



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 6

#### INVESTIGATION AND REFERRAL TO CHILDREN'S HEARING

##### *Investigation and determination by Principal Reporter*

#### **69 Determination under section 66: referral to children's hearing**

- (1) This section applies where, having made a determination under section 66(2) in relation to a child, the Principal Reporter considers that it is necessary for a compulsory supervision order to be made in respect of the child.
- (2) The Principal Reporter must arrange a children's hearing for the purpose of deciding whether a compulsory supervision order should be made in respect of the child.
- [<sup>F1</sup>(3) If—
  - (a) the determination under section 66(2) is made following the Principal Reporter receiving information under section 53 of the Criminal Justice (Scotland) Act 2016, and
  - (b) at the time the determination is made the child is being kept in a place of safety, the children's hearing must be arranged to take place no later than the third day after the Principal Reporter receives the information mentioned in paragraph (a).]
- (4) If the Principal Reporter has required a local authority to give the Principal Reporter a report under section 66(4), the Principal Reporter may request additional information from the local authority.
- (5) If the Principal Reporter has not required a local authority to give the Principal Reporter a report under section 66(4), the Principal Reporter must require a local authority to give the Principal Reporter a report under that section.

#### **Textual Amendments**

- F1** S. 69(3) substituted (25.1.2018) by [Criminal Justice \(Scotland\) Act 2016 \(asp 1\), s. 117\(2\), sch. 2 para. 40\(d\)](#); S.S.I. 2017/345, art. 3, sch. (with art. 4)

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**Changes to legislation:** Children's Hearings (Scotland) Act 2011, Section 69 is up to date with all changes known to be in force on or before 09 August 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. 69 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

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