



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 11

#### SUBSEQUENT CHILDREN'S HEARINGS

#### **119 Children's hearing following deferral or proceedings under Part 10**

- (1) This section applies where a children's hearing is arranged by the Principal Reporter by virtue of section 91(2), 107(3), 108, 115(2) or 117(2)(b) or subsection (2).
- (2) If the children's hearing considers that it is appropriate to do so, the children's hearing may defer making a decision on whether to make a compulsory supervision order until a subsequent children's hearing.
- (3) If the children's hearing does not exercise the power conferred by subsection (2) the children's hearing must—
  - (a) if satisfied that it is necessary to do so for the protection, guidance, treatment or control of the child, make a compulsory supervision order, or
  - (b) if not so satisfied, discharge the referral.
- (4) Subsection (5) applies where—
  - (a) the child is excused by virtue of section 73(3) or 79(3)(a) or rules under section 177, or
  - (b) a relevant person in relation to the child is excused by virtue of section 74(3) or 79(3)(b) or rules under section 177.
- (5) The children's hearing may, despite the excusal, defer its decision to a subsequent children's hearing under this section without further excusing the person.