
STATUTORY INSTRUMENTS

1996 No. 3255

The Secure Accommodation (Scotland) Regulations 1996

Review of the use of secure accommodation

15.—(1) The chief social work officer of the appropriate local authority, in consultation with the person in charge, shall ensure that, where a child is detained in secure accommodation by virtue of regulations 13 or 14, arrangements are made by them to review the case of such a child—

- (a) within 7 days of the child's placement in secure accommodation (whether or not the child is still held in secure accommodation);
- (b) at such times as appear to them necessary or appropriate in the light of the child's progress; and
- (c) in any event at intervals of not more than 3 months;

and the child shall be detained in secure accommodation only where, upon such review, the chief social work officer and the person in charge are satisfied that it is in the best interests of the child.

(2) In conducting such a review the chief social work officer and the person in charge shall have regard to all relevant circumstances including—

- (a) the matters specified at regulation 6(1); and
- (b) where practicable, the views of the child and the opinion of his parents.

(3) In conducting such a review the chief social work officer and the person in charge shall obtain the advice in relation to the detention of the child in secure accommodation of a secure placement review panel, which shall be set up by any local authority responsible for the management of a residential establishment providing secure accommodation (failing which the local authority in whose area the establishment is situated) and consist of at least 3 persons—

- (a) none of whom may be the chief social work officer or the person in charge; and
- (b) one of whom must be an independent person who is neither an office holder nor an employee of a local authority or the residential establishment.

(4) The chief social work officer and the person in charge shall provide the secure placement review panel with all the relevant facts of the child's case available to them in order that the secure placement review panel can give informed advice.