



Children Act 1975

1975 CHAPTER 72

PART III

CARE

Absence from care and children in need of secure accommodation

68 Extension of powers under section 32 of the Children and Young Persons Act 1969.

- (1) Section 32 of the ^{M1}Children and Young Persons Act 1969 (detention of absentees) shall have effect subject to the following provisions of this section.
- (2) In subsection (1) of the said section 32, paragraph (b) shall cease to have effect.
- (3) After subsection (1) of the said section 32, there is inserted the following subsection:—

“(1A) If a child or young person is absent from a place of safety to which he has been taken in pursuance of section 2(5), 16(3) or 28 of this Act without the consent of—

 - (a) the person who made the arrangements for his detention in the place of safety in pursuance of the said section 2(5) or 16(3), or
 - (b) the person on whose application an authorisation relating to the child or young person has been issued under the said section 28,

he may be arrested by a constable anywhere in the United Kingdom or the Channel Islands without a warrant, and shall, if so arrested, be conducted to the place of safety at the expense of the person referred to in paragraph (a) or (b) (as the case may be) of this subsection.”.
- (4) In subsection (2) of the said section 32, after the words “subsection (1)” there are inserted the words “or (1A)”, and for the words “twenty pounds” there is substituted the word “£100”.
- (5) After the said subsection (2), the following subsections are inserted—

Changes to legislation: There are currently no known outstanding effects for the Children Act 1975, Section 68. (See end of Document for details)

“(2A) Without prejudice to its powers under subsection (2) of this section, a magistrates’ court (within the meaning of that subsection) may, if it is satisfied by information on oath that there are reasonable grounds for believing that a person who is absent as mentioned in subsection (1) or (1A) of this section is in premises specified in the information, issue a search warrant authorising a constable to search the premises for that person.

(2B) A court shall not issue a summons or search warrant under subsection (2) or (2A) of this section in any case where the person who is absent is a person to whom subsection (1A) of this section applies, unless the information referred to in the said subsection (2) or (2A) is given by the person referred to in subsection (1A)(a) or (b) (as the case may be) of this section.”.

(6) In subsection (3) of the said section 32, for the words “one hundred pounds” there is substituted the word “£400”.

(7) In subsection (4) of the said section 32, for the words “subsection (1)” there are substituted the words “subsections (1), (1A) and (2A)”, and for the words “that subsection” there are substituted the words “subsection (1).”.

Modifications etc. (not altering text)

C1 The text of ss. 48(3)(4), 64, 66, 68, 70, 71, 73–84, 90, 92, 108(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1969 c. 54.

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There are currently no known outstanding effects for the Children Act 1975, Section 68.