

*Status: This version of this provision is prospective.*

*Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Section 21 is up to date with all changes known to be in force on or before 18 June 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*



# Children (Care and Justice) (Scotland) Act 2024

2024 asp 5

## PART 2

### CRIMINAL JUSTICE AND PROCEDURE

#### *Places where children can no longer be detained*

PROSPECTIVE

#### **21 Meanings of “young offenders institution” and “young offender”**

- (1) The Prisons (Scotland) Act 1989 (“the 1989 Act”) is amended as follows.
- (2) In section 19 (remand centres and young offenders institutions), in subsection (1)(b), for second “offenders” to the end substitute “persons not less than 18 but under 21 years of age—
  - “(i) sentenced to detention in a young offenders institution, or
  - (ii) remanded or committed in custody for trial or sentence,may be kept.”.
- (3) The Prisons and Young Offenders Institutions (Scotland) Rules 2011 ([S.S.I. 2011/331](#)) are amended as follows.
- (4) In rule 2(1) (interpretation), in paragraph (a) of the definition of “young offender”, for “16” substitute “18”.

#### **Commencement Information**

- II** S. 21 not in force at Royal Assent, see [s. 38\(3\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act power to modify conferred by 1995 c. 36, s. 33A (as inserted) by [2024 asp 5 s. 30\(2\)](#)
- Act power to modify conferred by 2010 asp 8, s. 190(2A) (as substituted) by [2024 asp 5 s. 29\(2\)\(b\)](#)