



Children Act 1989

1989 CHAPTER 41

PART V

PROTECTION OF CHILDREN

49 Abduction of children in care etc.

- (1) A person shall be guilty of an offence if, knowingly and without lawful authority or reasonable excuse, he—
- (a) takes a child to whom this section applies away from the responsible person;
 - (b) keeps such a child away from the responsible person; or
 - (c) induces, assists or incites such a child to run away or stay away from the responsible person.
- (2) This section applies in relation to a child who is—
- (a) in care;
 - (b) the subject of an emergency protection order; or
 - (c) in police protection,
- and in this section “the responsible person” means any person who for the time being has care of him by virtue of the care order, the emergency protection order, or section 46, as the case may be.
- (3) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding six months, or to a fine not exceeding level 5 on the standard scale, or to both.

Commencement Information

II S. 49 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and [S.I. 1991/828](#) art. 3(2))

Changes to legislation:

Children Act 1989, Section 49 is up to date with all changes known to be in force on or before 07 September 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.

[View outstanding changes](#)

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. 4(1A)(aa) inserted by [2009 c. 24 Sch. 6 para. 21\(3\)](#)
- s. 4(1C) inserted by [2009 c. 24 Sch. 6 para. 21\(4\)](#)
- s. 4ZA(2)(aa) inserted by [2009 c. 24 Sch. 6 para. 22\(3\)](#)
- s. 4ZA(3A) inserted by [2009 c. 24 Sch. 6 para. 22\(4\)](#)
- s. 8(4)(k) inserted by [2021 c. 17 s. 52\(1\)](#)
- s. 9(8) inserted by [2024 c. 21 s. 18\(4\)\(c\)](#)
- s. 10A10B inserted by [2024 c. 21 s. 18\(3\)](#)
- s. 31A(4A) inserted by [2014 c. 6 s. 15\(2\)\(b\)](#)
- s. 33(3A) inserted by [2024 c. 21 s. 18\(5\)](#)
- s. 91(5B)(5C) inserted by [2024 c. 21 s. 18\(6\)\(b\)](#)
- s. 104(3AZA) inserted by [2024 c. 21 s. 18\(7\)\(b\)](#)