

ANTI-SOCIAL BEHAVIOUR ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Parental Responsibilities

Section 25: Parenting contracts in respect of criminal conduct and anti-social behaviour

72. This section makes provision for parenting contracts to be entered into when a child has been referred to a youth offending team.
73. *Subsections (1) and (2)* set out the circumstances in which a parenting contract can be made. This is where a child or young person has been referred to a youth offending team and where a member of that team has reason to believe that he has engaged, or is likely to engage, in criminal conduct or anti-social behaviour.
74. *Subsection (3)* explains that a parenting contract is a document containing a statement by the parent that he will comply with the requirements specified in the contract and a statement by the youth offending team that it agrees to provide support to the parent to help him comply with the requirements of the contract. *Subsection (4)* states that this may include a requirement for the parent to attend a counselling or guidance programme.
75. *Subsection (5)* describes the purpose of a parenting contract being to prevent the child or young person from engaging in criminal conduct or anti-social behaviour or further criminal conduct or anti-social behaviour. *Subsection (6)* specifies that the contract must be signed by both the parent and on behalf of the youth offending team.
76. *Subsection (7)* sets out that there are no obligations in contract or tort for the breach of the contract. However, the youth offending team could use its experience of the parents' engagement during the contract process in any future application for a parenting order under section 26.
77. *Subsection (8)* requires youth offending teams to have regard to guidance on parenting contracts which may be issued by the Secretary of State.
78. This section complements section 19 which enables local education authorities or governing bodies to arrange parenting contracts for parents of children who have been excluded from school for a fixed period or have failed to regularly attend the school at which they are registered.