



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 15

#### APPEALS

##### *Other appeals*

#### **162 Appeal to sheriff against decision to implement secure accommodation authorisation**

- (1) This section applies where a relevant order or warrant made in relation to a child includes a secure accommodation authorisation.
- (2) A relevant order or warrant is—
  - (a) a compulsory supervision order,
  - (b) an interim compulsory supervision order,
  - (c) a medical examination order,
  - (d) a warrant to secure attendance.
- (3) The child or a relevant person in relation to the child may appeal to the sheriff against a relevant decision in relation to the authorisation.
- (4) A relevant decision is a decision by the chief social work officer—
  - (a) to implement the authorisation,
  - (b) not to implement the authorisation,
  - (c) to remove the child from secure accommodation.
- (5) An appeal under subsection (3) may be made jointly by—
  - (a) the child and one or more relevant persons in relation to the child, or
  - (b) two or more relevant persons in relation to the child.
- (6) An appeal must not be held in open court.
- (7) The Scottish Ministers may by regulations make further provision about appeals under subsection (3).
- (8) Regulations under subsection (7) may in particular—

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*Status: This is the original version (as it was originally enacted).*

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- (a) specify the period within which an appeal may be made,
  - (b) make provision about the hearing of evidence during an appeal,
  - (c) make provision about the powers of the sheriff on determining an appeal,
  - (d) provide for appeals to the sheriff principal and Court of Session against the determination of an appeal.
- (9) Regulations under subsection (7) are subject to the affirmative procedure.