



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 2

#### PREVENTION, INVESTIGATION AND PROSECUTION OF CRIME

### CHAPTER 1

#### FUNCTIONS RELATING TO SERIOUS VIOLENCE

##### *Exercise of functions*

#### **14 Involvement of local policing bodies**

- (1) A local policing body for a police area may assist a specified authority in the exercise of—
  - (a) the authority's functions under or in accordance with section 8 in relation to a local government area which coincides with or falls within the police area, or
  - (b) the authority's functions under or in accordance with section 9 in relation to a relevant area which, or any part of which, coincides with or falls within the police area.
- (2) A local policing body for a police area may—
  - (a) monitor the exercise by specified authorities of their functions under or in accordance with section 8 in relation to a local government area which coincides with or falls within the police area, or
  - (b) monitor the exercise by specified authorities of their functions under or in accordance with section 9 in relation to a relevant area which, or any part of which, coincides with or falls within the police area.

*Status: Point in time view as at 01/07/2022. This version of this cross heading contains provisions that are not valid for this point in time.*

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- (3) A local policing body may report its findings under subsection (2) to the Secretary of State.
- (4) The Secretary of State may by regulations make provision conferring functions on a local policing body for a police area for the purposes of subsection (1).
- (5) Provision under subsection (4) may include provision—
  - (a) for a local policing body to provide funding to a specified authority,
  - (b) for a local policing body to arrange for meetings to be held for the purpose of assisting the exercise by specified authorities of their functions under or in accordance with section 8 or 9,
  - (c) for the local policing body or a representative of the body to chair the meetings, and
  - (d) for such descriptions and numbers of persons as the local policing body may specify to be required to attend the meetings.
- (6) If a local policing body acts under subsection (1) or (2), or under regulations under subsection (4), in relation to the exercise by a specified authority of its functions under or in accordance with section 8 or 9, the authority must co-operate with the body.
- (7) References in this Chapter (however expressed) to a specified authority exercising functions in accordance with section 8 or 9 are to the authority exercising functions conferred on it apart from this Chapter in accordance with the section in question.

#### Commencement Information

- II** S. 14 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(d\)](#)

VALID FROM 31/01/2023

### **15 Involvement of educational, prison and youth custody authorities**

- (1) An educational, prison or youth custody authority (a “relevant authority”) for a local government area and a specified authority for that area may collaborate with each other to prevent and reduce serious violence in that area.
- (2) A relevant authority for a relevant area and a specified authority for that area may collaborate with each other to prevent and reduce serious violence in that area.
- (3) A relevant authority and a specified authority must collaborate with each other as mentioned in subsection (1) or (2) if either the relevant authority or the specified authority requests the other to do so.
- (4) A relevant authority must carry out any actions which are specified under section 8(5) or 9(5) as actions to be carried out by the authority.
- (5) A relevant authority for a local government area—
  - (a) may collaborate with another relevant authority for that area to prevent and reduce serious violence in that area, and
  - (b) must collaborate with another relevant authority for that area for those purposes if requested by that other relevant authority to do so.

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- (6) A relevant authority (“RA1”) may collaborate with another relevant authority (“RA2”) to prevent and reduce serious violence in an area which is made up of—
- (a) all or part of the local government area for which RA1 is a relevant authority, and
  - (b) all or part of the local government area for which RA2 is a relevant authority.
- (7) A relevant authority is not subject to a duty in subsection (3), (4) or (5)(b), and a specified authority is not subject to a duty in subsection (3), if or to the extent that compliance with the duty—
- (a) would be incompatible with any other duty of the authority imposed by an enactment (other than subsection (5)(b)),
  - (b) would otherwise have an adverse effect on the exercise of the authority’s functions,
  - (c) would be disproportionate to the need to prevent and reduce serious violence in the area to which the duty relates, or
  - (d) would mean that the authority incurred unreasonable costs.
- (8) In determining whether subsection (7) applies to an authority, the cumulative effect of complying with duties under this section must be taken into account.
- (9) Subsection (7) or (8) does not apply in relation to the duty of a relevant authority to collaborate with a specified authority under subsection (3) to the extent that it relates to—
- (a) the exercise by the specified authority of its function under subsection (3)(a) or (b) of section 8 of identifying the kinds or causes of serious violence in an area or its function of preparing a strategy under subsection (3)(c) of that section, or
  - (b) the exercise by the specified authority of its function under subsection (3)(a) or (b) of section 9 of identifying the kinds or causes of serious violence in an area or its function of preparing a strategy under subsection (3)(c) of that section.
- (10) This section does not affect any power to collaborate apart from this section.
- (11) In this section “enactment” includes—
- (a) an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978, and
  - (b) an enactment comprised in, or in an instrument made under, a Measure or Act of Senedd Cymru.

### Commencement Information

**I2** S. 15 not in force at Royal Assent, see [s. 208\(1\)](#)

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VALID FROM 31/01/2023

## 16 Disclosure of information

- (1) A person listed in subsection (2) may disclose information that it holds for the purposes of its functions to another person listed in that subsection for the purposes of the exercise by the other person of its functions under or in accordance with this Chapter.
- (2) Those persons are—
  - (a) a specified authority;
  - (b) a local policing body;
  - (c) an educational authority;
  - (d) a prison authority;
  - (e) a youth custody authority.
- (3) A disclosure of information authorised by this section does not breach—
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information (however imposed).
- (4) But this section does not authorise—
  - (a) the disclosure of patient information,
  - (b) the disclosure of personal information by a specified authority which is a health or social care authority,
  - (c) a disclosure of information that would contravene the data protection legislation (but in determining whether a disclosure would do so, the power conferred by this section is to be taken into account), or
  - (d) a disclosure of information that is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.
- (5) Subsection (6) applies if—
  - (a) a disclosure of information under this section is also permitted by regulations under section 6(2) of the Crime and Disorder Act 1998 or by section 115 of that Act (but is not also a disclosure under section 17A of that Act), and
  - (b) a condition or limitation applies to a disclosure under those regulations or section 115 of that Act by virtue of such regulations.
- (6) The condition or limitation does not apply to the disclosure of information under this section.
- (7) This section does not otherwise affect any power to disclose information apart from this section.

### Commencement Information

**I3** S. 16 not in force at Royal Assent, see [s. 208\(1\)](#)

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VALID FROM 31/01/2023

## 17 Supply of information to local policing bodies

- (1) A local policing body may, for the purposes of enabling or assisting it to exercise its functions under section 14 in relation to an area, request any person listed in subsection (2) to supply it with such information as may be specified in the request.
- (2) Those persons are—
  - (a) a specified authority for that area;
  - (b) an educational authority for that area;
  - (c) a prison authority for that area;
  - (d) a youth custody authority for that area.
- (3) Information requested under subsection (1) must be information that is held by the person to whom the request is made and that relates to—
  - (a) the person to whom the request was made,
  - (b) a function of the person to whom the request was made, or
  - (c) a person in respect of whom a function is exercisable by the person requested to supply the information.
- (4) Subject to subsection (6), a person who is requested to supply information under subsection (1) must comply with the request.
- (5) A disclosure of information required by subsection (4) does not breach—
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information (however imposed).
- (6) But subsection (4) does not require—
  - (a) the disclosure of patient information,
  - (b) the disclosure of personal information by a specified authority which is a health or social care authority,
  - (c) a disclosure of information that would contravene the data protection legislation (but in determining whether a disclosure would do so, the duty imposed by that subsection is to be taken into account), or
  - (d) a disclosure of information that is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.
- (7) Information supplied to a local policing body under this section may be used by the body only for the purpose of enabling or assisting it to exercise its functions under section 14.

### Commencement Information

**I4** S. 17 not in force at Royal Assent, see [s. 208\(1\)](#)

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## 18 Directions

- (1) Subsection (2) applies if the Secretary of State is satisfied that—
  - (a) a specified authority has failed to discharge a duty imposed on it by section 8, 14(6), 15(3) or 17(4), or
  - (b) an educational authority, prison authority or youth custody authority has failed to discharge a duty imposed on it by section 15(3), (4) or (5)(b) or 17(4).
- (2) The Secretary of State may give directions to the authority for the purpose of securing compliance with the duty.
- (3) A direction under subsection (2) may be enforced, on an application made on behalf of the Secretary of State, by a mandatory order.
- (4) The Secretary of State must obtain the consent of the Welsh Ministers before giving a direction under this section to a devolved Welsh authority within the meaning of the Government of Wales Act 2006 (see section 157A of that Act).
- (5) This section does not apply in relation to—
  - (a) a provider of probation services if that provider is the Secretary of State,
  - (b) the governor of a prison, young offender institution or secure training centre, or
  - (c) the principal of a directly managed secure college as defined in paragraph 27 of Schedule 10 to the Criminal Justice and Courts Act 2015.

### Commencement Information

**I5** S. 18 not in force at Royal Assent, see [s. 208\(1\)](#)

## 19 Guidance

- (1) A person listed in subsection (2) must have regard to guidance issued by the Secretary of State—
  - (a) in exercising any function conferred by or by virtue of this Chapter, or
  - (b) in exercising any function in accordance with this Chapter.
- (2) Those persons are—
  - (a) a specified authority;
  - (b) a person prescribed in regulations under section 10;
  - (c) a local policing body;
  - (d) an educational authority;
  - (e) a prison authority;
  - (f) a youth custody authority.
- (3) The Secretary of State must consult the Welsh Ministers before issuing guidance relating to the exercise of functions as mentioned in subsection (1) by a devolved

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Welsh authority within the meaning of the Government of Wales Act 2006 (see section 157A of that Act).

- (4) After issuing guidance under this section, the Secretary of State must lay a copy of the guidance before Parliament.

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**Commencement Information**

**I6** S. 19 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(e\)](#)

**Status:**

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