

# CHILDREN'S COURT OF WESTERN AUSTRALIA

## WARRANT (APPREHENSION)

Sections 85(3) or 86(3)

*Children and Community Services Act 2004*

**In the Children's Court at Perth**

**File No:**

<b>Details of Child</b>	Surname:	Date of Birth	
	Given Names:	Gender	<input type="checkbox"/> Male / <input type="checkbox"/> Female
	Address:		

<b>Details of Applicant</b>	Name:		
	Agency Name:		
	Address:		
	State:	Postcode:	
	Phone No:	Fax No:	Email:

<b>Section</b>	This warrant is issued under section: <input type="checkbox"/> 85(3) <input type="checkbox"/> 86(3)
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<b>Authority and Directions</b>	<p><b>To all Authorised Officers under the Act or all members of the Police Service</b></p> <p><b>You are hereby authorised under Section 122, 124 and 125:</b></p> <ul style="list-style-type: none"> <li>• To enter, at any time, any place where the officer reasonably believes the child to be;</li> <li>• To search the place for the purpose of finding the child;</li> <li>• To remain at the place for as long as the officer considers reasonably necessary to find the child; and</li> <li>• If the child is found, to apprehend the child and –             <ul style="list-style-type: none"> <li>(i) in the case of a warrant issued under section 85(3), to take the child to such place as the CEO directs; or</li> <li>(ii) in the case of a warrant issued under section 86(3), to take the child to the place referred to in section 86(1) of such other place as the CEO directs.</li> </ul> </li> </ul>
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## WARRANT AUTHORISATION

<b>Issued at</b>	[Court Location]	Date and Time Issued:
<b>Issued by:</b>	[Signature of Judge/Magistrate]	[Seal of the Court]
<b>Name:</b>	[Print Name] Judge / Magistrate	

<p><b>EXECUTION DETAILS</b></p>	<p>On the            day of            20            at            hours</p> <p>at [address]            , I</p> <p><input type="checkbox"/> personally apprehended the child.</p> <p><input type="checkbox"/> was not able to apprehend the child despite every effort made to do so.</p> <p><input type="checkbox"/> determined that apprehension of the child was no longer necessary.</p> <p>Signature of authorised officer _____ Date: _____</p>
<p><b>Children and Community Services Act 2004</b></p>	<p style="text-align: center;">- 2 -</p> <p><b>122. Authority conferred by warrant (apprehension)</b></p> <p>(1) In this section —</p> <p>“<b>warrant (apprehension)</b>” means a warrant (apprehension) issued under section 85(3) or 86(3).</p> <p>(2) A warrant (apprehension) authorises any authorised officer or police officer —</p> <p>(a) to enter, at any time, any place where the officer reasonably believes the child to be;</p> <p>(b) to search the place for the purpose of finding the child;</p> <p>(c) to remain at the place for as long as the officer considers reasonably necessary to find the child; and</p> <p>(d) if the child is found, to apprehend the child and —</p> <p>(i) in the case of a warrant issued under section 85, to take the child to such place as the CEO directs; or</p> <p>(ii) in the case of a warrant issued under section 86, to take the child to the place referred to in section 86(1) or such other place as the CEO directs.</p> <p><b>124. Execution of warrant</b></p> <p>(1) When executing a warrant issued under this Part, an authorised officer or police officer, as the case may be —</p> <p>(a) may use reasonable force and assistance; and</p> <p>(b) must produce the warrant or a copy of the warrant if asked to do so by a person at the place where the warrant is, or is to be, executed.</p> <p>(2) Without limiting subsection (1)(a), an authorised officer who is executing a warrant issued under this Part may call on the assistance of a police officer.</p> <p>(3) A police officer who provides assistance under subsection (2) may use reasonable force when doing so.</p> <p><b>125. Access to child</b></p> <p>If a provision of this Part authorises an authorised officer to have access to a child, the officer is entitled to both see and talk with the child without a parent of the child or any other person being present.</p>