
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 478

The Children's Hearings (Legal Representation) (Scotland) Rules 2001

Legal representation for the purpose of assisting children at a Children's Hearing

3.—(1) A business meeting arranged by the Principal Reporter under section 64(1) of the Act may appoint to any child who is due to appear before the Children's Hearing a legal representative if it appears to that business meeting, notwithstanding that an appointment may be made under section 41(1) of the Act, that—

- (a) legal representation is required to allow the child to effectively participate at the Hearing; or
- (b) it may be necessary to make a supervision requirement (or a review of such requirement) which includes a requirement for the child to reside in a named residential establishment and the child is likely to meet the criteria specified in section 70(10) of the Act and the Secure Accommodation (Scotland) Regulations 1996⁽¹⁾.

(2) The Children's Hearing may at any time appoint to any child a legal representative if it appears to that Hearing that either of the circumstances in paragraph (1)(a) or (b) above apply notwithstanding that:

- (a) a business meeting or a previous Children's Hearing has considered the appointment of a legal representative for the child who is the subject of the Hearing; or
- (b) an appointment has been or may be made under section 41(1) of the Act.

(3) When any appointment of a legal representative is made, the business meeting or the Children's Hearing shall direct the Principal Reporter to advise the local authority of that appointment.