



# Offences against the Person Act 1861

## 1861 CHAPTER 100 24 and 25 Vict

### *Attempts to procure Abortion*

#### **58 Administering drugs or using instruments to procure abortion.**

[<sup>F1</sup>Every woman, being with child, who, with intent to procure her own miscarriage, shall unlawfully administer to herself any poison or other noxious thing, or shall unlawfully use any instrument or other means whatsoever with the like intent, and whosoever, with intent to procure the miscarriage of any woman, whether she be or be not with child, shall unlawfully administer to her or cause to be taken by her any poison or other noxious thing, or shall unlawfully use any instrument or other means whatsoever with the like intent, shall be guilty of felony, and being convicted thereof shall be liable <sup>F2</sup> ... to be kept in penal servitude for life <sup>F3</sup> ... ]

#### **Textual Amendments**

**F1** S. 58 repealed (N.I.) (22.10.2019) by [Northern Ireland \(Executive Formation etc\) Act 2019 \(c. 22\)](#), **ss. 9(2), 13(4)** (with s. 12(6))

**F2** Words repealed by [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

**F3** Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#) and [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

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

**C1** S. 58 explained by [Abortion Act 1967 \(c. 87\)](#), **ss. 1, 5(2)**

#### **59 Procuring drugs, &c. to cause abortion.**

[<sup>F4</sup>Whosoever shall unlawfully supply or procure any poison or other noxious thing, or any instrument or thing whatsoever, knowing that the same is intended to be unlawfully used or employed with intent to procure the miscarriage of any woman, whether she be or be not with child, shall be guilty of a misdemeanor, and being convicted thereof shall be liable <sup>F5</sup> ... to be kept in penal servitude <sup>F5</sup> ... ]

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**Status:** Point in time view as at 22/10/2019.

**Changes to legislation:** There are currently no known outstanding effects for the Offences against the Person Act 1861, Cross Heading: Attempts to procure Abortion. (See end of Document for details)

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**Textual Amendments**

- F4** S. 59 repealed (N.I.) (22.10.2019) by [Northern Ireland \(Executive Formation etc\) Act 2019 \(c. 22\)](#), **ss. 9(2), 13(4)** (with s. 12(6))
- F5** Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)
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**Modifications etc. (not altering text)**

- C2** S. 59 explained by [Abortion Act 1967 \(c. 87\)](#), **ss. 1, 5(2)**

**Status:**

Point in time view as at 22/10/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the Offences against the Person Act 1861,  
Cross Heading: Attempts to procure Abortion.