



Freedom of Information request ref 01/FOI/25/3284
We received your request on the 27/03/2025.

Request

You asked us:

Our request relates to the practice of Child Protection (72hrs) - Sec 46 of the Children's Act 1989, 'where a Police Officer has reasonable grounds to believe a child is likely to suffer significant harm, they may remove the child to suitable accommodation'. We are aiming to get a rough idea of the prevalence of Police Protection use across the country and to understand the impact of this on policing and social care, as well as highlighting areas of good practice.

Under the Freedom of Information Law (FOI) we respectfully request the information specified below. 1) From 1st January 2024 to 31st December 2024 - How many instances have there been of a child being taken into Police Protection in your force?

We have handled your request under the Freedom of Information Act (FOIA)

Our response:

The below information has been supplied by our Force SME for child exploitation.

We note that British Transport Police is a non-geographic police force with jurisdiction across the railway network in England, Scotland and Wales, but without a residential population.

There is specific guidance regarding the enacting of Police Protection in England and Wales (S46 Children's Act 1989) There are two separate and distinct roles for the police in relation to police protection: the "Initiating Officer" and the "Designated Officer". The Initiating Officer is the officer who takes the child into police protection and undertakes the initial enquiries. The Designated Officer is the officer who takes an independent oversight of the circumstances in which the child has been taken into police protection.

The existing Home Office Circular 017 / 2008 states that: 'A non-Home Office police officer, for example an officer of the British Transport Police (BTP), has the power to take a child into police protection under section 46(1). However, non-Home Office forces do not have a 'police area' and therefore cannot designate any officer under section 46(3)(e). The officer should therefore hand the child over to the local Home Office force, which should then take over responsibility for Designated Officer's duties.'

There may be some risk therefore that Home Office forces may include instances of Police Protection where they have acted as designated officer leading to some duplication in recording.

As BTP also cover Scotland our figures do include Police Protection enacted through the Childrens Scotland Act 2014 where BTP have the same powers as Police Scotland so no separate roles.

Between 1st January 2024 and 31st December 2024, we are able to produce an approximate figure of 260 records across England, Wales and Scotland within scope of this request. We would however caveat this as an approximate number with some challenges in data collection and therefore a lack of confidence in the accuracy of that number, and also the above mentioned risk of duplication in cases that may also be counted by Home Office forces in England and Wales.