

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9 – Children's Hearing

Application of Part where compulsory supervision order in force

Section 97 – Application of Part where compulsory supervision order in force

145. This section applies where a compulsory supervision order is already in force in relation to the child to whom the Children's Hearings proceedings relate. References in this Part to a decision on whether to make a compulsory supervision order are to be read as references to a decision on whether to review the compulsory supervision order. References to an interim compulsory supervision order are to be read as references to an interim variation of the compulsory supervision order.
146. Subsection (4) provides for the grounds hearing under section 91 to be treated as if it were a review hearing and the procedures under sections 138, 139 and 142 apply accordingly.
147. Subsection (6) disapplies the cap where a child may not be made subject to an interim compulsory supervision order for more than 66 continuous days before grounds are determined by the sheriff. This cap will not apply where the grounds hearing makes an interim variation of a compulsory supervision order prior to new grounds being determined by the sheriff.