

# Emergency Protection Measures for Children

*consider whether or not your child needs to remain in a place of safety and, if so, what conditions, if any, are needed. A Social Worker will be present at the Hearing and will have written a report for the Hearing and make recommendations about what decisions should be made.*

If your child is made subject to an Emergency Protection Order or a Child Protection Order, they are 'looked after' by the local authority and you will be invited to meetings to consider their care arrangements.

## Moving forward

If the Child Protection Order has meant that your child is not living with you then a Social Worker will work with you to improve the situation and return your child(ren) to your care as soon as possible, provided that this is in the child's best interests. Your Social Worker will need to talk with you openly about the problems that led to the Child Protection Order being taken and will support you in resolving your problems. You may be understandably distressed and angry about your situation, but talking with the Social Worker about your problems and working through them will lead to the best outcome for you and your family. Whilst your child is not living with you your Social Worker will arrange to promote appropriate contact between you and your child.

If you or someone you know would like a copy of this document in another language or format, (on occasion only a summary of the document will be provided in translation), this can be arranged by contacting  
Communications Manager 01738 476873

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الاسم: Communications Manager: 01738 476873 رقم هاتف للاتصال المباشر:

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如果你或你的朋友希望得到這文件的其他語言版本或形式 (某些時候，這些文件只會是概要式的翻譯)，請聯絡  
Communications Manager 01738 476873  
來替你安排。

Jeżeli chciałbyś lub ktoś chciałby uzyskać kopię owego dokumentu w innym języku niż język angielski lub w innym formacie (istnieje możliwość uzyskania streszczenia owego dokumentu w innym języku niż język angielski), Proszę kontaktować się z  
Communications Manager 01738 476873

Jestliže vy a nebo někdo, koho znáte, by si přál kopii tohoto dokumentu v jiném jazyku nebo formátu, (v případě nutnosti bude přeložen pouze stručný obsah dokumentu), může to být zajištěno kontaktováním  
Communications Manager 01738 476873

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Communications Manager 01738 476873



Council Text Phone Number 01738 442573

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ChildProtection  
Perth & Kinross



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COUNCIL

Education &  
Children's Services

This leaflet is for parents/carers whose child(ren) are subject to Emergency Protection or Child Protection Orders.

## Why has this happened?

The Local Authority has a legal duty to investigate where a child may be suffering, or at risk of suffering, significant harm. Usually, these investigations arise because someone has informed the Local Authority and/or the Police that they are concerned about a child's welfare. In some cases there is evidence that a child is at immediate and serious risk of harm and the child has to be removed to a place of safety.

## What happens next?

**You should contact a solicitor immediately for legal advice.**

What happens next depends on which type of emergency protection measure has been taken.

If an Emergency Protection Order was taken by a Justice of the Peace or a Police Officer, then it only lasts 24 hours. If the Police or Social Workers believe that your child requires further emergency protection beyond 24 hours they must apply to a Sheriff for a Child Protection Order. You cannot appeal against the decision of the Police or the Justice of the Peace to authorise emergency protection measures.

## Who can I talk to?

You are strongly advised to seek legal advice immediately. You will need to access a Solicitor who specialises in family law. Your Solicitor and your Social Worker will be able to advise you on your particular situation.

If a Sheriff makes a Child Protection Order, one of three things can happen:

- 1. You can apply to a Sheriff to set aside or change the Child Protection Order. A Solicitor will advise you on how to do this, but you will need to seek legal advice quickly.*
- 2. The Children's Reporter will be told that a Child Protection Order has been made by the Sheriff. During the two working days following the Child Protection Order being made the Reporter could decide that the conditions for making the Order are no longer satisfied. The Reporter will notify the person who implemented the Order and the Order will end. If your child has been removed from your care under the Order then he/she will be returned forthwith. The Reporter could make this decision if there is a change in circumstances or if he/she has received further information about your child's circumstances.*

- 3. If the Reporter, does not exercise his/her powers to discharge the Order, then there will be a Children's Hearing on the second working day after the Order was implemented. The Children's Hearing held at this time would decide whether or not the Child Protection Order should continue. The Hearing can decide to discharge or continue the Order. If the Order is continued the Hearing will consider any conditions that may need to be attached to the Order, for example, arrangements for you to have contact with your child.*

*If the Hearing is continued you may decide that you wish to appeal to the Sheriff against the Hearing's decision. If so, you must lodge your application to the Court within 2 working days of the Hearing making its decision.*

*If you do not wish to appeal against the decision, or if you do, but the Sheriff does not find in your favour and continues the Order, then another Children's Hearing will be held on the eighth working day after the Order was implemented.*

*The main purpose of this Hearing is to present the reasons, known as the 'Grounds' for the Emergency Order. This means that the person chairing the Hearing will read out the reasons. You and your child, if they are old enough, will be asked whether you accept these. This Hearing will also*