

STATUTORY INSTRUMENTS

2006 No. 1945

The Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006

Physical punishment of children

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2.—(1) In relation to any offence specified in paragraph (2), battery of a child cannot be justified on the ground that it constituted reasonable punishment.

(2) The offences referred to in paragraph (1) are—

- (a) an offence under section 18 of the Offences against the Person Act 1861 (c. 100) (wounding, or causing grievous bodily harm, with intent);
- (b) an offence under section 20 of that Act (malicious wounding or grievous bodily harm);
- (c) ^{F1}
- (d) an offence under section 47 of that Act (assault occasioning actual bodily harm and common assault); ^{F2}...
- (e) an offence under section 20(1) of the Children and Young Persons Act (Northern Ireland) 1968 (c. 34) (cruelty to persons under 16).
- [^{F3}(f) an offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).]

(3) Battery of a child causing actual bodily harm to the child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment.

(4) For the purposes of paragraph (3), “actual bodily harm” has the same meaning as it has for the purposes of section 47 of the Offences against the Person Act 1861.

(5) In section 20 of the Children and Young Persons Act (Northern Ireland) 1968, subsection (6) is hereby repealed.

Textual Amendments

- F1** Art. 2(2)(c) repealed (5.7.2011) by Justice Act (Northern Ireland) 2011 (c. 24), ss. 110(2), 111(2)(d), **Sch. 8 Pt. 5** (with s. 106(4))
- F2** Word in art. 2(d) omitted (26.6.2023) by virtue of Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c. 19), s. 30(2), **Sch. 4 para. 5(a)**; S.R. 2023/87, art. 2(b)
- F3** Art. 2(2)(f) inserted (26.6.2023) by Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c. 19), s. 30(2), **Sch. 4 para. 5(b)**; S.R. 2023/87, art. 2(b)

Changes to legislation:

There are currently no known outstanding effects for the The Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006, Physical punishment of children.