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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 15**

Procedure at grounds hearing and children's hearings to which section 119 (children's hearing following deferral or proceedings under Part 10) or 137 (duty to arrange children's hearing) of the Act applies

**Breach of duties imposed by sections 144 (implementation of compulsory supervision order: general duties of implementation authority) or 145 (duty where order requires child to reside in certain place) of the Act**

**67.**—(1) Where the children's hearing direct the National Convener under section 146(2) (breach of duties imposed by sections 144 and 145) of the Act the chairing member—

- (a) must include in the record of the decision of the children's hearing details of the ways in which the implementation authority is in breach of its duty in relation to the child; and
- (b) may prepare a report for the National Convener providing such additional information on that matter as the children's hearing considers appropriate.

(2) As soon as practicable after the children's hearing the Reporter must give to the National Convener—

- (a) a copy of the children's hearing's decision; and
- (b) any report prepared under paragraph (1)(b).

(3) Where it appears to the children's hearing at the further review of the compulsory supervision order to be held by virtue of section 146(5) of the Act that the implementation authority continues to be in breach of its duty and the children's hearing under section 146(6) of the Act directs the National Convener to make an application under section 147 (application for order) of the Act the chairing member—

- (a) must include in the record of the decision of the children's hearing details of the ways in which the implementation authority continues to be in breach of its duty in relation to the child; and
- (b) may prepare a further report for the National Convener providing such additional information on that matter as the children's hearing considers appropriate.

(4) As soon as practicable after the children's hearing the Reporter must give to the National Convener—

- (a) a copy of the children's hearing's decision; and
- (b) any report prepared under paragraph (3)(b).