
WELSH STATUTORY INSTRUMENTS

2015 No. 1988

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

Maximum Period Without Court Authorisation

Maximum period in secure accommodation without court authorisation

2.—(1) Subject to paragraph (2) and (3), the maximum period beyond which a local authority may not keep a child in secure accommodation without the authority of the court is an aggregate of 72 hours (whether or not consecutive) in any period of 28 days.

(2) Where—

- (a) a child is kept in secure accommodation at any time between 12 midday on the day before and 12 midday on the day after a public holiday or a Sunday,
- (b) during that time the maximum period of 72 hours would otherwise expire, and
- (c) the child has in the 27 days before the day on which the latest period in secure accommodation began, already been kept in secure accommodation for an aggregate of more than 48 hours,

the maximum period is extended until 12 midday on the first day which is not a public holiday or a Sunday.

(3) Where a court gives authority for a child to be held in secure accommodation, any period during which the child was kept in secure accommodation prior to that period of authorisation shall be disregarded in calculating the maximum period in relation to any subsequent periods in secure accommodation after the court-authorised period has expired.

Requirement where child detained without court authority

3.—(1) Before a local authority places a child in secure accommodation without court authority it must first create a written record setting out—

- (a) the reasons why it believes the grounds under section 119(1) of the Act are met;
- (b) the purpose of the placement; and
- (c) the reasons why it considers that the placement is necessary.

(2) The local authority must provide a copy of that record to—

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