
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 205

The Secure Accommodation (Scotland) Regulations 2013

Children otherwise dealt with under the Criminal Procedure Act

12.—(1) Except where paragraph (2) applies, where a child—

- (a) is committed to a local authority under section 51(1)(a)(ii) of the Criminal Procedure Act to be detained in a place of safety chosen by the authority, the child may not be placed or detained in secure accommodation as a place of safety under the section;
- (b) is to be kept in a place of safety under [^{F1}section 22 or 53 of the Criminal Justice (Scotland) Act 2016] which is a residential establishment provided by a local authority, the child may not be placed or kept in secure accommodation provided in that establishment;
- (c) is to be detained under section 216(7) of the Criminal Procedure Act, in a place chosen by a local authority, the child may not be placed or kept in secure accommodation.

(2) This paragraph applies where the chief social work officer of the local authority is satisfied that the requirements mentioned in regulation 11(3)(a) and (b) are met.

(3) Where the child is placed in secure accommodation under this regulation the child may only be kept in secure accommodation for so long as the head of unit with the agreement of the chief social work officer considers necessary.

(4) Paragraph (3) is subject to regulation 13.

Textual Amendments

- F1** Words in reg. 12(1)(b) substituted (25.1.2018) by [The Criminal Justice \(Scotland\) Act 2016 \(Consequential and Supplementary Modifications\) Regulations 2017 \(S.S.I. 2017/452\)](#), reg. 1, [sch. para. 16](#) (with reg. 2(2))

Changes to legislation:

There are currently no known outstanding effects for the The Secure Accommodation (Scotland) Regulations 2013, Section 12.