

CHILDREN'S COURT OF WESTERN AUSTRALIA

WARRANT (PROVISIONAL PROTECTION AND CARE)

Sections 35(3) or 133(3)
Children and Community Services Act 2004

In the Children's Court at Perth

File No:

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

Details of Applicant	Name:		
	Agency Name:		
	Address:		
	State:	Postcode:	
	Phone No:	Fax No:	Email:

Section	This warrant is issued under section: <input type="checkbox"/> 35(3) <input type="checkbox"/> 133(3)
Authority and Directions	<p>To all Authorised Officers under the Act or all members of the Police Service</p> <p>You are hereby authorised under Section 123 124 and 125:</p> <ul style="list-style-type: none"> • To enter, at any time, any place where the officer reasonably believes the child to be; • To search the place for the purpose of finding the child; • To remain at the place for as long as the officer considers reasonably necessary to find the child; and • If the child is found, to take the child into provisional protection and care and to such a place as the CEO directs.

WARRANT AUTHORISATION

Issued at	[Court Location]	Date and Time Issued:
Issued by:	[Signature of Judge/Magistrate]	[Seal of the Court]
Name:	Judge / Magistrate:	
EXECUTION DETAILS	<p>On the day of 20 at hours</p> <p>at [address] , I</p> <p><input type="checkbox"/> personally took the child into provisional protection and care.</p> <p><input type="checkbox"/> was not able to take the child into care despite every effort made to do so.</p> <p><input type="checkbox"/> determined that I no longer needed to take the child into care.</p> <p>Signature of authorised officer Date:</p>	

**Children and
Community
Services Act
2004****122. Authority conferred by warrant (apprehension)**

- (1) In this section —
“**warrant (apprehension)**” means a warrant (apprehension) issued under section 85(3) or 86(3).
- (2) A warrant (apprehension) authorises any authorised officer or police officer —
- (a) to enter, at any time, any place where the officer reasonably believes the child to be;
 - (b) to search the place for the purpose of finding the child;
 - (c) to remain at the place for as long as the officer considers reasonably necessary to find the child; and
 - (d) if the child is found, to apprehend the child and —
 - (i) in the case of a warrant issued under section 85, to take the child to such place as the CEO directs; or
 - (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.

124. Execution of warrant

- (1) When executing a warrant issued under this Part, an authorised officer or police officer, as the case may be —
- (a) may use reasonable force and assistance; and
 - (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.
- (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.
- (3) A police officer who provides assistance under subsection (2) may use reasonable force when doing so.

125. Access to child

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.