



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 5

CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

Child assessment orders

36 Consideration by sheriff

- (1) This section applies where an application for a child assessment order in respect of a child is made by a local authority.
- (2) The sheriff may make the order if the sheriff is satisfied that—
 - (a) the local authority has reasonable cause to suspect—
 - (i) that the child has been or is being treated in such a way that the child is suffering or is likely to suffer significant harm, or
 - (ii) that the child has been or is being neglected and as a result of the neglect the child is suffering or is likely to suffer significant harm,
 - (b) an assessment of the kind mentioned in section 35(2) is necessary in order to establish whether there is reasonable cause to believe that the child has been or is being so treated or neglected, and
 - (c) it is unlikely that the assessment could be carried out, or carried out satisfactorily, unless the order was made.
- (3) The sheriff may, instead of making a child assessment order, make a child protection order if the sheriff considers the conditions in section 38(2) are satisfied.