

POLICE REFORM ACT 2002

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 6: Miscellaneous

Section 97: Crime and disorder reduction partnerships

464. The Crime and Disorder Act 1998 provides a statutory framework for ‘responsible authorities’ – currently chief officers of police and local authorities, and commonly known as Crime and Disorder Reduction Partnerships (CDRPs) – to formulate and implement a strategy to reduce crime and disorder in their area. They must co-operate with a wide range of other local agencies, including probation, health, police authorities and the private and voluntary sector. There are 354 CDRPs in England and 22 in Wales.
465. Drug Action Teams (DATs) were set up in 1995 under the white paper *Tackling Drugs Together* (CM 2846) with responsibility for delivering the Government’s anti-drugs programmes at a local level. Although not formally accountable for their overall performance (they do not have statutory status), DATs are financially accountable for the sums of money which come to them as pooled budgets. There are 149 DATs in England, aligned along local authority boundaries. They bring together senior representatives of all the local agencies involved in tackling the misuse of drugs, including the health authority, local authority, police, probation, social services, education and youth services, and the voluntary sector. In Wales, the relevant bodies are Drug and Alcohol Action Teams (DAATs) with responsibility for delivery of local strategies on substance misuse.
466. This section requires CDRPs also to formulate and implement a strategy for combating the misuse of drugs. This will raise local delivery of the National Drugs Strategy onto a statutory footing. In order to maintain the profile of treatment-related aspects of the Drugs Strategy and the contribution of health to the wider crime and disorder reduction agenda, Primary Care Trusts in England and health authorities in Wales will be deemed responsible authorities for development and delivery of the wider crime reduction agenda. This should also – particularly in conjunction with the other changes – provide greater scope to consider how best CDRPs and DATs can work together more effectively at the local level. The section also raises police authorities to the level of responsible authorities (currently, existing responsible authorities are required to co-operate with police authorities in formulating a crime and disorder reduction strategy, and vice versa, but police authorities are not responsible authorities). In addition, the section designates fire authorities as responsible authorities. The Act also proposes that partnership areas may merge in the interests of reducing crime and disorder or the misuse of drugs.
467. This section and section 98 apply slightly differently to Wales compared to England. This is because local government is a devolved matter, for which the National Assembly for Wales is responsible.

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(c.30) which received Royal Assent on 24 July 2002*

468. Moreover, in as far as this section and section 98 relate to local government areas in Wales, they come into force on the days that the National Assembly for Wales will specify by order made by statutory instrument (see section 108(4)).
469. *Subsection (1)* provides for amendments to the Crime and Disorder Act 1998, which establishes the requirement for responsible authorities – chief officers of police and local authorities – jointly to formulate and implement a crime and disorder reduction strategy for their area.
470. *Subsection (2)* adds police authorities and fire authorities to the list of responsible authorities required to formulate and implement a crime and disorder reduction strategy. It also provides that the relevant health organisation is added to that list. In England, this is every Primary Care Trust the whole or part of which lies within the local government area; in Wales, this is every health authority the whole or part of which lies within the local government area.
471. *Subsection (3)* provides that the Secretary of State may by order merge two or more partnership areas in England if he considers it would be in the interests of reducing crime and disorder or the misuse of drugs. Such an order may be at the joint request of the relevant responsible authorities or on the direction of the Secretary of State after consultation with the responsible authorities.
472. *Subsection (4)* amends the provisions in the 1998 Act for consultation with stakeholders who are not responsible authorities under that Act. The effect of *subsection (4)(a)* is to remove the obligation to consult the relevant police authority and health organisation, as under this Act these are now responsible authorities. *Subsection (4)(b)* adds that, in Wales, the National Assembly for Wales may specify by order other persons or bodies to be consulted.
473. *Subsection (5)* allows the National Assembly for Wales to specify by order other persons or bodies to be asked to participate in the exercise of functions by the responsible authorities. This is in addition to those whom the Secretary of State may specify by order under current legislation.
474. *Subsection (7)* maintains the requirement for the responsible authorities in England and Wales to produce a strategy for the reduction of crime and disorder in the area and provides a new requirement for those in England to produce a strategy for combating misuse of drugs and for those in Wales to produce a strategy combating substance misuse (reflecting the wider remit of DAATs in Wales than DATs in England).
475. *Subsection (8)* makes further provision for responsible authorities in Wales when formulating and implementing a strategy combating substance misuse: responsible authorities must also have regard to guidance issued by the National Assembly for Wales.
476. *Subsection (9)* makes similar provision for reviews by responsible authorities as *subsection (7)* does regarding the production of strategies by responsible authorities. It retains the existing requirement for responsible authorities in England and Wales to carry out a review of the levels of patterns of crime and disorder in the area, and provides a new requirement for those in England to carry out a review of the levels and patterns of the misuse of drugs in the area and for those in Wales to carry out a review of the levels and patterns of substance misuse in the area.
477. *Subsection (10)* provides for the responsible authorities to submit a review of implementation of their strategies within one month of the end of each reporting period – in England to the Secretary of State, and in Wales to the Secretary of State and to the National Assembly for Wales.
478. *Subsection (11)* provides that the reporting period for submission of a review on implementation of the strategy shall be on an annual basis.

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479. *Subsection (12)* adds combined fire authorities to those authorities on which there is a duty to do all that they reasonably can do to prevent crime and disorder in their area in the exercise of their functions. This brings combined fire authorities into line with non-metropolitan local authorities exercising their function as fire authorities and metropolitan fire authorities who are presently tasked under section 17(2) of the Crime and Disorder Act 1998 with this duty.
480. *Subsection (13)* allows the National Assembly of Wales as well as the Secretary of State to exercise powers of Ministers by statutory instrument. It also stipulates that the new order-making powers for the Secretary of State (but not the National Assembly for Wales) proposed under this section will be subject to negative resolution procedure.
481. *Subsection (14)* addresses a different matter. It amends section 115(2) of the Crime and Disorder Act 1998 to permit any person (including a chief officer of police) to make disclosures, including personal information, to a parish council (sometimes known as a town council) in England and a community council in Wales, where it is expedient for the purposes of that Act.
482. *Subsection (15)* makes transitional provision for England to ensure that the provisions of the Act apply to the period before Primary Care Trusts are established.