



# Criminal Justice Act (Northern Ireland) 1945

## 1945 CHAPTER 15

### PART III

#### MISCELLANEOUS

#### COERCION

#### **37 Abolition of presumption of coercion of married woman by husband.**

Any presumption of law that an offence committed by a wife in the presence of her husband is committed under the coercion of the husband is hereby abolished, but on a charge against a [<sup>F1</sup>spouse or civil partner] for any offence other than treason or murder it shall be a good defence to prove that the offence was committed in the presence of, and under the coercion of, the [<sup>F2</sup>other spouse or civil partner] .

**F1** Words in s. 37 substituted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **124(a)** (with regs. 6-9)

**F2** Words in s. 37 substituted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **124(b)** (with regs. 6-9)

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**Changes to legislation:** There are currently no known outstanding effects for the Criminal Justice Act (Northern Ireland) 1945, PART III. (See end of Document for details)

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## SEARCH WARRANTS

### 38 Power to issue search warrant in respect of offences under s.13 of Criminal Law Amendment Act, 1885.

If a resident magistrate or a justice of the peace is satisfied by information on oath that there is reasonable ground for suspecting that an offence under section thirteen of the Criminal Law Amendment Act, 1885<sup>M1</sup> (which relates to summary proceedings against brothel keepers and others) has been, is being, or is about to be committed in any premises or place, he may grant a search warrant authorising any police officer or constable named therein to enter such premises or place at any time, if necessary by force, and to search the premises or place and to examine and seize any article found therein which he has reasonable ground for believing to be evidence of the commission of an offence.

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#### Marginal Citations

**M1** 1885 c. 69

*Ss. 39, 40 rep. by 1996 NI 6*

*Ss. 41#43 rep. by 1965 c.8 (NI)*

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice Act (Northern Ireland) 1945, PART III.