



Crime and Disorder Act 1998

1998 CHAPTER 37

PART I

PREVENTION OF CRIME AND DISORDER

CHAPTER I

ENGLAND AND WALES

Youth crime and disorder

10 Appeals against parenting orders.

- (1) An appeal shall lie—
 - (a) to [^{F1}the county court] against the making of a parenting order by virtue of paragraph (a) of subsection (1) of section 8 above; and
 - (b) to the Crown Court against the making of a parenting order by virtue of paragraph (b) of that subsection.
- (2) On an appeal under subsection (1) above [^{F1}the county court] or the Crown Court—
 - (a) may make such orders as may be necessary to give effect to its determination of the appeal; and
 - (b) may also make such incidental or consequential orders as appear to it to be just.
- (3) Any order of [^{F1}the county court] or the Crown Court made on an appeal under subsection (1) above (other than one directing that an application be re-heard by a magistrates' court) shall, for the purposes of subsections (5) to (7) of section 9 above, be treated as if it were an order of the court from which the appeal was brought and not an order of [^{F1}the county court] or the Crown Court.

^{F2}(4)

Changes to legislation: *Crime and Disorder Act 1998, Section 10 is up to date with all changes known to be in force on or before 26 April 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) View outstanding changes*

^{F2}(5)

(6) The Lord Chancellor may [^{F3}, with the concurrence of the Lord Chief Justice,] by order make provision as to the circumstances in which appeals under subsection (1)(a) above may be made against decisions taken by courts on questions arising in connection with the transfer, or proposed transfer, of proceedings by virtue of any order under paragraph 2 of Schedule 11 (jurisdiction) to the ^{M1}Children Act 1989 (“the 1989 Act”).

(7) Except to the extent provided for in any order made under subsection (6) above, no appeal may be made against any decision of a kind mentioned in that subsection.

[^{F4}(8) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

Textual Amendments

- F1** Words in s. 10 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 52**; S.I. 2014/954, **art. 2(c)** (with **art. 3**) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F2** S. 10(4)(5) 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** and s. 10(5) omitted (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 virtue of [Sentencing \(Pre-consolidation Amendments\) Act 2020 \(c. 9\)](#), s. 5(2)(3), **Sch. 2 para. 119(3)**; S.I. 2012/1236, **reg. 2**
- F3** Words in s. 10(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 148(1), 15, **Sch. 4 para. 277(2)**; S.I. 2006/1014 {**art. 2(a)**}, **Sch. 1 para. 11(v)**
- F4** S. 10(8) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 148(1), 15, **Sch. 4 para. 277(3)**; S.I. 2006/1014, **art. 2(a)**, **Sch. 1 para. 11(v)**

Modifications etc. (not altering text)

- C1** S. 10 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. 10(2)(3) applied (27.2.2004 for E. and 11.5.2006 for W.) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), **ss. 22(2)**, 93(1); S.I. 2003/3300, **art. 4(d)**; S.I. 2006/1278 {**art. 2**}
- C3** S. 10(2)(3) applied (27.2.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), **ss. 28(2)**, 93(1); S.I. 2003/3300, **art. 3(a)(iii)**
- C4** S. 10(2)(3) applied (27.2.2004) by [Powers of Criminal Courts \(Sentencing\) Act 2000 \(c. 6\)](#), **Sch. 1 para. 9E(2)** (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. 10 wholly in force at 1.6.2000; S. 10 not in force at Royal Assent see s. 121; S. 10(1)-(5) in force at 30.9.1998 by S.I. 1998/2327, **art. 2(1)** (subject to savings in **arts. 5-8**); s. 10(6)(7) in force at 1.6.2000 by S.I. 2000/924, **art. 5**

Marginal Citations

- M1** 1989 c.41.

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Changes and effects yet to be applied to :

- s. 10(2)(3) applied by [2008 c. 25 s. 43\(2\)](#)
- s. 10(4) words inserted by [2010 c. 17 s. 41\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1C) inserted by [2010 c. 17 s. 40\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 40 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 8A inserted by [2010 c. 17 s. 41\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 8A repealed by [2014 c. 12 Sch. 11 para. 24\(c\)](#)
- s. 9(2)(d) and word inserted by [2010 c. 17 s. 41\(4\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 9(2)(d) and word omitted by [2014 c. 12 Sch. 11 para. 26\(4\)\(a\)](#)
- s. 9(2AA) inserted by [2010 c. 17 s. 41\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 9(2AA) repealed by [2014 c. 12 Sch. 11 para. 26\(5\)](#)
- s. 41(5)(i)(ii) words substituted by [2021 c. 11 Sch. 13 para. 37\(3\)](#)
- s. 47(A1) inserted by [2022 c. 35 s. 12\(2\)](#)
- s. 47(1)-(1F) substituted for s. 47(1) by [2022 c. 35 s. 12\(3\)](#)
- s. 47(4)(a) word substituted by [2022 c. 35 s. 12\(6\)\(b\)](#)
- s. 47(4)(a) words renumbered as s. 47(4)(a) by [2022 c. 35 s. 12\(6\)\(a\)](#)
- s. 47(4)(b) and word inserted by [2022 c. 35 s. 12\(6\)\(c\)](#)
- s. 47(4A) inserted by [2022 c. 35 s. 12\(7\)](#)
- s. 50A(6) inserted by [2022 c. 35 Sch. 2 para. 8\(2\)\(b\)](#)
- s. 51(2A)-(2E) inserted by [2022 c. 35 s. 10\(4\)](#)
- s. 51(3A)(3B) substituted for s. 51(3)-(12) by [2022 c. 35 s. 10\(5\)](#)
- s. 51A(A1) inserted by [2022 c. 35 s. 10\(7\)](#)
- s. 51A(3A)-(3E) inserted by [2022 c. 35 s. 10\(9\)](#)
- s. 51A(4A)(4B) substituted for s.0051A(4)-(10) by [2022 c. 35 s. 10\(10\)](#)
- s. 52(2A) inserted by [2022 c. 35 s. 10\(11\)](#)
- Sch. 3 para. 3(11A) inserted by [2003 c. 44 Sch. 3 para. 71\(d\)](#)