



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 16

#### ENFORCEMENT OF ORDERS

#### 168 Enforcement of orders

- (1) Subsection (2) applies where a relevant order authorising the keeping of a child in a particular place (an “authorised place”) is in force in relation to a child.
- (2) An officer of law may enforce the order—
  - (a) by searching for and apprehending the child,
  - (b) by taking the child to the authorised place,
  - (c) where—
    - (i) it is not reasonably practicable to take the child immediately to the authorised place,<sup>F1</sup>...
    - <sup>F1</sup>(ii) .....by taking the child to and detaining the child in a place of safety for as short a period of time as is practicable, and
  - (d) so far as is necessary, by breaking open shut and lockfast places.
- (3) In this section, “relevant order” means—
  - (a) a child assessment order,
  - (b) a child protection order,
  - (c) an order under section 55,
  - (d) a compulsory supervision order,
  - (e) an interim compulsory supervision order,
  - (f) a medical examination order.

#### Textual Amendments

- F1** S. 168(2)(c)(ii) and word preceding it omitted (24.6.2013) by virtue of [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, [Sch. 1 para. 20\(17\)](#)

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**Changes to legislation:** Children's Hearings (Scotland) Act 2011, Section 168 is up to date with all changes known to be in force on or before 27 May 2023. 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. (See end of Document for details) [View outstanding changes](#)

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**Modifications etc. (not altering text)**

- C1** S. 168 applied by 1989 c. 41, **s. 25(8A)** (as inserted (27.4.2017) by Children and Social Work Act 2017 (c. 16), s. 70(1)(a), **Sch. 1 para. 2(6)**)
- C2** S. 168 modified (24.6.2022) by The Cross-border Placements (Effect of Deprivation of Liberty Orders) (Scotland) Regulations 2022 (S.S.I. 2022/225), regs. 1, **13(7)**

**Commencement Information**

- I1** S. 168 in force at 24.6.2013 by S.S.I. 2013/195, **arts. 2, 3**

**Changes to legislation:**

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**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):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)