
WELSH STATUTORY INSTRUMENTS

2015 No. 1988

**The Children (Secure Accommodation)
(Wales) Regulations 2015**

Court Authorisation

Applications to court

4.—(1) Applications to court under section 119 of the Act may only be made by the local authority (including an English local authority) which is looking after the child (subject to the power of a local authority to arrange for its functions to be carried out by another person under section 101 of the Local Government Act 1972(1) or sections 14 to 20 of the Local Government Act 2000(2)).

(2) But where regulation 16 of these Regulations applies to modify section 119 of the Act so that it applies in relation to children other than those being looked after by a local authority, then applications to court can be made by the Local Health Board, NHS Trust or local authority in the exercise of education functions which is providing accommodation for a child and to whom section 119 of the Act applies.

Duty to inform parents and others of intention to place child in secure accommodation

5. Where a local authority intends to apply to a court to place a child whom it is looking after in secure accommodation, it must, as far as is reasonably practicable, notify, as soon as possible—

- (a) the child's parents;
- (b) any person who is not a parent but has parental responsibility for the child;
- (c) the child's independent visitor, if one has been appointed; and
- (d) any other person who that local authority considers should be informed.

Maximum periods of authorisation by the court

6.—(1) Subject to paragraph (2), where a child has been made the subject of an application under section 119 of the Act, the maximum initial period for which a court may authorise the child to be kept in secure accommodation is three months.

(2) Where a child is subject to an application to extend the period in secure accommodation under section 119 of the Act the maximum further period which a court may authorise at any one time is 6 months.

Maximum period of authorisation for remanded children

7.—(1) The maximum period for which a court may from time to time authorise a child who has been remanded to local authority accommodation under section 91(3) of the Legal Aid, Sentencing

(1) 1972 c. 70.
(2) 2000 c. 22.

Status: This is the original version (as it was originally made).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

and Punishment of Offenders Act 2012⁽³⁾ to be kept in secure accommodation (whether the period is the initial period or a further period) is the period of the remand.

(2) The reference to “local authority” in paragraph (1) includes an English local authority.

⁽³⁾ 2012 c. 10.