



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 13

#### REVIEW OF COMPULSORY SUPERVISION ORDER

##### *Review of relevant person determination*

#### **142 Review of determination that person be deemed a relevant person**

- (1) This section applies where, in relation to a child—
- (a) a children's hearing determines a review of a compulsory supervision order by varying or continuing the order,
  - (b) an individual is deemed to be a relevant person by virtue of section 81, and
  - (c) it appears to the children's hearing that the individual may no longer have (nor recently have had) a significant involvement in the upbringing of the child.

[<sup>F1</sup>(1A) But this section does not apply where the matter of whether the individual should continue to be deemed to be a relevant person in relation to the child—

- (a) has been determined by a meeting of a pre-hearing panel held in relation to the children's hearing, or
  - (b) is, by virtue of section 80(3), to be determined by the children's hearing.]
- (2) The children's hearing must review whether the individual should continue to be deemed to be a relevant person in relation to the child.
- (3) If the children's hearing considers that it is appropriate to do so, the children's hearing may defer determining the review under subsection (2) until a subsequent children's hearing under this section.
- (4) Otherwise, if the children's hearing determines that the individual does not have (and has not recently had) a significant involvement in the upbringing of the child then—
- (a) the children's hearing must direct that the individual is no longer to be deemed to be a relevant person, and
  - (b) section 81(4) ceases to apply in relation to the individual (except in relation to any appeal arising from the determination mentioned in subsection (1)(a)).

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**Changes to legislation:** Children's Hearings (Scotland) Act 2011, Cross Heading: Review of relevant person determination is up to date with all changes known to be in force on or before 03 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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#### Textual Amendments

- F1** S. 142(1A) inserted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), s. 102(3), [Sch. 5 para. 12\(7\)](#); [S.S.I. 2014/353](#), art. 2(2)(3), Sch.
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#### Commencement Information

- I1** S. 142 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)