



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 7

#### ATTENDANCE AT CHILDREN'S HEARING

#### **74 Relevant person's duty to attend children's hearing**

- (1) This section applies where by virtue of this Act a children's hearing is, or is to be, arranged in relation to a child.
- (2) Each relevant person in relation to the child who is notified of the children's hearing by virtue of rules under section 177 must attend the children's hearing unless the relevant person is—
  - (a) excused under subsection (3) or rules under section 177, or
  - (b) excluded from the children's hearing under section 76(2).
- (3) A children's hearing may excuse a relevant person from attending all or part of the children's hearing if the children's hearing is satisfied that—
  - (a) it would be unreasonable to require the relevant person's attendance at the hearing or that part of the hearing, or
  - (b) the attendance of the relevant person at the hearing, or that part of the hearing, is unnecessary for the proper consideration of the matter before the hearing.
- (4) A relevant person who is required to attend a children's hearing under subsection (2) and fails to do so commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

#### **Commencement Information**

**II** S. 74 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 74 is up to date with all changes known to be in force on or before 23 January 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.

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