

Status: This version of this provision is prospective.

Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Section 26 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 4

RESIDENTIAL AND SECURE CARE

PROSPECTIVE

26 Meaning of “secure accommodation”

- (1) The 2011 Act is amended as follows.
- (2) In section 202 (interpretation), in subsection (1)—
 - (a) in the definition of “secure accommodation”—
 - (i) in the opening words, “accommodation provided for the purpose of restricting the liberty of children which” is repealed,
 - (ii) for paragraph (a) substitute—
 - “(a) in relation to Scotland, accommodation provided for the purpose of depriving children of their liberty which is provided—
 - (i) in a residential establishment,
 - (ii) by a secure accommodation service,”
 - (iii) in paragraph (b), for “in England,” substitute “in relation to England, accommodation provided for the purpose of restricting the liberty of children which”,
 - (iv) in paragraph (c), for “in Wales,” substitute “in relation to Wales, accommodation provided for the purpose of restricting the liberty of children which”,
 - (b) after the definition of “secure accommodation authorisation” insert—
 - ““secure accommodation service” means a service—
 - (a) which is approved by the Scottish Ministers—
 - (i) under paragraph 6(c) of schedule 12 of the Public Services Reform (Scotland) Act 2010, and

Status: This version of this provision is prospective.

Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Section 26 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](#)

- (ii) in accordance with regulations made under section 78A of that Act, and
- (b) in respect of which a person is registered under Part 5 of that Act,”.

Commencement Information

II S. 26 not in force at Royal Assent, see [s. 38\(3\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

Children (Care and Justice) (Scotland) Act 2024, Section 26 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.

[View outstanding changes](#)

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\(2\)\(b\)](#)