
STATUTORY INSTRUMENTS

1996 No. 3261

Children's Hearings (Scotland) Rules 1996

PART II

CONSTITUTION AND ARRANGEMENTS OF CHILDREN'S HEARINGS

Constitution of children's hearing and functions of chairman of children's hearing

10.—(1) The selection of the chairman and the members of any children's hearing from among the members of the children's panel for a local authority area shall be made either directly by the chairman of the children's panel, or in his absence by the deputy chairman, or by the operation of standing arrangements in that behalf made by the chairman of the children's panel after such consulting the Principal Reporter and such members of the panel as he may think fit. Such standing arrangements may provide for the selection of the chairman and members of any hearing to be made by members of the panel appointed for that purpose by the chairman of the panel.

(2) The chairman of the children's panel shall keep under review any standing arrangements which he has made under paragraph (1) and shall from time to time consult the Principal Reporter and such members of the panel as he thinks fit as to the operation of those arrangements.

(3) Except as otherwise provided by these Rules and any other enactment, the procedure at any children's hearing shall be such as the chairman shall in his discretion determine.

(4) Without prejudice to the generality of paragraph (3) and to the power of a children's hearing under the Act to continue a hearing for the further investigation of a case, the chairman of a children's hearing may at any time during the hearing adjourn the hearing provided that any adjournment under this rule shall be such as to enable the children's hearing to sit again on the same day as the adjournment was made.

(5) As soon as reasonably practicable after a children's hearing make—

- (a) a decision disposing of the case of a child on a referral or at a review of a supervision requirement or a condition imposed under section 70(9) of the Act with respect to residence in secure accommodation;
- (b) a decision to issue a warrant to find a child or for the keeping of a child in a place of safety or to continue a warrant for the keeping of such a child;
- (c) a requirement or warrant, or continuation of a warrant, under section 69 of the Act,

the chairman shall make or cause to be made a report of the decision and a statement in writing of the reasons for the decision, and shall sign the report and statement.