



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 13

REVIEW OF COMPULSORY SUPERVISION ORDER

Functions of Principal Reporter and children's hearing

138 Powers of children's hearing on review

- (1) This section applies where a children's hearing is carrying out a review of a compulsory supervision order in relation to a child.
- (2) If the children's hearing considers that it is appropriate to do so, the children's hearing may defer making a decision about the compulsory supervision order until a subsequent children's hearing under this section.
- (3) Otherwise, the children's hearing may—
 - (a) terminate the compulsory supervision order,
 - (b) vary the compulsory supervision order,
 - (c) continue the compulsory supervision order for a period not exceeding one year.
- (4) The children's hearing may vary or continue a compulsory supervision order only if the children's hearing is satisfied that it is necessary to do so for the protection, guidance, treatment or control of the child.
- (5) If the children's hearing varies or continues a compulsory supervision order, the children's hearing must consider whether to include a measure of the type mentioned in section 83(2)(g).
- (6) If the children's hearing terminates the compulsory supervision order, the children's hearing must—
 - (a) consider whether supervision or guidance is needed by the child, and
 - (b) if so, make a statement to that effect.

Status: This is the original version (as it was originally enacted).

- (7) If the children's hearing states that supervision or guidance is needed by the child, it is the duty of the relevant local authority for the child to give such supervision or guidance as the child will accept.
- (8) Subsection (9) applies where—
 - (a) a child or relevant person in relation to the child is excused under section 73(2), 74(2) or 79 from attending the children's hearing, and
 - (b) the hearing defers its decision until a subsequent children's hearing.
- (9) The children's hearing need not excuse the child or relevant person in relation to the child from attending the subsequent children's hearing.