



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 3

#### GENERAL CONSIDERATIONS

#### 27 Views of the child

- (1) This section applies where by virtue of this Act a children's hearing<sup>F1</sup>, pre-hearing panel] or the sheriff is coming to a decision about a matter relating to a child.
- (2) This section does not apply where the sheriff is deciding whether to make a child protection order in relation to a child.
- (3) The children's hearing<sup>F2</sup>, pre-hearing panel] or the sheriff must, so far as practicable and taking account of the age and maturity of the child—
  - (a) give the child an opportunity to indicate whether the child wishes to express the child's views,
  - (b) if the child wishes to do so, give the child an opportunity to express them, and
  - (c) have regard to any views expressed by the child.
- (4) Without prejudice to the generality of subsection (3), a child who is aged 12 or over is presumed to be of sufficient age and maturity to form a view for the purposes of that subsection.
- (5) In this section “coming to a decision about a matter relating to a child”, in relation to a children's hearing<sup>F3</sup>, pre-hearing panel], includes—
  - (a) providing advice by virtue of section 50,
  - (b) preparing a report under section 141(2).

#### Textual Amendments

- F1** Words in s. 27(1) inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 20(4)**
- F2** Words in s. 27(3) inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 20(4)**
- F3** Words in s. 27(5) inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 20(4)**

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**Changes to legislation:** Children's Hearings (Scotland) Act 2011, Section 27 is up to date with all changes known to be in force on or before 10 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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#### **Commencement Information**

**II** S. 27 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)