



# Police and Justice Act 2006

## 2006 CHAPTER 48

### PART 3

#### CRIME AND ANTI-SOCIAL BEHAVIOUR

##### *Parenting contracts and parenting orders*

#### **24 Parenting orders: local authorities and registered social landlords**

In Part 3 of the Anti-social Behaviour Act 2003 (c. 38) (parental responsibilities), after section 26 there is inserted—

##### **“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—
- (a) the local authority has reason to believe that the child or young person has engaged in anti-social behaviour, and
  - (b) 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 a 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—
- (a) that the child or young person has engaged in anti-social behaviour, and
  - (b) 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—
- (a) to comply, for a period not exceeding twelve months, with such requirements as are specified in the order, and

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*Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, Section 24. (See end of Document for details)*

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- (b) 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.
- (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.

### **26B Parenting orders in respect of anti-social behaviour: registered social landlords**

- (1) A registered social landlord may apply for a parenting order in respect of a parent of a child or young person if—
  - (a) the registered social landlord has reason to believe that the child or young person has engaged in anti-social behaviour, and
  - (b) the behaviour in question directly or indirectly relates to or affects the housing management functions of the registered social landlord.

An application for such an order may be made to a magistrates' court or, where section 26C so allows, to a 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—
  - (a) that the child or young person has engaged in anti-social behaviour, and
  - (b) 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—
  - (a) to comply, for a period not exceeding twelve months, with such requirements as are specified in the order, and

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- (b) 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.
- (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 registered social landlord must not make an application under this section without first consulting the local authority in whose area the child or young person in question resides or appears to reside.
- (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 registered social landlord which applied for the order, or
  - (b) a person nominated by that registered social landlord.A person may not be nominated under paragraph (b) without his consent.
- (10) In deciding whom to nominate under subsection (9)(b) a registered social landlord must take into account the views of—
  - (a) the local authority mentioned in subsection (8), and
  - (b) such other persons or bodies as the registered social landlord thinks appropriate.

### **26C Applications under section 26A or 26B in county court proceedings**

- (1) Where a local authority or registered social landlord (a “relevant authority”)—
  - (a) is a party to proceedings in a county court, and
  - (b) considers that a party to those proceedings is a person in relation to whom it would be reasonable for it to make an application for a parenting order under section 26A or 26B (a “parenting order application”),it may make such an application to that court in relation to that person.
- (2) Where—
  - (a) a relevant authority considers that a party to proceedings in a county court is a person in relation to whom it would be reasonable for it to make a parenting order application, but

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(b) the relevant authority is not a party to those proceedings, it may apply to be joined to those proceedings to enable it to make a parenting order application.

(3) Where—

(a) there are proceedings in a county court to which a relevant authority is a party, and

(b) the relevant authority considers that a child or young person has engaged in anti-social behaviour that is material in relation to the proceedings,

the relevant authority may apply for a person who is a parent of the child or young person to be joined to the proceedings to enable it to make a parenting order application in relation to him.

(4) A person must not be joined to proceedings in pursuance of subsection (3) unless the anti-social behaviour in question is material in relation to those proceedings.”

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**Commencement Information**

**II** S. 24 in force at 1.8.2007 for E. by S.I. 2007/1614, art. 3(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Police and Justice Act 2006, Section 24.