

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 10 – Proceedings before Sheriff

Application of Part where compulsory supervision order in force

Section 118 - Application of Part where compulsory supervision order in force

174. This section clarifies how the provisions of Part 10 apply in relation to a child who is already subject to a compulsory supervision order and further grounds are the subject of an application to establish the grounds or an application for review of a grounds determination has been made. It provides that where a child is already subject to a compulsory supervision order, Part 10 is to be read as if references to an interim compulsory supervision order were references to an interim variation of the compulsory supervision order, and as if references to the sheriff directing the Principal Reporter to arrange a Children's Hearing to decide whether to make a compulsory supervision order in relation to the child were references to the sheriff requiring a review of the compulsory supervision order. Subsection (5) exempts sections 98 and 99 as section 96(4) (cap of 66 days) does not apply to the Children's Hearing's power to make an interim variation of a compulsory supervision order.