

Information for


# Families

about Secure Accommodation

Where can I get more information?

For more information on the Children's Hearings System, please visit: [www.scra.gov.uk](http://www.scra.gov.uk)

The Scottish Child Law Centre provides free legal advice for under 18s, please call: 0800 328 8970.

Children and young people can also speak to someone in confidence by calling ChildLine on: 0800 1111. 

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## Information about Secure Accommodation

A Children's Hearing can decide to make a Supervision Requirement.

By law, children and young people have to comply with the terms of the Supervision Requirement.

The Children's Hearing may decide that an added condition of the Supervision Requirement is for the authorisation for the child or young person to be placed in secure accommodation.

There are strict rules to be followed for the child to be placed in secure accommodation by a Hearing.


When a Children's Hearing makes a Supervision Requirement which includes an additional requirement that the child stays in a named residential establishment (usually run by the local authority or a voluntary organisation), they are making that decision on what is best for the child.

The Children's Hearing can authorise the placing of the child in secure accommodation, but it is the responsibility of the local authority and the person in charge of the secure accommodation to implement the Hearing's decision. The local authority will decide when the child will actually move to the secure accommodation.

### What happens next?

Your local authority has a duty to put the Supervision Requirement into effect and may decide to place your child in the appropriate secure accommodation. After the requirement has been made, the social worker who has been allocated by the local authority to your child, will speak to you and your child, and discuss a plan for the future.

The social worker will also consult with others, such as your child's school, and prepare a care plan to help improve your child's situation.

The Children's Hearing expects that the local authority will provide the supervision that each child requires, and the plan helps to identify what needs to be done and what part everyone will play in the work with the child or young person. 

### Is it compulsory?

Yes, by law children and young people have to comply with the terms of their Supervision Requirement, including the condition of being placed in secure accommodation.

### How long will it last?

A requirement with authorisation for the child to be placed in secure accommodation must be reviewed by a Children's Hearing within three months. If the Supervision Requirement authorising the use of secure accommodation is continued, then it too must be reviewed within three months.


There is no limit on how many times it can be reviewed.

### Can I appeal?

You and your child have the right to appeal to the Sheriff against the decision of the Children's Hearing. You or your child may wish to consult a lawyer about an appeal.

In appealing, you have to satisfy the Sheriff that the Children's Hearing was not justified in making the Supervision Requirement with the condition that your child is placed in secure accommodation.

Any appeal should be in writing to the Sheriff at the relevant Sheriff Court, and must be made within three weeks of the Hearing's decision.

At the appeal, the Sheriff will hear what you have to say and he/she will also hear from the Reporter, and possibly your child. The Sheriff may summon the people who prepared the reports about your child for the Hearing if he/she thinks that would be useful. 

If the Sheriff allows your appeal, there are a number of options:

- Send it back to a Hearing for reconsideration.
- Make a Supervision Requirement which is different from the one which the Hearing had decided upon.
- Discharge your child's case altogether.

If your appeal fails:

- The Supervision Requirement made by the Hearing will continue unchanged and your child will remain in secure accommodation. 