



Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

Notification requirements

89 Young offenders: parental directions

- (1) Where a person within the first column of the following Table (“the young offender”) is under 18 (or, in Scotland, 16) when he is before the court referred to in the second column of the Table opposite the description that applies to him, that court may direct that subsection (2) applies in respect of an individual (“the parent”) having parental responsibility for (or, in Scotland, parental responsibilities in relation to) the young offender.

TABLE

<i>Description of person</i>	<i>Court which may make the direction</i>
A relevant offender within section 80(1) (a) to (c) or 81(1)(a) to (c)	The court which deals with the offender in respect of the offence or finding
A relevant offender within section 129(1)(a) to (c)	The court which deals with the offender in respect of the offence or finding
A person who is the subject of a notification order, interim notification order, [F ¹ sexual harm prevention order, interim sexual harm prevention order,] sexual offences prevention order or interim sexual offences prevention order [F ² , or an order under Chapter 2 of Part	The court which makes the order

Changes to legislation: Sexual Offences Act 2003, Section 89 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

11 of the Sentencing Code (sexual harm prevention orders on conviction)]

A relevant offender who is the defendant The court which hears the application to an application under subsection (4) (or, in Scotland, the subject of an application under subsection (5))

[^{F3}(1A) In the Table—

- (a) the reference to a sexual harm prevention order includes an order made under section 11 or 12 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016,
 - (b) the reference to an interim sexual harm prevention order includes an order made under section 21 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.]
- (2) Where this subsection applies—
- (a) the obligations that would (apart from this subsection) be imposed by or under sections 83 to 86 on the young offender are to be treated instead as obligations on the parent, and
 - (b) the parent must ensure that the young offender attends at the police station with him, when a notification is being given.
- (3) A direction under subsection (1) takes immediate effect and applies—
- (a) until the young offender attains the age of 18 (or, where a court in Scotland gives the direction, 16); or
 - (b) for such shorter period as the court may, at the time the direction is given, direct.
- (4) A chief officer of police may, by complaint to any magistrates' court whose commission area includes any part of his police area, apply for a direction under subsection (1) in respect of a relevant offender (“the defendant”)—
- (a) who resides in his police area, or who the chief officer believes is in or is intending to come to his police area, and
 - (b) who the chief officer believes is under 18.
- (5) In Scotland, [^{F4}the chief constable of the Police Service of Scotland] may, by summary application to any sheriff ^{F5}..., apply for a direction under subsection (1) in respect of a relevant offender (“the subject”)—
- (a) who resides in that area, or who the chief constable believes is in or is intending to come to that area, and
 - (b) who the chief constable believes is under 16.

Textual Amendments

- F1** Words in s. 89(1) inserted (8.3.2015) by *Anti-social Behaviour, Crime and Policing Act 2014* (c. 12), s. 185(1), **Sch. 11 para. 57** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(g)(i)
- F2** Words in s. 89(1) inserted (1.12.2020) by *Sentencing Act 2020* (c. 17), s. 416(1), **Sch. 24 para. 206** (with Sch. 27); S.I. 2020/1236, reg. 2
- F3** S. 89(1A) inserted (S.) (31.3.2023) by *Abusive Behaviour and Sexual Harm (Scotland) Act 2016* (asp 22), s. 45(2)(3), **sch. 2 para. 3(3)** (with s. 44); S.S.I. 2023/51, reg. 2 (with reg. 3)
- F4** Words in s. 89(5) substituted (S.) (1.4.2013) by *The Police and Fire Reform (Scotland) Act 2012* (Consequential Modifications and Savings) Order 2013 (S.S.I. 2013/119), art. 1, **Sch. 1 para. 20(5)(a)**

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F5 Words in s. 89(5) omitted (S.) (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Modifications and Savings\) Order 2013 \(S.S.I. 2013/119\)](#), art. 1, **Sch. 1 para. 20(5)(b)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to legislation.gov.uk. S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\), s. 28\(2\), Sch. 5](#); and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30, Sch. 5 para. 5\(2\)](#); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)