



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 16 **S**

CHILDREN'S HEARINGS

85 **Grounds hearing: non-acceptance of facts supporting ground** **S**

In section 90 of the 2011 Act—

- (a) in subsection (1), for paragraph (a) substitute—
 - “(a) explain to the child and each relevant person in relation to the child—
 - (i) each section 67 ground specified in the statement of grounds, and
 - (ii) the supporting facts in relation to that ground,”
- (b) after subsection (1) insert—

“(1A) In relation to each ground that a person accepts applies in relation to the child, the chairing member must ask the person whether the person accepts each of the supporting facts.

(1B) Where under subsection (1A) any person does not accept all of the supporting facts in relation to a ground, the ground is taken for the purposes of this Act to be accepted at the grounds hearing only if the grounds hearing considers that—

- (a) the person has accepted sufficient of the supporting facts to support the conclusion that the ground applies in relation to the child, and
- (b) it is appropriate to proceed in relation to the ground on the basis of only those supporting facts which are accepted by the child and each relevant person.

(1C) Where a ground is taken to be accepted for the purposes of this Act by virtue of subsection (1B), the grounds hearing must amend the

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statement of grounds to delete any supporting facts in relation to the ground which are not accepted by the child and each relevant person.

(1D) In this section, “supporting facts”, in relation to a section 67 ground, means facts set out in relation to the ground by virtue of section 89(3)(b).”.

Commencement Information

II S. 85 in force at 26.1.2015 by S.S.I. 2014/353, art. 2(2)(3), **Sch.**

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