
STATUTORY INSTRUMENTS

1996 No. 3261

Children's Hearings (Scotland) Rules 1996

PART II

CONSTITUTION AND ARRANGEMENTS OF CHILDREN'S HEARINGS

Notification of children's hearings to children

6.—(1) Subject to paragraphs (2) and (3), where the Principal Reporter arranges a children's hearing he shall not less than 7 days before the hearing give notice in writing to the child whose case has been referred to the hearing of his right and obligation to attend the hearing and of the date, time and place of the hearing.

(2) Where the Principal Reporter arranges a children's hearing—

- (a) to consider under section 45(7), 59(2), 68(10) or by virtue of section 82(5) of the Act the case of a child kept in a place of safety;
- (b) to consider under Chapters 2 or 3 of Part II of the Act the case of a child placed in secure accommodation under regulation 7 of the 1996 Regulations;
- (c) to review an application under section 51(9) of the Act for the suspension of a supervision requirement; or
- (d) to review the case of a child transferred under section 72 of the Act to a place of residence other than that named in the supervision requirement;

he shall as soon as reasonably practicable before the hearing give the notice required under paragraph (1) above in writing; provided that if such notice cannot be given in writing, the Principal Reporter may give notice to the child orally.

(3) Where under section 45(2) of the Act a children's hearing are satisfied either in a case as specified in 45(2) of the Act that the attendance of the child is not necessary or in any case that it would be detrimental to the interests of the child for him to be present at the hearing of his case, the Principal Reporter shall give him notice in writing of his right under section 45(1) of the Act to attend the hearing and of the date, time and place of the hearing.

(4) When giving to a child under this rule notice of a children's hearing to which rule 15 applies, the Principal Reporter shall inform the child—

- (a) of the entitlement by virtue of section 16(2) of the Act and these rules to indicate whether he wishes to express his views;
- (b) that if he does so wish, he will be given an opportunity to express them; and
- (c) that any such views as may be given by the child to the Principal Reporter before the time at which the children's hearing is to be held will be conveyed by the Principal Reporter to the members of the children's hearing, to any relevant person and to any safeguarder, for the purpose of the hearing.