
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules consolidate and amend the Children’s Hearings (Scotland) Rules 1986 taking into account the new provisions introduced by the Local Government etc. (Scotland) Act 1994, the Criminal Procedure (Scotland) Act 1995 and the Children (Scotland) Act 1995. They provide *inter alia* for–

- business meetings preparatory to the constitution of a children’s hearing (rule 4);
- the constitution of a children’s hearing (rule 10);
- incorporation of the Children’s hearings (Scotland) Amendment Rules 1996 regarding availability of reports to “relevant persons” (rule 5(3)(a));
- the opportunity for the child to express his views and for the children’s hearing to take these views into account (rule 15);
- revised provisions for the appointment of safeguarders and a requirement for safeguarders to produce a written report for a children’s hearing (rule 14); and
- extension of the provision for the conduct of advice hearings to include advice on adoption and parental responsibility (rule 22).

These Rules also incorporate with amendments Parts I and II of the Reporter’s Duties and Transmission of Information etc. (Scotland) Rules 1971 and effect a reduction and modification of prescribed forms and notifications.