



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 16

ENFORCEMENT OF ORDERS

171 Offences related to absconding

- (1) This section applies where—
 - (a) a child requires to be kept in a particular place by virtue of—
 - (i) a child assessment order,
 - (ii) a child protection order,
 - (iii) a compulsory supervision order,
 - (iv) an interim compulsory supervision order,
 - (v) a medical examination order, or
 - (vi) a warrant to secure attendance, or
 - (b) a person has (or is authorised to have) control of a child by virtue of such an order or warrant.
- (2) A person commits an offence if the person—
 - (a) knowingly assists or induces the child to abscond from the place or person,
 - (b) knowingly harbours or conceals a child who has absconded from the place or person, or
 - (c) knowingly prevents a child from returning to the place or person.
- (3) The person is liable on summary conviction to a fine not exceeding level 5 on the standard scale, to imprisonment for a term not exceeding 6 months or to both.
- (4) This section is subject to—
 - (a) section 38(3) and (4) of the 1995 Act,
 - (b) section 51(5) and (6) of the Children Act 1989 (c.41), and
 - (c) Article 70(5) and (6) of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)).

Changes to legislation: Children's Hearings (Scotland) Act 2011, Section 171 is up to date with all changes known to be in force on or before 28 December 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](#)

Modifications etc. (not altering text)

- C1** S. 171 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(10)**
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Commencement Information

- I1** S. 171 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\(5\)\(b\)](#)