

Henry Setright QC and Andrew Powell

13th November 2019

Henry Setright QC and Andrew Powell will be in the Supreme Court today with Penningtons Manches Cooper's Partner Linzi Bull and Senior Associate Tammy Knox, representing the Safeguarder for the children, in the matter of 'XY' – a landmark case relating to public law children proceedings in Scotland

XY is the adult sibling of three younger sisters who are the subject of Compulsory Supervision Orders. XY's application to be deemed a "relevant person" for the purposes of those proceedings was refused by a pre-hearing panel. He appealed to the Sheriff, arguing that the relevant legislation was incompatible with Articles 6 and 8 of the ECHR. This appeal was dismissed, as was an appeal by way of case stated to the Court of Session, which relied on the reasoning in two earlier cases: ABC v Principal Reporter 2018 SLT 1281 and DM v Locality Reported SLT 1308. The appellant now seeks permission to appeal to the Supreme Court. <https://www.supremecourt.uk/cases/uksc-2019-0134.html>