Under Section 46 of the Children Act 1989, where a Police Constable 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.

A Constable* having reasonable cause to believe a child will suffer significant harm may:

- Remove the child to suitable accommodation
- Keep a child in suitable accommodation

EITHER / OR

The Constable* (Initiating Officer) must then:

- Inform the local authority in which the child resides and is found and the JCPIT
- If the child appears to be capable of understanding, inform the child of the steps that have been taken and try to ascertain the child’s wishes.

If the child is not immediately removed to the local authority or refuge accommodation after Police Protection is taken (i.e. if the child is first taken to a Police Station) ensure the child is so removed and inform the child’s parents or any person with whom the child was living immediately before Police Protection was taken and ensure that a ‘Designated Officer’ enquires into the case.

The Designated Officer (normally an Inspector or above) must then:

- Release the child from Police Protection unless he or she has reasonable grounds to believe the child would suffer significant harm and allow contact with the following people if he/she considers it reasonable and in the child’s best interests.

1. The Child’s parents;
2. Any other person with parental responsibility;
3. Any person whom the child was with prior to Police Protection being taken;
4. Any person in whose favour a contact order is in force;
5. Any person allowed to have contact with a child in care by virtue of an order under section 34;
6. Any person acting on behalf of those persons;
7. JCPIT which covers the area where the child lives

*The Constable means any police officer