



# Children Act 1989

## 1989 CHAPTER 41

### PART V

#### PROTECTION OF CHILDREN

#### **51 Refuges for children at risk.**

- (1) Where it is proposed to use a voluntary home or [<sup>F1</sup>private] children's home to provide a refuge for children who appear to be at risk of harm, the Secretary of State may issue a certificate under this section with respect to that home.
- (2) Where a local authority or voluntary organisation arrange for a foster parent to provide such a refuge, the Secretary of State may issue a certificate under this section with respect to that foster parent.
- (3) In subsection (2) "foster parent" means a person who is, or who from time to time is, a local authority foster parent or a foster parent with whom children are placed by a voluntary organisation.
- (4) The Secretary of State may by regulations—
  - (a) make provision as to the manner in which certificates may be issued;
  - (b) impose requirements which must be complied with while any certificate is in force; and
  - (c) provide for the withdrawal of certificates in prescribed circumstances.
- (5) Where a certificate is in force with respect to a home, none of the provisions mentioned in subsection (7) shall apply in relation to any person providing a refuge for any child in that home.
- (6) Where a certificate is in force with respect to a foster parent, none of those provisions shall apply in relation to the provision by him of a refuge for any child in accordance with arrangements made by the local authority or voluntary organisation.
- (7) The provisions are—
  - (a) section 49;

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**Changes to legislation:** Children Act 1989, Section 51 is up to date with all changes known to be in force on or before 21 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- [<sup>F2</sup>(b) articles 9, 10 and 11 of the Children’s Hearing (Scotland) Act 2011 (Consequential and Transitional Provisions and Savings) Order 2013, so far as they apply to anything done in England and Wales;]
- (c) section 32(3) of the <sup>M1</sup>Children and Young Persons Act 1969 (compelling, persuading, inciting or assisting any person to be absent from detention, etc.), so far as it applies in relation to anything done in England and Wales;
- (d) section 2 of the <sup>M2</sup>Child Abduction Act 1984.

#### Textual Amendments

- F1** Word in s. 51(1) substituted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 14(7)**; S.I. 2001/4150, **art. 3(3)(a)** (subject to transitional provision in **art. 4** of the commencing S.I. and to the amendment of **art. 3** by S.I. 2002/1493, **art. 6**); S.I. 2002/920, **art. 3(3)(d)** (with **art. 3(4)-(10)** and transitional provisions in Schs. 1-3))
- F2** S. 51(7)(b) substituted (24.6.2013) by The Children’s Hearings (Scotland) Act 2011 (Consequential and Transitional Provisions and Savings) Order 2013 (S.I. 2013/1465), **art. 1(2)**, **Sch. 1 para. 2(3)**

#### Commencement Information

- I1** S. 51 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

#### Marginal Citations

- M1** 1969 c. 54.  
**M2** 1984 c. 37.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by [2009 c. 24 Sch. 6 para. 21\(3\)](#)
- s. 4(1C) inserted by [2009 c. 24 Sch. 6 para. 21\(4\)](#)
- s. 4ZA(2)(aa) inserted by [2009 c. 24 Sch. 6 para. 22\(3\)](#)
- s. 4ZA(3A) inserted by [2009 c. 24 Sch. 6 para. 22\(4\)](#)
- s. 8(4)(k) inserted by [2021 c. 17 s. 52\(1\)](#)
- s. 31A(4A) inserted by [2014 c. 6 s. 15\(2\)\(b\)](#)