

Child Abduction Act 1984

Staff Briefing - 1

- Certain adults are known to encourage and allow children and young people to stay at their homes without informing the child's parent or carer. These individuals either directly or indirectly may encourage children and young people to go missing and/or stay away from adults who are legally responsible for their care.
- In some cases children and young people are incited to go missing because those adults who encourage them to stay at their homes wish to groom and sexually exploit them. It is under these circumstances that use of Section 2 of The Child Abduction Act 1984 is appropriate.
- Section 2 of the Child Abduction Act 1984 applies to any child under the age of 16, and under the age of 18 where they are Looked After. Under Section 2 of the 1984 Act the taking or detaining a child, without the consent of a person lawfully responsible for the child, and where the adult offender is not connected with the child is a criminal offence.
- Under such circumstances where an adult is known to 'harbour' a child as described above the offender(s) can be arrested and prosecuted for this offence without the child victim's consent, and without the child victim making a complaint to police. In all cases evidence of such activity can be given to police by parents or carers who have lawful control and/or responsibility for the child.
- The recognised process for issuing a warning will usually, but not always, involve police issues an offending adult with an official warning under Section 2 of the Child Abduction Act 1984. This warning acts as an initial alternative to arrest and prosecution, and operates as a very strong deterrent to those who wish to encourage a child to go missing and stay at their address.
- Responsible parents and carers are advised to warn children that they are not allowed to visit an address they have previously attended, been taken to or stay at. Subsequently, where a child may go missing any person believed to have or have had the child at their address will be issued with a written warning, which they will be required to sign.
- The written warning will have a photo of the child, the child's age and the parents or carers wishes that their child is not to visit the address. Consequently, the person who has signed the warning must inform the police immediately if the child turns up at their address. Consequently, if the child is found at the address and police have not been informed, the adult will be arrested and charged with child abduction. A child abduction charge can lead to a sentence of up to 7 years in prison if proven guilty.