

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7 – Attendance at Children's Hearing

Section 77 – Power to exclude relevant person's representative from children's hearing

104. This section provides discretion for the hearing to exclude any representative of a relevant person from the hearing. There are two grounds for exclusion: that the presence of the relevant person's representative is preventing the hearing from obtaining the views of the child; or that significant distress will be caused to the child. Subsection (3) provides that the chairing member of the Children's Hearing must explain to each excluded person what has taken place in their absence. Section 178 provides that a Children's Hearing can withhold information about a child from to any person if the hearing considers that disclosing it would be likely to cause significant harm to the child.