



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 3

PARENTAL RESPONSIBILITIES

Criminal conduct and anti-social behaviour

27 Parenting orders: supplemental

- (1) In deciding whether to make a parenting order under [^{F1}section 26, 26A or 26B], a court must take into account (amongst other things)—
 - (a) any refusal by the parent to enter into a parenting contract under [^{F2}section 25, 25A or 25B] in respect of the child or young person, 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.
 - (2) Before making a parenting order under [^{F1}section 26, 26A or 26B] in the case of a child or a young person under the age of 16, a court must obtain and consider information about the child or young person's family circumstances and the likely effect of the order on those circumstances.
 - (3) Subsections (3) to (7) of section 9 of the 1998 Act (supplemental provisions about parenting orders) are to apply [^{F3} in relation to—
 - (a) a parenting order under section 26,
 - (b) a parenting order under section 26A, or
 - (c) a parenting order under section 26B,as they apply] in relation to a parenting order under section 8 of that Act.
- [^{F4}(3A) Proceedings for an offence under section 9(7) of the 1998 Act (parenting orders: breach of requirement etc.) as applied by subsection (3)(b) above may be brought by any of the following local authorities—

*Changes to legislation: There are currently no known outstanding effects for the
 Anti-social Behaviour Act 2003, Section 27. (See end of Document for details)*

- (a) the local authority that applied for the order, if the child or young person, or the person alleged to be in breach, resides or appears to reside in that authority's area;
- (b) the local authority of the child or young person, if that child or young person does not reside or appear to reside in the area of the local authority that applied for the order;
- (c) the local authority of the person alleged to be in breach, if that person does not reside or appear to reside in the area of the local authority that applied for the order.

(3B) For the purposes of subsection (3A)(b) and (c)—

- (a) an individual's local authority is the local authority in whose area the individual resides or appears to reside; but
- (b) if the place where an individual resides or appears to reside is within the area of a county council and within the area of a district council, a reference to that individual's local authority is to be read as a reference to either of those authorities.]

[^{F5}(4) In carrying out their functions in relation to parenting orders—

- (a) members of youth offending teams,
- (b) local authorities in England,
- (c) [^{F6}private registered providers of social housing,] and
- (d) responsible officers in relation to parenting orders made on the application of local authorities in England or of [^{F7}private registered providers of social housing] ,

must have regard to any guidance which is issued by the Secretary of State from time to time for that purpose.

(4A) In carrying out their functions in relation to parenting orders—

- (a) local authorities in Wales,
- (b) [^{F8}registered social landlords,] and
- (c) responsible officers in relation to parenting orders made on the application of local authorities in Wales or of [^{F9}registered social landlords] ,

must have regard to any guidance which is issued by the National Assembly for Wales from time to time for that purpose.]

Textual Amendments

- F1** Words in s. 27(1)(2) substituted (1.8.2007 for E.) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 14 para. 55\(2\)](#); S.I. 2007/1614, art. 3(d)
- F2** Words in s. 27(1)(a) substituted (1.8.2007 for E.) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 14 para. 55\(3\)](#); S.I. 2007/1614, art. 3(d)
- F3** Words in s. 27(3) substituted (1.8.2007 for E.) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 14 para. 55\(4\)](#); S.I. 2007/1614, art. 3(d)
- F4** S. 27(3A)(3B) substituted for s. 27(3A) (1.4.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), ss. 125\(4\), 153\(7\)](#); S.I. 2009/860, art. 2(1)(b)
- F5** S. 27(4)(4A) substituted for s. 27(4) (1.8.2007 for E.) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 14 para. 55\(6\)](#); S.I. 2007/1614, art. 3(d)
- F6** S. 27(4)(c) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\), art. 1\(2\), Sch. 2 para. 124\(2\)\(a\)](#) (with art. 6, Sch. 3)

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- F7** Words in s. 27(4)(d) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), **Sch. 2 para. 124(2)(b)** (with art. 6, Sch. 3)
- F8** S. 27(4A)(b) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), **Sch. 2 para. 124(3)(a)** (with art. 6, Sch. 3)
- F9** Words in s. 27(4A)(c) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), **Sch. 2 para. 124(3)(b)** (with art. 6, Sch. 3)

Commencement Information

- I1** S. 27 in force at 27.2.2004 by S.I. 2003/3300, **art. 3(a)(iii)**

Changes to legislation:

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