
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 194

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

PART 12

**Pre-hearing panels and determination of matters
which may be referred to pre-hearing panels**

[^{F1}Procedure at pre-hearing panel - general

47A.—(1) At the beginning of a pre-hearing panel, the chairing member must explain the purpose of the pre-hearing panel.

(2) In relation to each matter that is to be determined by a pre-hearing panel, the chairing member must invite each of the following individuals who is in attendance to make representations—

- (a) the child,
- (b) any relevant person.

(3) Where a pre-hearing panel is determining whether to deem an individual who is in attendance to be a relevant person, the chairing member must invite the individual to make representations in relation to that matter.

(4) Where a pre-hearing panel is determining whether an individual should be afforded an opportunity to participate in relation to a children's hearing by virtue of rule 2A, the chairing member must invite the individual who is in attendance to make representations in relation to that matter.

(5) The chairing member of a pre-hearing panel may invite any person who is in attendance to make representations in relation to any matter that is to be determined by the panel if the panel considers it appropriate to do so.

(6) A person invited by the chairing member to make representations to a pre-hearing panel may—

- (a) do so orally or in writing,
- (b) submit any document to the panel that the person wishes.

(7) Each member of a pre-hearing panel must state, in relation to each matter that the panel is to determine—

- (a) the member's determination on the matter, and
- (b) the reasons for it.

(8) Once the members of a pre-hearing panel have stated their individual determinations on each matter in accordance with paragraph (7), the chairing member must confirm—

- (a) the panel's determination on each matter, and
- (b) the reasons for each determination.

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 47A. (See end of Document for details)*

(9) Where a pre-hearing panel has made a determination about whether an individual should be, or should continue to be, deemed to be a relevant person, the chairing member must inform the following persons of their right to appeal that determination under section 160 of the Act—

- (a) the individual in question,
- (b) the child,
- (c) each relevant person.]

Textual Amendments

F1 Rule 47A inserted (26.7.2021) by [The Children's Hearings \(Scotland\) Act 2011 \(Rules of Procedure in Children's Hearings\) Amendment Rules 2021 \(S.S.I. 2021/68\)](#), rules 1, **2(16)**

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 47A.