
STATUTORY INSTRUMENTS

1996 No. 3255

The Secure Accommodation (Scotland) Regulations 1996

Children looked after by local authority under Part II of the Act - interim placement

8.—(1) On receipt by the Principal Reporter of the referral and information under regulation 7(2) (b) and within 72 hours of the time of the child's placement in secure accommodation under regulation 7, the Principal Reporter shall consider and proceed, subject to paragraphs (2), (3) and (4), with the child's case in accordance with section 56 of the Act.

(2) Where the Principal Reporter decides under section 56(4) of the Act that a children's hearing does not require to be arranged—

- (a) he shall, within those 72 hours, inform the local authority accordingly and that authority shall thereupon arrange for the child's discharge (if not already discharged) forthwith from secure accommodation and for any relevant person (not already informed) to be informed of his discharge; and
- (b) if he considers that the proper course is to refer the child's case to the local authority with a view to arrangements for advice, guidance and assistance under Chapter 1 of Part II of the Act (support for children and their families), he shall, within these 72 hours, inform the authority accordingly.

(3) Subject to paragraph (4), where under section 56(6) of the Act, it appears to the Principal Reporter that the child is in need of compulsory measures of supervision the Principal Reporter shall arrange for a children's hearing to consider the child's case within 72 hours of the time of the child's placement in secure accommodation under regulation 7, and section 56(6) and (7) shall have effect accordingly.

(4) Notwithstanding the provisions of paragraph (3), the Principal Reporter shall have a further period of 24 hours in addition to the 72 hours referred to in paragraph (3), to fulfil his obligation thereunder if it is not reasonably practicable for him to arrange the hearing to convene within the 72 hours or for him within the 72 hours to state the grounds for referral.