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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2013 No.**

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

**PART 9**

Specific provision for arranging a children's hearing to which  
section 137 (duty to arrange children's hearing) of the Act applies

**Provision of information to the child and relevant persons for a children's hearing to which  
section 137 (duty to arrange children's hearing) of the Act applies**

**34.**—(1) Where the Reporter is required to arrange a children's hearing by virtue of section 137(2) of the Act, as soon as practicable and no later than 7 days before the intended date of the children's hearing the Reporter must also 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;
- (c) any appointed safeguarder.

(3) That information is—

- (a) a copy of the compulsory supervision order to be reviewed;
- (b) copies of all decisions and reasons for those decisions made by all pre-hearing panels and children's hearings arranged in relation to the child;
- (c) a copy of any relevant remit by a court under section 49 (reference or remit to children's hearing) of the Criminal Procedure (Scotland) Act 1995;
- (d) a copy of any relevant requirement by a sheriff under section 12(1A) (sheriff's power to refer case to children's hearing) of the Antisocial Behaviour etc. (Scotland) Act 2004;
- (e) a copy of any relevant requirement made by a sheriff under section 156(3)(a) (determination of appeal) of the Act;
- (f) a copy of any notice by the implementation authority under section 131 (duty of implementation authority to require review) of the Act.

(4) 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;
- (c) any appointed safeguarder.

(6) That information is—

- (a) a copy of any available report or interim report prepared by an appointed safeguarder under section 33(1)(a) or (c) (functions of safeguarder) of the Act;
  - (b) a copy of any report or other information provided by the local authority under section 137(4) or (5) (duty to arrange 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 36 applies.