



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART I

YOUNG OFFENDERS

Secure accommodation for certain young persons

19 Extension of kinds of secure accommodation.

^{F1}(1)

(2) In the ^{M1}Children Act 1989, Schedules 5 and 6 (which provide for the regulation of voluntary homes and registered childrens' homes respectively) shall be amended as follows, that is to say—

(a) in Schedule 5, in paragraph 7(2) (regulations as to conduct of voluntary homes)—

(i) head (f) (power to prohibit provision of secure accommodation) shall be omitted; and

(ii) after that head, there shall be inserted the following—

“(ff) require the approval of the Secretary of State for the provision and use of accommodation for the purpose of restricting the liberty of children in such homes and impose other requirements (in addition to those imposed by section 25) as to the placing of a child in accommodation provided for that purpose, including a requirement to obtain the permission of any local authority who are looking after the child;” and

(b) in Schedule 6, in paragraph 10(2) (regulations as to conduct, etc. of registered childrens' homes)—

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Criminal Justice and Public Order Act 1994, Cross Heading: Secure accommodation for certain young persons is up to date with all changes known to be in force on or before 20 April 2024.

There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(i) head (j) (power to prohibit use of accommodation as secure accommodation) shall be omitted; and

(ii) after that head, there shall be inserted the following—

“(jj) require the approval of the Secretary of State for the provision and use of accommodation for the purpose of restricting the liberty of children in such homes and impose other requirements (in addition to those imposed by section 25) as to the placing of a child in accommodation provided for that purpose, including a requirement to obtain the permission of any local authority who are looking after the child.”

^{F2}(3)

Textual Amendments

F1 S. 19(1) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 34](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

F2 S. 19(3) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 34](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

Marginal Citations

M1 1989 c. 41.

^{F3}20

Textual Amendments

F3 S. 20 repealed and superseded (1.6.1999) by [1998 c. 37](#), s. 97(5), 120(2), [Sch. 10](#) (with [Sch. 9](#)); S.I. 1999/1279, [art. 2\(g\)\(ii\)](#)

PROSPECTIVE

^{F4}21 **Cost of secure accommodation.**

.....

Textual Amendments

F4 S. 21 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 34](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

22 Management of secure accommodation.

(1) The Children Act 1989 shall be amended as follows.

(2) In section 53 (provision and management of community homes)—

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Criminal Justice and Public Order Act 1994, Cross Heading: Secure accommodation for certain young persons is up to date with all changes known to be in force on or before 20 April 2024.

There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) in subsection (3) (homes which may be community homes)—
 - (i) in paragraph (a), for the words “managed, equipped and maintained” there shall be substituted the words “ equipped, maintained and (subject to subsection (3A)) managed ”; and
 - (ii) in paragraph (b)(i), for the words “management, equipment and maintenance” there shall be substituted the words “ equipment, maintenance and (subject to subsection (3B)) management ”; and
 - (b) after subsection (3) there shall be inserted the following subsections—
 - “(3A) A local authority may make arrangements for the management by another person of accommodation provided by the local authority for the purpose of restricting the liberty of children.
 - (3B) Where a local authority are to be responsible for the management of a community home provided by a voluntary organisation, the local authority may, with the consent of the body of managers constituted by the instrument of management for the home, make arrangements for the management by another person of accommodation provided for the purpose of restricting the liberty of children.”.
- (3) In Part II of Schedule 4 (management of controlled and assisted community homes)—
- (a) in paragraph 3(4), after the word “managers” there shall be inserted the words “ , except in so far as, under section 53(3B), any of the accommodation is to be managed by another person. ”; and
 - (b) in paragraph 3(5), after the word “body” there shall be inserted the words “ ; and similarly, to the extent that a contract so provides, as respects anything done, liability incurred or property acquired by a person by whom, under section 53(3B), any of the accommodation is to be managed ”.

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

Criminal Justice and Public Order Act 1994, Cross Heading: Secure accommodation for certain young persons is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)