

---

STATUTORY INSTRUMENTS

---

**1996 No. 3255**

**The Secure Accommodation (Scotland) Regulations 1996**

**Children subject to certain supervision requirements - interim placement**

6.—(1) A child who is subject to a supervision requirement imposed under section 70 of the Act, but not subject to a condition imposed under subsection (9) of that section that he be liable to be placed and kept in secure accommodation, may not be placed in secure accommodation unless the chief social work officer of the local authority required to give effect to the supervision requirement and the person in charge are satisfied—

(a) that the criteria specified in paragraph (a) or (b) of section 70(10) of the Act are satisfied with respect to the child; and

(b) that it is in the child's best interests that he be placed and kept in secure accommodation, and the chief social work officer shall, in addition, satisfy himself, in relation to the placing of the child in the residential establishment providing the secure accommodation, that the placement in that establishment is appropriate to the child's needs having regard to its statement of functions and objectives.

(2) On a child being placed in secure accommodation under paragraph (1), the chief social work officer of the local authority shall—

(a) forthwith in writing inform any relevant person in relation to the child and the Principal Reporter accordingly, and shall, in addition, so inform the child (in a manner appropriate to his age and understanding); and

(b) forthwith, and in any event not later than 24 hours from the time of that placement (whether or not the child is still held in secure accommodation) refer the case to the Principal Reporter and inform him in writing of—

(i) the details of that placement and any subsequent placement or release;

(ii) the reasons why at the time of placement the chief social work officer and the person in charge were satisfied with respect to the matters referred to and mentioned in paragraph (1) of this regulation and the reasons why at the time of writing they continue to be so satisfied or otherwise; and

(iii) the views of the chief social work officer and the person in charge as to the need or otherwise for the child's detention in secure accommodation;

(3) On receipt by the Principal Reporter of the referral and information under paragraph (2)(b), he shall arrange for a review of the child's case by a children's hearing under section 73(8) of the Act which shall apply as if the reference to a transfer under section 72(2) of the Act included a reference to a placement under this regulation.

(4) The review of the child's case referred to in paragraph (3) shall take place no later than 72 hours from the time of the placement of the child in secure accommodation.