

## Protection Orders and Children Act

These all come from the Children Act 1989.

Key sections:

**Section 8:** Four orders that can be made by a court:

- i) Residence order – Where the child is to live; also grants parental responsibility (shared with parent if someone else)
- ii) Contact order – Child must be permitted contact with the named person(s)
- iii) Prohibited steps order – No steps towards the specified action may be taken without permission of the court
- iv) Specific issue order – Ruling as to how to handle a specific situation

**Section 14:** Appoints a named 'special guardian' who will have parental responsibility for the child

**Section 17:** Covers responsibility of local authority to 'safeguard and promote the welfare of children within their area who are in need', and the provision of services for children in need and their families.

**Section 31:** Court can place a child into the care or supervision of the local authority. A care order confers parental responsibility, a supervision order does not.

**Section 44:** Emergency Protection Order issued by a court, lasting up to 8 days (with possible 7 day extension) when there is a belief that a child is suffering or is likely to suffer significant harm if they are not removed from where they are (or kept in a particular place – often a hospital). Whoever is granted the order acquires temporary parental responsibility.

**Section 46:** Police Protection Order permits a constable to remove a child/prevent the removal of a child for up to 72 hours, if they believe the child is suffering/will suffer significant harm if they do not act.

**Section 47:** Local authority has statutory duty to investigate if they have reasonable cause to suspect a child is suffering/is likely to suffer significant harm. Other agencies (including NHS) have a duty to co-operate with this investigation