



# Crime and Disorder Act 1998

## 1998 CHAPTER 37

### PART I

#### PREVENTION OF CRIME AND DISORDER

#### CHAPTER I

##### ENGLAND AND WALES

##### *Youth crime and disorder*

### 8 Parenting orders.

- (1) This section applies where, in any court proceedings—
  - (a) a child safety order is made in respect of a child;
  - (b) an anti-social behaviour order or sex offender order is made in respect of a child or young person;
  - (c) a child or young person is convicted of an offence; or
  - (d) a person is convicted of an offence under section 443 (failure to comply with school attendance order) or section 444 (failure to secure regular attendance at school of registered pupil) of the <sup>M1</sup>Education Act 1996.
- (2) Subject to subsection (3) and section 9(1) below [<sup>F1</sup> and to section 19(5) of, and paragraph 13(5) of Schedule 1 to, the Powers of Criminal Courts (Sentencing) Act 2000], if in the proceedings the court is satisfied that the relevant condition is fulfilled, it may make a parenting order in respect of a person who is a parent or guardian of the child or young person or, as the case may be, the person convicted of the offence under section 443 or 444 (“the parent”).
- (3) A court shall not make a parenting order unless it has been notified by the Secretary of State that arrangements for implementing such orders are available in the area in which it appears to the court that the parent resides or will reside and the notice has not been withdrawn.

*Status: Point in time view as at 01/04/2001. This version of this provision has been superseded.*

*Changes to legislation: Crime and Disorder Act 1998, Section 8 is up to date with all changes known to be in force on or before 20 August 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)*

- (4) 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
  - (b) subject to subsection (5) below, to attend, for a concurrent period not exceeding three months and not more than once in any week, such counselling or guidance sessions as may be specified in directions given by the responsible officer;
- and in this subsection “week” means a period of seven days beginning with a Sunday.
- (5) A parenting order may, but need not, include such a requirement as is mentioned in subsection (4)(b) above in any case where such an order has been made in respect of the parent on a previous occasion.
- (6) The relevant condition is that the parenting order would be desirable in the interests of preventing—
- (a) in a case falling within paragraph (a) or (b) of subsection (1) above, any repetition of the kind of behaviour which led to the child safety order, anti-social behaviour order or sex offender order being made;
  - (b) in a case falling within paragraph (c) of that subsection, the commission of any further offence by the child or young person;
  - (c) in a case falling within paragraph (d) of that subsection, the commission of any further offence under section 443 or 444 of the <sup>M2</sup>Education Act 1996.
- (7) The requirements that may be specified under subsection (4)(a) above are those which the court considers desirable in the interests of preventing any such repetition or, as the case may be, the commission of any such further offence.
- (8) In this section and section 9 below “responsible officer”, in relation to a parenting order, means one of the following who is specified in the order, namely—
- (a) [<sup>F2</sup>an officer of a local probation board] ;
  - (b) a social worker of a local authority social services department; and
  - [<sup>F3</sup>(bb) a person nominated by a person appointed as chief education officer under section 532 of the <sup>M3</sup>Education Act 1996]
  - (c) a member of a youth offending team.

#### Textual Amendments

- F1** Words in s. 8(2) substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), **Sch. 9 para. 194**
- F2** Words in s. 8(8)(a) substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. I para. 4(1)(a)(2)**; S.I. 2001/919, **art. 2(f)(i)**
- F3** S. 8(8)(bb) inserted (1.4.2001) by 2000 c. 43, s. 73; S.I. 2001/919, **art. 2(d)**

#### Modifications etc. (not altering text)

- C1** S. 8 restricted (26.6.2000) by 1999 c. 23, ss. 4(5)(6), (with Sch. 7 paras. 3(3), 5(2)); S.I. 2000/1587, **art. 2**; which s. 4 of that 1999 Act was repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

#### Commencement Information

- I1** S. 8 wholly in force; S. 8 not in force at Royal Assent see s. 121. In force at 30.9.1998 by S.I. 1998/2327, **art. 2(1)** (subject to savings in arts. 5-8)

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#### Marginal Citations

- M1** 1996 c.56.
- M2** 1996 c.56.
- M3** 1996 c. 56.

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