



Vagrancy Act 1824

1824 CHAPTER 83 5 Geo 4

An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in England

Annotations:

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision Act 1890 \(c. 33\)](#)

1, 2.^{F1}

Annotations:

Amendments (Textual)

- F1 [Ss. 1, 2](#) repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

3 Persons committing certain offences how to be punished.

.....^{F2}[^{F3}every petty chapman or pedlar wandering abroad, and trading without being duly licensed, or otherwise authorized by law; every common prostitute wandering in the public streets or public highways, or in any place of public resort, and behaving in a riotous or indecent manner; and] every person wandering abroad, or placing himself or herself in any public place, street, highway, court, or passage, to beg or gather alms, or causing or procuring or encouraging any child or children so to do; shall be deemed an idle and disorderly person within the true intent and meaning of this Act; and [^{F4}, subject to section 70 of the Criminal Justice Act 1982.] it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by his own view, or by the confession of such offender, or by the evidence on oath of one or more credible witness or witnesses,) to the house of correction, . . .^{F5} for any time not exceeding one calendar month.

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Annotations:

Amendments (Textual)

- F2 Words repealed by [National Assistance Act 1948 \(c. 29\)](#), **Sch. 7 Pt. 1**
- F3 Words repealed (E.W.) by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1**
- F4 Words inserted by [Criminal Justice Act 1982 \(c. 48\)](#), **Sch. 14 para. 1(a)**
- F5 Words omitted by virtue of [Criminal Justice Act 1948 \(c. 58\)](#), s. 1(2)

Modifications etc. (not altering text)

- C3 Unreliable marginal note.
- C4 [S. 3](#) extended by [Universities Act 1825 \(c. 97\)](#), s. 3
- C5 [S. 3](#) amended by [Criminal Justice Act 1982 \(c. 48\)](#), s. 70

^{F7F8}^{F6} **4 Persons committing certain offences to be deemed rogues and vagabonds.**

Every person committing any of the offences herein-before mentioned, after having been convicted as an idle and disorderly person; [^{F9} every person pretending or professing to tell fortunes, or using any subtle craft, means, or device, by palmistry or otherwise, to deceive and impose on any of his Majesty's subjects;] every person wandering abroad and lodging in any barn or outhouse, or in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or waggon, [^{F10} not having any visible means of subsistence] and not giving a good account of himself or herself; [^{F11} every person wilfully exposing to view, in any street, road, highway, or public place, any obscene print, picture, or other indecent exhibition] ; [^{F12} every person wilfully openly, lewdly, and obscenely exposing his person [^{F13} in any street, road, or public highway, or in the view thereof, or in any place of public resort,] with intent to insult any female] ; every person wandering abroad, and endeavouring by the exposure of wounds or deformities to obtain or gather alms; every person going about as a gatherer or collector of alms, or endeavouring to procure charitable contributions of any nature or kind, under any false or fraudulent pretence . . . ^{F14} . . . ^{F15} every person being found in or upon any dwelling house, warehouse, coach-house, stable, or outhouse, or in any inclosed yard, garden, or area, for any unlawful purpose; [^{F16} every suspected person or reputed thief, frequenting any river, canal, or navigable stream, dock, or basin, or any quay, wharf, or warehouse near or adjoining thereto, or any street, highway, or avenue leading thereto, or any place of public resort, or any avenue leading thereto, or any street, [^{F17} or any highway or any place adjacent to a street or highway;] with intent to commit [^{F18} an]] ; and every person apprehended as an idle and disorderly person, and violently resisting any constable, or other peace officer so apprehending him or her, and being subsequently convicted of the offence for which he or she shall have been so apprehended; shall be deemed a rogue and vagabond, within the true intent and meaning of this Act; and [^{F20} , subject to section 70 of The Criminal Justice Act 1982,] it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by the confession of such offender, or by the evidence on oath of one or more credible witness or witnesses,) to the house of correction, . . . ^{F21} for any time not exceeding three calendar months; . . . ^{F22} , and . . .
^{F23}

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Annotations:

Amendments (Textual)

- F6** S. 4 repealed (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45\)](#), [Sch. 4](#) and repealed, so far as it extends to persons purporting to act as spiritualistic mediums or to exercise any powers of telepathy, clairvoyance or other similar powers, or to persons who, in purporting so to act or to exercise such powers, use fraudulent devices, by [Fraudulent Mediums Act 1951 \(c. 33\)](#), [s. 2\(b\)](#)
- F7** By [Sexual Offences Act 2003 \(c. 42\)](#), Sch. 6 para. 2, Sch. 7; [S.I. 2004/874](#), art. 2, it is provided that the words in s. 4 from “wilfully, openly, lewdly” to “any female; or” be repealed (N.I.) (1.5.2004)
- F8** By [Justice Act \(Northern Ireland\) 2011 \(c. 24\)](#) (N.I.), Sch. 8 Pt. 5, it is provided that the words “being armed with any dangerous or offensive weapon, or” in s. 4(i) be repealed (N.I.) (5.5.2011)
- F9** Words repealed (E.W.) by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1](#)
- F10** Words repealed (E.W.) by [Vagrancy Act 1935 \(c. 20\)](#), [s. 1\(2\)](#)
- F11** Words repealed (E.W.S.) by [Indecent Displays \(Control\) Act 1981 \(c. 42\)](#), s. 5, [Sch.](#)
- F12** Words in s. 4 repealed (E.W.S.) (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 1, [Sch. 7](#); [S.I. 2004/874](#), art. 2
- F13** Words repealed (E.W.) by [Criminal Justice Act 1925 \(c. 86\)](#), [Sch. 3](#)
- F14** Words repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#) and [National Assistance Act 1948 \(c. 29\)](#), [Sch. 7 Pt. I](#)
- F15** Words repealed by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(3), [Sch. 3](#)
- F16** Words repealed (E.W.) by [Criminal Attempts Act 1981 \(c. 47, SIF 39:1\)](#), s. 8, [Sch. Pt. II](#)
- F17** Words substituted by [Prevention of Crimes Act 1871 \(c. 112\)](#), [s. 15](#)
- F18** Words substituted by [Criminal Law Act 1967 \(c. 58\)](#), s. 11(3), [Sch. 2 para. 2\(1\)\(b\)](#)
- F19** Words in s. 4(i) substituted (N.I.) (5.5.2011) by [Justice Act \(Northern Ireland\) 2011 \(c. 24\)](#), s. 111(1), [Sch. 7 para. 1](#)
- F20** Words inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 14 para. 1\(a\)](#)
- F21** Words omitted by virtue of (E.W.) [Criminal Justice Act 1948 \(c. 58\)](#), [s. 1\(2\)](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [s. 221\(2\)](#)
- F22** Words repealed by [Theft Act 1968 \(c. 60\)](#), [Sch. 3 Pt. I](#)
- F23** Words repealed by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(3), [Sch. 3](#)

Modifications etc. (not altering text)

- C6** S.4 amended (E.W.) by [Vagrancy Act 1935 \(c. 20\)](#)
- C7** S. 4 extended (N.I.) and (S.) by [1871 c. 112](#) though is not necessarily in the form in which it has effect in Northern Ireland
- C8** S. 4 amended by [Criminal Justice Act 1982 \(c. 48\)](#), [s. 70](#)
- C9** S. 4 :by [Criminal Attempts Act 1981 \(c. 47, SIF 39:1\)](#), [s. 8](#), it is provided that the provisions of section 4 of the Vagrancy Act 1824 which apply to suspected persons and reputed thieves frequenting or loitering about the places described in that section with the intent there specified shall cease to have effect

5 Who shall be deemed incorrigible rogues.

[^{F24}Every person breaking or escaping out of any place of legal confinement before the expiration of the term for which he or she shall have been committed or ordered to be confined by virtue of this Act;]every person committing any offence against this Act which shall subject him or her to be dealt with as a rogue and vagabond, such person having been at some former time adjudged so to be, and duly convicted thereof; [^{F24}and every person apprehended as a rogue and vagabond, and violently resisting any constable or other peace officer so apprehending him or her, and being subsequently convicted of the offence for which he or she shall have been so apprehended]; shall

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[^{F25}, subject to section 70 of the Criminal Justice Act 1982,] be deemed an incorrigible rogue within the true intent and meaning of this Act; and [^{F25}, subject to section 70 of the Criminal Justice Act 1982,] it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by the confession of such offender, or by the evidence on oath of one or more credible witness or witnesses,) [^{F26}to [^{F27}the Crown Court], either in custody or on bail]; . . . ^{F28}

Annotations:

Amendments (Textual)

F24 Words repealed (E.W.) by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1**

F25 Words inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), **Sch. 14 para. 1(b)**

F26 Words substituted by Criminal Justice Act 1967 (c. 80), **Sch. 6 para. 1**

F27 Words substituted by Courts Act 1971 (c. 23), **Sch. 8 para. 5(a)**

F28 Words repealed by Criminal Justice Act 1948 (c. 58), **Sch. 10 Pt. I**

^{F29}6 Any person may apprehend offenders.

.....

Annotations:

Amendments (Textual)

F29 S. 6 repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8)(8), Sch. 7 para. 2, **Sch. 17 Pt. 2**; S.I. 2005/3495, art. 2(1)(m)(u)

7 ^{F30}

Annotations:

Amendments (Textual)

F30 S. 7 repealed by Summary Jurisdiction Act 1884 (c. 43), **Sch.**

8 ^{F31}

Annotations:

Amendments (Textual)

F31 S. 8 repealed by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(2), **Sch. 7 Pt. I**

9 ^{F32}

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Annotations:

Amendments (Textual)

F32 S. 9 repealed by [Criminal Procedure \(Attendance of Witnesses\) Act 1965 \(c. 69\), Sch. 2 Pt. II](#)

10 Power of sessions to detain and keep to hard labour, and punish by whipping rogues and vagabonds and incorrigible rogues.

When any incorrigible rogue shall have been committed to . . . ^{F33}[^{F34}the Crown Court, it shall be lawful for the Crown Court] to examine into the circumstances of the case, and to order, if they think fit, that such offender be . . . imprisoned [^{F35}in the house of correction], . . . ^{F36} for any time not exceeding one year from the time of making such order . . . ^{F37}

Annotations:

Amendments (Textual)

- F33** Words repealed by [Criminal Justice Act 1967 \(c. 80\), Sch. 7 Pt. I](#)
- F34** Words substituted by [Courts Act 1971 \(c. 23\), Sch. 8 para. 5\(b\)](#)
- F35** Words repealed (E.W.) by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1](#)
- F36** Words omitted by virtue of [Criminal Justice Act 1948 \(c. 58\), s. 1\(2\)](#)
- F37** Words repealed by [Criminal Justice Act 1948 \(c. 58\), Sch. 10 Pt. I](#)

Modifications etc. (not altering text)

C10 Unreliable marginal note.

11, 12. ^{F38}

Annotations:

Amendments (Textual)

F38 Ss. 11, 12 repealed by [Statute Law Revision Act 1966 \(c. 5\)](#)

13 ^{F39}

Annotations:

Amendments (Textual)

F39 S. 13 repealed by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 119\(2\), Sch. 7 Pt. I](#)

14 Persons aggrieved may appeal to the next sessions.

Any person aggrieved by any Act or determination of any justice or justices of the peace out of sessions, in or concerning the execution of this Act, may appeal to [^{F40}the Crown Court] . . . ^{F41}

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Annotations:

Amendments (Textual)

F40 Words substituted by [Courts Act 1971 \(c. 23\)](#), **Sch. 8 para. 5(c)**

F41 Words repealed by [Summary Jurisdiction Act 1884 \(c. 43\)](#), **Sch.**

Modifications etc. (not altering text)

C11 Unreliable marginal note.

15 F42

Annotations:

Amendments (Textual)

F42 [S. 15](#) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

16 F43

Annotations:

Amendments (Textual)

F43 [S. 16](#) repealed by [Theft Act 1968 \(c. 60\)](#), **Sch. 3 Pt. II**

17 F44

Annotations:

Amendments (Textual)

F44 [S. 17](#) repealed by [Summary Jurisdiction Act 1884 \(c. 43\)](#), **Sch.**

18 F45

Annotations:

Amendments (Textual)

F45 [S. 18](#) repealed by [Limitations of Actions and Costs Act 1842 \(c. 97\)](#), **s. 2**

19 F46

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Annotations:

Amendments (Textual)

F46 S. 19 repealed by [Public Authorities Protection Act 1893 \(c. 61\)](#), [Sch.](#)

20 **F47**

Annotations:

Amendments (Textual)

F47 S. 20 repealed by [Poor Law Act 1927 \(c. 14\)](#), [Sch. 11](#)

21 **F48**

Annotations:

Amendments (Textual)

F48 S. 21 repealed by [Theft Act 1968 \(c. 60\)](#), [Sch. 3 Pt. II](#)

22 **Not to extend to repeal any Act in force in Scotland or Ireland relative to the removal of poor, &c.**

[^{F49}Provided also, that] nothing herein contained shall be construed to extend or apply to Scotland or Ireland, [^{F49}nor to alter any law now in force for the removal of poor persons born in Scotland, Ireland, or the Isles of Man, Jersey, and Guernsey, and becoming chargeable to parishes in England, such persons not having committed acts of vagrancy as herein-before described, nor to alter any law now in force relating to lunatic vagrants.]

Annotations:

Amendments (Textual)

F49 Words repealed (E.W.) by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1](#), Pt. I

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 3 words substituted by 2003 c. 44 Sch. 32 para. 145
- s. 4 words substituted by 2003 c. 44 Sch. 32 para. 146(2)
- s. 5 repealed by 2003 c. 44 Sch. 37 Pt. 9
- s. 10 repealed by 2003 c. 44 Sch. 37 Pt. 9

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1) s. 4 renumbered as s. 4(1) by 2003 c. 44 Sch. 32 para. 146(3)
- s. 4(2) inserted by 2003 c. 44 Sch. 32 para. 146(3)