



Commissioner for Children and Young People (Scotland) Act 2003

2003 asp 17

Functions

7 Carrying out investigations

- (1) The Commissioner may carry out an investigation into whether, by what means and to what extent, a service provider has regard to the rights, interests and views of children and young people in making decisions or taking actions that affect those children and young people.
- (2) The Commissioner may carry out such an investigation only if the Commissioner, having considered the available evidence on, and any information received about, the matter, is satisfied on reasonable grounds that—
 - (a) the matter to be investigated raises an issue of particular significance to children and young people generally or to particular groups of children and young people; and
 - (b) the investigation would not duplicate work that is properly the function of another person.
- (3) The Commissioner may not carry out an investigation—
 - (a) if it would relate to a reserved matter;
 - (b) if it would relate only to a particular child or young person; or
 - (c) so far as it would relate to—
 - (i) the making of decisions or taking of action in particular legal proceedings before a court or tribunal; or
 - (ii) a matter which is the subject of legal proceedings before a court or tribunal.