



# 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

##### *Functions relating to serious violence*

## **8 Duties to collaborate and plan to prevent and reduce serious violence**

- (1) The specified authorities for a local government area must collaborate with each other to prevent and reduce serious violence in the area.
- (2) The duty imposed on the specified authorities for a local government area by subsection (1) includes a duty to plan together to exercise their functions so as to prevent and reduce serious violence in the area.
- (3) In particular, the specified authorities for a local government area must—
  - (a) identify the kinds of serious violence that occur in the area,
  - (b) identify the causes of serious violence in the area, so far as it is possible to do so, and
  - (c) prepare and implement a strategy for exercising their functions to prevent and reduce serious violence in the area.
- (4) In preparing a strategy under this section for a local government area, the specified authorities for the area must ensure that the following are consulted—
  - (a) each educational authority for the area;

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- (b) each prison authority for the area;
  - (c) each youth custody authority for the area.
- (5) A strategy under this section for a local government area may specify an action to be carried out by—
- (a) an educational authority for the area,
  - (b) a prison authority for the area, or
  - (c) a youth custody authority for the area.
- See section 15 for further provision about the duties of such authorities in relation to such actions.
- (6) In preparing a strategy under this section for a local government area, the specified authorities for the area may invite participation from—
- (a) in the case of a strategy for a local government area in England, a person of a description for the time being prescribed by order of the Secretary of State under section 5(3) of the Crime and Disorder Act 1998;
  - (b) in the case of a strategy for a local government area in Wales, a person of a description for the time being prescribed by order of the Welsh Ministers under section 5(3) of that Act.
- (7) Once a strategy has been prepared under this section for a local government area, the specified authorities for the area must—
- (a) publish the strategy,
  - (b) keep the strategy under review, and
  - (c) from time to time prepare and implement a revised strategy.
- (8) A strategy under this section must not include any material that the specified authorities consider—
- (a) might jeopardise the safety of any person,
  - (b) might prejudice the prevention or detection of crime or the investigation or prosecution of an offence, or
  - (c) might compromise the security of, or good order or discipline within, an institution of a kind mentioned in the first column of a table in Schedule 2.
- (9) A strategy under this section may cover an area that is wider than a local government area if it is also prepared in the exercise of the powers in section 9.
- (10) The Secretary of State may by regulations make further provision for or in connection with the publication and dissemination of a strategy under this section.
- (11) References in subsections (4) to (10) to a strategy under this section include a revised strategy.
- (12) This section does not affect any power of a specified authority to collaborate or plan apart from this section.
- (13) For provisions about the interpretation of this section, see—
- (a) section 11 and Schedule 1 (specified authorities and local government areas);
  - (b) section 12 and Schedule 2 (educational, prison and youth custody authorities);
  - (c) section 13 (preventing and reducing serious violence).

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#### **Commencement Information**

**II** S. 8 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)

### **9 Powers to collaborate and plan to prevent and reduce serious violence**

- (1) Two or more specified authorities may collaborate with each other to prevent and reduce serious violence in a relevant area.
- (2) The power conferred on specified authorities by subsection (1) includes a power to plan together to exercise their functions so as to prevent and reduce serious violence in a relevant area.
- (3) In particular, the specified authorities may—
  - (a) identify the kinds of serious violence that occur in a relevant area,
  - (b) identify the causes of serious violence in the area, and
  - (c) prepare and implement a strategy for exercising their functions to prevent and reduce serious violence in the area.
- (4) In preparing a strategy under this section for a relevant area, the specified authorities preparing the strategy must ensure that the following are consulted—
  - (a) every other specified authority for the area;
  - (b) each educational authority for the area;
  - (c) each prison authority for the area;
  - (d) each youth custody authority for the area.
- (5) A strategy under this section for a relevant area may specify actions to be carried out by—
  - (a) an educational authority for the area,
  - (b) a prison authority for the area, or
  - (c) a youth custody authority for the area.

See section 15 for further provision about the duties of such authorities in relation to such actions.

- (6) In preparing a strategy under this section for a relevant area, the specified authorities for the area may invite participation from—
  - (a) in the case of a strategy for a relevant area in England, an eligible person for the time being prescribed by order of the Secretary of State under section 5(3) of the Crime and Disorder Act 1998;
  - (b) in the case of a strategy for a relevant area in Wales, an eligible person for the time being prescribed by order of the Welsh Ministers under section 5(3) of that Act;
  - (c) in the case of a strategy for a relevant area partly in England and partly in Wales, an eligible person for the time being prescribed by order of the Secretary of State or the Welsh Ministers under section 5(3) of that Act.
- (7) For the purposes of subsection (6), an eligible person is—
  - (a) where a person is prescribed in terms of a description which includes a connection to a local government area, a person of that description with such

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a connection to a local government area all or part of which coincides with or falls within the relevant area, or

- (b) a person prescribed in terms that do not refer to a connection with a local government area.

In this subsection “local government area” has the same meaning as in section 5 of the Crime and Disorder Act 1998 (see subsection (4) of that section).

- (8) Once a strategy has been prepared under this section for a relevant area, the specified authorities for the area—
- (a) must publish the strategy,
  - (b) may keep the strategy under review, and
  - (c) may from time to time prepare and implement a revised strategy.
- (9) A strategy under this section must not include any material that the specified authorities consider—
- (a) might jeopardise the safety of any person,
  - (b) might prejudice the prevention or detection of crime or the investigation or prosecution of an offence, or
  - (c) might compromise the security of, or good order or discipline within, an institution of a kind mentioned in the first column of a table in Schedule 2.
- (10) The Secretary of State may by regulations make further provision for or in connection with the publication and dissemination of a strategy under this section.
- (11) References in subsections (4) to (10) to a strategy under this section include a revised strategy.
- (12) This section does not affect any power of a specified authority to collaborate or plan apart from this section.
- (13) In this Chapter “relevant area”, in relation to a specified authority, educational authority, prison authority or youth custody authority means an area made up of—
- (a) all or part of a local government area for which it is a specified authority, educational authority, prison authority or youth custody authority, and
  - (b) all or part of one or more other local government areas (regardless of whether, in the case of a specified authority or educational authority, it is also a specified authority or educational authority for the other area or areas).
- (14) For further provisions about the interpretation of this section, see—
- (a) section 11 and Schedule 1 (specified authorities and local government areas);
  - (b) section 12 and Schedule 2 (educational, prison and youth custody authorities);
  - (c) section 13 (preventing and reducing serious violence).

#### **Commencement Information**

**12** S. 9 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)

## **10 Power to authorise collaboration etc. with other persons**

- (1) The Secretary of State may by regulations—

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- (a) confer powers on a specified authority to collaborate with a prescribed person to prevent and reduce serious violence in a prescribed area;
  - (b) confer powers on a prescribed person to collaborate with a specified authority to prevent and reduce serious violence in a prescribed area.
- (2) The Secretary of State may by regulations authorise the disclosure of information—
  - (a) by a prescribed person to any person listed in subsection (3) for the purposes of preventing and reducing serious violence in a prescribed area;
  - (b) by any person listed in subsection (3) to a prescribed person for such purposes.
- (3) 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.
- (4) Regulations under subsection (2) may provide that a disclosure under the regulations 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).
- (5) But if regulations under subsection (2) contain provision under subsection (4)(b), they must provide that they do not authorise a disclosure of information that—
  - (a) would contravene the data protection legislation (but in determining whether a disclosure would do so, any power conferred by the regulations is to be taken into account), or
  - (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.
- (6) Regulations under subsection (2) must not authorise—
  - (a) the disclosure of patient information, or
  - (b) the disclosure of personal information by a specified authority which is a health or social care authority.
- (7) This section does not affect any power to collaborate or to disclose information apart from regulations under this section.
- (8) In this section, “prescribed” means prescribed, or of a description prescribed, in regulations under this section.
- (9) Regulations under this section may, in particular, prescribe persons by reference to the fact that they have been invited under section 8(6) or 9(6) to participate in the preparation of a strategy under section 8 or 9.
- (10) In this Chapter—
  - “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);
  - “health or social care authority” means a specified authority which is listed in the first column of the table headed “Health and social care” in Schedule 1;
  - “patient information” means personal information (however recorded) which relates to—
    - (a) the physical or mental health or condition of an individual,

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- (b) the diagnosis of an individual’s condition, or
  - (c) an individual’s care or treatment,
- or is (to any extent) derived directly or indirectly from information relating to any of those matters;
- “personal information” means information which is in a form that identifies any individual or enables any individual to be identified (either by itself or in combination with other information).

**Commencement Information**

**I3** S. 10 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)

**11 Specified authorities and local government areas**

- (1) In this Chapter “specified authority” means a person listed in the first column of a table in Schedule 1.
- (2) Subsection (3) applies to a specified authority listed in Schedule 1 in terms that refer to the exercise of particular functions or to a particular capacity that it has.
- (3) References in this Chapter to the authority’s functions are to those functions or its functions when acting in that capacity.
- (4) In this Chapter “local government area” means—
  - (a) in relation to England, a district, a London borough, the City of London or the Isles of Scilly;
  - (b) in relation to Wales, a county or county borough.
- (5) For the purposes of this Chapter the Inner Temple and the Middle Temple form part of the City of London.
- (6) For the purposes of this Chapter a specified authority listed in a table in Schedule 1 is an authority for the local government area or (as the case may be) each local government area listed in the corresponding entry in the second column of the table.
- (7) The Secretary of State may by regulations amend Schedule 1 by adding, modifying or removing a reference to a specified authority or a local government area.

**Commencement Information**

**I4** S. 11 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)

**12 Educational, prison and youth custody authorities**

- (1) In this Chapter—
  - “educational authority” means a person listed in the first column of the first table in Schedule 2;
  - “prison authority” means a person listed in the first column of the second table in Schedule 2;
  - “youth custody authority” means a person listed in the first column of the third table in Schedule 2.

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- (2) For the purposes of this Chapter an educational authority, prison authority or a youth custody authority listed in a table in Schedule 2 is an authority for the local government area or (as the case may be) each local government area listed in the corresponding entry in the second column of the table.
- (3) The Secretary of State may by regulations amend Schedule 2 by adding, modifying or removing an entry in a table in that Schedule.

#### **Commencement Information**

**I5** S. 12 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)

### **13 Preventing and reducing serious violence**

- (1) In this Chapter—
  - (a) references to preventing serious violence in an area are to preventing people from becoming involved in serious violence in the area, and
  - (b) references to reducing serious violence in an area are to reducing instances of serious violence in the area.
- (2) The reference in subsection (1)(a) to becoming involved in serious violence includes becoming a victim of serious violence.
- (3) In this Chapter “violence”—
  - (a) includes, in particular—
    - (i) domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act),
    - (ii) sexual offences,
    - (iii) violence against property, and
    - (iv) threats of violence;
  - (b) does not include terrorism (within the meaning of the Terrorism Act 2000 (see section 1(1) to (4) of that Act)).
- (4) In subsection (3)(a)(ii), “sexual offence” means an offence under the law of England and Wales which is for the time being specified in Schedule 3 to the Sexual Offences Act 2003, other than the offence specified in paragraph 14 of that Schedule (fraudulent evasion of excise duty).
- (5) In determining for the purposes of subsection (4) whether an offence is specified in Schedule 3 to the Sexual Offences Act 2003, any limitation in that Schedule referring to the circumstances of a particular case (including the sentence imposed) is to be disregarded.
- (6) In considering whether violence in an area amounts to serious violence for the purposes of this Chapter, account must be taken in particular of the following factors—
  - (a) the maximum penalty which could be imposed for the offence (if any) involved in the violence,
  - (b) the impact of the violence on any victim,
  - (c) the prevalence of the violence in the area, and
  - (d) the impact of the violence on the community in the area.

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**Commencement Information**

**I6** S. 13 in force at Royal Assent, see [s. 208\(4\)\(c\)](#)



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