



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 9 **S**

#### CHILDREN'S HEARING

##### *Key definitions*

#### **87**      **Meaning of “medical examination order” **S****

- (1) In this Act “medical examination order”, in relation to a child, means an order authorising for the relevant period any of the measures mentioned in subsection (2).
- (2) The measures are—
  - (a) a requirement that the child attend or reside at a specified clinic, hospital or other establishment,
  - (b) subject to section 186, a requirement that a specified local authority arrange a specified medical examination of the child,
  - (c) a prohibition on the disclosure (whether directly or indirectly) of a place specified under paragraph (a),
  - (d) a secure accommodation authorisation,
  - (e) a direction regulating contact between the child and a specified person or class of person,
  - (f) any other specified condition appearing to the children's hearing to be appropriate for the purposes of ensuring that the child complies with the order.
- (3) A medical examination order may include a secure accommodation authorisation only if—
  - (a) the order authorises the keeping of the child in a residential establishment,
  - (b) one of the conditions mentioned in subsection (4) applies, and
  - (c) having considered the other options available the children's hearing is satisfied that it is necessary to do so.
- (4) The conditions are—
  - (a) that the child has previously absconded and is likely to abscond again and, if the child were to abscond, it is likely that the child's physical, mental or moral welfare would be at risk,

*Changes to legislation: Children's Hearings (Scotland) Act 2011, Section 87 is up to date with all changes known to be in force on or before 13 September 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*

- (b) that the child is likely to engage in self-harming conduct,
- (c) that the child is likely to cause injury to another person.

(5) In this section—

“medical” includes psychological,

“relevant period”, in relation to a medical examination order, means the period beginning with the making of the order and ending with whichever of the following first occurs—

- (a) the beginning of the next children's hearing arranged in relation to the child,
- (b) a day specified in the order,
- (c) the expiry of the period of 22 days beginning on the day on which the order is made,

“specified” means specified in the order.

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#### **Commencement Information**

**II** S. 87 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**Changes to legislation:**

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