



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 10

PROCEEDINGS BEFORE SHERIFF

Review of sheriff's determination

116 Recall: powers where no grounds accepted or established

- (1) This section applies where—
 - (a) the sheriff makes an order under section 114(3), and
 - (b) none of the other section 67 grounds specified in the statement of grounds that gave rise to the grounds determination is accepted or established.
- (2) If a compulsory supervision order that is in force in relation to the person who is the subject of the grounds determination was in force at the time of the grounds determination, the sheriff must require a review of the compulsory supervision order.
- (3) In any other case, the sheriff must—
 - (a) terminate any compulsory supervision order that is in force in relation to the person who is the subject of the grounds determination, and
 - (b) if that person is still a child, consider whether the child will require supervision or guidance.
- (4) Where that person is still a child and the sheriff considers that the child will require supervision or guidance, the sheriff must order the relevant local authority for the child to provide it.
- (5) Where the sheriff makes such an order, the relevant local authority for the child must give such supervision or guidance as the child will accept.