



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 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 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, includes—
 - (a) providing advice by virtue of section 50,
 - (b) preparing a report under section 141(2).