



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 3

GENERAL CONSIDERATIONS

28 Children's hearing: pre-condition for making certain orders and warrants

- (1) Subsection (2) applies where a children's hearing is—
- (a) considering whether to make a compulsory supervision order,
 - (b) considering whether to vary or continue a compulsory supervision order,
 - (c) considering whether to make an interim compulsory supervision order,
 - (d) considering whether to make an interim variation of a compulsory supervision order,
 - (e) considering whether to make a medical examination order, or
 - (f) considering whether to grant a warrant to secure attendance.
- (2) The children's hearing may make, vary or continue the order or interim variation or grant the warrant, only if the children's hearing considers that it would be better for the child if the order, interim variation or warrant were in force than not.

Commencement Information

II S. 28 in force at 24.6.2013 by [S.S.I. 2013/195](#), arts. 2, 3

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Section 28 is up to date with all changes known to be in force on or before 27 May 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.

[View outstanding changes](#)

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\(5\)\(b\)](#)