
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 194

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

PART 18

General issues for children's hearings

Requirements where section 126 (review of contact direction) of the Act applies

81.—(1) This rule applies where—

- (a) section 69(2) or (3) of the Act applies;
- (b) Parts 9 to 11 or 13 of the Act apply;
- (c) following receipt of a notice under section 43 of the Act of the making of a child protection order the Reporter is required to arrange a children's hearing under section 69(2) of the Act which is to be held no later than—
 - (i) where the order contains an authorisation of the type mentioned in section 37(2)(b) of the Act, the end of the period of 8 working days beginning on the day the child was removed to a place of safety; or
 - (ii) where the order does not contain such an authorisation, the end of the period of 8 working days beginning on the day the order was made.

(2) Where this rule applies and a children's hearing is to be held in relation to a child the Reporter must notify the persons mentioned in paragraph (3) that a children's hearing is to be held in relation to a child, on the date to be specified in the notification, and, when issuing that notification, also give those persons the information mentioned in paragraphs (4) and (5).

(3) Those persons are—

- (a) any individual other than a relevant person who appears to the Reporter to have or recently have had significant involvement in the upbringing of the child;
- (b) any individual who has a contact order regulating contact between the individual and the child;
- (c) any individual who has a permanence order which specifies arrangements for contact between the individual and the child.

(4) That information is confirmation that, where a children's hearing—

- (a) makes, continues or varies a compulsory supervision order; or
- (b) makes an interim compulsory supervision order, interim variation of a compulsory supervision order or a medical examination order which is to have effect for more than 5 working days,

and the order contains (or is varied so as to contain) a contact direction, the Reporter must arrange a children's hearing under section 126 of the Act for the purposes of reviewing the contact direction if—

- (i) a contact order or permanence order mentioned in section 126(3) of the Act is in force; or
 - (ii) the Reporter is requested to arrange a hearing by an individual who claims to have or recently have had significant involvement in the upbringing of the child.
- (5) That information is confirmation that, where a children's hearing is arranged under section 126 of the Act, they will have the right to attend.