



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 2

#### THE PRINCIPAL REPORTER AND THE SCOTTISH CHILDREN'S REPORTER ADMINISTRATION

##### *The Principal Reporter and SCRA*

#### **14 The Principal Reporter**

There continues to be an officer known as the Principal Reporter.

#### **15 The Scottish Children's Reporter Administration**

There continues to be a body corporate known as the Scottish Children's Reporter Administration (in this Act referred to as "SCRA").

#### **16 Further provision about Principal Reporter and SCRA**

Schedule 3 makes further provision about the Principal Reporter and SCRA.

##### *The Principal Reporter*

#### **17 Duty as respects location of children's hearing**

The Principal Reporter must ensure that, so far as practicable, a children's hearing takes place in the area of the relevant local authority for the child to whom the hearing relates.

#### **18 Power to change Principal Reporter's functions**

- (1) The Scottish Ministers may by order—
  - (a) confer additional functions on the Principal Reporter,
  - (b) remove functions from the Principal Reporter,
  - (c) transfer functions from another person to the Principal Reporter,

- (d) transfer functions from the Principal Reporter to another person,
  - (e) specify the manner in which, or period within which, any function conferred on the Principal Reporter by virtue of this Act or the Criminal Procedure (Scotland) Act 1995 (c.46) is to be carried out.
- (2) An order under this section is subject to the super-affirmative procedure (other than an order under subsection (1)(e), which is subject to the affirmative procedure).

## **19 Rights of audience**

- (1) The Scottish Ministers may by regulations—
- (a) empower the Principal Reporter to conduct proceedings which by virtue of this Act require to be conducted before the sheriff or the sheriff principal,
  - (b) prescribe qualifications or experience that must be acquired or training that must be undertaken by the Principal Reporter before conducting such proceedings.
- (2) References in subsection (1) to the Principal Reporter include references to a person carrying out a function on behalf of the Principal Reporter by virtue of paragraph 10(1) of schedule 3.

### *Functions of SCRA*

## **20 Assisting Principal Reporter**

SCRA must—

- (a) assist the Principal Reporter in carrying out the functions conferred on the Principal Reporter by virtue of this Act or any other enactment, and
- (b) facilitate the carrying out of those functions.

## **21 Provision of accommodation for children's hearings**

- (1) SCRA must provide suitable accommodation and facilities for children's hearings.
- (2) Accommodation and facilities must, so far as practicable, be provided in the area of each local authority.
- (3) Accommodation and facilities must be dissociated from courts exercising criminal jurisdiction and police stations.

## **22 Independence of Principal Reporter**

- (1) Nothing in this Act authorises SCRA or any other person to direct or guide the Principal Reporter in carrying out the functions conferred on the Principal Reporter by virtue of this Act or any other enactment.
- (2) This section is subject to section 18(1)(e).

## **23 Directions**

- (1) The Scottish Ministers may give SCRA general or specific directions about the carrying out of its functions.

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*Status: This is the original version (as it was originally enacted).*

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- (2) SCRA must comply with a direction under subsection (1).
- (3) The Scottish Ministers may vary or revoke a direction under subsection (1) by giving a subsequent direction under that subsection.

*Transfer of staff, property etc.*

## **24 Transfer of staff, property etc.**

Schedule 4 makes provision about the transfer of staff, property, rights, liabilities and obligations to CHS.