsection shall be subject to such conditions as the Secretary of State may with the approval of the Treasury determine, including conditions with respect to the repayment in whole or in part of the grant, either by the person to whom the grant was made or by some other person who, before the grant was made, consented to accept the liability.
- (5) Any sums received by the Secretary of State by virtue of any such condition as is referred to in subsection (4) of this section shall be paid into the Consolidated Fund.

Textual Amendments

F139 Ss. 62–64A, 65(1) repealed by Child Care Act 1980 (c. 5, SIF 20), s. 89, **Sch. 6**

F140 S. 65(2) repealed by Children Act 1975 (c. 72, SIF 49:9, 10), **Sch. 4 Pt. X**

F141 Words substituted by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), **Sch. 2 para. 18**

66 Increase of rate support grants.

- (1) The power to make an order under ^{F142}section 4(1) of the ^{M5}Local Government Act 1974] increasing the amounts fixed by a rate support grant order for a particular year shall be exercisable, in accordance with subsection (2) of this section, in relation to any rate support grant order made before the date of the coming into operation of any provision of this Act (in this section referred to as “the relevant provision”) for a grant period ending after that date.
- (2) Without prejudice to ^{F142}subsection (6) of the said section 4] (which empowers an order under subsection (1) of that section to vary the matters prescribed by a rate support grant order), an order under subsection (1) of that section made by virtue of this section may be made for such year or years comprised in the grant period concerned as may be specified in the order and in respect of the year or each of the years so specified shall increase the amounts fixed by the relevant rate support grant order as the aggregate amounts of the rate support grants and any elements of the grants for that year to such extent and in such a manner as may appear to ^{F143}the Secretary of State] to be appropriate, having regard to any additional expenditure incurred or likely to be incurred by local authorities in consequence of the coming into operation of the relevant provision.
- (3) In this section “grant period” means the period for which a rate support grant order is made.
- (4) There shall be defrayed out of moneys provided by Parliament any increase in rate support grants attributable to this Act.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Children and Young Persons Act 1969 is up to date with all changes known to be in force on or before 08 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F142 Words substituted by virtue of [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), **s. 17(2)(a)**

F143 Words substituted by virtue of [S.I. 1970/1681](#), **arts. 2(1), 6(3)**

Marginal Citations

M5 [1974 c. 7\(81:1\)](#).

67 Administrative expenses.

Any administrative expenses of the Secretary of State under this Act shall be defrayed out of moneys provided by Parliament.

Supplemental

68 **F144**

Textual Amendments

F144 [S. 68](#) repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), **Sch. 30**

69 Orders and regulations etc.

- (1) Any power conferred on the Secretary of State by this Act to make an order or regulations, except an order under section 25, . . . ^{F145} or paragraph 23 or 24 of Schedule 4, shall be exercisable by statutory instrument; and any statutory instrument made in pursuance of this subsection, except an instrument containing only regulations under paragraph 8(2) of Schedule 3 or an order under section 1(6), 26, 46, , ^{F145} 72(2) or 73(2), or paragraph 11(2) of Schedule 3, shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (2) A statutory instrument containing regulations under subsection (4) of section 5 or an order under section 34 of this Act shall not be subject to annulment as aforesaid, but no such regulations or order shall be included in a statutory instrument containing provisions which do not require approval in pursuance of the said subsection (4) or, as the case may be, to which subsection (7) of the said section 34 does not apply.
- (3) An order made or directions given by the Secretary of State under any provision of this Act, except an order under section 7(5), may be revoked or varied by a subsequent order or subsequent directions under that provision.
- (4) Any order or regulations made by the Secretary of State under this Act may—
 - (a) make different provision for different circumstances;
 - (b) provide for exemptions from any provisions of the order or regulations; and
 - (c) contain such incidental and supplemental provisions as the Secretary of State considers expedient for the purposes of the order or regulations.

^{F146}(4A)

(5)

Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

F145 Words repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)

F146 S. 69(4A) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 12](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

70 Interpretation and ancillary provisions.

(1) In this Act, unless the contrary intention appears, the following expressions have the following meanings:—

“the ^{M6}Act of 1933” means the Children and Young Persons Act 1933;

“the ^{M7}Act of 1963” means the Children and Young Persons Act 1963;

“approved school order”, “guardian” and “place of safety” have the same meanings as in the Act of 1933;

^{F147} . . .

“child”, except in Part II (including Schedule 3) and sections 27, 63, 64 and 65 of this Act, means a person under the age of fourteen, and in that Part (including that Schedule) and those sections means a person under the age of eighteen and a person who has attained the age of eighteen and is the subject of a care order;

^{F147} . . . ^{F148}

“local authority” ^{F149} ^{F150} . . ., means the council of a non-metropolitan county or of a ^{F151} [county borough,] metropolitan district] or London borough or the Common Council of the City of London;

^{F152} “local authority accommodation” means accommodation provided by or on behalf of a local authority (within the meaning of the Children Act 1989)]

^{F153} “local authority residence requirement” has ^{F154} the meaning given by paragraph 24 of Schedule 6 to the Sentencing Code];]

^{F155} “local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;]

“petty sessions area” ^{F156} . . ., in relation to a ^{F157} [youth court] constituted for the metropolitan area within the meaning of Part II of Schedule 2 to the Act of 1963, ^{F156} . . . means such a division of that area as is mentioned in paragraph 14 of that Schedule;

^{F148} . . .

“police officer” means a member of a police force;

^{F148} . . .

“reside” means habitually reside, and cognate expressions shall be construed accordingly ^{F158} . . .;

^{F159} . . .

^{F148} . . .

^{F160} [“young person” means a person who has attained the age of fourteen and is under the age of eighteen years;]

^{F161} “youth offending team” means a team established under section 39 of the Crime and Disorder Act 1998.]

Status: This version of this Act contains provisions that are prospective.

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[^{F162}“youth rehabilitation order” and “youth rehabilitation order with fostering” have [^{F163}the meanings given by sections 173 and 176 of the Sentencing Code];]

and it is hereby declared that, in the expression “care or control”, “care” includes protection and guidance and “control” includes discipline.

[^{F164}In the case of a child or young person—

(1A) (a) whose father and mother were not married to [^{F165}, or civil partners of,] each other at the time of his birth, and

[^{F166}(b) whose father is named in a child arrangements order as a person with whom the child or young person is to live,]

any reference in this Act to the parent of the child or young person includes (unless the contrary intention appears) a reference to the father.

^{F164}(1B) In subsection (1A) of this section, the reference to a child or young person whose father and mother were not married to [^{F167}, or civil partners of,] each other at the time of his birth shall be construed in accordance with section 1 of the ^{M8}Family Law Reform Act 1987 and [^{F168}“child arrangements” order] has the meaning given by section 8(1) of the ^{M9}Children Act 1989.]

(2)

(3) In section 99(1) of the Act of 1933 (under which the age which a court presumes or declares to be the age of a person brought before it is deemed to be his true age for the purposes of that Act) the references to that Act shall be construed as including references to this Act.

(4) Subject to the following subsection, any reference in this Act to any enactment is a reference to it as amended, and includes a reference to it as applied, by or under any other enactment including this Act.

(5) Any reference in this Act to an enactment of the Parliament of Northern Ireland shall be construed as a reference to that enactment as amended by any Act of that Parliament, whether passed before or after this Act, and to any enactment of that Parliament for the time being in force which re-enacts the said enactment with or without modifications.]

Textual Amendments

F147 Definitions in s. 70(1) repealed (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(6)(7), [Sch. 15](#), (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, [art. 3\(2\)](#)

F148 Definitions repealed by [Child Care Act 1980](#) (c. 5, SIF 20), s. 89, [Sch. 6](#)

F149 Words in s. 70(1) repealed (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), art. 1, Sch. 2 para. 23(3), [Sch. 3 Pt. 2](#)

F150 Words substituted by [Local Government Act 1972](#) (c. 70, SIF 81:1), [Sch. 23 para. 16](#)

F151 Words in the definition of “local authority” in s. 70(1) inserted (1.4.1996) by [1994 c. 19](#), s. 22(4), [Sch. 10 para. 6](#) (with s. 54(7), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1996/396, art. 3, [Sch. 1](#)

F152 Definition in s. 70(1) inserted (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(4)(6), [Sch. 12 para. 29\(a\)](#), (with Sch. 14 para. 1(1)); S.I. 1991/828, [art. 3\(2\)](#)

F153 Words in s. 70(1) inserted (30.11.2009) by [Criminal Justice and Immigration Act 2008](#) (c. 4), s. 153(7), [Sch. 4 para. 18\(b\)](#) (with [Sch. 27 paras. 1, 5](#)); S.I. 2009/3074, art. 2(p)(iii)

F154 Words in s. 70(1) substituted (1.12.2020) by [Sentencing Act 2020](#) (c. 17), s. 416(1), [Sch. 24 para. 25\(a\)](#) (with [Sch. 27](#)); S.I. 2020/1236, reg. 2

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- F155** S. 70(1): Definition of “local probation board” inserted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 42**; S.I. 2001/919, **art. 2(f)(ii)**
- F156** S. 70(1): words in definition of “petty sessions area” repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with s. 107, **Sch. 14 paras. 7(2), 36(9)**)
- F157** Words in s. 70(1) substituted (1.10.1992) by Criminal Justice Act (c. 53, SIF 39:1), s. 100, **Sch. 11**, para. 40(2)(g); S.I. 1992/333, **art. 2(2)**, **Sch. 2**
- F158** S. 70(1): Words in definition of “reside” repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with **Sch. 11 paras. 1, 2**)
- F159** Words in s. 70(1) repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 18(a)**, **Sch. 28 Pt. 1** (with **Sch. 27 paras. 1, 5**); S.I. 2009/3074, **art. 2(p)(iii)(u)**
- F160** Definition in s. 70(1) of “young person” substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 68, 101(1), **Sch. 8**, para. 4(2), **Sch. 12**, para. 22(1); S.I. 1992/333, **art. 2(2)**, **Sch. 2**
- F161** Definition in s. 70(1) inserted (30.9.1998 for specified areas and otherwise 1.4.2000) by 1998 c. 37, s. 119, **Sch. 8 para. 23**; S.I. 1998/2327, **art. 3(1)(b)**; S.I. 2000/924, **art. 2(c)**
- F162** Words in s. 70(1) inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 18(c)** (with **Sch. 27 paras. 1, 5**); S.I. 2009/3074, **art. 2(p)(iii)**
- F163** Words in s. 70(1) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 25(b)** (with **Sch. 27**); S.I. 2020/1236, **reg. 2**
- F164** S. 70(1A)(1B) inserted by Family Law Reform Act 1987 (c. 42, SIF 49:7), ss. 8(1), 33(1), **Sch. 2 para. 26** and substituted (30.9.1998) by 1998 c. 37, s. 106, **Sch. 7 para. 10**; S.I. 1998/2327, **art. 2(1)(w)**.
- F165** Words in s. 70(1A)(a) inserted (2.12.2019) by The Civil Partnership (Opposite-sex Couples) Regulations 2019 (S.I. 2019/1458), **reg. 1(2)**, **Sch. 3 para. 2(a)**
- F166** S. 70(1A)(b) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 2 para. 43(2)**; S.I. 2014/889, **art. 4(f)** (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)
- F167** Words in s. 70(1B) inserted (2.12.2019) by The Civil Partnership (Opposite-sex Couples) Regulations 2019 (S.I. 2019/1458), **reg. 1(2)**, **Sch. 3 para. 2(b)**
- F168** Words in s. 70(1B) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 2 para. 43(3)**; S.I. 2014/889, **art. 4(f)** (with transitional provisions in S.I. 2014/1042, arts. 3, 4, 6-10)

Marginal Citations

- M6** 1933 c. 12(20).
M7 1963 c. 37(20).
M8 1987 c.42.
M9 1989 c.41.

71 Application to Isles of Scilly.

This Act shall have effect, in its application to the Isles of Scilly, with such modifications as the Secretary of State may by order specify.

72 Transitional provisions, minor amendments and repeals etc.

- (1) The transitional provisions and savings set out in Part I of Schedule 4 to this Act shall have effect.
- (2) The transitional provisions set out in Part II of Schedule 4 to this Act shall have effect until such day as the Secretary of State may by order specify for the purposes of this subsection (being the day on and after which those provisions will in his opinion be unnecessary in consequence of the coming into force of provisions of the ^{M10}Social Work (Scotland) Act 1968) and shall be deemed to have been repealed on that day by an Act of Parliament passed after this Act.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Children and Young Persons Act 1969 is up to date with all changes known to be in force on or before 08 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{x3}(3) The enactments mentioned in Schedule 5 to this Act shall have effect subject to the amendments specified in that Schedule (which are minor amendments and amendments consequential on the provisions of this Act).

^{x3}(4) Subject to subsection (1) of this section, the enactments mentioned in the first and second columns of Schedule 6 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(5) ^{F169}

Editorial Information

X3 The text of s. 72(3)(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F169 S. 72(5) repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), [Sch. 3](#)

Marginal Citations

M10 [1968 c. 49\(81:3\)](#).

73 Citation, commencement and extent.

- (1) This Act may be cited as the Children and Young Persons Act 1969, and this Act and the Children and Young Persons Acts 1933 to 1963 may be cited together as the Children and Young Persons Acts 1933 to 1969.
- (2) This Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be appointed under this subsection for different provisions of this Act or for different provisions of this Act so far as they apply to such cases only as may be specified in the order.
- (3) Without prejudice to the generality of section 69(4) of this Act, an order under the preceding subsection may make such transitional provision as the Secretary of State considers appropriate in connection with the provisions brought into force by the order, including such adaptations of those provisions and of any other provisions of this Act then in force as appear to him appropriate for the purposes or in consequence of the operation of any provision of this Act before the coming into force of any other provision of this Act or of a provision of the ^{M11}Social Work (Scotland) Act 1968.
- (4) This section and the following provisions only of this Act extend to Scotland, that is to say—
 - (a) sections 10(1) and (2), [^{F170}32(1) [^{F171}to (1E)] and (2A) to (4)], 56 and 57(1);
 - (b) section 72(2) and Part II of Schedule 4;
 - (c) paragraphs 25, 26, 33, 35, 38, 42, 43, 53, 54 and 57 to 83 of Schedule 5 and section 72(3) so far as it relates to those paragraphs;
 - (d) section 72(4) and Schedule 6 so far as they relate to the ^{M12}Merchant Shipping Act 1894, the ^{M13}Superannuation (Miscellaneous Provisions) Act 1948, sections 10, 53, 55 and 59 of the Act of 1963, the ^{M14}Family Allowances Act 1965 and the ^{M15}Social Work (Scotland) Act 1968.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Children and Young Persons Act 1969 is up to date with all changes known to be in force on or before 08 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(5) This section and the following provisions only of this Act extend to Northern Ireland, that is to say—

- (a) sections 25 and 32;
- (b) section 72(3) and Schedule 5 so far as they relate to section 29 of the ^{M16}Criminal Justice Act 1961 and provisions of the Social Work (Scotland) Act 1968 which extend to Northern Ireland; and
- (c) section 72(4) and Schedule 6 so far as they relate to section 83 of the Act of 1933, paragraph 13 of Schedule 2 to the ^{M17}Children and Young Persons (Scotland) Act 1937, section 29 of the Criminal Justice Act 1961, sections 10(1) and (2), 53(1) and 65(5) of, and paragraphs 27, 34 and 50 of Schedule 3 to, the Act of 1963 and sections 73(2), 76(1) and (2) and 77(1)(b) of the Social Work (Scotland) Act 1968;

F172

(6) Section 26 of this Act and this section, and section 72(4) of this Act and Schedule 6 to this Act so far as they relate to paragraph 13 of Schedule 2 to the Children and Young Persons (Scotland) Act 1937 and section 53(1) of, and paragraph 34 of Schedule 3 to, the Act of 1963, extend to the Channel Islands and the Isle of Man, and section ^{F173}32(1) to (1C)] and (4) of this Act and this section extend to the Channel Islands.

(7) It is hereby declared that the provisions of sections 69 and 70 of this Act extend to each of the countries aforesaid so far as is appropriate for the purposes of any other provisions of this Act extending to the country in question.

Subordinate Legislation Made

- P1** Power of appointment conferred by s. 73(2) exercised: [S.I. 1969/1552](#), 1565, 1970/1498, 1883 and 1971/588

Textual Amendments

- F170** Words in s. 73(4)(a) substituted (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(4)(6), [Sch. 12 para.30\(a\)](#), (with [Sch. 14 para. 1\(1\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#)
- F171** Words in s. 73(4)(a) substituted (30.11.2009) by [Criminal Justice and Immigration Act 2008](#) (c. 4), s. 153(7), [Sch. 4 para. 19](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074](#), [art. 2\(p\)\(iii\)](#)
- F172** Words repealed by [Northern Ireland Constitution Act 1973](#) (c. 36, SIF 29:3), [Sch. 6 Pt. I](#)
- F173** Words in s. 73(6) substituted (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(4)(6), [Sch. 12 para.30\(b\)](#), (with [Sch. 14 para. 1\(1\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#)

Modifications etc. (not altering text)

- C9** S. 73(2)(3) extended by [Powers of Criminal Courts Act 1973](#) (c. 62, SIF 39:1), [Sch. 4 para 2\(1\)](#)

Marginal Citations

- M11** 1968 c. 49(81:3).
M12 1894 c. 60(111).
M13 1948 c. 33(101A:1).
M14 1965 c. 53.
M15 1968 c. 49(81:3).
M16 1961 c. 39(39:1).
M17 1937 c. 37(20).

Status:

This version of this Act contains provisions that are prospective.

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 23(1) words substituted by [2006 c. 38 s. 61\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 61 omitted (3.12.2012) by virtue of 2012 c. 10, Sch. 12 para. 54; S.I. 2012/2906, art. 2(j))
- s. 23(1) words substituted by [2006 c. 38 s. 61\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 61 omitted (3.12.2012) by virtue of 2012 c. 10, Sch. 12 para. 54; S.I. 2012/2906, art. 2(j))
- s. 23(1)(a) words substituted by [2006 c. 38 s. 61\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 61 omitted (3.12.2012) by virtue of 2012 c. 10, Sch. 12 para. 54; S.I. 2012/2906, art. 2(j))
- s. 23(5A)(a) words substituted by [2012 c. 10 Sch. 5 para. 4\(2\)\(a\)](#)
- s. 23(5A)(a) words substituted by [2012 c. 10 Sch. 5 para. 4\(2\)\(b\)](#)
- s. 23(5A)(aa) words substituted by [2012 c. 10 Sch. 5 para. 4\(3\)](#)
- s. 70 repealed in part by [1999 c. 22 Sch. 15 Pt. 5\(2\)](#)