



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 15

APPEALS

Appeals to sheriff principal and Court of Session

165 Appeals to sheriff principal and Court of Session: contact and permanence orders

- (1) A person mentioned in subsection (3) may appeal by stated case to the sheriff principal or the Court of Session against a decision of the sheriff in an appeal under section 161.
- (2) A person mentioned in subsection (3) may, with leave of the sheriff principal, appeal by stated case to the Court of Session against the sheriff principal's decision in an appeal under subsection (1).
- (3) The person is an individual (other than a relevant person in relation to the child) in relation to whom—
 - (a) a contact order is in force regulating contact between the individual and the child,
 - (b) a permanence order is in force which specifies arrangements for contact between the individual and the child, or
 - (c) the conditions specified for the purposes of section 126(2)(b) are satisfied.
- (4) An appeal under this section must be made before the expiry of the period of 28 days beginning with the day on which the decision appealed against was made.
- (5) An appeal under this section may be made—
 - (a) on a point of law,
 - (b) in respect of any procedural irregularity.
- (6) On deciding an appeal under subsection (1), the sheriff principal or the Court of Session must remit the case to the sheriff for disposal in accordance with such directions as the court may give.
- (7) A decision in an appeal under subsection (1) or (2) by the Court of Session is final.