

Policy: Unauthorised Removal of a Child from Care

Policy Purpose

To minimise the risk to a child in care of unauthorised removal by a person without permission.

Policy Statement

When a child enters the care of the Chief Executive Officer (CEO), the Case Manager should assess the situation to determine if there is a risk that the child may be removed from care without permission. If the child is considered at risk of removal by a parent, relative or other person without permission, safeguards must be implemented to minimise the risk.

Legislative Basis

[Criminal Code Act](#)

Section 202 of the *Criminal Code Act* makes it is an offence to take a child who is under the age of 16 years out of the custody or protection of that child's mother or father or other person having the lawful care or charge of the child and against the will of the mother, father or other person.

[Care and Protection of Children Act 2007](#)

Sections 63, 64 and 65 of the *Care and Protection of Children Act* relate to applying for a warrant to enter and search a place where a child might be. Refer to Procedure: Applying for a Warrant (s63) to Gain Access to Child.

Standards

[Standards of Professional Practice 2, 3, 6](#)

Authorised by:

Executive Director, Service Development and Policy on:	16/03/2015	Active from:	16/03/2015
Version 1.0	This Policy is about ensuring Case Managers consider the possible risks of a child in care being removed without permission.		

Current Version V 1.01

Active from:	6/02/2017	Authorised by:	Director, Policy
Update:	Rebranded. Updated links. Caseworker to Case Manager.		
Review due:	1/3/19	Maintenance:	Policy TF.Policy@nt.gov.au