



Infant Life (Preservation) Act 1929

1929 CHAPTER 34

2 Prosecution of offences.

- (1) A court of quarter sessions shall not have jurisdiction to inquire of, hear, or determine any indictment for an offence under this Act, or for an attempt to commit any such offence.
- (2) Where upon the trial of any person for the murder or manslaughter of any child, or for infanticide, or for an offence under section fifty-eight of the Offences against the Person Act, 1861 (which relates to administering drugs or using instruments to procure abortion), the jury are of opinion that the person charged is not guilty of murder, manslaughter or infanticide, or of an offence under the said section fifty-eight, as the case may be, but that he is shown by the evidence to be guilty of the felony of child destruction, the jury may find him guilty of that felony, and thereupon the person convicted shall be liable to be punished as if he had been convicted upon an indictment for child destruction.
- (3) Where upon the trial of any person for the felony of child destruction the jury are of opinion that the person charged is not guilty of that felony, but that he is shown by the evidence to be guilty of an offence under the said section fifty-eight of the Offences against the Person Act, 1861, the jury may find him guilty of that offence, and thereupon the person convicted shall be liable to be punished as if he had been convicted upon an indictment under that section.
- (4) Section sixty of the Offences against the Person Act, 1861 (which provides that a person acquitted of the murder of any child, or of infanticide, may, if shown by the evidence to be guilty of concealing the birth, be convicted and punished accordingly), shall apply in the case of the acquittal of a person on an indictment for child destruction as it applies to the acquittal of a person on an indictment for murder or infanticide.
- (5) Section four of the Criminal Evidence Act, 1898, shall "have effect as if this Act were included in the schedule to that Act.