

# CHILDREN'S COURT OF WESTERN AUSTRALIA

## WARRANT (ACCESS)

Sections 34(3), 52(4) or 135(5)

*Children and Community Services Act 2004*

**In the Children's Court at**

**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"/> 34(3) <input type="checkbox"/> 52(4) <input type="checkbox"/> 135(5)
<b>Authority and Directions</b>	<p><b>To all Authorised Officers under the Act</b></p> <p><b>You are hereby authorised under Sections 121, 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 remain at the place and have access to the child for as long as the officer considers reasonably necessary.</li> </ul>

## 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>	Judge / Magistrate	
<b>EXECUTION DETAILS</b>	<p>On the        day of        20        at        hours</p> <p>at [address]        , I</p> <p><input type="checkbox"/> executed the warrant (access).</p> <p><input type="checkbox"/> was not able to execute warrant (access) despite every effort made to do so.</p> <p><input type="checkbox"/> determined that access was no longer necessary.</p> <p>Signature of authorised officer _____</p> <p>Date:</p>	

**Children and  
Community  
Services Act  
2004****121. Authority conferred by warrant (access)**

- (1) In this section —  
“**warrant (access)**” means a warrant (access) issued under section 34(3), 52(4) or 135(5).
- (2) A warrant (access) authorises any authorised 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 remain at the place and have access to the child for as long as the officer considers reasonably necessary.
- (3) The entitlement to have access to the child referred to in subsection (2)(d) includes an entitlement to both see and talk with the child without a parent of the child or any other person being present.

**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.