



Crime and Disorder Act 1998

1998 CHAPTER 37

PART I

PREVENTION OF CRIME AND DISORDER

CHAPTER I

ENGLAND AND WALES

Youth crime and disorder

9 Parenting orders: supplemental.

^{F1}(1)

^{F1}(1A)

^{F2}(1B) If ^{F3} an injunction under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014 is granted or ^{F4} a criminal behaviour order[]] is made in respect of a person under the age of 16 the court which ^{F5} grants the injunction or] makes the order—

- (a) must make a parenting order if it is satisfied that the relevant condition is fulfilled;
- (b) if it is not so satisfied, must state in open court that it is not and why it is not.]

(2) Before making a parenting order—

- (a) in a case falling within paragraph (a) of subsection (1) of section 8 above;
- (b) in a case falling within paragraph (b)^{F6}... of that subsection, where the person concerned is under the age of 16; or

^{F7}(c)

a court shall obtain and consider information about the person's family circumstances and the likely effect of the order on those circumstances.

^{F8}(2A)

Status: Point in time view as at 07/05/2024.

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^{F8}(2B)

- (3) Before making a parenting order, a court shall explain to the parent in ordinary language—
- (a) the effect of the order and of the requirements proposed to be included in it;
 - (b) the consequences which may follow (under subsection (7) below) if he fails to comply with any of those requirements; and
 - (c) that the court has power (under subsection (5) below) to review the order on the application either of the parent or of the responsible officer.
- (4) Requirements specified in, and directions given under, a parenting order shall, as far as practicable, be such as to avoid—
- (a) any conflict with the parent’s religious beliefs; and
 - (b) any interference with the times, if any, at which he normally works or attends an educational establishment.
- (5) If while a parenting order is in force it appears to the court which made it, on the application of the responsible officer or the parent, that it is appropriate to make an order under this subsection, the court may make an order discharging the parenting order or varying it—
- (a) by cancelling any provision included in it; or
 - (b) by inserting in it (either in addition to or in substitution for any of its provisions) any provision that could have been included in the order if the court had then had power to make it and were exercising the power.

^{F9}(5A)

- (6) Where an application under subsection (5) above for the discharge of a parenting order is dismissed, no further application for its discharge shall be made under that subsection by any person except with the consent of the court which made the order.
- (7) If while a parenting order is in force the parent without reasonable excuse fails to comply with any requirement included in the order, or specified in directions given by the responsible officer, he shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

[^{F10}(7ZA) In this section “criminal behaviour order” has the meaning given by section 330 of the Sentencing Code.]

^{F11}(7A)

Textual Amendments

- F1** S. 9(1)(1A) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F2** S. 9(1B) inserted (27.2.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), [ss. 85\(8\)](#), 93(1) (with s. 84); [S.I. 2003/3300](#), [art. 3\(c\)](#)
- F3** Words in s. 9(1B) substituted (20.10.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 26\(3\)\(a\)](#) (with ss. 21, 33, 42, 58, 75, 93); [S.I. 2014/2590](#), art. 3(g)(iv) (with [art. 4](#)) (as amended (20.10.2014) by [S.I. 2014/2754](#), arts. 1, 4)
- F4** Words in s. 9(1B) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 153\(2\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

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- F5** Words in s. 9(1B) inserted (20.10.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 26(3)(b)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 3(g)(iv) (with art. 4) (as amended (20.10.2014) by S.I. 2014/2754, arts. 1, 4)
- F6** Words in s. 9(2)(b) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2
- F7** S. 9(2)(c) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2
- F8** S. 9(2A)(2B) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2
- F9** S. 9(5A) inserted (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), s. 5(2)(3), **Sch. 2 para. 119(2)**; S.I. 2012/1236, reg. 2 and s. 9(5A) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2
- F10** S. 9(7ZA) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 153(3)** (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2
- F11** S. 9(7A) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Modifications etc. (not altering text)

- C1** S. 9 modified in part (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), **ss. 1, 5(2)(3)**; S.I. 2012/1236, reg. 2
- C2** S. 9(3)-(7) applied (27.2.2004 for E. and 11.5.2006 for W.) by Anti-social Behaviour Act 2003 (c. 38), **ss. 21(3), 93(1)**; S.I. 2003/3300, **art. 4(c)**; S.I. 2006/1278, **art. 2**
- C3** S. 9(3)-(7) applied (27.2.2004) by Anti-social Behaviour Act 2003 (c. 38), **ss. 27(3), 93(1)**; S.I. 2003/3300, **art. 3(a)(iii)**
- C4** S. 9(3)-(7) applied (27.2.2004) by Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), **Sch. 1 para. 9D(7)** (as inserted by Crime and Disorder Act 2003 (c. 44), ss. 324, 336(3), **Sch. 34 para. 6**; S.I. 2004/81, **art. 5(2)(d)**)

Commencement Information

- I1** S. 9 wholly in force; S. 9 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)

Status:

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