



Children and Young Persons Act 1969

1969 CHAPTER 54

PART I

CARE AND OTHER TREATMENT OF JUVENILES THROUGH COURT PROCEEDINGS

Care of children and young persons through juvenile courts

1 Care proceedings in juvenile courts

- (1) Any local authority, constable or authorised person who reasonably believes that there are grounds for making an order under this section in respect of a child or young person may, subject to section 2(3) and (8) of this Act, bring him before a juvenile court.
- (2) If the court before which a child or young person is brought under this section is of opinion that any of the following conditions is satisfied with respect to him, that is to say—
 - (a) his proper development is being avoidably prevented or neglected or his health is being avoidably impaired or neglected or he is being ill-treated ; or
 - (b) it is probable that the condition set out in the preceding paragraph will be satisfied in his case, having regard to the fact that the court or another court has found that that condition is or was satisfied in the case of another child or young person who is or was a member of the household to which he belongs; or
 - (c) he is exposed to moral danger; or
 - (d) he is beyond the control of his parent or guardian; or
 - (e) he is of compulsory school age within the meaning of the Education Act 1944 and is not receiving efficient full-time education suitable to his age, ability and aptitude; or
 - (f) he is guilty of an offence, excluding homicide,

and also that he is in need of care or control which he is unlikely to receive unless the court makes an order under this section in respect of him, then, subject to the following provisions of this section and sections 2 and 3 of this Act, the court may if it thinks fit make such an order.

Status: This is the original version (as it was originally enacted).

- (3) The order which a court may make under this section in respect of a child or young person is—
- (a) an order requiring his parent or guardian to enter into a recognisance to take proper care of him and exercise proper control over him ; or
 - (b) a supervision order ; or
 - (c) a care order (other than an interim order); or
 - (d) a hospital order within the meaning of Part V of the Mental Health Act 1959 ;
or
 - (e) a guardianship order within the meaning of that Act.
- (4) In any proceedings under this section the court may make orders in pursuance of paragraphs (c) and (d) of the preceding subsection but subject to that shall not make more than one of the orders mentioned in the preceding subsection, without prejudice to any power to make a further order in subsequent proceedings of any description; and if in proceedings under this section the court makes one of those orders and an order so mentioned is already in force in respect of the child or young person in question, the court may discharge the earlier order unless it is a hospital or guardianship order.
- (5) An order under this section shall not be made in respect of a child or young person—
- (a) in pursuance of paragraph (a) of subsection (3) of this section unless the parent or guardian in question consents;
 - (b) in pursuance of paragraph (d) or (e) of that subsection unless the conditions which, under section 60 of the said Act of 1959, are required to be satisfied for the making of a hospital or guardianship order in respect of a person convicted as mentioned in that section are satisfied in his case so far as they are applicable;
 - (c) if he has attained the age of sixteen and is or has been married.
- (6) In this section " authorised person " means a person authorised by order of the Secretary of State to bring proceedings in pursuance of this section and any officer of a society which is so authorised, and in sections 2 and 3 of this Act " care proceedings " means proceedings in pursuance of this section and " relevant infant " means the child or young person in respect of whom such proceedings are brought or proposed to be brought.