

Status: This version of this provision is prospective.

Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Section 6 is up to date with all changes known to be in force on or before 20 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 1

CHILDREN'S HEARINGS SYSTEM

PROSPECTIVE

6 Compulsory supervision orders: movement restriction conditions

- (1) The 2011 Act is amended as follows.
- (2) In section 83 (meaning of “compulsory supervision order”)—
 - (a) in subsection (4)(a)—
 - (i) for “more” substitute “both”,
 - (ii) for “subsection (6)” substitute “subsection (4A)”,
 - (b) after subsection (4) insert—

“(4A) The conditions referred to in subsection (4)(a) are—

 - (a) that the child’s health, safety or development is at risk,
 - (b) that the child is likely to cause physical or psychological harm to another person.”.
- (3) In section 150 (movement restriction conditions: regulations etc.), in subsection (2)—
 - (a) in paragraph (b), after “of” insert “monitoring a child’s movements or whereabouts (including whether a child is at, or is not at, a particular place) for the purpose of”,
 - (b) in paragraph (c), after “devices” insert “(including any apparatus to be linked to a device)”,
 - (c) after that paragraph insert—

“(ca) prescribe the circumstances or manner in which a specified device is, or is not, to be used (including how or when a device is to be worn, or otherwise used, by a child subject to a movement restriction condition),

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- (cb) prescribe the circumstances or manner in which information obtained through the monitoring of a child by means of such a device may, or may not, be gathered, retained, used or shared for the purpose of the monitoring”.

Commencement Information

- II** S. 6 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\(2\)\(b\)](#)