

Secure Accommodation Information for young people



What is Secure Accommodation?

When there are very serious concerns about you, the Hearing may decide that you need to stay in a place that keeps you safe and secure. This is called secure accommodation. The Hearing gives permission for this to happen. The social work department and the person in charge of the secure accommodation unit then decides whether you should move to a secure place.

Why would a Hearing make this decision?

To make this decision the Hearing must feel that you meet what is known as the criteria for secure accommodation. This may be because you have gone missing (sometimes called absconding), that you are likely to go missing again unless you are kept in a secure place, and that when you go missing, there are serious concerns about your safety and welfare. Or it may be because the Hearing feels you are likely to harm yourself or cause injury to another person unless you are kept in secure accommodation.

If this happens, or if I think this might happen, who can advise me?

If the Reporter thinks this might happen, they should arrange a lawyer in advance of the Hearing for you. You are entitled to have your own lawyer (sometimes called a solicitor) to help you at your Hearing. You may already have a lawyer, but if you don't, it would be a good idea to try and get one before the Hearing. Your lawyer will be able to talk to you about your rights and get your views. You can contact the Scottish Legal Aid Board on 0131 226 7061 to get the name of a lawyer in your area. If you don't have a lawyer on the day of your Hearing, another lawyer will be asked to attend, but you might not have much time to speak to each other before the Hearing.

How long does it last?

If you move to secure accommodation, the Hearings' decision must be looked at again within three months. A Review Hearing must decide if you still meet the criteria for secure accommodation (should you still be there) and if it is in your best interests to stay there. If the Reporter thinks this might happen, they should arrange a lawyer in advance of the Hearing for you. You have a right to have your own lawyer with you at your Review Hearing.

Do I have to go to secure accommodation?

Yes, by law children and young people have to do what their Compulsory Supervision Order says, including the condition of being placed in secure accommodation. Remember, the Hearing only gives permission for this move. The social work department and the person in charge of the secure accommodation unit decides whether you should move to a secure place.

Before the social work department make this decision, they must speak to you and your parents/carers to hear your views. They must also make contact with the place the Hearing has named for you to stay. The social work department will write and tell you their decision and the reasons for this.

What if I don't agree with the decision?

You and your parents or carers have the right to appeal to the Sheriff (a judge) if you don't agree with the decision of the Hearing (or the decision made by the social work department to move you to a secure place). You must appeal in writing to the Sheriff at your local Sheriff Court within 21 days of the Hearings' decision. If you decide to appeal you should speak to a lawyer as soon as possible.

Where can I get more help?

You can get more information about Compulsory Supervision Orders and Secure Accommodation from www.scra.gov.uk. There is a special section on the website for children and young people, and another for parents/carers.

You can also contact the Children's Reporter – their name and contact details will be on the letter which was sent to you about your Hearing.

The Scottish Child Law Centre provides free legal advice to children and young people. You can contact the under 21's freephone number on **0800 328 8970**, email enquiries@sclc.org.uk or visit their website at www.sclc.org.uk.



For more information please speak
to your Reporter or visit www.scra.gov.uk