
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

**The Children's Hearings (Scotland) Act 2011 (Rules
of Procedure in Children's Hearings) Rules 2013**

PART 7

Specific provision for arranging grounds hearings

Additional information to be given to the child and each relevant person in relation to a grounds hearing

27.—(1) Where the Reporter is required to arrange a grounds hearing, when notifying the date, time and place of the intended children's hearing under rule 22 the Reporter must give to the persons mentioned in paragraph (2) the information mentioned in paragraph (3).

(2) Those persons are—

- (a) the child;
- (b) each relevant person; and
- (c) any appointed safeguarder (except the information mentioned in paragraph (3)(b)).

(3) That information is—

- (a) a copy of the statement of grounds prepared under section 89 (Principal Reporter's duty to prepare statement of grounds) of the Act in relation to the child;
- (b) information relating to the retention of the child's DNA and other records kept in connection with the acceptance by the child and relevant person, or the establishment by the sheriff, of an offence specified in an order made by the Scottish Ministers under section 113A(6)(ba) (criminal record certificates) of the Police Act 1997(1);
- (c) a copy of any relevant requirement made by a sheriff under section 156(3)(a) (determination of appeal) of the Act.

(4) Where the Reporter is required to arrange a grounds hearing, no later than 3 days before the intended date of the hearing the Reporter must also give to the persons mentioned in paragraph (5) the information mentioned in paragraph (6).

(5) Those persons are—

- (a) the child;
- (b) each relevant person; and
- (c) any appointed safeguarder (except the information mentioned in paragraph (6)(a)).

(6) That information is—

- (a) a copy of any available report or interim report prepared by a safeguarder under section 33(1)(a) (functions of safeguarder) of the Act;

(1) 1997 c.50. Section 113A(6)(ba) is inserted by section 188 of the Act.

- (b) a copy of any report or information provided by the local authority to the Reporter under section 66(4) (investigation and determination by Principal Reporter) or 69(4) (determination under section 66: referral to children's hearing) of the Act;
 - (c) a copy of any views of the child given to the Reporter by the child or any other person;
 - (d) a copy of any other report or other document material to the children's hearing's consideration.
- (7) This rule does not apply where rule 29 applies.