



Legal Aid, Sentencing and Punishment of Offenders Act 2012

2012 CHAPTER 10

PART 3

SENTENCING AND PUNISHMENT OF OFFENDERS

CHAPTER 3

REMANDS OF CHILDREN OTHERWISE THAN ON BAIL

Supplementary

103 Arrangements for remands

- (1) The Secretary of State may make arrangements for or in connection with the accommodation in secure children's homes, or accommodation within section 102(2)(d), of children remanded to youth detention accommodation.
- (2) The Secretary of State may by regulations make provision about the recovery from the designated authority by a person mentioned in subsection (3) of the costs of—
 - (a) a child being subject to a remand to youth detention accommodation;
 - (b) the exercise of functions of the kind mentioned in—
 - (i) section 80(1)(a) to (e) of the Criminal Justice Act 1991 (escort functions) read with section 92(3) of that Act, or
 - (ii) paragraph 1(1)(a) to (d) of Schedule 1 to the Criminal Justice and Public Order Act 1994 (escort functions),in relation to a child subject to such a remand.
- (3) Those persons are—
 - (a) the Secretary of State;

Status: This is the original version (as it was originally enacted).

- (b) a person other than the Secretary of State by whom the accommodation pursuant to the remand to youth detention accommodation is provided or the functions are exercised (as the case may be).
- (4) The Secretary of State may make payments to a local authority for the purpose of enabling the authority—
 - (a) to exercise functions under section 92(4) (duty to receive and accommodate child remanded to local authority accommodation);
 - (b) to make payments pursuant to regulations under this section.
- (5) A function of the Secretary of State under this section (other than the function of making regulations) is exercisable by the Youth Justice Board for England and Wales concurrently with the Secretary of State.
- (6) The power to make regulations under subsection (2) includes power to make provision about the recovery of costs by the Youth Justice Board for England and Wales.
- (7) The Secretary of State may by regulations provide that subsection (5), or provision made by virtue of subsection (6), is not to apply, either generally or in relation to a particular description of case.