



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 2

[^{F2}LOCAL AUTHORITY] FUNCTIONS

Persons detained in youth accommodation

51 Detention of child or young person: [^{F1}local authorities] to be notified

After section 39 of the Crime and Disorder Act 1998 (c. 37) insert—

“39A Detention of child or young person: [^{F1}local authorities] to be notified

- (1) Subsection (2) applies where a youth offending team becomes aware that—
 - (a) a child or young person has become subject to a detention order and is detained in relevant youth accommodation, or
 - (b) a child or young person who is subject to a detention order has been transferred from one place of accommodation to another which is relevant youth accommodation.
- (2) The youth offending team must as soon as practicable notify—
 - (a) the home [^{F2}local authority], and
 - (b) the host [^{F2}local authority],of the place where the child or young person is detained.
- (3) Subsection (4) applies where a youth offending team becomes aware that a person has been released having immediately before release been—
 - (a) subject to a detention order, and
 - (b) detained in relevant youth accommodation.

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 51 is up to date with all changes known to be in force on or before 29 February 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) View outstanding changes

- (4) The youth offending team must as soon as practicable notify the following authorities of the release—
- (a) the home [^{F2}local authority];
 - (b) the host [^{F2}local authority];
 - (c) any other [^{F2}local authority] in whose area the youth offending team expects the person to live on release.
- (5) Nothing in this section requires a youth offending team to notify a [^{F1}local authority] of any matter of which the authority is already aware.
- (6) In this section—
- “home [^{F2}local authority]”, in relation to a child or young person, means the [^{F2}local authority] which is the home authority in relation to that person within the meaning of Chapter 5A of Part 10 of the Education Act 1996 (persons detained in youth accommodation);
- “host [^{F2}local authority]”, in relation to a child or young person who is detained in relevant youth accommodation, means the [^{F2}local authority] for the area in which that person is detained;
- [^{F3} “local authority” has the meaning given by section 579(1) of the Education Act 1996;]
- “young person” includes a person who is aged 18;
- and references in this section to a person subject to a detention order and to relevant youth accommodation have the same meanings as they have in the Education Act 1996 (see section 562(1A) of that Act).”

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 16(3)**
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#) , **Sch. 2 para. 16(2)**
- F3** Words in s. 51 inserted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 16(5)**

Commencement Information

- I1** S. 51 in force at 1.9.2010 for E. by [S.I. 2010/303](#), art. 6, **Sch. 5** (with arts. 9-11)
- I2** S. 51 in force at 1.4.2011 for W. by [S.I. 2011/829](#), **art. 2(c)**

Changes to legislation:

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[View outstanding changes](#)

Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6