
WELSH STATUTORY INSTRUMENTS

2015 No. 1820

The Care Leavers (Wales) Regulations 2015

PART 1

General

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Social Services and Well-being (Wales) Act 2014;

“category 2 young person” (“*person ifanc categori 2*”) has the meaning given in section 104(2) of the Act and regulation 3;

“category 3 young person” (“*person ifanc categori 3*”) and “category 4 young person” (“*person ifanc categori 4*”) have the meanings given in section 104(2) of the Act;

“detained” (“*dan gadwad*”) means—

(a) in relation to a child or a category 2 young person who, having been convicted of an offence, is—

(i) detained in prison or in youth detention accommodation,

(ii) residing in approved premises, or

(iii) residing in any other premises because a requirement to do so has been imposed on the child as a condition of the grant of bail in criminal proceedings,

but does not include a remand to such accommodation or premises⁽¹⁾

(b) in relation to a category 3 or 4 young person, the young person is—

(i) detained in prison or in youth detention accommodation,

(ii) residing in approved premises, or

(iii) residing in any other premises because a requirement to do so has been imposed on the child as a condition of the grant of bail in criminal proceedings;

“former foster parent” (“*cyn-riant maeth*”) has the meaning given in section 108(3) of the Act;

“personal adviser” (“*cynghorydd personol*”) means the person appointed in accordance with section 106 of the Act for a category 1, category 2, category 3, or category 4 young person;

“placement” (“*lleoliad*”) has the meaning given in section 81(6) of the Act;

“post-18 living arrangement” (“*trefniant byw ôl-18*”) has the meaning given in section 108(3) of the Act;

⁽¹⁾ Section 104(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the 2012 Act”) provides that a child who is remanded to youth detention accommodation is to be treated as “looked after” by the local authority (see section 104(1) of the 2012 Act); “youth detention accommodation” is defined within section 102(1) of the 2012 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“prison” (“*carchar*”), “youth detention accommodation” (“*llety cadw ieuenctid*”), and “approved premises” (“*mangre a gymeradwywyd*”) have the meanings given in section 188(1) of the Act⁽²⁾;

“responsible local authority” (“*awdurdod lleol cyfrifol*”) has the meaning set out in section 104(5) of the Act.

(2) “Prison” is defined by section 188(1) of the Act by reference to the definition within section 53(1) of the Prison Act 1952 (c. 52); “youth detention accommodation” is defined within section 188(1) of the Act as meaning: (a) a secure children’s home; (b) a secure training centre; (c) a young offender institution; (d) accommodation provided, equipped and maintained by the Welsh Ministers under section 82(5) of the Children Act 1989 for the purpose of restricting the liberty of children; (e) accommodation, or accommodation of a description, for the time being specified by order under section 107(1)(e) of the Powers of Criminal Courts (Sentencing) Act 2000 (youth detention accommodation for the purposes of detention and training orders); “hospital” is defined in section 197(1) of the Act as having the meaning given in section 206 of the National Health Service (Wales) Act 2006 (c. 42). For the meaning of “young offender institution” and “secure training centre” see section 43(1)(aa) and (d) of the Prison Act 1952 (c. 52).