



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 6

#### INVESTIGATION AND REFERRAL TO CHILDREN'S HEARING

##### *Investigation and determination by Principal Reporter*

#### **66 Investigation and determination by Principal Reporter**

(1) This section applies where—

- (a) the Principal Reporter receives in relation to a child—
  - (i) notice under section 43 of the making of a child protection order,
  - (ii) information from a local authority under section 60,
  - (iii) information or a report from a constable under section 61,
  - (iv) a section 62 statement,
  - (v) evidence under section 63,
  - (vi) information from a person under section 64,
  - [<sup>F1</sup>(vii) information under section 53 of the Criminal Justice (Scotland) Act 2016, or]
  - [<sup>F2</sup>(viii) a reference from a court under section 48(1) of the Criminal Procedure (Scotland) Act 1995 (c.46)]
- (b) it appears to the Principal Reporter that a child might be in need of protection, guidance, treatment or control.

(2) The Principal Reporter must determine—

- (a) whether the Principal Reporter considers that a section 67 ground applies in relation to the child, and
- (b) if so, whether the Principal Reporter considers that it is necessary for a compulsory supervision order to be made in respect of the child.

[<sup>F3</sup>(2A) In a case where a certificate is supplied under section 48(1) of the Criminal Procedure (Scotland) Act 1995, the Principal Reporter is deemed to have determined under subsection (2)(a) that the Principal Reporter considers that a section 67 ground applies in relation to the child.]

*Status: Point in time view as at 29/11/2019.*

*Changes to legislation: Children's Hearings (Scotland) Act 2011, Section 66 is up to date with all changes known to be in force on or before 20 May 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)*

- (3) The Principal Reporter may make any further investigations relating to the child that the Principal Reporter considers necessary.
- (4) The Principal Reporter may require a local authority to give the Principal Reporter a report on—
  - (a) the child generally,
  - (b) any particular matter relating to the child specified by the Principal Reporter.
- (5) A local authority may include in a report given to the Principal Reporter under subsection (4) information given to the local authority by another person.
- (6) The report may contain information in addition to any information given to the Principal Reporter under section 60.

#### **Textual Amendments**

- F1** S. 66(1)(a)(vii) substituted (25.1.2018) by [Criminal Justice \(Scotland\) Act 2016 \(asp 1\)](#), s. 117(2), [sch. 2 para. 40\(b\)](#); [S.S.I. 2017/345](#), art. 3, sch. (with art. 4)
- F2** S. 66(1)(a)(viii) inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, [Sch. 1 para. 20\(7\)\(a\)](#)
- F3** S. 66(2A) inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, [Sch. 1 para. 20\(7\)\(b\)](#)

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

- C1** S. 66(2)(a) modified (29.11.2019) by [Age of Criminal Responsibility \(Scotland\) Act 2019 \(asp 7\)](#), [ss. 3, 84\(2\)](#); [S.S.I. 2019/349](#), [reg. 2\(a\)](#) (with [reg. 3](#))

#### **Commencement Information**

- I1** S. 66 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**Status:**

Point in time view as at 29/11/2019.

**Changes to legislation:**

Children's Hearings (Scotland) Act 2011, Section 66 is up to date with all changes known to be in force on or before 20 May 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.