



# Anti-social Behaviour Act 2003

## 2003 CHAPTER 38

### PART 3

#### PARENTAL RESPONSIBILITIES

##### *Truancy and <sup>F1</sup>misbehaviour at] school*

#### **21 Parenting orders: supplemental**

- (1) In deciding whether to make a parenting order under section 20, a court must take into account (amongst other things)—
  - (a) any refusal by the parent to enter into a parenting contract under section 19 in respect of the pupil in a case falling within subsection (1) [<sup>F1</sup>or (1A)] of that section, or
  - (b) if the parent has entered into such a parenting contract, any failure by the parent to comply with the requirements specified in the contract.

[<sup>F2</sup>(1A) In deciding whether to make a parenting order under section 20, a court must also take into account any failure by the parent without reasonable excuse to attend a reintegration interview under section 102 of the Education and Inspections Act 2006 (reintegration interview in case of fixed period exclusion) when requested to do so in accordance with regulations under that section.]

- (2) Before making a parenting order under section 20 in the case of a pupil under the age of 16, a court must obtain and consider information about the pupil's family circumstances and the likely effect of the order on those circumstances.
- (3) Subsections (3) to (7) of section 9 of the Crime and Disorder Act 1998 (c. 37) (supplemental provisions about parenting orders) are to apply in relation to a parenting order under section 20 as they apply in relation to a parenting order under section 8 of that Act.

<sup>F3</sup>(4) .....

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*Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 21. (See end of Document for details)*

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- (5) [<sup>F4</sup>local authorities] , [<sup>F5</sup>governing bodies] head teachers and responsible officers must, in carrying out their functions in relation to parenting orders, have regard to any guidance which is issued by the appropriate person from time to time for that purpose.

#### Textual Amendments

- F1** Words in s. 21(1)(a) inserted (1.9.2007 for E., 31.10.2010 for W. for specified purpose and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 99(2)(a)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)
- F2** S. 21(1A) inserted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 99(2)(b)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)
- F3** S. 21(4) repealed (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 99(2)(c)**, 188(3), **Sch. 18 Pt. 6**; S.I. 2007/1801, art. 3(c)(h) (with art. 5(2)); S.I. 2010/2543, arts. 2(h), 3(a)
- F4** Words in ss. 19-21 substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 52**
- F5** Words in s. 21(5) inserted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 99(2)(d)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)

#### Commencement Information

- I1** S. 21 in force at 27.2.2004 for E. by S.I. 2003/3300, **art. 4(c)**
- I2** S. 21 in force at 11.5.2006 for W. by S.I. 2006/1278, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 21.