



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 3

GENERAL CONSIDERATIONS

26 Decisions inconsistent with section 25

- (1) A children's hearing or a court may make a decision that is inconsistent with the requirement imposed by section 25(2) if—
 - (a) the children's hearing or court considers that, for the purpose of protecting members of the public from serious harm (whether physical or not), it is necessary that the decision be made, and
 - (b) in coming to the decision, the children's hearing or court complies with subsection (2).
- (2) The children's hearing or court is to regard the need to safeguard and promote the welfare of the child throughout the child's childhood as a primary consideration rather than the paramount consideration.