

# Practice Direction 26

## Movement Restriction Conditions

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## SUMMARY

- A movement restriction condition (MRC) is a measure in an order restricting the child's movements and requiring the restrictions to be monitored by way of an electronic monitoring device (or "tag") attached to the child. The defining characteristic of an MRC is the tag.
- An MRC may be included in a CSO (including by interim variation of a CSO) or ICSO. Both a hearing and a sheriff may make an MRC.
- An MRC can be included in a CSO or ICSO only if:
  - the hearing or the sheriff is satisfied that it is necessary to include an MRC in the order,

## AND

- the child has previously absconded and is likely to abscond again and, if the child were to abscond, it is likely that the child's physical, mental or moral welfare would be at risk, and/or
- the child is likely to engage in self-harming conduct, and/or
- the child is likely to cause injury to another person.
- Where a hearing is considering an MRC, automatic legal aid and therefore a duty solicitor is not available for a child unless the hearing is also considering secure accommodation. It is important for the reporter to closely liaise with the implementation authority about the possible considerations at the hearing to ensure the child obtains legal representation where appropriate.
- An MRC must specify:
  - the place at which the child is required to reside;
  - the days of the week during which the child is required to remain at that place, and the period or periods when the child is required to remain there - this period or periods must not exceed 12 hours in any one day;
  - that radio and electronic monitoring of the child's compliance with the restriction will be as described in the Regulations.
  - a designated person to monitor the child's compliance (non-electronically) with the measures in the order.
  - a designated person whose services will be used to monitor by radio or electronic means the child's compliance with the restrictions (currently G4S);
  - the period for which the movement restriction condition is to have effect (this period may not exceed 6 months without review).
- An MRC may specify certain additional restrictions and monitoring arrangements, for example respite and contingency arrangements.
- A hearing must set a review date when making a CSO that contains an MRC (or continues or varies a CSO so as to include an MRC).

- Where an MRC is made, the reporter is to give a copy of the decision, order and reasons to the implementation authority and G4S by secure e-mail (see guidance) on the same day or, if that is not practicable, on the first the working day following the hearing.
- There is no such thing as a “breach” of an MRC that results in automatic referral to a hearing. It is for the implementation authority to decide whether the child is not complying with an MRC and if so, to give notice to the reporter to require a review of the CSO. This will be an ordinary review hearing and requires the standard period of notification.

## Contents

1. Introduction.....	5
2. Making a Movement Restriction Condition .....	5
3. Mandatory Restrictions and Monitoring Arrangements.....	7
4. Additional Restrictions and Monitoring Arrangements.....	9
5. Designation and Function of Persons.....	10
6. Child's Plan .....	10
7. Local Authority's Role after Hearing .....	11
8. The Reporter's role before, during and after the Hearing .....	12
9. Legal Representation .....	13
Appendix 1 .....	15

## 1. Introduction

1.1 A movement restriction condition (MRC) is a measure in an order restricting the child's movements and requiring the restrictions to be monitored by way of an electronic monitoring device<sup>1</sup> (or "tag") attached to the child. The monitoring device sends signals to a monitoring centre and shows whether the child has moved out of, or into, a restricted area.

The defining characteristic of an MRC is the tag. An order may contain measures restricting the child in other ways, but these measures are not part of a movement restriction condition unless the tag is used to monitor them.

1.2 The relevant statutory provisions are contained in the:

- Children's Hearings (Scotland) Act 2011 ("the Act") – all statutory references are to the Act unless otherwise specified
- The Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013 ("the Regulations")

1.3 Other relevant Practice Directions are:

- The Role of the Reporter at the Children's Hearing; and
- Completion of Forms in a Children's Hearing

1.4. The Scottish Government has published [Guidance on the use of Movement Restriction Conditions in the Children's Hearings System](#).

## 2. Making a Movement Restriction Condition

2.1 An MRC may be included as a measure in a compulsory supervision order<sup>2</sup> (CSO), including by way of interim variation of the CSO<sup>3</sup>, or an interim compulsory supervision order<sup>4</sup> (ICSO).

2.2 An MRC may be made by a hearing or by a sheriff. The provisions relating to MRCs in the Act and the Regulations apply to sheriffs as well as hearings.

2.3 [Section 84](#) defines an MRC as:-

- A restriction on the child's movements in a way specified in the MRC; and
- A requirement that the child comply with arrangements specified in the MRC for monitoring compliance with the restriction.

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<sup>1</sup> Regulation 8 of The Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013 states that the devices which may be used for this are those devices listed in Schedule 2 to the Restriction of Liberty Order etc. (Scotland) Regulations 2013.

<sup>2</sup> section [83\(2\)\(d\)](#)

<sup>3</sup> section [140](#)

<sup>4</sup> section [86\(1\)](#)

2.4 An MRC can be included in a CSO or ICSO only if:

- the hearing or the sheriff is satisfied that it is necessary to include an MRC in the order, and
- one or more of the conditions in section 83(6) applies.

The conditions in section [83\(6\)](#) are:

- that the child has previously absconded and is likely to abscond again and, if the child were to abscond, it is likely that the child's physical, mental or moral welfare would be at risk,
- that the child is likely to engage in self-harming conduct,
- that the child is likely to cause injury to another person.

2.5 As with any decision, the decision to impose an MRC must be in accordance with the general principles set out in [sections 25-29](#). Restrictions should be necessary, proportionate and consistent with the child's welfare. The general principles governing the hearing's decision are:-

- Section 25: the hearing/court is to regard the need to safeguard and promote the welfare of the child throughout his/her childhood as the paramount consideration.
- Section 26: a hearing/court may make a decision inconsistent with section 25 if it considers that to do so is necessary to protect members of the public from harm, but if so, the hearing is to regard the need to safeguard and promote the welfare of the child throughout his/her childhood as the primary rather than the paramount consideration.
- Section 27: so far as practicable and taking account of the age and maturity of the child (a child aged 12 or over is presumed to be of sufficient age and maturity to form a view for these purposes), the hearing/sheriff must (i) give the child an opportunity to indicate whether to express a view, (ii) if so, give the child an opportunity to express a view, and (iii) to have regard to any views expressed by the child.
- Section 28: the hearing/sheriff may vary or continue a CSO, make an ICSO, and make an interim variation of a CSO only if the hearing/sheriff considers that it would be better for the child if the order or interim variation were in force than not.

2.6 The hearing must determine how long an MRC is to have effect for up to a maximum period of 6 months without review. This is not set out in the Act but is contained in regulation [6\(1\)\(c\)](#)<sup>5</sup>. However, section 125 requires that where a hearing makes, varies or continues a CSO so that it contains an MRC the children's hearing must set an early review.

2.7 It is good practice for a hearing to consider certain other matters before making an MRC, but it is competent for a hearing to make an MRC without having considered these matters. If the hearing appears to be unaware of any these good practice matters and it is relevant to the hearing's consideration, the

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<sup>5</sup> Each time a hearing is making, varying, continuing, or extending (with or without variation) a compulsory supervision order or an interim compulsory supervision order which contains a movement restriction condition, the MRC can last for a maximum of 6 months from **the date of the most recent decision**.

reporter is to bring the relevant matter(s) of good practice to the attention of the hearing. They are:

- it is not expected a child under the age of 12 will be made subject to an MRC “given their likely capacity to engage in interventions”. However, strictly, there is no age restriction for an MRC.
- it is good practice for the children’s hearing to see the Child’s Plan before making an MRC. However, it is strictly competent to make an MRC without a Child’s Plan.
- the consent of a child and parents to an MRC is needed in practice otherwise the decision of the hearing cannot be implemented. However, it is competent to make an MRC without the consent of the child and/or parents.

See Scottish Government [Guidance on the use of Movement Restriction Conditions in the Children’s Hearings System](#).

### 3. Mandatory Restrictions and Monitoring Arrangements

3.1 When a children’s hearing or sheriff includes an MRC in an order, the Regulations require that it includes the following mandatory restrictions and monitoring arrangements:

- the place at which the child is required to reside<sup>6</sup>– even if that place is the child’s home, that must be specified in the MRC;
- the days of the week during which the child is required to remain at that place, and the period or periods when the child is required to remain there (and whether this includes or excludes garden or other external ground)<sup>7</sup> - this period or periods must not exceed 12 hours in any one day<sup>8</sup>;
- that radio and electronic monitoring of the child’s compliance with the restriction will be by the method described in regulation 7(1)(a) (fixed telephone line) and/or 7(1)(b) (mobile receiver) of the Regulations<sup>9</sup>.

A mobile receiver shall only be used if it is not reasonably practicable to use monitoring via a fixed telephone line<sup>10</sup>. The hearing is unlikely to know in advance which method will be used, therefore, the reporter should express a view to the hearing that the hearing should specify both possible methods.

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<sup>6</sup> Regulation 6(1)(a). This specification forms part of the MRC, it is not a separate measure under section 83(2)(a).

<sup>7</sup> The recommendation from the local authority should make clear whether the local authority thinks any garden or external ground at the address should or should not be included in the restriction and this must also be clear from the hearing’s decision. See Case Examples. This is because G4S take the position that, unless garden ground is specifically included, i.e. the child can enter the garden ground, G4S will notify the implementation authority of any movement of the child outwith the four walls of the house. The implementation authority will have to consider whether to request a review in such circumstances.

<sup>8</sup> Regulation 6(1)(b)

<sup>9</sup> Regulation 7 sets out that the monitoring device sends signals to either (1) a device that sends signals to a monitoring centre via a fixed telephone line (Reg. 7(1)(a)) and/or (2) a device that sends signals to a monitoring centre via a mobile receiver (Reg. 7(1)(b)).

<sup>10</sup> Regulation 7(2)

- a designated person to monitor the child’s compliance with the measures in the order<sup>11</sup> – see section 5.2 below.
- a designated person whose services will be used to monitor by radio or electronic means the child’s compliance in accordance with Regulation 7<sup>12</sup> – see section 5.1 below.
- the period for which the movement restriction condition is to have effect - this period must not exceed 6 months<sup>13</sup>.

3.2 Examples of the standard wording for an MRC are contained in Appendix 1 but the essential elements are:

[Name of child] is to comply with a movement restriction condition in the following terms:-

- [Name of child] is required to reside at [address of place]
- [Name of child] is required to remain at the above address [specify days of week and times, e.g. every day between 10.30 p.m. and 8 a.m.]
- [Name of child] must comply with radio and electronic monitoring of her compliance with the above restrictions as described in Regulation 7(1)(a) and/or 7(1)(b) of the Children’s Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013
- The children’s hearing designates [name of person to monitor, e.g. Anne Ross, Chief Social Work Officer, Midshire Council] and G4S in terms of Regulations 4(1)(a) and (c) of the Children’s Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013
- [Name of child] is required to comply with the above movement restriction condition for a period of [specify period e.g 6 months]

The reporter is also to record the mandatory requirement for an early review on the order in the following terms: “The order is to be reviewed [state the date or the period specified by the hearing]”.

3.3 If a hearing requires the child to reside with someone who is not a “relevant person”, whether that requirement forms part of the MRC or not, the hearing must consider a report from the local authority providing the information required by Rule 80 of the Children’s Hearings (Scotland) Act 2011 (Rules of Procedure in Children’s Hearings) Rules 2013. This also applies where the hearing:

- makes a respite measure which requires the child to be in the care of a person, or

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<sup>11</sup> Regulation 4(2)

<sup>12</sup> Regulation 4(1)(c)

<sup>13</sup> Regulation 6(1)(c).



- specifies contingency arrangements in relation to the accommodation at which the child is to reside and the days and periods of time during which the child is to be restricted to an address.

#### 4. Additional Restrictions and Monitoring Arrangements

4.1 An MRC may include any of the additional restrictions and monitoring arrangements that are set out in Regulation 6(2).

4.2 The additional restrictions and monitoring arrangements set out in Regulation 6(2) are:

- any address, location or place which the child is required not to enter;
- any requirements regarding arrangements for monitoring compliance with the measures in the order and in particular regarding the discharge of functions by any person named to monitor the child's compliance;
- any requirements relative to the child's participation in, or cooperation with, the child's plan;
- any contingency arrangements which the hearing considers necessary when imposing an MRC. The contingency arrangements are relative to—
  - any address, location or place which the child is required not to enter; or
  - the place at which the child is required to reside, the days of the week during which the child is required to remain at that place, and the period or periods when the child is required to remain there (not exceeding 12 hours per day); and
- any planned respite care arrangements for the child which the hearing considers necessary when imposing a movement restriction condition.

4.3 In terms of respite care arrangements, the MRC may state an alternative address (or addresses), to which the child is restricted<sup>14</sup>. (An example of such a condition is in Case Example 3 below.) A respite measure in an MRC must specify the place where the respite is to happen, otherwise it is not competent

4.4 Rule 80 of the Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013 applies where the hearing is considering respite and contingency arrangements.

4.5 Although the hearing can include contingency arrangements in an MRC:

- The hearing cannot delegate to the local authority decisions about where the child is to reside (see the case of R v Children's Hearing for the Borders Region 1984 SLT 65);

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<sup>14</sup> A measure specifying respite care arrangements may be made in a CSO whether or not a MRC is made. Please see para 5.7 of PD 18 Completion of Forms in relation to such measures.

- as with any measure in an order, it is to be clear and unambiguous - the greater the extent of any intervention required by the provision, the greater the need for such clarity.

4.6 Restrictions on the child which are not set out in Regulation 6(2) can competently be included as measures in the order but not as part of the MRC. Therefore, any such measures will not be monitored by the monitoring device.

## 5. Designation and Function of Persons

5.1 G4S is currently contracted by the Scottish Government to provide electronic and radio monitoring services in terms of Regulation 4(1)(c). In practice, this means that G4S will fit the device and will report on any non compliance to the implementation authority.

5.2 In terms of Regulation 4(1)(a) and (b), the person designated to monitor the child's compliance (non-electronically) with the measures in the order must be either:-

- a responsible local authority officer; or
- any person employed or otherwise instructed by the implementation authority to carry out the monitoring functions

Regulation 4(2) sets out what the designated person is required to do.

Where the name of the appropriate person is not already clear from local discussions and arrangements, the reporter should where possible, discuss and clarify with the local authority in advance of the hearing who will be the appropriate person to name. In discussions, the reporter should express the view that the person named above should be the person with overall responsibility for monitoring and reviewing the child's the child's compliance with the measures in the order.

In the absence of any clarification from the local authority as to who should be the designated person, the hearing should designate the named chief social work officer for the local authority area.

5.3 Where either of the designated persons is no longer the appropriate person the local authority should request a review of the child's compulsory supervision order. Where the person named is no longer within the categories of person set out in regulation 4(1), the hearing must vary the designation to a person who does fall within these categories.

## 6. Child's Plan

6.1 As part of the arrangements for monitoring the child's compliance with the MRC the implementation authority must prepare the child's plan<sup>15</sup>. The Scottish Government [Guidance on the use of Movement Restriction Conditions in the](#)

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<sup>15</sup> Regulation 3(1)

[Children's Hearings System](#) contains further information and guidance about the preparation of the plan.

- 6.2 The Scottish Government Guidance above indicates that a hearing should have the assessment of the child's suitability for a MRC, with a plan developed from that assessment, before making a MRC, though acknowledging that emergency situations may arise. It is competent for the hearing to make an MRC without this assessment. However, if the hearing appears to be unaware of the best practice, for example of having an assessment and plan, the hearing may fail to consider a material issue, therefore the reporter should alert the hearing to the principles of best practice.
- 6.3 Regulation 3 requires the implementation authority to endeavour to agree the child's plan with the child and relevant persons. The plan must<sup>16</sup>:
- so far as practicable, address the immediate and longer term needs of the child,
  - be recorded in writing,
  - detail the services which are to be provided to meet the care, education and health needs of the child, including the provision of alternative accommodation if required, the provision of a crisis response service, the arrangements for evaluating the child's participation, progress and co-operation and the provision for regular written reports, and
  - set out the arrangements for review of the plan by the local authority.
- 6.4 The implementation authority is required to provide the reporter with a copy of the child's plan when it is completed and a copy of any revised version together with a brief report setting out the circumstances and reasons for the revision<sup>17</sup>. The receipt of these reports does not trigger a review of the child's CSO unless accompanied by a letter from the local authority requesting a review under section 131 of the Act.
- 6.5 Although the Regulations do not require the local authority to provide the services as stated in the child's plan, there is clearly an expectation that such services will be provided.

## **7. Local Authority's Role after Hearing**

- 7.1 As with any other measure in a CSO, it is for the implementation authority to decide whether the child is not complying with an MRC and if so, to give notice to the reporter to require a review of the CSO, in terms of section 131(2)(b) of the Act. There is no such thing as a "breach" of an MRC that results in automatic referral to a hearing.
- 7.2 If the implementation authority gives notice to the reporter in terms of s.131(2)(b) of the Act, the hearing is an ordinary review hearing and requires the standard period of notification, see Practice Direction 14 on Notification and Papers.

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<sup>16</sup> Regulation 3

<sup>17</sup> Regulation 3(8)

However, the fact that the child is subject to a MRC does not stop the implementation authority from using other emergency powers available to them so long as the relevant legal criteria are satisfied. For example, applying for a CPO, transfer of the child in the case of urgent necessity under section 143, or moving the child to secure accommodation in terms of the Secure Accommodation (Scotland) Regulations 2013.

- 7.3 As with a measure in a CSO specifying the place the child is required to reside, it is presumed that the local authority has a discretion to grant leave of absence from the place named in a MRC<sup>18</sup>. Such discretion allows some flexibility in the MRC, and thus will enable some contingencies to be provided for. However, if the extent of that leave amounts to the child not complying with the MRC, there is an obligation on the local authority to request a review of the supervision requirement.
- 7.4 The local authority cannot grant leave from the place named in the MRC, and then *require* the child to be at the alternative address and be electronically monitored in relation to that address (unless this alternative address is named within the MRC as a respite placement – in which case, see paragraph 4.2 above).

## 8. The Reporter's role before, during and after the Hearing

- 8.1 The reporter is to appropriately prioritise and schedule a hearing which will be considering an MRC. This will involve good liaison between the reporter and the implementation authority. In particular:
- If possible, the reporter is to arrange the hearing to take place in the morning, to facilitate implementation of the MRC;
  - Where the implementation authority requests a review of an MRC where the MRC has not been successful, the reporter is to arrange the hearing to take place as soon as practicable allowing for notification requirements; and
  - The reporter must identify whether the hearing will also be considering secure accommodation as this will trigger the availability of automatic legal aid (see section 9 below).
- 8.2 Reference should be made to Practice Direction 11 on Role of the Reporter at a hearing or Pre-hearing panel in relation to the role of the reporter in the hearing. It is appreciated that cases involving MRCs will require the hearing to consider fairly complex legal and procedural issues in relation to the terms of the mandatory elements of the MRC and any additional restrictions. The reporter may have a particularly important role here in supporting fair process in

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<sup>18</sup> Where a CSO contains a measure requiring the child to reside at a specified place, it is presumed that there is some discretion for the implementation authority and the head of the residential establishment (where applicable) to permit the child to have leave of absence from the specified place (see for example paragraphs 25 – 28 of the Scottish Government's [Guidance on Overnight Stays for Looked After and Accommodated Children](#)). The presumption applies even though it is not explicitly stated in the CSO. This allows the child to be away from that place, but does not *require* the child to be at another address.

accordance with section 2.2 of Practice Direction 11 on Role of the Reporter at a hearing or Pre-hearing panel.

- 8.3 After the hearing where an MRC has been made, without delay on the same day or, if that is not practicable, on the first working day following the hearing, the reporter is to provide the implementation authority and G4S with a copy of the CSO or ICSO. This must be done by secure e-mail (see guidance). This is with a view to the order being implemented as soon as possible.
- 8.4 G4S should not notify the reporter if the child has not kept to the terms of the MRC. G4S should only notify the implementation authority of this. It will then be for the implementation authority to decide when the obligation in section 131 is triggered.
- 8.5 If G4S do notify the reporter that a child has not complied with the terms of his/her MRC, the reporter is to ask the implementation authority to confirm whether or not they intend to request a review hearing as a result of the child's non-compliance with the condition.

## **9. Legal Representation**

- 9.1 Where a hearing is considering an MRC, automatic legal aid and therefore a duty solicitor is not available for a child unless the hearing is also considering secure accommodation. It is important for the reporter to closely liaise with the implementation authority about the possible considerations at the hearing to ensure the child obtains legal representation where appropriate.
- 9.2 Children, and relevant persons are entitled to be represented at every type of hearing by a solicitor (or counsel) whether or not they are also accompanied to the hearing or pre-hearing panel by another (lay) representative. Generally, the onus is on the child and relevant person to obtain legal advice and representation.
- 9.3 A hearing cannot appoint a legal representative for a child or a relevant person. However, for the purpose of facilitating contact between a solicitor and child/relevant person, a hearing (or pre-hearing panel) can determine that<sup>19</sup>:
  - it may be necessary for the child or relevant person to be represented by a solicitor in order to participate effectively in the hearing; and
  - it is unlikely that the child or relevant person will arrange to be represented.
- 9.4. For further information, see Practice Direction 22 on Legal Aid.

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<sup>19</sup> Rules 50 and 61

## **Response to Care Practice Enquiries Since Publication of Practice Direction**

### **Duration of a movement restriction condition**

If a movement restriction condition (MRC) is made for a period of x months, what is the actual end date?

The MRC is to be taken as expiring at midnight on the day before the equivalent date x months later. For example, if a hearing on 11 January makes a MRC to last for a period of 3 months, the MRC is to be taken as expiring at midnight on 10 April. This fits with the approach of G4S and is a reasonable approach, particularly in the context of a measure that restricts a person's liberty.

When arranging the early review set by the children's hearing, the reporter should be alert to the end date of the MRC in so far as the early review requirement set by the hearing allows for flexibility.

## Case Examples

### Case Example 1

CSO made. Movement restriction condition measure included. Child required to reside at home address. Required to be at home at the weekend each day between 10pm and 10am, and not allowed to go in to garden. Movement restriction condition to apply for a period of 6 months. Early review within 3 months directed by the hearing. Additional condition that child attends anger management classes as directed by the case manager. Note that even though the MRC is only to apply for 6 months, and there is an early review within 3 months, the CSO can still have a relevant period of up to a year.

### COMPULSORY SUPERVISION ORDER

*under s.91 or s.119 of the Children's Hearings (Scotland) Act 2011*

A Children's Hearing in relation to:

Name: **Jane Scott**

Date of Birth: **16.8.98**

Address: **8 West Street, Othertown**

Is satisfied that, for his/her protection, guidance, treatment or control it is necessary to make a Compulsory Supervision Order and makes this Order.

This Order shall have effect until: **20 August 2014**

Implementation Authority: **Midshire Council**

***The children's hearing requires this order to be reviewed within 3 months.***

#### MEASURES

The following measures are included in the Order

1. ***The implementation authority will provide appropriate supervision and support to the child.***
2. ***Jane is required to comply with a movement restriction condition in the following terms:-***
  - a. ***Jane is to reside at 8 West Street, Othertown;***
  - b. ***Jane is to remain at the above address between the hours of 10.00pm and 10.00am on each of Friday, Saturday and Sunday nights.***

- c. Jane must comply with radio and electronic monitoring of her compliance with the above restrictions as described in regulation 7(1)(a) and/or 7(1)(b) of the Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013**
  - d. The children's hearing designates Anne Ross, Chief Social Work Officer, Midshire Council, and G4S in terms of Regulations 4(1)(a) and (c) of the Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013**
  - e. Jane is required to comply with the above movement restriction condition for a period of six months.**
- 3. Jane must attend anger management classes as provided for in the Child's Plan**

Signed by:  
Chair of the Children's Hearing

At: **Othertown**

On: **21 August 2013**



**Case Example 2**

CSO continued and varied to add an MRC. The CSO already contained a measure requiring child to live at North Street Children's Unit. Child required to continue to live at North Street Children's Unit, and to remain there every day between 11pm and 7am, but is allowed to go to into patio area. MRC to apply when child at home on leave. Early review directed by the hearing to take place on or before 1 October 2014. Note as the relevant period for the CSO is a year, if the hearing wishes the child to reside at the Children's Unit for that year, then that should be a stand-alone measure, as well as the MRC which must also state where the child is to reside.

**COMPULSORY SUPERVISION ORDER CONTINUED AND VARIED**

*under s.138 of the Children's Hearings (Scotland) Act 2011*

A Children's Hearing in relation to:

Name: ***Bruce Clark***

Date of Birth: ***14.2.97***

Address: ***5 South Street, Othertown***

Being satisfied that it is necessary to do so for his/~~her~~ protection, guidance, treatment or control, continues and varies the Compulsory Supervision Order dated: ***1 March 2014*** as follows:

This Order shall have effect until: ***7 May 2015***

Implementation Authority: ***Midshire Council***

***The children's hearing requires this order to be reviewed on or before 1 October 2014***

VARIATIONS.

***1. Bruce is required to comply with a movement restriction condition in the following terms:-***

- a. Bruce is to reside at North Street Children's Unit, North Street, Othertown;***

- b. Bruce is required to remain at the above address (including the patio area at the front entrance) every day between the hours of 11.00pm and 7.00am.**
- c. Bruce is required to reside at 5 South Street, Othertown when on leave granted by Sue Wallace, Unit Manager, from North Street Children's Unit. When on leave Bruce is required to remain at 5 South Street, Othertown every day between the hours of 10.00pm and 8.00am.**
- d. Bruce must comply with radio and electronic monitoring of his compliance with the above restrictions as described in regulation 7(1)(a) and/or 7(1)(b) of the Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013**
- e. The children's hearing designates Anne Ross, Chief Social Work Officer, Midshire Council, and G4S in terms of Regulations 4(1)(a) and (c) of the Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013**
- f. Bruce is required to comply with the above movement restriction condition for a period of six months.**

CONTINUED MEASURES

- 1. The implementation authority will provide appropriate supervision and support to the child**
- 2. Bruce is to reside at North Street Children's Unit, North Street, Othertown**

Signed by:  
Chair of the Children's Hearing

On: 8 May 2014

At:

**Case Example 3**

CSO continued and varied. Movement restriction condition included. Child to reside at home. Child required to be at home including the garden ground between 11pm and 7am every day. In the event of respite being required child is to reside with named foster carers. The appropriate checks have been carried out and regulations complied with. When with the respite foster carers the child is subject to similar movement restrictions. Early review within 5 months.

**COMPULSORY SUPERVISION ORDER CONTINUED AND VARIED**

*under s.138 of the Children's Hearings (Scotland) Act 2011*

A Children's Hearing in relation to:

Name: **Helen Stevenson**

Date of Birth: **26.3.98**

Address: **9 High Street, Othertown**

Being satisfied that it is necessary to do so for his/her protection, guidance, treatment or control, continues and varies the Compulsory Supervision Order dated: **1 February 2014** as follows:

This Order shall have effect until: **7 June 2015**

Implementation Authority: **Midshire Council**

***The children's hearing requires this order to be reviewed within 5 months***

VARIATIONS

**2. Helen is required to comply with a movement restriction condition in the following terms:-**

- a. Helen is to reside at 9 High Street, Othertown;**
- b. Helen is to remain at the above address (including garden ground) every day between the hours of 11.00pm and 7.00am.**
- c. During periods of respite Helen is to reside with Joe and Mary Barrie at 3 Low Street, Othertown. During such periods of respite Helen is required to remain at 3 Low Street, Othertown**

*(including garden ground) every day between the hours of 11.00pm and 7.00am.*

- d. Helen must comply with radio and electronic monitoring of her compliance with the above restrictions as described in regulation 7(1)(a) and/or 7(1)(b) of the Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013*
- e. The children's hearing designates Anne Ross, Chief Social Work Officer, Midshire Council, and G4S in terms of Regulations 4(1)(a) and (c) of the Children's Hearings (Scotland) Act 2011 (Movement Restriction Conditions) Regulations 2013*
- f. Helen is required to comply with the above movement restriction condition for a period of six months.*

CONTINUED MEASURES

- 1. The implementation authority will provide appropriate supervision and support to the child*

Signed by:  
*Chair of the Children's Hearing*

On: **8 June 2014**

At: