
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

**The Children's Hearings (Scotland) Act 2011
(Implementation of Secure Accommodation
Authorisation) (Scotland) Regulations 2013**

Decision to implement secure accommodation authorisation

4.—(1) This regulation applies where the chief social work officer requires to decide whether to implement a secure accommodation authorisation under section 151(3) of the Act (implementation of secure accommodation authorisation).

(2) Where paragraph (1) applies, the chief social work officer must, comply with the requirements in paragraph (3).

(3) The requirements are—

(a) to consult and take into account the views of—

- (i) the child, taking into account the age and maturity of the child;
- (ii) each relevant person in respect of the child;
- (iii) the head of unit;

(b) to assess—

- (i) whether one or more of the conditions specified in section 83(6) (compulsory supervision order), 87(4) (medical examination order) or 88(3) (warrant to secure attendance), of the Act continue to apply in respect of the child; and
- (ii) whether placement in secure accommodation would be in the child's best interests; and

(c) to take into account the decision to make the relevant order or warrant referred to in section 151(2) of the Act and the reasons for that decision.

(4) In this regulation, "head of unit" means the person in charge of the residential establishment containing the secure unit in which the child is to be placed.