



Children Act 1975

1975 CHAPTER 72

PART V

MISCELLANEOUS AND SUPPLEMENTAL

Inquiries

98 Inquiries in England and Wales

- (1) The Secretary of State may cause an inquiry to be held into any matter relating to—
 - (a) the functions of the social services committee of a local authority, in so far as those functions relate to children ;
 - (b) the functions of an adoption agency ;
 - (c) the functions of a voluntary organisation in so far as those functions relate to voluntary homes;
 - (d) a home maintained by the Secretary of State for the accommodation of children who are in the care of local authorities and are in need of the particular facilities and services provided in the: home;
 - (e) the detention of a child under section 53 of the Children and Young Persons Act 1933.
- (2) The Secretary of State may, before an inquiry is commenced, direct that it shall be held in private, but where no such direction has been given, the person holding the inquiry may if he thinks fit hold it or any part of it in private.
- (3) Subsections (2) to (5) of section 250 of the Local Government Act 1972 (powers in relation to local inquiries) shall apply in relation to an inquiry under this section as they apply in relation to a local inquiry under that section.
- (4) In this section—
 - " functions " includes powers and duties which a person has otherwise than by virtue of any enactment;

Status: This is the original version (as it was originally enacted).

" voluntary home " means a home or other institution for the boarding, care and maintenance of poor children which is supported wholly or partly by voluntary contributions, but does not include a mental nursing home or residential home for mentally disordered persons within the meaning of Part III of the Mental Health Act 1959.

(5) This section does not apply to Scotland.

99 Inquiries in Scotland

- (1) In Scotland the Secretary of State may cause an inquiry to be held into any matter relating to—
- (a) the functions of a local authority under the Social Work (Scotland) Act 1968 in so far as the matter relates to children;
 - (b) the functions of a local authority under the enactments specified in paragraph (a) of section 1(4) and paragraphs (b) to (e) and (h) of section 2(2) of the Social Work (Scotland) Act 1968 ;
 - (c) the functions of an adoption society ;
 - (d) the functions of a voluntary organisation in so far as those functions relate to establishments to which sections 61 to 68 of the Social Work (Scotland) Act 1968 apply and in so far as the matter relates to children ; or
 - (e) the detention of a child under—
 - (i) section 57 or 58A of the Children and Young Persons (Scotland) Act 1937 ; or
 - (ii) section 206 or 413 of the Criminal Procedure (Scotland) Act 1975.
- (2) The Secretary of State may, before an inquiry is commenced, direct that it shall be held in private, but where no such direction has been given, the person holding the inquiry may if he thinks fit hold it or any part of it in private.
- (3) Subsections (2) to (8) of section 210 of the Local Government (Scotland) Act 1973 (powers in relation to local inquiries) shall apply in relation to an inquiry under this section as they apply in relation to a local inquiry under that section.
- (4) In this section " functions " includes powers and duties exercisable otherwise than by virtue of any enactment.