

SCHEDULE

THE FIRST-TIER TRIBUNAL FOR SCOTLAND HEALTH AND EDUCATION CHAMBER RULES OF PROCEDURE 2018

PART 3

Procedure in respect of disability claims under paragraph 8 of schedule 17 of the 2010 Act.

Children

- 89.**—(1) Any child who is a claimant may give evidence.
- (2) Any child of 12 years of age or over who is not a claimant may give evidence.
- (3) A child under 12 years of age who is not a claimant may only give evidence where a legal member or the First-tier Tribunal considers—
- (a) that the evidence of the child is necessary to enable a fair and just hearing of the claim; and
 - (b) that the welfare, wellbeing and interests of the child will not be prejudiced by so doing.
- (4) Where a child gives evidence in person, a legal member or the First-tier Tribunal may appoint for the purpose of the hearing a person with appropriate skills or experience in facilitating the giving of evidence by children.
- (5) The First-tier Tribunal shall pay such reasonable fees, expenses or allowances as the Chamber President may determine to any person appointed under this rule.