



Criminal Justice Act 1991

1991 CHAPTER 53

PART III

CHILDREN AND YOUNG PERSONS

Detention etc. pending trial

61 Provision by local authorities of secure accommodation.

- (1) It shall be the duty of every local authority to secure that they are in a position to comply with any security requirement which may be imposed on them under—
 - (a) section 23(4) of the 1969 Act (remands and committals to local authority accommodation); or
 - (b) section 37(3) of the 1980 Act (committal of young person to Crown Court for sentence).
- (2) A local authority may discharge their duty under subsection (1) above either by providing secure accommodation themselves or by making arrangements with other local authorities for the provision by them of such accommodation [^{F1}or by making arrangements with voluntary organisations or persons carrying on a registered childrens' home for the provision or use by them of such accommodation or by making arrangements with the Secretary of State for the use by them of a home provided by him under section 82(5) of the Children Act 1989].
- (3) The Secretary of State may by regulations make provision as to the co-operation required of local authorities in the provision of secure accommodation.
- (4) The power to make regulations under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) In this section expressions used in section 23 of the 1969 Act have the same meanings as in that section [^{F2}and expressions, other than "local authority", used in the ^{M1}Children Act 1989 have the same meanings as in that Act.].

Status: Point in time view as at 30/05/1995. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 1991, Section 61 is up to date with all changes known to be in force on or before 25 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in s. 61(2) inserted (30.5.1995) by 1994 c. 33, s. 19(3)(a); S.I. 1995/1378, art.2.
F2 Words in s. 61(5) inserted (30.5.1995) by 1994 c. 33, s. 19(3)(b); S.I. 1995/1378, art.2.
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Commencement Information

- I1** S. 61 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.
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Marginal Citations

- M1** 1989 c. 41.

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