



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 6

INVESTIGATION AND REFERRAL TO CHILDREN'S HEARING

Investigation and determination by Principal Reporter

71 Case remitted under section 49 of Criminal Procedure (Scotland) Act 1995

- (1) This section applies where under section 49 of the Criminal Procedure (Scotland) Act 1995 (c.46)—
 - (a) a court remits a case to the Principal Reporter to arrange for the disposal of the case by a children's hearing, and
 - (b) a compulsory supervision order is not in force in relation to the child or person whose case is remitted.
- (2) A certificate signed by the clerk of the court stating that the child or person whose case is remitted has pled guilty to, or been found guilty of, the offence to which the case relates is conclusive evidence for the purposes of the children's hearing that the offence was committed by the child or person.
- (3) This Act applies as if—
 - (a) the plea of guilty, or the finding of guilt, were a determination of the sheriff under section 108 that the ground in section 67(2)(j) was established in relation to the child, and
 - (b) the sheriff had directed the Principal Reporter under section 108(2) to arrange a children's hearing.

Commencement Information

II S. 71 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 71 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\(5\)\(b\)](#)