
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 194

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

PART 15

Procedure at grounds hearing and children's hearings to which section 119 (children's hearing following deferral or proceedings under Part 10) or 137 (duty to arrange children's hearing) of the Act applies

Procedure at a grounds hearing - grounds put to the child and relevant person

59.—(1) When complying with section 90 (grounds to be put to child and relevant person) of the Act, and without prejudice to sections 76 (power to exclude relevant person from children's hearing) and 77 (power to exclude relevant person's representative from children's hearing) of the Act, the chairing member may exclude any relevant person if satisfied that the presence at the hearing of that person is preventing the children's hearing obtaining the acceptance or denial of a section 67 ground specified in the statement of grounds from any person who is required to accept or deny the grounds.

(2) After the exclusion has ended, the chairing member of the children's hearing must explain to the relevant person what has taken place in the relevant person's absence.

(3) Paragraph (4) applies where the child or any relevant person accept a section 67 ground specified in the statement of grounds but do not accept all of the facts relating to that ground narrated in the statement of grounds.

(4) The children's hearing may, where it considers it appropriate to do so, amend the statement of grounds by removing any facts denied or otherwise amending the facts narrated in the statement of grounds.

(5) Where paragraph (4) applies the children's hearing may not amend the section 67 ground specified in the statement of grounds.

(6) Where paragraph (4) applies the children's hearing must be satisfied that any amendments to the facts narrated in the statement of grounds do not call into question the acceptance of a section 67 ground by the child or any relevant person.