



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 3

PARENTAL RESPONSIBILITIES

Criminal conduct and anti-social behaviour

[^{F1}26A Parenting orders in respect of anti-social behaviour: local authorities

- (1) A local authority may apply for a parenting order in respect of a parent of a child or young person if—
- the local authority has reason to believe that the child or young person has engaged in anti-social behaviour, and
 - the child or young person resides, or appears to reside, in the local authority's area.

An application for such an order may be made to a magistrates' court or, where section 26C so allows, to [^{F2}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 26A. (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 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 local authority which applied for the order, or
 - (b) a person nominated by that authority or by a person or body requested by the authority to make a nomination.

A person may not be nominated under paragraph (b) without his consent.]

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 [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](#))

Changes to legislation:

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 26A.