

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7 – Attendance at Children's Hearing

Section 74 – Relevant person's duty to attend children's hearing

100. This section places an obligation on each relevant person in relation to the child who is notified of a hearing to attend the Children's Hearing unless excused under subsection (3) or rules made under section 177, or excluded under section 76(2). Subsection (3) provides the hearing with a power to excuse a relevant person from attending all or part of a Children's Hearing, where the hearing is satisfied that the obligation of the relevant person to attend the hearing is unreasonable or unnecessary for the proper consideration of the case. This determination may be made by the hearing either when the relevant person fails to attend or when a relevant person asks to be excused. Subsection (4) provides that a relevant person who is required to attend a hearing but who fails to do so commits an offence and is liable on summary conviction to a fine up to level 3 on the standard scale.