
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 194

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

PART 12

**Pre-hearing panels and determination of matters
which may be referred to pre-hearing panels**

Notice of pre-hearing panel determination

50.—(1) As soon as practicable after the pre-hearing panel the Reporter must give notice of any determination of the pre-hearing panel and the reasons for that determination to the persons mentioned in paragraph (2) as regards—

- (a) whether any individual should or should not be deemed to be a relevant person; and
- (b) any other matter referred to the pre-hearing panel.

(2) Those persons are—

- (a) the child;
- (b) each relevant person;
- (c) any appointed safeguarder;
- (d) the chief social work officer of the relevant local authority for the child.

(3) Where a pre-hearing panel determined that an individual is not to be deemed a relevant person, as soon as practicable after the pre-hearing panel the Reporter must give notice of that determination to the individual in question and the reasons for that determination.

(4) When issuing the notice under paragraph (1) or (3) the Reporter must also give notice of any relevant right of appeal of the recipient of the notice under section 160 (appeal to sheriff against relevant person determination) of the Act.

(5) Where the pre-hearing panel has determined that a child or relevant person is to be excused from attending all or part of the children's hearing, the Reporter must inform the child and relevant person as the case may be, that—

- (a) the child or relevant person has been excused;
- (b) the child or relevant person has the right to attend the hearing; and
- (c) they have the right to request that the Reporter make arrangements to enable the child, or the relevant person, as the case may be, to attend the children's hearing or part of the children's hearing by way of telephone, video link or any other method of communication.

(6) Where the pre-hearing panel has determined that it is likely that a children's hearing will consider making a compulsory supervision order or an interim compulsory supervision order including a secure accommodation authorisation in relation to the child, the Reporter must, as soon as possible after that determination, notify the Scottish Legal Aid Board of that fact and the name and address of the child.

(7) Where the pre-hearing panel has determined that—

- (a) for the purpose of enabling a child or any relevant person to participate effectively in the proceedings before the children’s hearing it may be necessary that the child or relevant person be represented by a solicitor or counsel; and
- (b) it is unlikely that the child or relevant person will arrange to be represented by a solicitor or counsel,

the Reporter must, as soon as possible after that determination, notify the Scottish Legal Aid Board of that determination and the reasons for it and the name and address of the child or relevant person.