
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 194

The Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013

PART 8

Specific provision for arranging a children's hearing to be held under section 119 (children's hearing following deferral or proceedings under Part 10) of the Act

Provision of information to the child, relevant persons and any appointed safeguarder for a children's hearing to which section 119 (children's hearing following deferral or proceedings under Part 10) of the Act applies

31.—(1) Where the Reporter is required to arrange a children's hearing to which section 119 of the Act applies, as soon as practicable, and at least 3 days before the intended date of the children's hearing, the Reporter must give to the following persons the information mentioned in paragraph (2) —

- (a) the child;
 - (b) each relevant person;
 - (c) any appointed safeguarder (except the information mentioned in paragraph (2)(a)).
- (2) That information is—
- (a) any available report or interim report prepared by the safeguarder under section 33(1)(a) or (c) (functions of safeguarder) of the Act or these Rules;
 - (b) any report prepared by the local authority;
 - (c) a copy of any relevant direction by a sheriff under section 108 (determination: ground established), 115 (recall: power to refer other grounds) or 117 (new section 67 ground established: sheriff to refer to children's hearing) of the Act;
 - (d) a copy of any relevant remit by a court under section 49 (reference or remit to children's hearing) of the Criminal Procedure (Scotland) Act 1995(1);
 - (e) a copy of any relevant statement by a sheriff under section 12(1B) (sheriff's power to refer case to children's hearing) of the Antisocial Behaviour etc. (Scotland) Act 2004(2);
 - (f) a copy of any relevant requirement made by a sheriff under section 156(3)(a) (determination of appeal) of the Act;
 - (g) copies of all decisions and reasons for those decisions made by all pre-hearing panels and children's hearings arranged in relation to the child;
 - (h) any other report, document or information relevant to the matter to be considered by the children's hearing.
- (3) This rule does not apply where rule 33 applies.

(1) 1995 c.46.

(2) 2004 asp 8. Section 12(1B) was inserted by paragraph 3 of Schedule 5 to the Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
