



Crime and Disorder Act 1998

1998 CHAPTER 37

PART I

PREVENTION OF CRIME AND DISORDER

CHAPTER I

ENGLAND AND WALES

Youth crime and disorder

VALID FROM 20/07/2006

[^{F1}13B Parental compensation orders: the compensation

- (1) When specifying the amount of compensation for the purposes of section 13A(3) above, the magistrates' court shall take into account—
- (a) the value of the property taken or damaged, or whose loss was caused, by the child;
 - (b) any further loss which flowed from the taking of or damage to the property, or from its loss;
 - (c) whether the child, or any parent or guardian of his, has already paid any compensation for the property (and if so, how much);
 - (d) whether the child, or any parent or guardian of his, has already made any reparation (and if so, what it consisted of);
 - (e) the means of those to be specified in the order as liable to pay the compensation, so far as the court can ascertain them;
 - (f) whether there was any lack of care on the part of the person affected by the taking of the property or its loss or damage which made it easier for the child to take or damage the property or to cause its loss.

Status: Point in time view as at 30/09/1998. This version of this provision is not valid for this point in time.

Changes to legislation: Crime and Disorder Act 1998, Section 13B is up to date with all changes known to be in force on or before 11 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)

- (2) If property taken is recovered before compensation is ordered to be paid in respect of it—
- (a) the court shall not order any such compensation to be payable in respect of it if it is not damaged;
 - (b) if it is damaged, the damage shall be treated for the purposes of making a parental compensation order as having been caused by the child, regardless of how it was caused and who caused it.
- (3) The court shall specify in the order how and by when the compensation is to be paid (for example, it may specify that the compensation is to be paid by instalments, and specify the date by which each instalment must be paid).
- (4) For the purpose of ascertaining the means of the parent or guardian, the court may, before specifying the amount of compensation, order him to provide the court, within such period as it may specify in the order, such a statement of his financial circumstances as the court may require.
- (5) A person who without reasonable excuse fails to comply with an order under subsection (4) above is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) If, in providing a statement of his financial circumstances pursuant to an order under subsection (4) above, a person—
- (a) makes a statement which he knows to be false in a material particular;
 - (b) recklessly provides a statement which is false in a material particular; or
 - (c) knowingly fails to disclose any material fact,
- he is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (7) Proceedings in respect of an offence under subsection (6) above may, despite anything in section 127(1) of the 1980 Act (limitation of time), be commenced at any time within two years from the date of the commission of the offence or within six months of its first discovery by the local authority, whichever period expires earlier.]

Textual Amendments

- F1** Ss. 13A-13E inserted (20.7.2006 in relation to specified areas) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 144, 178(8), [Sch. 10 para. 2](#); S.I. 2006/1871, [art. 2](#), [Sch.](#) (as amended by S.I. 2006/2182, [art. 3](#))

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