



# 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);<sup>F1</sup>...
  - <sup>F1</sup>(b) .....
- (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 [<sup>F2</sup>or by making arrangements with [<sup>F3</sup>persons carrying on [<sup>F4</sup>a children's home in respect of which a person is registered under Part 2 of the Care Standards Act 2000] for the provision or use by them of such accommodation].]
- (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<sup>F5</sup>....

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*Status: Point in time view as at 01/04/2011. This version of this provision has been superseded.*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 09 April 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)*

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#### Textual Amendments

- F1** S. 61(1)(b) and word repealed (1.4.2000) by 1998 c. 37, s. 120(1), 121(2), **Sch. 10**; S.I. 1999/3426, **art. 3(c)(v)**
- F2** Words in s. 61(2) inserted (30.5.1995) by 1994 c. 33, s. **19(3)(a)**; S.I. 1995/1378, **art. 2**.
- F3** Words in s. 61(2) substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 17; S.I. 2001/4150, **art. 3(3)(a)** (subject to transitional provisions in **art. 4** and S.I. 2002/1493, **art. 4**); S.I. 2002/920, **arts. 2, 3** (with **arts. 3(4)-(10)**) and subject to transitional provisions in **Schs. 1-3**)
- F4** Words in s. 61(2) substituted (1.4.2011 for E.) by Children and Young Persons Act 2008 (c. 23), ss. 8(2), 44, **Sch. 1 para. 8(2)**; S.I. 2010/2981, **art. 4(a)**
- F5** Words in s. 61(5) repealed (1.4.2011 for E.) by Children and Young Persons Act 2008 (c. 23), ss. 8(2), 42, 44, **Sch. 1 para. 8(3)**, **Sch. 4**; S.I. 2010/2981, **art. 4(a)(l)**

#### 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**.

**Status:**

Point in time view as at 01/04/2011. 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 09 April 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.