



TEA-BREAK GUIDE



What is Police Protection?

Police have emergency powers to ensure that the immediate protection of children believed to be suffering from, or likely to suffer Significant Harm. This is known as Police Protection and is covered under Section 46 of the Children Act 1989. This action should normally be preceded by a Strategy Discussion that may take the form of a telephone conversation between the relevant agencies. Such powers should only be used when necessary and there is no other option at that given time, the principle being that wherever possible the decision to remove a child from a parent or carer should be made by a Court.

In the event that there is a need for the Police to take immediate protective action in relation to a child who is at immediate risk and the circumstances are such that there is insufficient time for the Local Authority to apply to the courts for an Emergency Protection Order, it is likely this will require the exercise of Police Protection powers.

Options available to the Police

Where a constable has reasonable cause to believe a child would otherwise be likely to suffer **significant harm** he/she may: –

- Remove the child to suitable accommodation and keep him/her there
- Take such steps as are reasonable to ensure that the child's removal from any hospital, or other place, in which he/she is then being accommodated is prevented

Where a constable exercises the above power, the child is deemed to be under Police Protection, as these powers are exercised, the constable must: –

- Inform Children's Services in whose area the child was found of the steps that have been taken and are proposed to be taken and why;
- Inform Children's Services in whose area the child resides;
- Inform the child and take such steps that are reasonably practicable to discover the wishes of the child;
- Inform the parents of the child (if appropriate) and every person who is not a child but has Parental Responsibility for the child;
- Inform person with whom the child is living;
- Ensure that the case is enquired into by a designated officer;
- It should always be considered if alternative solutions can be found to ensure the child(ren)'s safety e.g. an accommodation arrangement within the extended family;

What happens after Police Protection has been used?

- On receipt of the information from the Police, the Local Authority is required to make enquiries under Section 47 Children Act (1989); arrangements must be made for a strategy discussion and a statutory assessment must be completed.

What is the Local Authority immediate responsibility?

The Local Authority are required to arrange a strategy meeting in line with the Section 47 Child Protection processes.

The purpose of the strategy discussion is to decide if a Section 47 child protection investigation is required or if legal advice and the issuing of Care Proceedings is needed.

For **all** children who have been taken into Police Protection there should be a strategy discussion recorded in CareFirst.

What does Police Protection not do?

Police Protection does not remove parents/carers Parental Responsibility.

Police Protection does not give the Police powers to make medical decisions

Police Protection is not a Court Order.

Useful Links

NCC Police Protection Procedure - https://northamptonshirechildcare.proceduresonline.com/p_police_prot.html