
STATUTORY INSTRUMENTS

1991 No. 1505

The Children (Secure Accommodation) Regulations 1991

Detained and remanded children to whom section 25 of the Act shall have effect subject to modifications

6. –

(1) Subject to regulation 5, section 25 of the Act shall have effect subject to the modification specified in paragraph (2) in relation to children who are being looked after by a local authority⁽¹⁾ and are of the following descriptions–

- (a) children detained under section 38(6) of the Police and Criminal Evidence Act 1984⁽²⁾ (detained children), and
- (b) children remanded to local authority accommodation under section 23 of the Children and Young Persons Act 1969⁽³⁾ (remand to local authority accommodation) but only–
 - (i) where the child is charged with or convicted of an offence imprisonable in the case of a person aged 21 or over for 14 years or more, or
 - (ii) where the child is charged with or convicted of an offence of violence, or has been previously convicted of an offence of violence.

(2) The modification referred to in paragraph (1) is that, for the words “unless it appears” to the end of subsection (1), there shall be substituted the following words–

“unless it appears that any accommodation other than that provided for the purpose of restricting liberty is inappropriate because–

- (a) the child is likely to abscond from such other accommodation, or
- (b) the child is likely to injure himself or other people if he is kept in any such other accommodation”.

(1) A child who is “looked after by a local authority” is defined in section 22(1) of the Act– See also the definition of “care order” in section 105(1) of and Schedule 14 to the Act.

(2) 1984 c. 60. Section 38(6) was amended by paragraph 53 of Schedule 13 to the Act.

(3) 1969 c. 54. Section 23 was substituted by a new section by paragraph 26 of Schedule 12 to the Act.