



# Children and Young Persons Act 1933

1933 CHAPTER 12 23 and 24 Geo 5

## PART III U.K.

### PROTECTION OF CHILDREN AND YOUNG PERSONS IN RELATION TO CRIMINAL AND SUMMARY PROCEEDINGS

#### *General Provisions as to Preliminary Proceedings*

#### **34A Attendance at court of parent or guardian. E+W**

- (1) Where a child or young person is charged with an offence or is for any other reason brought before a court, the court—
- may in any case; and
  - shall in the case of a child or a young person who is under the age of sixteen years,

require a person who is a parent or guardian of his to attend at the court during all the stages of the proceedings, unless and to the extent that the court is satisfied that it would be unreasonable to require such attendance, having regard to the circumstances of the case.

- (2) In relation to a child or young person for whom a local authority have parental responsibility and who—
- is in their care; or
  - is provided with accommodation by them in the exercise of any functions (in particular those under the Children Act 1989) which [<sup>F1</sup>are social service functions within the meaning of] the Local Authority Social Services Act 1970 [<sup>F2</sup>or the Social Services and Well-being (Wales) Act 2014],

the reference in subsection (1) above to a person who is a parent or guardian of his shall be construed as a reference to that authority or, where he is allowed to live with such a person, as including such a reference.

In this subsection “local authority” and “parental responsibility” have the same meanings as in the Children Act 1989.

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**Changes to legislation:** *Children and Young Persons Act 1933, Section 34A is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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#### **Textual Amendments**

- F1** Words in s. 34A(2)(b) substituted (26.10.2000 for E. and 28.7.2001 for W.) by 2000 c. 22, ss. 107(1), 108(4), **Sch. 5 para. 1**; S.I. 2000/2849, **art. 2(f)(h)**
- F2** Words in s. 34A(2)(b) inserted (6.4.2016) by **The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016** (S.I. 2016/413), regs. 2(1), **5**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12D(1A)-(1F) inserted by [2017 anaw 2 s. 51](#)
- s. 39(2A) inserted by [2010 c. 26 Sch. 3 para. 3](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 49(12)-(14) inserted by [1999 c. 23 Sch. 2 para. 3\(9\)](#)