

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 16 – Enforcement of Orders

Section 168 – Enforcement of orders

243. This section applies where a relevant order, listed in subsection (3), authorises the keeping of a child in a particular place. The order may be enforced by an officer of law.
244. Subsection (2) sets out the actions which may be taken to enforce the order. The officer may search for and apprehend the child and take the child to the place authorised in the order. Where it is not possible to take the child immediately to the authorised place, for example, because the situation is urgent and arrangements for the “authorised” place are not yet complete, and the authorised place is not a place of safety, the child may be taken to a place of safety for a short a period as is practicable. The officer also has the power to break open shut and lockfast places where this is necessary to enforce the order (subsection 3(d)).