



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*

**Placement orders: prohibition on removal**

**31.—**(1) Where a placement order in respect of a child—

- (a) is in force; or
- (b) has been revoked, but the child has not returned from the prospective adopters or remains in any accommodation provided by an adoption authority,

a person (other than the adoption authority) may not remove the child from the prospective adopters or from accommodation provided by the adoption authority.

(2) A person who removes a child in contravention of subsection (1) is guilty of an offence.

(3) Where a court revoking a placement order in respect of a child determines that the child is not to remain with any former prospective adopters with whom the child is placed, they must secure the return of the child to the adoption authority within the period determined by the court for the purpose; and a person who fails to do so is guilty of an offence.

(4) Where a court revoking a placement order in respect of a child determines that the child is to return to a parent or guardian, the adoption authority must secure the return of the child to the parent or guardian before the end of the period of seven days—

- (a) from the day on which the child returns to the adoption authority; or
- (b) where the child is in accommodation provided by the adoption authority, from the day on which the revocation of the placement order comes into force.

(5) A person guilty of an offence under this section is 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.

(6) This section does not affect the exercise by any adoption authority or other person of a power conferred by any statutory provision, other than Article 22(2) of the Children Order.

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

(8) This section applies whether or not the child in question is in Northern Ireland.