



# Children (Scotland) Act 1995

## 1995 CHAPTER 36

### PART II

PROMOTION OF CHILDREN'S WELFARE BY LOCAL  
AUTHORITIES AND BY CHILDREN'S HEARINGS ETC.

### CHAPTER 3

PROTECTION AND SUPERVISION OF CHILDREN

*Children requiring compulsory measures of supervision*

#### **52 Children requiring compulsory measures of supervision**

- (1) The question of whether compulsory measures of supervision are necessary in respect of a child arises if at least one of the conditions mentioned in subsection (2) below is satisfied with respect to him.
- (2) The conditions referred to in subsection (1) above are that the child—
  - (a) is beyond the control of any relevant person;
  - (b) is falling into bad associations or is exposed to moral danger;
  - (c) is likely—
    - (i) to suffer unnecessarily; or
    - (ii) be impaired seriously in his health or development,  
due to a lack of parental care;
  - (d) is a child in respect of whom any of the offences mentioned in Schedule 1 to the Criminal Procedure (Scotland) Act 1975 (offences against children to which special provisions apply) has been committed;
  - (e) is, or is likely to become, a member of the same household as a child in respect of whom any of the offences referred to in paragraph (d) above has been committed;

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*Status: This is the original version (as it was originally enacted).*

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- (f) is, or is likely to become, a member of the same household as a person who has committed any of the offences referred in paragraph (d) above;
  - (g) is, or is likely to become, a member of the same household as a person in respect of whom an offence under sections 2A to 2C of the Sexual Offences (Scotland) Act 1976 (incest and intercourse with a child by step-parent or person in position of trust) has been committed by a member of that household;
  - (h) has failed to attend school regularly without reasonable excuse;
  - (i) has committed an offence;
  - (j) has misused alcohol or any drug, whether or not a controlled drug within the meaning of the Misuse of Drugs Act 1971;
  - (k) has misused a volatile substance by deliberately inhaling its vapour, other than for medicinal purposes;
  - (l) is being provided with accommodation by a local authority under section 25, or is the subject of a parental responsibilities order obtained under section 86, of this Act and, in either case, his behaviour is such that special measures are necessary for his adequate supervision in his interest or the interest of others.
- (3) In this Part of this Act, “supervision” in relation to compulsory measures of supervision may include measures taken for the protection, guidance, treatment or control of the child.