

# **CHILDREN'S HEARINGS (SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 – the Principal Reporter and the Scottish Children's Reporter Administration (Scra)**

##### **Functions of SCRA**

##### ***Section 20 – Assisting Principal Reporter***

22. This section specifies the principal function of SCRA which is to support the Principal Reporter in carrying out their functions.

##### ***Section 21 – Provision of accommodation for children's hearings***

23. This section places a duty on SCRA to provide suitable accommodation and facilities for Children's Hearings. Subsection (2) provides that such accommodation and facilities must, so far as practicable, be provided within each local authority area across Scotland. Subsection (3) places a duty on SCRA to ensure that accommodation and facilities for Children's Hearings continue to be separate from criminal courts and police stations.

##### ***Section 22 – Independence of Principal Reporter***

24. This section protects the independence of the Principal Reporter by ensuring that neither SCRA nor any other person may direct or guide the Principal Reporter in the conduct of their statutory functions. Subsection (2) makes clear that this prohibition is subject to the power of the Scottish Ministers under section 18(1)(e) to specify by secondary legislation the manner or timing in which any function of the Principal Reporter is to be carried out.

##### ***Section 23 – Directions***

25. This section provides for the Scottish Ministers to give directions to SCRA on the carrying out of its functions. This power could be used, for example, to set the strategic direction of the children's reporter service or to set organisational objectives and outcomes. SCRA must comply with such directions.