



2022 CHAPTER 18

PART 1

Adoption

CHAPTER 3

Placement for adoption and adoption orders

Removal of children who are or may be placed by adoption agencies

General prohibitions on removal

27.—(1) Where—

- (a) a child is placed for adoption by an adoption agency under section 16; or
- (b) a child is placed for adoption by an adoption agency and either the child is less than six weeks old or the agency has at no time been authorised to place the child for adoption,

a person (other than the agency) must not remove the child from the prospective adopters.

(2) Where—

- (a) a child who is not for the time being placed for adoption is being provided with accommodation by an authority; and
- (b) the authority has applied to the court for a placement order and the application has not been disposed of,

only a person who has the court's leave (or the authority) may remove the child from the accommodation.

(3) Where subsection (2) does not apply, but—

- (a) a child who is not for the time being placed for adoption is being provided with accommodation by an adoption agency; and
- (b) the agency is authorised to place the child for adoption under section 16 or would be so authorised if any consent to placement under that section had not been withdrawn,

a person (other than the agency) must not remove the child from the accommodation.

(4) This section is subject to sections 28 to 30 but those sections do not apply if the child is subject to a care order.

(5) This group of sections (that is, this section and those sections) apply whether or not the child in question is in Northern Ireland.

(6) This group of sections does not affect the exercise by any authority or other person of any power conferred by any statutory provision, other than Article 22(2) of the Children Order (removal of children from accommodation provided under Article 21).

(7) This group of sections does not prevent the removal of a child who is arrested.

(8) A person who removes a child in contravention of this section is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months, or a fine not exceeding level 5 on the standard scale, or both.