



# One minute guide

## Police Powers of Protection

No. 177, April, 2021

### What are Police Powers of Protection?

Under [section 46](#) of the Children Act 1989, where a police officer has reasonable cause to believe that a child would otherwise be likely to suffer [Significant Harm](#), the child may be kept in or removed to suitable accommodation where they may be protected, e.g. a relative's home, a hospital, a police station, a foster home, children's home or other suitable place. When this happens, the police officer has exercised Police Powers of Protection (PPP). No child may be kept in police protection for more than 72 hours.

This practice is often mistakenly referred to as a Police Protection Order (PPO). However, no such legal order exists; orders are awarded by a court and that does not happen in this situation.

Prior to exercising PPP, the police should wherever possible consult with Children's Social Work Service through the Duty and Advice Team including Children's Emergency Duty Team when out of hours. This is to determine if alternative solutions can be found to ensure the child's safety, for example accommodation within the extended family or network.

Another alternative is for the local authority to seek an [Emergency Protection Order](#) (EPO) although this may not be suitable out of hours because of the time it may take to achieve such an order. During working hours there may also be the need for the police to exercise PPP where the child is at immediate risk and the circumstances are such that there is insufficient time to apply for an EPO to safeguard the child.

Police Powers of Protection should only be used in exceptional circumstances, where there is insufficient time to seek an EPO, or for reasons relating to the immediate safety of the child. The police and the local authority's Children's Social Work Service should work together to only use PPP as a last resort.

### What must the police do after PPP has been exercised?

Once this power has been exercised the police officer must do the following:

- Inform Children's Social Work Service through the Duty and Advice Team, including Children's Emergency Duty Team when out of hours, of the steps that have been taken or are proposed to be taken and why;
- Inform the child and take such steps that are reasonably practicable to discover the wishes of the child;
- Inform the parents and every person who has [Parental Responsibility](#) for the child; and / or
- Inform the person with whom the child is living.

## In what circumstances might the Police use PPP?

When identifying that a child is at imminent risk of harm, the police should consider the most effective way of protecting them. In most cases, there will be time to consult Duty and Advice or Children's Emergency Duty Team who will be able to provide information about any previous or current involvement (if there has been social work involvement) and will advise the best approach to safeguard the child and what the plan should be out of hours.

Examples of circumstances where it may be appropriate for the police to exercise their powers of protection are set out below. This is not intended to be an exhaustive list as the determining factor is whether the child is at imminent risk and PPP is considered to be the most effective way of protecting the child:

- In circumstances where a **child protection plan** is in place for an unborn child to remain in hospital after birth; if a parent attempts to remove the child from hospital, PPP may need to be used to ensure the child remains in hospital until relevant steps are taken;
- In circumstances where a child is undergoing a **medical investigation** with regard to a suspected non-accidental injury; if a parent attempts to remove the child from hospital, PPP may be used to ensure that the child remains in hospital until the medical investigation is completed and a plan formulated;
- During a joint **section 47 Enquiry**; where the child is considered to be at immediate risk, it would not be appropriate to leave the child in the position of risk whilst an Emergency Protection Order is applied for.

## What do Children's Social Work Service do on being informed by a police officer that they have exercised PPP?

Children's Social Work Service follow the [West Yorkshire Consortium Safeguarding Procedures](#) which state that a section 47 enquiry must always be commenced immediately following a strategy discussion/meeting once PPP have been used and the ensuing usual safeguarding procedures are followed.

Key considerations will include where the child can be safely accommodated, and the need to consult with Legal Services as to whether or not legal proceedings are required, especially if there is no safe place within the family network.

## For more information

You can read the Police's professional standards on [Police Protection](#) on the College of Policing—Authorising Professional Practice web page.

In addition you can read the West Yorkshire Consortium Procedures on [Immediate Protection](#) and [Section 47 enquiries](#).