STATUTORY INSTRUMENTS

2015 No. 1883

CHILDREN AND YOUNG PERSONS, ENGLAND

The Children (Secure Accommodation) (Amendment) (England) Regulations 2015

Made - - - -	*10th November 2015*
Laid before Parliament	*13th November 2015*
Coming into force - -	*7th December 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 25(7)(b) of the Children Act 1989(**a**).

Citation and commencement

1. These Regulations may be cited as the Children (Secure Accommodation) (Amendment) (England) Regulations 2015 and come into force on 7th December 2015.

Amendment of regulation 6 of the Children (Secure Accommodation) Regulations 1991

2. In regulation 6(1)(a) of the Children (Secure Accommodation) Regulations 1991, for "17" substitute "18"(**b**).

Edward Timpson
Minister of State for Children and Families
Department for Education

10th November 2015

(**a**) 1989 c.41; section 25(7) was amended by paragraph 15 of Schedule 3 to the Children and Young Persons Act 2008 (c.23). The power to make regulations is exercisable, by virtue of section 30A of the Children Act 1989, by the Secretary of State in relation to England.
(**b**) S.I. 1991/1505, amended by S.I. 2012/3134; there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Children (Secure Accommodation) Regulations 1991 ("the 1991 Regulations").

Regulation 6 of the 1991 Regulations contains modifications to the criteria in section 25(1) of the Children Act 1989 in relation to children looked after by a local authority who are aged 12 or over but under the age of 17, and who are detained under section 38(6) of the Police and Criminal Evidence Act 1984 ("PACE").

The age references in the existing Regulation 6 of the 1991 Regulations were originally inserted by the Children (Secure Accommodation) (Amendment) (England) Regulations 2012. This was part of a broader restructuring of the remand framework for young people, introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

As the obligation on a custody officer in section 38(6) of PACE to move arrested juveniles to local authority accommodation has now been extended to children under 18 years of age, there is a need to align the provisions of Regulation 6 of the 1991 Regulations accordingly.

An impact assessment has not been prepared for these Regulations as no impact on businesses or civil society organisations is foreseen.

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