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Make provision about the physical and emotional welfare of children; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Child maltreatment

(1) Section 1 of the Children and Young Persons Act 1933 is amended as follows.

(2) For subsection (1) substitute—

“(1) If a person who has attained the age of 16 years with responsibility for a child intentionally or recklessly subjects that child or allows that child to be subjected to maltreatment, whether by act or omission, such that the child suffers, or is likely to suffer, significant harm, that person shall be guilty of an offence, and shall be liable—

(a) on conviction on indictment, to a fine or alternatively, or in addition thereto, to imprisonment for any term not exceeding ten years;

(b) on summary conviction, to a fine not exceeding £3,500 or alternatively, or in addition thereto, to imprisonment for any term not exceeding six months.”

(3) For subsection (2) substitute—

“(2) For the purposes of this section—

“harm” means the impairment of—

(a) physical or mental health, or

(b) physical, intellectual, emotional, social or behavioural development;

“recklessly” shall mean that a person with responsibility for a child foresaw a risk that an act or omission regarding that child would be likely to result in significant harm, but nonetheless unreasonably took that risk;

“maltreatment” includes—

- (a) neglect (including abandonment),
- (b) physical abuse,
- (c) sexual abuse,
- (d) exploitation, and
- (e) emotional abuse.”

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- (4) After subsection (3) insert –

“(3A) Where the question of whether harm suffered by a child is significant turns on the child’s health or development, that child’s health or development shall be compared with that which could reasonably be expected of a similar child.”

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2 Short title, commencement and extent

- (1) This Act may be cited as the Child Maltreatment Act 2013.
- (2) This Act extends to England and Wales only.
- (3) This Act comes into force two months after Royal Assent.

Child Maltreatment Bill

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*Presented by Mr Mark Williams,
supported by
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*Ordered, by The House of Commons,
to be Printed, 19th June 2013.*

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Printed in the United Kingdom by
The Stationery Office Limited
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