



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 10

PROCEEDINGS BEFORE SHERIFF

Determination of application

108 Determination: ground established

- (1) This section applies where the sheriff determines an application made by virtue of section 93(2)(a) or 94(2)(a).
- (2) If subsection (4) applies, the sheriff must direct the Principal Reporter to arrange a children's hearing to decide whether to make a compulsory supervision order in relation to the child.
- (3) In any other case, the sheriff must—
 - (a) dismiss the application, and
 - (b) discharge the referral to the children's hearing.
- (4) This subsection applies if—
 - (a) the sheriff determines that one or more grounds to which the application relates are established, or
 - (b) one or more other grounds were accepted at the grounds hearing which directed the Principal Reporter to make the application.
- (5) In subsection (4)(b), "accepted" means accepted by the child and (subject to sections 74 and 75) each relevant person in relation to the child.