



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 16

CHILDREN'S HEARINGS

84 Power to determine that deeming of person as relevant person to end

(1) The 2011 Act is amended as follows.

(2) In section 79—

(a) in subsection (1), for “This section applies” substitute “ Subsections (2) to (5) apply ”,

(b) after subsection (1), insert—

“(1A) Subsection (5A) applies (in addition to subsections (2) to (5)) where the children's hearing is—

(a) a subsequent children's hearing under Part 11, or

(b) held for the purposes of reviewing a compulsory supervision order.”,

(c) after subsection (5), insert—

“(5A) The Principal Reporter—

(a) must refer the matter of whether an individual deemed to be a relevant person by virtue of section 81 should continue to be deemed to be a relevant person in relation to the child for determination by a pre-hearing panel if requested to do so by—

(i) the individual so deemed,

(ii) the child, or

(iii) a relevant person in relation to the child,

(b) may refer that matter for determination by a pre-hearing panel on the Principal Reporter's own initiative.”.

(3) After section 81, insert—

Changes to legislation: There are currently no known outstanding effects for the Children and Young People (Scotland) Act 2014, Section 84. (See end of Document for details)

“81A Determination that deeming of person as relevant person to end

- (1) This section applies where a matter mentioned in section 79(5A)(a) is referred to a meeting of a pre-hearing panel.
- (2) Where the matter is referred along with any other matter, the pre-hearing panel must determine it before determining the other matter.
- (3) The pre-hearing panel must determine that the individual is no longer to be deemed to be a relevant person if it considers that the individual does not have (and has not recently had) a significant involvement in the upbringing of the child.
- (4) Where the pre-hearing panel makes a determination as described in subsection (3), section 81(4) ceases to apply in relation to the individual.
- (5) Where, by virtue of section 80(3), the children's hearing is to determine a matter mentioned in section 79(5A)(a), references in subsections (2) to (4) to the pre-hearing panel are to be read as references to the children's hearing.”

Commencement Information

II S. 84 in force at 26.1.2015 by S.S.I. 2014/353, art. 2(2)(3), Sch.

Changes to legislation:

There are currently no known outstanding effects for the Children and Young People (Scotland) Act 2014, Section 84.