

These notes relate to the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8) which received Royal Assent on 26 July 2004

ANTISOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 12 – Children’s Hearings

Section 137 – Failure to provide education for excluded pupils: reference

304. **Section 137** gives the Reporter and a children’s hearing power to refer a child who has been excluded from school to the Scottish Ministers if it appears that the local authority concerned has failed to comply with its duty under section 14(3) of the Education (Scotland) Act 1980 to provide education to a pupil excluded from school.
305. Subsection (2) deals with children who are referred to the Reporter but not to a hearing. Subsection (3) concerns those children who are referred to a hearing.