

CORONAVIRUS (SCOTLAND) ACT 2020

EXPLANATORY NOTES

DETAIL ABOUT PROVISIONS

Schedule 3 - Children and vulnerable adults

Part 1 - Children

Requirements as to members of children's hearings

44. Section 5 of the Children's Hearings (Scotland) Act 2011 ("the 2011 Act") provides that a children's hearing must consist of three members of the Children's Panel. Section 6 provides that the National Convener of Children's Hearings Scotland must ensure that the children's hearing includes both male and female members. Section 79 requires a pre-hearing panel to consist of three members.
45. Paragraph 1(2) of schedule 3 modifies section 5 of the 2011 Act to provide that a children's hearing can consist of fewer than three members where it is not practicable for a hearing to consist of three members.
46. Paragraph 1(3) modifies section 6 of the 2011 to provide that the duty to include both male and female members applies so far as practicable.
47. Paragraph 1(4) modifies section 79 of the 2011 Act to provide that a pre-hearing panel may consist of fewer than three members where it is not practicable for the panel to consist of three members.
48. Subparagraphs (5) to (9) of paragraph 1 make consequential modifications to references in other legislation to panel members.