

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 13 – Review of Compulsory Supervision Order

Requirement for review

Section 134 – Duty to initiate a review if child to be taken out of Scotland

195. This section provides a duty on the relevant person to notify the Principal Reporter and the implementation authority of any plans to take a child who is subject to a compulsory supervision order to live outwith Scotland where removing the child from Scotland is not in accordance with the compulsory supervision order or with an order under section 11 of the 1995 Act. The jurisdiction of a Children's Hearing extends only to Scotland but a hearing may specify a place of residence in Scotland and effectively prohibit a move elsewhere if that is considered to be in the best interests of the child. The notice must be given at least 28 days before the day the relevant person proposes to take the child to live outwith Scotland. Subsection (3) places a duty on the reporter to initiate a review hearing if the reporter receives notification under this section.