



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 7

ATTENDANCE AT CHILDREN'S HEARING

77 Power to exclude relevant person's representative from children's hearing

- (1) This section applies where a children's hearing is satisfied that the presence at the hearing of a representative of a relevant person in relation to the child—
 - (a) is preventing the hearing from obtaining the views of the child, or
 - (b) is causing, or is likely to cause, significant distress to the child.
- (2) The children's hearing may exclude the representative from the children's hearing for as long as is necessary.
- (3) After the exclusion has ended, the chairing member of the children's hearing must explain to the representative what has taken place in the representative's absence.

Commencement Information

II S. 77 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Section 77 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.

[View outstanding changes](#)

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\(5\)\(b\)](#)