



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 15

#### APPEALS

##### *Other appeals*

#### **160 Appeal to sheriff against relevant person determination**

- (1) A person mentioned in subsection (2) may appeal to the sheriff against—
  - (a) a determination of a pre-hearing panel or children's hearing that an individual is or is not to be deemed a relevant person in relation to a child,
  - (b) a determination of a review under section 142(2) that an individual is to continue to be deemed, or no longer to be deemed, a relevant person in relation to a child.
- (2) The persons are—
  - (a) the individual in question,
  - (b) the child,
  - (c) a relevant person in relation to the child,
  - (d) two or more persons mentioned in paragraphs (a) to (c) acting jointly.
- (3) If satisfied that the determination to which the appeal relates is justified, the sheriff must confirm the determination.
- (4) If not satisfied, the sheriff must—
  - (a) quash the determination, and
  - (b) where the determination is a determination of a pre-hearing panel or children's hearing under section 81 that the individual should not be deemed a relevant person in relation to the child, make an order deeming the individual to be a relevant person in relation to the child.
- (5) Where the sheriff makes an order under subsection (4)(b), section 81(4) applies to the individual as if a pre-hearing panel had deemed the individual to be a relevant person.
- (6) An appeal under this section must be—

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*Status: This is the original version (as it was originally enacted).*

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- (a) made before the expiry of the period of 7 days beginning with the day on which the determination is made,
- (b) heard and disposed of before the expiry of the period of 3 days beginning with the day on which the appeal is made.