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EDITED BY MRS. BEDFORD FENWICK, REGISTERED NURSE.

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EDITORIAL.

CHILDREN AND YOUNG PERSONS ACT, 1933.

We welcome the Children and Young Persons Act, 1933 (an Act to consolidate certain enactments relating to persons under the age of eighteen years) which comes into force on the 1st November next, and which deals with juvenile offenders: children and young persons in need of care or protection.

Nothing can prove more clearly the development of the public conscience, and of its social sense than this latest legislation in relation to children, for, even in the earlier years of the Victoria era, the severity of the sentences passed on children of tender years for minor offences was appalling, and their hours of work were unlimited.

The Act which is a lengthy document of 102 pages is divided into three parts. Part I deals with the Prevention of Cruelty, and Exposure to Moral and Physical Danger. Not all parents are worthy of their parenthood, or fulfil their duties to their offspring, and in such cases it is especially incumbent upon the State to protect the helpless members of the community from neglect and cruelty.

Part II deals with Employment, and imposes restrictions on the employment of children, and gives power to local authorities to make bye-laws with respect to the employment of persons under the age of eighteen years, other than children, concerning (a) the number of hours in each day or in each week for which, and the times of day at which, they may be employed; (b) the intervals to be allowed to them for meals and rest; (c) the holidays or half holidays to be allowed to them; (d) any other conditions to be observed in relation to their employment. It places restrictions on children taking part in entertainments, and on training for performances of a dangerous nature, and prohibits persons under sixteen from taking part in performances endangering life and limb. It also places restrictions on persons under eighteen going abroad for the purpose of performing for profit.

Part III deals with the Protection of Children and Young Persons in relation to criminal and summary proceedings.

In connection with the Act the Secretary of State for Home Affairs has issued an explanatory Circular to all Justices of the Peace in England and Wales, dealing especially with Part III, which draws attention to the more important modifications of the law. The Circular states:

"The new Act makes no fundamental change of principle, but it embodies the results of experience

and will, the Secretary of State believes, materially strengthen the hands of all those who are concerned in finding the best way of restraining those young people who are falling into criminal associations and of helping those who owing to their circumstances require care and protection. The importance of these objects needs no emphasis, especially at a time when the increase of crime among older offenders is attracting public attention. Adult offenders are largely recruited from the young people whom it is the principal object of the Children and Young Persons Act to protect and help. The measure of success achieved in dealing with the young is therefore bound to have an important influence on the criminal problem of the future.

"One of the considerations which has governed the treatment of the young offender, especially in recent years, is the recognition of the need for studying the individual and his circumstances with a view to preventing him from following the path of anti-social conduct. It has also been recognised that bad surroundings lead to delinquency and that those who suffer from neglect need to be looked after equally with those who are found committing offences. The Act gives effect to these considerations in the provision that 'Every court in dealing with a child or young person who is brought before it, either as being in need of care or protection or as an offender or otherwise, shall have regard to the welfare of the child or young person and shall in a proper case take steps for removing him from undesirable surroundings, and for securing that proper provision is made for his education and training' (section 44 (1)). It will be noticed that the methods available to a court for dealing with a child or young person, whether charged with an offence or brought before a Court as needing care or protection, are closely assimilated.

"The panel is to be composed of justices *specially qualified for dealing with juvenile cases*. The Secretary of State hopes that justices will do their best to give effect to the spirit of this requirement by placing on the panel those men and women who by their knowledge and sympathetic understanding of young people or by their experience of dealing with them in various forms of social work or otherwise appear to be most suited for the important work of the juvenile court. It has been suggested from time to time that an age-limit should be fixed for justices sitting in the juvenile courts, but the Rules contain no disqualification on the ground of age, as it was thought that no rigid provision could deal satisfactorily with a matter which is best left to the good sense of the justices having regard to all the circumstances. It is, however, apparent

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