



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 3

PARENTAL RESPONSIBILITIES

Criminal conduct and anti-social behaviour

[^{F1}26B Parenting orders in respect of anti-social behaviour: [^{F2}relevant housing providers]

- (1) A [^{F3}relevant housing provider] may apply for a parenting order in respect of a parent of a child or young person if—
- the [^{F3}relevant housing provider] has reason to believe that the child or young person has engaged in anti-social behaviour, and
 - the behaviour in question directly or indirectly relates to or affects the housing management functions of the [^{F3}relevant housing provider] .

An application for such an order may be made to a magistrates' court or, where section 26C so allows, to [^{F4}the county court] .

- (2) If such an application is made, the court may make a parenting order in respect of a parent of the child or young person if it is satisfied—
- that the child or young person has engaged in anti-social behaviour, and
 - that making the order would be desirable in the interests of preventing the child or young person from engaging in further anti-social behaviour.
- (3) A parenting order is an order which requires the parent—
- to comply, for a period not exceeding twelve months, with such requirements as are specified in the order, and
 - subject to subsection (4), to attend, for a concurrent period not exceeding three months, such counselling or guidance programme as may be specified in directions given by the responsible officer.

Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 26B. (See end of Document for details)

- (4) A parenting order under this section may, but need not, include a requirement mentioned in subsection (3)(b) in any case where a parenting order under this section or any other enactment has been made in respect of the parent on a previous occasion.
- (5) A counselling or guidance programme which a parent is required to attend by virtue of subsection (3)(b) may be or include a residential course but only if the court is satisfied that the following two conditions are fulfilled.
- (6) The first condition is that the attendance of the parent at a residential course is likely to be more effective than his attendance at a non-residential course in preventing the child or young person from engaging in further anti-social behaviour.
- (7) The second condition is that any interference with family life which is likely to result from the attendance of the parent at a residential course is proportionate in all the circumstances.
- (8) A [^{F3}relevant housing provider] must not make an application under this section without first consulting the local authority [^{F5}(or, if subsection (8A) applies, each local authority)] in whose area the child or young person in question resides or appears to reside.
- [This subsection applies if the place where the child or young person resides or appears ^{F6}(8A) to reside is within the area of a county council and within the area of a district council.]
- (9) A person is eligible to be the responsible officer in relation to a parenting order under this section only if he is—
- (a) an officer of the [^{F3}relevant housing provider] which applied for the order, or
 - (b) a person nominated by that [^{F3}relevant housing provider] .
- A person may not be nominated under paragraph (b) without his consent.
- (10) In deciding whom to nominate under subsection (9)(b) a [^{F3}relevant housing provider] must take into account the views of—
- (a) the local authority [^{F7}(or authorities)] mentioned in subsection (8), and
 - (b) such other persons or bodies as the [^{F3}relevant housing provider] thinks appropriate.]

Textual Amendments

- F1** Ss. 26A-26C inserted (1.8.2007 for E.) by [Police and Justice Act 2006 \(c. 48\)](#), **ss. 24**, 53(1); S.I. 2007/1614, art. 3(a)
- F2** Words in s. 26B heading 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. 122(3)** (with art. 6, Sch. 3)
- F3** Words in s. 26B 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. 122(2)** (with art. 6, Sch. 3)
- F4** Words in ss. 26A-28 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 52**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F5** Words in s. 26B(8) inserted (1.4.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), **ss. 125(3)(a)**, 153(7); S.I. 2009/860, art. 2(1)(b)
- F6** S. 26B(8A) inserted (1.4.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), **ss. 125(3)(b)**, 153(7); S.I. 2009/860, art. 2(1)(b)

Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 26B. (See end of Document for details)

F7 Words in s. 26B(10)(a) inserted (1.4.2009) by Criminal Justice and Immigration Act 2008 (c. 4), ss. **125(3)(c)**, 153(7); S.I. 2009/860, art. 2(1)(b)

Changes to legislation:

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