



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 8

ANTI-SOCIAL BEHAVIOUR

Anti-social behaviour orders etc. in respect of children and young persons

124 Individual support orders

(1) In section 1AA of the Crime and Disorder Act 1998 (c. 37) (individual support orders) for subsection (1) and the words in subsection (2) before paragraph (a) substitute—

“(1) This section applies where a court makes an anti-social behaviour order in respect of a defendant who is a child or young person when that order is made.

(1A) This section also applies where—

- (a) an anti-social behaviour order has previously been made in respect of such a defendant;
- (b) an application is made by complaint to the court which made that order, by the relevant authority which applied for it, for an order under this section; and
- (c) at the time of the hearing of the application—
 - (i) the defendant is still a child or young person, and
 - (ii) the anti-social behaviour order is still in force.

(1B) The court must consider whether the individual support conditions are fulfilled and, if satisfied that they are, must make an individual support order.

(2) An individual support order is an order which—”.

(2) In subsection (3)(a) of that section, for the words after “the kind of behaviour which led to” substitute “the making of—

Status: This is the original version (as it was originally enacted).

- (i) the anti-social behaviour order, or
 - (ii) an order varying that order (in a case where the variation is made as a result of further anti-social behaviour by the defendant);”.
- (3) In subsection (5) of that section, for “which led to the making of the anti-social behaviour order” substitute “mentioned in subsection (3)(a) above”.
- (4) In section 1(1A) of that Act (meaning of “relevant authority”) after “and sections” insert “1AA,”.
- (5) In section 1AB of that Act (which makes further provision about individual support orders) after subsection (5) insert—
 - “(5A) The period specified as the term of an individual support order made on an application under section 1AA(1A) above must not be longer than the remaining part of the term of the anti-social behaviour order as a result of which it is made.”
- (6) In section 1B of that Act (orders in county court proceedings) after subsection (7) insert—
 - “(8) Sections 1AA and 1AB apply in relation to orders under this section, with any necessary modifications, as they apply in relation to anti-social behaviour orders.
 - (9) In their application by virtue of subsection (8), sections 1AA(1A)(b) and 1AB(6) have effect as if the words “by complaint” were omitted.”
- (7) In section 1C of that Act (orders on conviction in criminal proceedings) after subsection (9A) insert—
 - “(9AA) Sections 1AA and 1AB apply in relation to orders under this section, with any necessary modifications, as they apply in relation to anti-social behaviour orders.
 - (9AB) In their application by virtue of subsection (9AA), sections 1AA(1A)(b) and 1AB(6) have effect as if the words “by complaint” were omitted.
 - (9AC) In its application by virtue of subsection (9AA), section 1AA(1A)(b) has effect as if the reference to the relevant authority which applied for the anti-social behaviour order were a reference to the chief officer of police, or other relevant authority, responsible under section 1K(2)(a) or (b) for carrying out a review of the order under this section.”