



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 15

APPEALS

Appeal against decision of children's hearing

155 Procedure

- (1) This section applies where an appeal under section 154 is made.
- (2) The Principal Reporter must lodge with the sheriff clerk a copy of—
 - (a) the decision, and the reasons for the decision, of the children's hearing,
 - (b) all information provided by virtue of rules under section 177 to the children's hearing, and
 - (c) the report of the children's hearing.
- (3) The appeal must not be heard in open court.
- (4) The sheriff may (but need not) hear evidence before determining the appeal.
- (5) The sheriff may hear evidence from—
 - (a) the child,
 - (b) a relevant person in relation to the child,
 - (c) an author or compiler of a report or statement provided to the children's hearing that made the decision,
 - (d) the Principal Reporter,
 - (e) where the appeal is against a decision to make, grant, vary or continue an order or warrant including a secure accommodation authorisation in respect of the child—
 - (i) the person in charge of the secure accommodation specified in the secure accommodation authorisation, and
 - (ii) the chief social work officer, and
 - (f) any other person who the sheriff considers may give material additional evidence.

Status: This is the original version (as it was originally enacted).

- (6) The sheriff may require any person to give a report to the sheriff for the purpose of assisting the sheriff in determining the appeal.
- (7) Subsection (6) applies in relation to a safeguarder only if regulations under section 32 so provide.