

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision regarding the use of secure accommodation for children. Regulation 3 makes provision about the approval of secure accommodation. Regulation 4 places duties on the managers of secure accommodation regarding the welfare of children placed in secure accommodation. A maximum period is set during which a child may be kept in secure accommodation without the authority of a children's hearing or sheriff (regulation 5). Provision is made about the information which a local authority must submit where it makes a recommendation to a children's hearing that a secure accommodation authorisation be included in a relevant order or warrant (regulation 6). Regulations 7 and 8 make provision about placement of children in secure accommodation where they are subject to certain orders which do not include a secure accommodation authorisation. Regulations 9 and 10 make provision about the use of secure accommodation in respect of looked after children. Regulations 11 to 13 make provision about the use of secure accommodation in respect of children dealt with under the Criminal Procedure (Scotland) Act 1995. Regulation 14 makes provision about certain children placed in secure accommodation under the Secure Accommodation (Scotland) Regulations 1996 (S.I. 1996/3255) on the coming into force of these Regulations. Regulation 15 provides for records to be kept with respect to a child's placement in secure accommodation. The Secure Accommodation (Scotland) Regulations 1996 are revoked (regulation 16).

**Changes to legislation:**

There are currently no known outstanding effects for the The Secure Accommodation (Scotland) Regulations 2013.