



# Children (Scotland) Act 1995

## 1995 CHAPTER 36

### PART II

#### PROMOTION OF CHILDREN'S WELFARE BY LOCAL AUTHORITIES AND BY CHILDREN'S HEARINGS ETC.

### CHAPTER 3

#### PROTECTION AND SUPERVISION OF CHILDREN

#### *Referral to, and disposal of case by, children's hearing*

#### <sup>F1</sup>65 Referral to, and proceedings at, children's hearing.

.....

#### Textual Amendments

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children's Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 6](#) (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii))

#### Modifications etc. (not altering text)

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), 13-18, 25, 28-30 (with art. 4(2)); [S.S.I. 2013/195](#)

*Changes to legislation: Children (Scotland) Act 1995, Cross Heading: Referral to, and disposal of case by, children’s hearing is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**F1 66 Warrant to keep child where children’s hearing unable to dispose of case.**

.....

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 6](#) (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by Children and Young People (Scotland) Act 2014 (asp 8), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii))

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), [13-18](#), 25, 28-30 (with art. 4(2)); [S.S.I. 2013/195](#)

**F1 67 Warrant for further detention of child.**

.....

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 6](#) (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by Children and Young People (Scotland) Act 2014 (asp 8), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii))

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), [13-18](#), 25, 28-30 (with art. 4(2)); [S.S.I. 2013/195](#)

**F1 68 Application to sheriff to establish grounds of referral.**

.....

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 6](#) (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by Children and Young People (Scotland) Act 2014 (asp 8), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii))

**Changes to legislation:** Children (Scotland) Act 1995, Cross Heading: Referral to, and disposal of case by, children’s hearing is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), 13-18, 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**<sup>F1</sup><sup>F2</sup>68A Restrictions on evidence in certain cases involving sexual abuse**

.....

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), **sch. 6** (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in S.S.I. 2013/150, arts. 13-18, 25, 28-30); S.S.I. 2013/195, arts. 2, 3(e)(ii)
- F2** Ss. 68A, 68B inserted (S.) (1.4.2005) by [Vulnerable Witnesses \(Scotland\) Act 2004 \(asp 3\)](#), **ss. 23, 25**; S.S.I. 2005/168, **art. 2**, Sch. (with art. 4)

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), 13-18, 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**<sup>F1</sup>68B Exceptions to restrictions under section 68A**

.....]

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), **sch. 6** (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in S.S.I. 2013/150, arts. 13-18, 25, 28-30); S.S.I. 2013/195, arts. 2, 3(e)(ii)
- F2** Ss. 68A, 68B inserted (S.) (1.4.2005) by [Vulnerable Witnesses \(Scotland\) Act 2004 \(asp 3\)](#), **ss. 23, 25**; S.S.I. 2005/168, **art. 2**, Sch. (with art. 4)

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)

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- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), **13-18**, 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**<sup>F1</sup>69 Continuation or disposal of referral by children’s hearing.**

.....

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), **sch. 6** (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii)

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), **4(2)**
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), **13-18**, 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**<sup>F1F3</sup>70 Disposal of referral by children’s hearing: supervision requirements, including residence in secure accommodation.**

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**Extent Information**

- E1** S. 70(4) extends to England, Wales and Scotland; s. 70 otherwise extends to Scotland only, see s. 105(1) and (8)

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), **sch. 6** (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii)
- F3** S. 70(4) repealed (E.W.) (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), **20** (with art. 4(1))

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), **4(2)**
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), **13-18**, 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**Changes to legislation:** Children (Scotland) Act 1995, Cross Heading: Referral to, and disposal of case by, children’s hearing is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**F1 71 Duties of local authority with respect to supervision requirements.**

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**Textual Amendments**

**F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\), s. 206\(2\), sch. 6](#) (with [s. 186](#)) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by Children and Young People (Scotland) Act 2014 (asp 8), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii)

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), **13-18**, 25, 28-30 (with art. 4(2)); [S.S.I. 2013/195](#)

**F1 F4 71A Enforcement of local authorities' duties under section 71**

.....]

**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\), s. 206\(2\), sch. 6](#) (with [s. 186](#)) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by Children and Young People (Scotland) Act 2014 (asp 8), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in [S.S.I. 2013/150](#), arts. 13-18, 25, 28-30); [S.S.I. 2013/195](#), arts. 2, 3(e)(ii)
- F4** S. 71A inserted (31.1.2005) by [Antisocial Behaviour etc. \(Scotland\) Act 2004 \(asp 8\)](#), **ss. 136(3), 145(2)**; [S.S.I. 2004/420](#), **art. 3**, Sch. 4

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), **13-18**, 25, 28-30 (with art. 4(2)); [S.S.I. 2013/195](#)

**F1 72 Transfer of child subject to supervision requirement in case of necessity.**

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**Textual Amendments**

**F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\), s. 206\(2\), sch. 6](#) (with [s. 186](#)) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by Children and Young People (Scotland) Act 2014 (asp 8), s. 102(3), Sch. 5 para. 12(10)

**Changes to legislation:** *Children (Scotland) Act 1995, Cross Heading: Referral to, and disposal of case by, children’s hearing is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in S.S.I. 2013/150, arts. 13-18, 25, 28-30); S.S.I. 2013/195, arts. 2, 3(e)(ii)

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), 13-18, 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**F173 Duration and review of supervision requirement.**

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**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\), s. 206\(2\), sch. 6](#) (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in S.S.I. 2013/150, arts. 13-18, 25, 28-30); S.S.I. 2013/195, arts. 2, 3(e)(ii)

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)
- C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), 13-18, 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**F1F574 Further provision as respects children subject to supervision requirements.**

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**Textual Amendments**

- F1** Ss. 39-43, 45-74 repealed (S.) (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\), s. 206\(2\), sch. 6](#) (with s. 186) (as amended to exclude s. 44 from the range of repealed provisions (30.9.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), Sch. 5 para. 12(10) (a); S.S.I. 2015/317, art. 2, Sch.) (with savings and transitional provisions in S.S.I. 2013/150, arts. 13-18, 25, 28-30); S.S.I. 2013/195, arts. 2, 3(e)(ii)
- F5** S. 74 repealed (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), art. 1(2), **Sch. 2 Pt. 2**

**Modifications etc. (not altering text)**

- C1** Ss. 39-74: saving for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Consequential and Transitional Provisions and Savings\) Order 2013 \(S.I. 2013/1465\)](#), arts. 1(2), 4(2)

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**C2** Ss. 39-74: savings for effects of 2011 asp 1, sch. 6 (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Transitional, Savings and Supplementary Provisions\) Order 2013 \(S.S.I. 2013/150\)](#), arts. 1(1), [13-18](#), 25, 28-30 (with art. 4(2)); S.S.I. 2013/195

**Commencement Information**

**II** S. 74 wholly in force at 1.4.1997; s. 74 not in force at Royal Assent see s. 105(1); s. 74 in force for certain purposes at 12.12.1996 by [S.I. 1996/3201](#), [art. 3\(1\)](#) (with [arts. 4-6](#) (as inserted (7.3.1997) by [S.I. 1997/744](#), [art. 3](#))); s. 74 in force at 1.4.1997 insofar as not already in force by [S.I. 1996/3201](#), [art. 3\(7\)](#) (with [arts. 4-6](#)) (as amended (7.3.1997) by [S.I. 1997/744](#), [arts. 2, 3](#))

**75 Powers of Secretary of State with respect to secure accommodation.**

(1) The Secretary of State may by regulations make provision with respect to the placing in secure accommodation of any child—

- <sup>F6</sup>(a) .....
- (b) who is not subject to a [<sup>F7</sup>compulsory supervision order, interim compulsory supervision order, medical examination order or warrant to secure attendance (all within the meaning of the Children’s Hearings (Scotland) Act 2011)] but who is being looked after by a local authority in pursuance of such enactments as may be specified in the regulations.

(2) Regulations under subsection (1) above may—

- (a) specify the circumstances in which a child may be so placed under the regulations;
- (b) make provision to enable a child who has been so placed or any relevant person to require that the child’s case be brought before a children’s hearing within a shorter period than would apply under regulations made under subsection (3) below; and
- (c) specify different circumstances for different cases or classes of case.

[<sup>F8</sup>(2A) In subsection (2), “relevant person” has the meaning given by section 200 of the Children’s Hearings (Scotland) Act 2011 and includes a person deemed to be a relevant person by virtue of section 81(3), 160(4)(b) or 164(6) of that Act.]

(3) Subject to subsection (4) below and without prejudice to subsection (2)(b) above, the Secretary of State may prescribe—

- (a) the maximum period during which a child may be kept under this Act in secure accommodation without the authority of a children’s hearing or of the sheriff;
- (b) the period within which a children’s hearing shall be arranged to consider the case of a child placed in secure accommodation by virtue of regulations made under this section (and different periods may be so prescribed in respect of different cases or classes of case).

[<sup>F9</sup>(4) A child may not be kept in secure accommodation by virtue of regulations made under this section for a period exceeding 66 days from the day when the child was first taken to the secure accommodation.]

<sup>F10</sup>(5) .....

(6) The Secretary of State may by regulations make provision for the procedures to be applied in placing children in secure accommodation; and without prejudice to the generality of this subsection, such regulations may—

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- (a) specify the duties of the Principal Reporter in relation to the placing of children in secure accommodation;
- (b) make provision for the referral of cases to a children’s hearing for review; and
- (c) make provision for any person with parental responsibilities in relation to the child to be informed of the placing of the child in secure accommodation.

#### Textual Amendments

- F6** S. 75(1)(a) and word repealed (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 6](#) (with s. 186); S.S.I. 2013/195, arts. 2, 3
- F7** Words in s. 75(1)(b) substituted (12.6.2013 for specified purposes, 24.6.2013 in so far as not already in force) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 5 para. 2\(8\)\(a\)](#) (with s. 186); S.S.I. 2013/190, art. 2; S.S.I. 2013/195, arts. 2, 3
- F8** S. 75(2A) inserted (12.6.2013 for specified purposes, 24.6.2013 in so far as not already in force) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 5 para. 2\(8\)\(b\)](#) (with s. 186); S.S.I. 2013/190, art. 2; S.S.I. 2013/195, arts. 2, 3
- F9** S. 75(4) substituted (12.6.2013 for specified purposes, 24.6.2013 in so far as not already in force) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 5 para. 2\(8\)\(c\)](#) (with s. 186); S.S.I. 2013/190, art. 2; S.S.I. 2013/195, arts. 2, 3
- F10** S. 75(5) repealed (24.6.2013) by [Children’s Hearings \(Scotland\) Act 2011 \(asp 1\)](#), s. 206(2), [sch. 6](#) (with s. 186); S.S.I. 2013/195, arts. 2, 3

#### Commencement Information

- I2** S. 75 wholly in force at 1.4.1997; s. 75 not in force at Royal Assent see s. 105(1); s. 75 in force for certain purposes at 12.12.1996 by [S.I. 1996/3201](#), [art. 3\(1\)](#) (with [arts. 4-6](#) (as inserted (7.3.1997) by [S.I. 1997/744](#), [art. 3](#))); s. 75 in force at 1.4.1997 insofar as not already in force by [S.I. 1996/3201](#), [art. 3\(7\)](#) (with [arts. 4-6](#)) (as amended (7.3.1997) by [S.I. 1997/744](#), [arts. 2, 3](#))



**Changes to legislation:**

Children (Scotland) Act 1995, Cross Heading: Referral to, and disposal of case by, children's hearing is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). These Regulations never came into effect, having been revoked before coming into force by [S.I. 2010/1906, reg. 2](#))

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- [s. 3\(3A\)\(ba\)](#) inserted by [2009 c. 24 Sch. 6 para. 25](#)
- [s. 4B](#) inserted by [2020 asp 16 s. 28\(2\)](#)
- [s. 6\(1A\)-\(1D\)](#) inserted by [2020 asp 16 s. 1\(2\)\(b\)](#)
- [s. 10\(1A\)](#) inserted by [2024 asp 2 Sch. 1 para. 18\(b\)](#)
- [s. 11\(14\)](#) inserted by [2020 asp 16 s. 10\(2\)\(b\)](#)
- [s. 11B11C](#) inserted by [2020 asp 16 s. 8\(2\)](#)
- [s. 11B\(2\)](#) power to amend conferred by [2020 asp 16 s. 32](#)
- [s. 11D](#) inserted by [2020 asp 16 s. 17\(2\)](#)
- [s. 11D\(3\)](#) power to amend conferred by [2020 asp 16 s. 32](#)
- [s. 11E](#) inserted by [2020 asp 16 s. 18\(2\)](#)
- [s. 11F](#) inserted by [2020 asp 16 s. 20\(2\)](#)
- [s. 11G](#) inserted by [2020 asp 16 s. 22\(2\)](#)
- [s. 11ZA11ZB](#) inserted by [2020 asp 16 s. 1\(4\)](#)
- [s. 11ZA\(2A\)](#) inserted by [2020 asp 16 s. 30\(2\)](#)
- [s. 11ZA\(3\)\(f\)](#) inserted by [2020 asp 16 s. 16\(2\)](#)
- [s. 16\(1A\)](#) inserted by [2020 asp 16 s. 30\(3\)](#)
- [s. 16\(2\)-\(2B\)](#) substituted for [s. 16\(2\)](#) by [2020 asp 16 s. 1\(6\)](#)
- [s. 100A](#) inserted by [2020 asp 16 s. 21\(2\)](#)
- [s. 101D](#) inserted by [2020 asp 16 s. 11\(2\)](#)
- [s. 101E](#) inserted by [2020 asp 16 s. 12\(2\)](#)