



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 12

#### CHILDREN'S HEARINGS: GENERAL

##### *Children's advocacy services*

#### **122 Children's advocacy services**

- (1) This section applies where a children's hearing is held in relation to a child by virtue of this Act.
- (2) The chairing member of the children's hearing must inform the child of the availability of children's advocacy services.
- (3) The chairing member need not comply with subsection (2) if, taking account of the age and maturity of the child, the chairing member considers that it would not be appropriate to do so.
- (4) The Scottish Ministers may by regulations make provision for or in connection with—
  - (a) the provision of children's advocacy services,
  - (b) qualifications to be held by persons providing children's advocacy services,
  - (c) the training of persons providing children's advocacy services,
  - (d) the payment of expenses, fees and allowances by the Scottish Ministers to persons providing children's advocacy services.
- (5) The Scottish Ministers may enter into arrangements (contractual or otherwise) with any person other than a local authority, CHS or SCRA for the provision of children's advocacy services.
- (6) Regulations under this section are subject to the affirmative procedure.
- (7) In this section, “children's advocacy services” means services of support and representation provided for the purposes of assisting a child in relation to the child's involvement in a children's hearing.

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**Changes to legislation:** Children's Hearings (Scotland) Act 2011, Section 122 is up to date with all changes known to be in force on or before 27 May 2023. 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](#)

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#### Commencement Information

- I1** S. 122(1)-(3) in force at 21.11.2020 by [S.S.I. 2020/243](#), [art. 2\(b\)](#)
- I2** S. 122(4)-(7) in force at 7.9.2020 by [S.S.I. 2020/243](#), [art. 2\(a\)](#)

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Children's Hearings (Scotland) Act 2011, Section 122 is up to date with all changes known to be in force on or before 27 May 2023. 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.

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

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

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)