

2010 No. 647

CRIMINAL LAW, ENGLAND

The Crime and Disorder (Formulation and Implementation of Strategy) (Amendment) Regulations 2010

<i>Made</i>	- - - -	<i>6th March 2010</i>
<i>Laid before Parliament</i>		<i>10th March 2010</i>
<i>Coming into force</i>	- -	<i>1st April 2010</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 6(2), (3), (4) and 114 of the Crime and Disorder Act 1998(a).

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Crime and Disorder (Formulation and Implementation of Strategy) (Amendment) Regulations 2010 and shall come into force on 1st April 2010.

(2) In these Regulations “the 2007 Regulations” means the Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007(b).

(3) These Regulations apply to England only.

Amendments to the 2007 Regulations

2. The 2007 Regulations shall be amended as follows.

3.—(1) In regulation 2, after the definition of “partnership plan” insert the following definition—

““re-offending” means offending (in any area) by people living in the area who have previously been convicted of, cautioned for, or warned or reprimanded under section 65 of the Crime and Disorder Act 1998(c) for, a criminal offence.”.

(2) In regulation 3—

(a) in paragraph (2), for “paragraph (3)”, substitute “paragraphs (3) and (3A)”;

(b) after paragraph (3), insert—

(a) 1998 c. 37. Section 6 was substituted by section 22 of, and Schedule 9 to, the Police and Justice Act 2006 (c. 48) and amended by section 108 of the Policing and Crime Act 2009 (c. 26) which will come into force on 1st April 2010 (save for sections 108(4) and (5) which are already in force for the purpose of making these Regulations). There are amendments to section 114 of the 1998 Act not relevant to these Regulations.

(b) S.I. 2007/1830.

(c) Section 65 was amended by section 56 of the Criminal Justice and Court Services Act 2000 (c. 43) and paragraph 1 of Schedule 5(4) to the Children Act 2004 (c. 31).

“(3A) Where there is more than one responsible authority of the type specified in section 5(1)(aa) of the 1998 Act in the area, those providers shall jointly appoint one or more persons to the strategy group.”

(3) In regulation 6(f), before “crime and disorder”, insert “re-offending,”.

(4) In regulation 7—

(a) in sub-paragraph (a), before “crime and disorder”, insert “re-offending,”;

(b) in sub-paragraph (d), before “crime and disorder”, insert “re-offending,”; and

(c) in sub-paragraph (e), before “crime and disorder”, insert “re-offending,”.

(5) After regulation 8(2)(f) insert—

“(g) one or more persons appointed jointly by the providers of probation services operating within the area in pursuance of arrangements under section 3 of the Offender Management Act 2007(a) which provide for them to be responsible authorities under section 5 of the 1998 Act.”

(6) In regulation 9(3)(b), before “crime and disorder”, insert “re-offending,”.

(7) In regulation 11(1)(a), before “crime and disorder”, insert “re-offending,”.

(8) In regulation 12(1)—

(a) in sub-paragraph (a), before “crime and disorder”, insert “re-offending,”; and

(b) in sub-paragraph (b), before “crime and disorder”, insert “re-offending,”.

(9) In regulation 13, before “crime and disorder”, insert “re-offending,”.

Home Office
6th March 2010

David Hanson
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007 to take into account the requirement for responsible authorities to formulate and implement a strategy to reduce re-offending inserted into the Crime and Disorder Act 1998 (the “1998 Act”) by section 108 of the Policing and Crime Act 2009 (the “2009 Act”). The changes made by these Regulations also reflect the fact that every provider of probation services operating within an area in pursuance of arrangements under section 3 of the Offender Management Act 2007 which provide for it to be a responsible authority under section 5 of the Crime and Disorder Act 1998 will be a responsible authority as from 1st April 2010 when section 108 of the 2009 Act comes into force.

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