



The Scottish Parliament
Pàrlamaid na h-Alba

Alison Irvine
Head of Cabinet, Parliament and
Governance Division
Scottish Government

Delegated Powers and Law Reform
Committee
DPLR.Committee@parliament.scot

23 February 2023

Dear Alison

Children (Care and Justice) (Scotland) Bill

The Delegated Powers and Law Reform Committee considered the above Bill at its meeting on Tuesday, 21 February and agreed to write to you in relation to the following delegated powers:

- Section 16(2)(e) – Remand and committal of children before trial or sentence;
- Section 17(2)(b) and (c) – Detention of children on conviction (summary proceedings);
- Section 17(6) – Detention of children on conviction (solemn proceedings); and
- Section 17(7) – Detention of children on conviction (fine default).

The Committee noted that these regulations will enable Scottish Ministers to make provision for children detained in secure accommodation, including the circumstances in which such children may remain there after turning 18.

The Committee considered that further explanation is required as to the circumstances envisioned on a case-by-case basis in which children can or cannot remain in secure accommodation after age 18. It would therefore be grateful for an explanation as to:

- **why the Scottish Government considers that different provision will be required to be made in respect of some children who reach the age of 18 whilst in a secure accommodation in order that they may remain there and not others; and**
- **what circumstances it envisages setting out in regulations.**

It would be appreciated if you could please email your response to the Delegated Powers and Law Reform Committee e-mail address above by **Monday, 6 March**.

I look forward to hearing from you.

Yours sincerely

Greg Black

Clerk to the Delegated Powers and Law Reform Committee