



# Crime and Disorder Act 1998

## 1998 CHAPTER 37

### PART I

#### PREVENTION OF CRIME AND DISORDER

#### CHAPTER I

##### ENGLAND AND WALES

##### *Crime and disorder strategies*

#### **5 Authorities responsible for strategies.**

- (1) Subject to the provisions of this section, the functions conferred by section 6 below shall be exercisable in relation to each local government area by the responsible authorities, that is to say—
  - (a) the council for the area and, where the area is a district and the council is not a unitary authority, the council for the county which includes the district; and
  - (b) every chief officer of police any part of whose police area lies within the area.
- (2) In exercising those functions, the responsible authorities shall act in co-operation with the following persons and bodies, namely—
  - (a) every police authority any part of whose police area lies within the area;
  - (b) every probation committee <sup>[F1]</sup>, health authority or Primary Care Trust] any part of whose area lies within the area; and
  - (c) every person or body of a description which is for the time being prescribed by order of the Secretary of State under this subsection;

and it shall be the duty of those persons and bodies to co-operate in the exercise by the responsible authorities of those functions.

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- (3) The responsible authorities shall also invite the participation in their exercise of those functions of at least one person or body of each description which is for the time being prescribed by order of the Secretary of State under this subsection.
- (4) In this section and sections 6 and 7 below “local government area” means—
- (a) in relation to England, each district or London borough, the City of London, the Isle of Wight and the Isles of Scilly;
  - (b) in relation to Wales, each county or county borough.

#### Textual Amendments

**F1** Words in s. 5(2)(b) substituted (8.2.2000) by S.I. 2000/90, art. 3(1), **Sch. 1 paras. 35(2)**

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

**C1** S. 5: functions of local authority not to be the sole responsibility of the executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 4(1), **Sch. 3**

#### Commencement Information

**II** S. 5 wholly in force; S. 5 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)

VALID FROM 16/01/2012

#### **[F2]5A Combination agreements: further provision**

- (1) A combination agreement for a combined area may be made only if every responsible authority in relation to that area is a party to the agreement.
- (2) The relevant local policing body for a combined area may enter into a combination agreement for that area only if it considers that it would be in the interests of one or more of the following to do so—
  - (a) reducing crime and disorder;
  - (b) reducing re-offending;
  - (c) combating the misuse of drugs, alcohol and other substances.
- (3) Subsections (4) to (6) apply if a combined area in relation to a combination agreement includes (wholly or partly) the area of more than one police area.
- (4) The combination agreement must include arrangements for securing effective and efficient co-operation—
  - (a) between each of the relevant local policing bodies in relation to the combined area, and
  - (b) between the responsible authorities for the area and those relevant local policing bodies.
- (5) The Secretary of State must be a party to the agreement (if not already a party by virtue of being a relevant local policing body in relation to the combined area).
- (6) The Secretary of State may enter into the agreement only if the Secretary of State—
  - (a) considers that it would be in the interests of one or more of the matters mentioned in subsection (2), and

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- (b) is satisfied that the arrangements mentioned in subsection (4) are adequate for the purposes of securing effective and efficient co-operation in the carrying out of functions under section 6.
- (7) A combination agreement—
  - (a) must be in writing, and
  - (b) may be varied by a further combination agreement.
- (8) A combination agreement may be terminated by agreement in writing between the parties to it; and subsection (2), and (as the case may be) (6)(a), applies to an agreement under this subsection.
- (9) In this section “combination agreement”, “combined area” and “relevant local policing body” have the same meanings as in section 5.]

#### Textual Amendments

- F2** S. 5A inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. 88, 157(1), [Sch. 11 para. 3](#); S.I. 2011/3019, [art. 3](#), [Sch. 1](#) para. (iii) (as amended by S.I. 2012/75, [art. 2\(2\)\(d\)](#))

## 6 Formulation and implementation of strategies.

- (1) The responsible authorities for a local government area shall, in accordance with the provisions of section 5 above and this section, formulate and implement, for each relevant period, a strategy for the reduction of crime and disorder in the area.
- (2) Before formulating a strategy, the responsible authorities shall—
  - (a) carry out a review of the levels and patterns of crime and disorder in the area (taking due account of the knowledge and experience of persons in the area);
  - (b) prepare an analysis of the results of that review;
  - (c) publish in the area a report of that analysis; and
  - (d) obtain the views on that report of persons or bodies in the area (including those of a description prescribed by order under section 5(3) above), whether by holding public meetings or otherwise.
- (3) In formulating a strategy, the responsible authorities shall have regard to the analysis prepared under subsection (2)(b) above and the views obtained under subsection (2)(d) above.
- (4) A strategy shall include—
  - (a) objectives to be pursued by the responsible authorities, by co-operating persons or bodies or, under agreements with the responsible authorities, by other persons or bodies; and
  - (b) long-term and short-term performance targets for measuring the extent to which such objectives are achieved.
- (5) After formulating a strategy, the responsible authorities shall publish in the area a document which includes details of—
  - (a) co-operating persons and bodies;
  - (b) the review carried out under subsection (2)(a) above;
  - (c) the report published under subsection (2)(c) above; and

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- (d) the strategy, including in particular—
- (i) the objectives mentioned in subsection (4)(a) above and, in each case, the authorities, persons or bodies by whom they are to be pursued; and
  - (ii) the performance targets mentioned in subsection (4)(b) above.
- (6) While implementing a strategy, the responsible authorities shall keep it under review with a view to monitoring its effectiveness and making any changes to it that appear necessary or expedient.
- (7) In this section—
- “co-operating persons or bodies” means persons or bodies co-operating in the exercise of the responsible authorities’ functions under this section;
- “relevant period” means—
- (a) the period of three years beginning with such day as the Secretary of State may by order appoint; and
  - (b) each subsequent period of three years.

#### Subordinate Legislation Made

**P1** [S. 6: 1.4.1999](#) appointed day for the purposes of s. 6 by [S.I. 1998/3263](#), [art. 7](#)

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

**C2** [S. 6: functions of local authority](#) not to be the sole responsibility of the executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), [reg. 4\(1\)](#), [Sch. 3](#)

#### Commencement Information

**I2** [S. 6](#) wholly in force; [S. 6](#) not in force at Royal Assent see [s. 121](#); [s. 6](#) in force at 30.9.1998 by [S.I. 1998/2327](#), [art. 2\(1\)](#) (subject to savings in [arts. 5-8](#))

VALID FROM 01/10/2002

### **[<sup>F3</sup>6A Powers of the Secretary of State and National Assembly for Wales**

- (1) The Secretary of State may, by order, require—
- (a) the responsible authorities for local government areas to formulate any section 6 strategy of theirs for the reduction of crime and disorder so as to include, in particular, provision for the reduction of—
    - (i) crime of a description specified in the order; or
    - (ii) disorder of a description so specified.
  - (b) the responsible authorities for local government areas in England to prepare any section 6 strategy of theirs for combatting the misuse of drugs so as to include in it a strategy for combatting, in the area in question, such other forms of substance misuse as may be specified or described in the order.
- (2) After formulating any section 6 strategy (whether in a case in which there has been an order under subsection or in any other case), the responsible authorities for a local government area shall send both—
- (a) a copy of the strategy, and
  - (b) a copy of the document which they propose to publish under section 6(5),

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to the Secretary of State.

- (3) It shall be the duty of the responsible authorities, when preparing any document to be published under section 6(5), to have regard to any guidance issued by the Secretary of State as to the form and content of the documents to be so published.
- (4) If the responsible authorities for a local government area propose to make any changes to a section 6 strategy of theirs, they shall send copies of the proposed changes to the Secretary of State.
- (5) In subsections (2) to (4)—
  - (a) references to the Secretary of State, in relation to responsible authorities for local government areas in Wales shall have effect as references to the Secretary of State and the National Assembly for Wales; and
  - (b) accordingly, guidance issued for the purposes of subsection (3) in relation to local government areas in Wales must be issued by the Secretary of State and that Assembly acting jointly.
- (6) In this section—

“responsible authorities” and “local government area” have same meanings as in sections 5 and 6;

“section 6 strategy” means a strategy required to be formulated under section 6(1); and

“substance misuse” has the same meaning as in section 6.]

#### Textual Amendments

- F3** S. 6A inserted (1.10.2002 for E. and 1.4.2003 for W.) by [Police Reform Act 2002 \(c. 30\), ss. 98, 108\(2\)\(4\); S.I. 2002/2306, art. 3\(b\); S.I. 2003/525, art. 2](#)

## 7 Supplemental.

- (1) The responsible authorities for a local government area shall, whenever so required by the Secretary of State, submit to the Secretary of State a report on such matters connected with the exercise of their functions under section 6 above as may be specified in the requirement.
- (2) A requirement under subsection (1) above may specify the form in which a report is to be given.
- (3) The Secretary of State may arrange, or require the responsible authorities to arrange, for a report under subsection (1) above to be published in such manner as appears to him to be appropriate.

#### Commencement Information

- I3** S. 7 wholly in force; S. 7 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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