



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 15

APPEALS

Appeals to sheriff principal and Court of Session

164 Appeals to sheriff principal and Court of Session: relevant persons

- (1) A person mentioned in subsection (3) may appeal by stated case to the sheriff principal or the Court of Session against a decision of the sheriff in an appeal against 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 the child.
- (2) A person mentioned in subsection (3) may, with leave of the sheriff principal, appeal by stated case to the Court of Session against the sheriff principal's decision in an appeal under subsection (1).
- (3) 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.
- (4) An appeal under this section must be made before the expiry of the period of 28 days beginning with the day on which the decision appealed against is made.
- (5) An appeal under this section may be made—
 - (a) on a point of law, or
 - (b) in respect of any procedural irregularity.
- (6) On deciding an appeal under subsection (1), the sheriff principal or the Court of Session must remit the case to the sheriff for disposal in accordance with such directions as the court may give.
- (7) A decision in an appeal under subsection (1) or (2) by the Court of Session is final.