



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 5

CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

Other emergency measures

56 Constable's power to remove child to place of safety

- (1) A constable may remove a child to a place of safety and keep the child there if—
 - (a) the constable is satisfied—
 - (i) of the matters mentioned in section 39(2)(a), and
 - (ii) that the removal of the child is necessary to protect the child from the harm mentioned there or from further harm, and
 - (b) it is not practicable in the circumstances for an application for a child protection order to be made to or considered by the sheriff.
- (2) As soon as practicable after a constable removes a child under this section, the constable must inform the Principal Reporter.
- (3) The child may not be kept in a place of safety under this section for a period of more than 24 hours.
- (4) The child may not be kept in a place of safety under this section if—
 - (a) a child protection order is in force in respect of the child, or
 - (b) an application has been made to the sheriff for a child protection order or to a justice of the peace for an order under section 55 on the basis of the facts before the constable and that application has been refused.
- (5) The Principal Reporter may, by giving notice to the constable, require the constable to release the child if—
 - (a) the Principal Reporter is satisfied that the conditions for placing the child in a place of safety under this section are no longer satisfied, or
 - (b) the Principal Reporter is satisfied that it is no longer in the best interests of the child to be kept in a place of safety.