
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 194

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

PART 13

Appointment of safeguarder and safeguarders' reports

Appointment of safeguarder by pre-hearing panel or children's hearing

- 56.**—(1) Where the pre-hearing panel appoint a safeguarder for the child the Reporter must—
- (a) inform the safeguarder of the date, time and place (if known) of the next children's hearing to be held in relation to the child; and
 - (b) give to the safeguarder the information mentioned in paragraph (3), as soon as practicable before the intended date of the hearing.
- (2) Where the children's hearing appoint a safeguarder for the child the Reporter must—
- (a) inform the safeguarder of the date, time and place (if known) of the next children's hearing to be held in relation to the child, or the hearing to take place under Part 10 (proceedings before sheriff) of the Act, as the case may be; and
 - (b) give to the safeguarder the information mentioned in paragraph (3) as soon as practicable and no later than 7 days before the intended date of the hearing.
- (3) That information is—
- (a) any information given to the three members of the children's hearing under these Rules;
 - (b) a copy of the pre-hearing panel's or the children's hearing's decision and the reasons for that decision; and
 - (c) the reasons for the decision by the pre-hearing panel or the children's hearing to appoint a safeguarder.
- (4) Where the safeguarder is required to prepare a report under section 33(1)(a) (functions of safeguarder) of the Act, within 35 days of being appointed the safeguarder must prepare and give a report or interim report to the Reporter.
- (5) Where an interim report is given to the Reporter under paragraph (4) the safeguarder must also give to the Reporter—
- (a) a statement explaining the reasons for the production of an interim report;
 - (b) details of further investigations or information to be sought by the safeguarder; and
 - (c) an estimate of how much more time the safeguarder requires to complete the report.

Changes to legislation:

There are currently no known outstanding effects for the The Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013, Section 56.