

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 – Investigation and Referral to Children's Hearing

Provision of information to Principal Reporter

Section 65 – Provision of information by constable: child in place of safety

68. This section applies where a child has been detained by the police in a place of safety and it has been decided not to proceed with criminal charges against the child. The police must inform the Principal Reporter of this under section 43(5) of the Criminal Procedure (Scotland) Act 1995. Subsection (2) gives the reporter the power to direct that the child be released from the place of safety or to direct that the child is kept in the place of safety until the reporter determines whether the ground(s) for referral apply to the child and whether it is necessary for a compulsory supervision order to be made. Under section 69(2) the Children's Hearing must be arranged to take place no later than the third working day after the Principal Reporter receives notice under section 43(5) of the Criminal Procedure (Scotland) Act 1995.