

Police Protection Guidance

Related to PGN entitled Police Protection Guidance Circulated Sept 2017

See also [HSCB Legal Framework for Child Protection](#)

Purpose of this guidance: To clarify the status of, and local authority expectations where children are taken into Police Protection and provide further guidance on joint discussions with police where Police Protection is being considered and information in regards to the removal and accommodation of children by police in cases of emergency.

Where police have reasonable cause to believe that a child would otherwise be likely to suffer significant harm they may remove the child to suitable accommodation and keep him there, or, take reasonable steps to prevent the removal of the child from any place in which he is being accommodated [Children Act S.46(1)]. The child is referred to as having been taken into police protection [S.46(2)].

“Every local authority shall receive, and provide accommodation for, children (a) in police protection whom they are requested to receive” (S.21(2)(a)); S.21 (2)(a) is the status of the accommodated child who is looked after by virtue of S.22 (1)(b)].

In Hertfordshire, the number of children taken into Police Protection is high compared to the national average, and this in part is as a result of the positive working relationships and understanding of child protection concerns amongst Police colleagues.

Following a recent audit of cases where children were removed under Police Protection, it has been identified that for some cases, earlier conversations may have resulted in an alternative outcome and prevented some children from becoming looked after; for example, young people that were evicted from their home by their parents or where neglectful home conditions were seen, but these risks could have been reduced sufficiently to keep the children from becoming looked after.

As a result, the Police will trial a new process from June 2017 whereby, if frontline officers believe a child may be likely to suffer significant harm and are considering whether to take the child into police protection, the following steps will be undertaken:

- The frontline officer(s) will make contact with safeguarding police officers in the Joint Child Protection Investigation Team
- They will discuss the nature of the concerns that has lead them to consider the need for Police Protection
- The JCPIT officer will liaise with the Social Work team in JCPIT to establish whether the case is open to Children’s Services.

Cases not open

If the case is not open to Children’s Services, depending on the nature of concerns, a discussion will be held with a manager and social worker within the relevant Assessment Team (or JCPIT), 0-25 Together Service or Targeted Youth Support Service to consider the appropriate and proportionate response to the presenting concerns. The discussion should also consider what if any wider support may be available, for instance, what interim safeguards can be put in place pending a full Strategy Discussion [s47 Children Act 1989] or a professionals meeting [s17 Children Act 1989] and what immediate support/intervention can be put in place to reduce the likelihood of significant harm and avoid the need for Police Protection.

Open Cases

If the case is open to Children's Services, the details of the case worker, their manager and the team will be shared by the JCPIT Social Work team and the officers will make contact with the relevant team and the above process will follow.

Out of Hours

If a situation arises out of hours, regardless of whether the case is open, the officers will make contact with the Children's Safeguarding Out of Hours Service so that case records can be reviewed and the above process will follow.

Added note:

- In most instances the use of Police Protection was considered to have been appropriate.
- This is an added measure to ensure a considered response for those cases that were retrospectively deemed as not requiring a Police Protection either due to the threshold not being met or where there was another solution to the safeguarding concern.
- This process may not be possible for all cases particularly where urgent protection is required due to imminent danger to the child.
- These are live and spontaneously evolving situations requiring a swift yet considered approach. All teams are therefore required to ensure that duty systems are in place to allow for speedy discussions with the police to enable the best joint decision for the child(ren) in question.
- Whether or not the child has been placed in local authority accommodation, once their enquiries are completed the police must release the child from police protection unless they believe that the child is likely to suffer significant harm if released [S.46(5)]. The decision should only be made following discussion with Children's Services, for example, at a strategy discussion.
- A strategy discussion must be held on each child taken into police protection and the local authority has a specific duty to investigate (S.47(1)(a)(ii)).
- On all occasions where a child is taken into Police Protection, the Child Abuse Investigation Unit CA1989, Section 46(1) Police Protection form must be completed and emailed to Children's Social Care; the Social Care team should complete a case note confirming receipt of the form and add to the Child Protection folder on Livelink.

Relevant legislations include:

Colleague of Policing Guidance – <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/child-abuse/concern-for-a-child/#exercising-police-protection>

Working Together 2015

Children Act 1989