
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 194

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

PART 17

Procedure at other children's hearings

Procedure where application to suspend the decision of the children's hearing made under section 158 (compulsory supervision order: suspension pending appeal) of the Act

76.—(1) Where the Reporter is required under section 158(2) of the Act to arrange a children's hearing, as soon as practicable the Reporter must give notice of the date, time and place of the children's hearing at which the application for the suspension of the children's hearing's decision will be considered, to the persons mentioned in paragraph (2).

(2) Those persons are—

- (a) the child;
- (b) any relevant person;
- (c) any appointed safeguarder;
- (d) the three members of the children's hearing;
- (e) the chief social work officer of the implementation authority for the child;
- (f) the National Convener.

(3) If the person who applied for the suspension of the children's hearing's decision under section 158 of the Act is required by section 73(2) (child's duty to attend children's hearing) or 74(2) (relevant person's duty to attend children's hearing) of the Act to attend the hearing and fails to do so the children's hearing may, if it considers it appropriate, take no further action in relation to the application.

(4) Before making any decision on the application under section 158 of the Act the children's hearing must invite the child, any relevant person and any appointed safeguarder present at the hearing to make such representations as they wish to make.

(5) Each member of the children's hearing must state their decision on the suspension of the children's hearing's decision under section 158 of the Act, and the reasons for that decision.

(6) The chairing member must confirm the decision of the children's hearing and the reasons for that decision.

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 76.