



# Child Abduction Act 1984

## 1984 CHAPTER 37

### PART I

#### OFFENCES UNDER LAW OF ENGLAND AND WALES

#### **2 Offence of abduction of child by other persons.**

- (1) [<sup>F1</sup>Subject to subsection (3) below, a person, other than one mentioned in subsection (2) below.] commits an offence if, without lawful authority or reasonable excuse, he takes or detains a child under the age of sixteen—
- (a) so as to remove him from the lawful control of any person having lawful control of the child; or
  - (b) so as to keep him out of the lawful control of any person entitled to lawful control of the child.

[<sup>F2</sup>(2) The persons are—

- (a) where the father and mother of the child in question were married to each other at the time of his birth, the child's father and mother;
  - (b) where the father and mother of the child in question were not married to each other at the time of his birth, the child's mother; and
  - (c) any other person mentioned in section 1(2)(c) to (e) above.
- (3) In proceedings against any person for an offence under this section, it shall be a defence for that person to prove—
- (a) where the father and mother of the child in question were not married to each other at the time of his birth—
    - (i) that he is the child's father; or
    - (ii) that, at the time of the alleged offence, he believed, on reasonable grounds, that he was the child's father; or
  - (b) that, at the time of the alleged offence, he believed that the child had attained the age of sixteen.]

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*Status: Point in time view as at 19/06/1997. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Child Abduction Act 1984, Section 2. (See end of Document for details)*

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**Textual Amendments**

- F1** Words in s. 2(1) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(4), **Sch. 12 para. 38(1)** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- F2** S. 2(2)(3) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(4), **Sch. 12 para. 38(2)** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**

**Modifications etc. (not altering text)**

- C1** S. 2 excluded (14.10.1991) by Children Act 1989 (c. 41, SIF 20), **s. 51(7)(d)**, (with Sch. 14 para 1(1)); S.I. 1991/828, **art. 3(2)**

**Status:**

Point in time view as at 19/06/1997. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Child Abduction Act 1984, Section 2.