



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 9

MISCELLANEOUS POWERS

90 Report by local authority in certain cases where person remanded on bail

After section 23A of the Children and Young Persons Act 1969 (c. 54) there is inserted—

“23B Report by local authority in certain cases where person remanded on bail

- (1) Subsection (2) below applies where a court remands a person aged 10 or 11 on bail and either—
 - (a) the person is charged with or has been convicted of a serious offence, or
 - (b) in the opinion of the court the person is a persistent offender.
- (2) The court may order a local authority to make an oral or written report specifying where the person is likely to be placed or maintained if he is further remanded to local authority accommodation.
- (3) An order under subsection (2) above must designate the local authority which is to make the report; and that authority must be the local authority which the court would have designated under section 23(2) of this Act if the person had been remanded to local authority accommodation.
- (4) An order under subsection (2) above must specify the period within which the local authority must comply with the order.
- (5) The maximum period that may be so specified is seven working days.
- (6) If the Secretary of State by order so provides, subsection (2) above also applies where—

Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 90. (See end of Document for details)

- (a) a court remands on bail any person who has attained the age of 12 and is under the age of 17,
- (b) the requirement in section 23AA(3) of this Act is fulfilled, and
- (c) in a case where he is remanded after conviction, the court is satisfied that the behaviour which constituted the offence was due, to a significant extent, to the circumstances in which the offender was living.

(7) In this section—

“serious offence” means an offence punishable in the case of an adult with imprisonment for a term of two years or more.

“working day” means any day other than—

- (a) a Saturday or a Sunday,
- (b) Christmas day or Good Friday, or
- (c) a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971.”.

Commencement Information

II S. 90 in force at 31.7.2004 by [S.I. 2004/1502](#), [art. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 90.