



Children (Scotland) Act 1995

1995 CHAPTER 36

PART II

PROMOTION OF CHILDREN'S WELFARE BY LOCAL
AUTHORITIES AND BY CHILDREN'S HEARINGS ETC.

CHAPTER 3

PROTECTION AND SUPERVISION OF CHILDREN

Referral to, and disposal of case by, children's hearing

75 Powers of Secretary of State with respect to secure accommodation

- (1) The Secretary of State may by regulations make provision with respect to the placing in secure accommodation of any child—
 - (a) who is subject to a requirement imposed under section 70(3)(a) of this Act but not subject to a requirement under subsection (9) of that section; or
 - (b) who is not subject to a supervision requirement but who is being looked after by a local authority in pursuance of such enactments as may be specified in the regulations.
- (2) Regulations under subsection (1) above may—
 - (a) specify the circumstances in which a child may be so placed under the regulations;
 - (b) make provision to enable a child who has been so placed or any relevant person to require that the child's case be brought before a children's hearing within a shorter period than would apply under regulations made under subsection (3) below; and
 - (c) specify different circumstances for different cases or classes of case.

Status: This is the original version (as it was originally enacted).

- (3) Subject to subsection (4) below and without prejudice to subsection (2)(b) above, the Secretary of State may prescribe—
- (a) the maximum period during which a child may be kept under this Act in secure accommodation without the authority of a children’s hearing or of the sheriff;
 - (b) the period within which a children’s hearing shall be arranged to consider the case of a child placed in secure accommodation by virtue of regulations made under this section (and different periods may be so prescribed in respect of different cases or classes of case).
- (4) Subsection (8) of section 66 of this Act shall apply in respect of a child placed in secure accommodation under regulations made under this section as if such placing took place by virtue of that section.
- (5) The Secretary of State may by regulations vary the period within which a review of a condition imposed under section 70(9) of this Act shall be reviewed under section 73 of this Act.
- (6) The Secretary of State may by regulations make provision for the procedures to be applied in placing children in secure accommodation; and without prejudice to the generality of this subsection, such regulations may—
- (a) specify the duties of the Principal Reporter in relation to the placing of children in secure accommodation;
 - (b) make provision for the referral of cases to a children’s hearing for review; and
 - (c) make provision for any person with parental responsibilities in relation to the child to be informed of the placing of the child in secure accommodation.