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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 194**

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

**PART 8**

Specific provision for arranging a children's hearing to be held under section 119 (children's hearing following deferral or proceedings under Part 10) of the Act

**Provision of information to the child, relevant persons and any appointed safeguarder for a children's hearing to which section 119 (children's hearing following deferral or proceedings under Part 10) of the Act applies**

**31.**—(1) Where the Reporter is required to arrange a children's hearing to which section 119 of the Act applies, as soon as practicable, and at least 3 days before the intended date of the children's hearing, the Reporter must give to the following persons the information mentioned in paragraph (2) —

- (a) the child;
  - (b) each relevant person;
  - (c) any appointed safeguarder (except the information mentioned in paragraph (2)(a)).
- (2) That information is—
- (a) any available report or interim report prepared by the safeguarder under section 33(1)(a) or (c) (functions of safeguarder) of the Act or these Rules;
  - (b) any report prepared by the local authority;
  - (c) a copy of any relevant direction by a sheriff under section 108 (determination: ground established), 115 (recall: power to refer other grounds) or 117 (new section 67 ground established: sheriff to refer to children's hearing) of the Act;
  - (d) a copy of any relevant remit by a court under section 49 (reference or remit to children's hearing) of the Criminal Procedure (Scotland) Act 1995 <sup>M1</sup>;
  - (e) a copy of any relevant statement by a sheriff under section 12(1B) (sheriff's power to refer case to children's hearing) of the Antisocial Behaviour etc. (Scotland) Act 2004 <sup>M2</sup>;
  - (f) a copy of any relevant requirement made by a sheriff under section 156(3)(a) (determination of appeal) of the Act;
  - (g) copies of all decisions and reasons for those decisions made by all pre-hearing panels and children's hearings arranged in relation to the child;
  - (h) any other report, document or information relevant to the matter to be considered by the children's hearing.
- (3) This rule does not apply where rule 33 applies.

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**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 31*. (See end of Document for details)

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**Marginal Citations**

**M1** 1995 c.46.

**M2** 2004 asp 8. Section 12(1B) was inserted by paragraph 3 of Schedule 5 to the Act.

**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 31.