

*Status: Point in time view as at 01/02/2012.*

*Changes to legislation: Children Act 1989, Part 1 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE A1

#### ENFORCEMENT ORDERS

##### Textual Amendments

- F1** Sch. A1 inserted (8.12.2008) by [Children and Adoption Act 2006 \(c. 20\)](#), s. 4, [Sch. 1](#); S.I. 2008/2870, [art. 2\(2\)\(c\)](#)

#### PART 1

##### UNPAID WORK REQUIREMENT

###### *General*

- 1 Subject to the modifications in paragraphs 2 and 3, Chapter 4 of Part 12 of the Criminal Justice Act 2003 has effect in relation to an enforcement order as it has effect in relation to a community order (within the meaning of Part 12 of that Act).

###### *References to an offender*

- 2 Subject to paragraph 3, references in Chapter 4 of Part 12 of the Criminal Justice Act 2003 to an offender are to be treated as including references to a person subject to an enforcement order.

###### *Specific modifications*

- 3 (1) The power of the Secretary of State by order under section 197(3) to amend the definition of “responsible officer” and to make consequential amendments includes power to make any amendments of this Part (including further modifications of Chapter 4 of Part 12 of the Criminal Justice Act 2003) that appear to the Secretary of State to be necessary or expedient in consequence of any amendment made by virtue of section 197(3)(a) or (b).
- (2) In section 198 (duties of responsible officer)—
- (a) in subsection (1)—
    - (i) at the end of paragraph (a) insert “ and ”, and
    - (ii) omit paragraph (c) and the word “and” immediately preceding it, and
  - (b) after subsection (1) insert—

“(1A) Subsection (1B) applies where—

    - (a) an enforcement order is in force, and

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- (b) an officer of the Children and Family Court Advisory and Support Service or a Welsh family proceedings officer (as defined in section 35 of the Children Act 2004) is required under section 11M of the Children Act 1989 to report on matters relating to the order.

(1B) The officer of the Service or the Welsh family proceedings officer may request the responsible officer to report to him on such matters relating to the order as he may require for the purpose of making a report under section 11M(1)(c) or (d); and it shall be the duty of the responsible officer to comply with such a request.”

- (3) In section 199 (unpaid work requirement)—
  - (a) in subsection (2)(minimum and maximum hours of unpaid work) for paragraph (b) substitute—
    - “(b) not more than 200.”,
  - (b) omit subsections (3) and (4), and
  - (c) in subsection (5) for the words from the beginning to “of them” substitute “ Where on the same occasion and in relation to the same person the court makes more than one enforcement order imposing an unpaid work requirement ”.
- (4) In section 200 (obligations of person subject to unpaid work requirement), for subsection (2) substitute—
  - “(2) Subject to paragraphs 7 and 9 of Schedule A1 to the Children Act 1989, the work required to be performed under an unpaid work requirement imposed by an enforcement order must be performed during a period of twelve months.
  - (2A) But the period of twelve months is not to run while the enforcement order is suspended under section 11J(9) of the Children Act 1989.”
- (5) Section 217 (requirement to avoid conflict with religious beliefs, etc) is omitted.
- (6) In section 218 (availability of arrangements in local area), subsection (1)(condition for imposition of unpaid work requirement) is omitted.
- (7) Section 219 (provision of copies of relevant order) is omitted.
- (8) The power of the Secretary of State to make rules under section 222 in relation to persons subject to relevant orders may also be exercised in relation to persons subject to enforcement orders.
- (9) The power of the Secretary of State by order under section 223(1) to amend the provision mentioned in section 223(1)(a) includes power to amend this Part so as to make such modifications of Chapter 4 of Part 12 of the Criminal Justice Act 2003 as appear to the Secretary of State to be necessary or expedient in consequence of any amendment of the provision mentioned in section 223(1)(a).]

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