
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

The Secure Accommodation (Scotland) Regulations 2013

Looked after child placed in secure accommodation: duties of the Principal Reporter and local authority

10.—(1) This regulation applies where the Principal Reporter receives the referral and information from the chief social work officer under regulation 9(5)(b) and (6).

(2) Subject to paragraphs (3) and (4) the Principal Reporter must, within 72 hours of the child's placement in secure accommodation under regulation 9, consider and proceed with the child's case in accordance with sections 66 to 69 of the 2011 Act.

(3) Where the Principal Reporter determines under section 66(2) of the 2011 Act that a children's hearing does not require to be arranged, the Principal Reporter must, within 72 hours of the child's placement in secure accommodation—

- (a) notify the chief social work officer of the determination;
- (b) if the Principal Reporter considers that the child's case should be referred to the local authority with a view to arrangements for advice, guidance and assistance under Chapter 1 of Part II of the Children (Scotland) Act 1995(1), inform the local authority accordingly.

(4) Where the chief social work officer receives notification under paragraph (3)(a) the chief social work officer must remove the child from the secure accommodation immediately and notify the persons mentioned in regulation 9(5)(a).

(5) Subject to paragraph (6) where the Principal Reporter determines under section 66(2) of the 2011 Act that it is necessary for a compulsory supervision order to be made in respect of the child, the Principal Reporter must, within 72 hours of the child's placement under regulation 9, arrange a children's hearing for the purpose of deciding whether a compulsory supervision order should be made in respect of the child.

(6) Where paragraph (5) applies and the Principal Reporter considers that it would not be reasonably practicable to arrange the children's hearing within 72 hours the Principal Reporter will have a further period of 24 hours from the end of the period of 72 hours referred to in paragraph (5) within which to comply with the requirements in paragraph (5).