

2004 No. 118

CRIMINAL LAW, ENGLAND

The Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004

Made - - - - - 22nd January 2004

Laid before Parliament 29th January 2004

Coming into force - - 23rd February 2004

In exercise of the powers conferred on him by section 5(2) and(3) of the Crime and Disorder Act 1998(a), the Secretary of State hereby makes the following Order:

1.—(1) This Order may be cited as the Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004 and shall come into force on 23rd February 2004.

(2) This Order shall apply to England only.

2.—(1) This article prescribes the descriptions of persons or bodies set out in paragraph (2) below for the purposes of section 5(2) of the Crime and Disorder Act 1998.

(2) Those persons or bodies are, as respects each local government area—

- (a) a parish council in that local government area;
- (b) a National Health Service Trust established under Part 1 of the National Health Service and Community Care Act 1990(b) which manages a hospital within the meaning of that Part, establishment or other facility in that local government area;
- (c) the governing body of a school, within the meaning of section 4(1) of the Education Act 1996(c), in that local government area maintained by a local education authority;
- (d) the proprietor of an independent school, within the meaning of section 463 of that Act, in that local government area; and
- (e) the governing body of an institution within the further education sector, as defined in section 91 of the Further and Higher Education Act 1992(d).

3.—(1) This article prescribes for the purposes of section 5(3) of the Crime and Disorder Act 1998 the descriptions of persons or bodies at least one of each of which must be invited by responsible authorities to participate in their exercise of the functions conferred by section 6(e) of that Act.

(2) The following descriptions of persons or bodies are prescribed for those purposes in relation to each local government area in England—

- (a) a social landlord, registered under Part 1 of the Housing Act 1996(f), which is a landlord of accommodation in that local government area;
- (b) the Drug Action Team or the Drug and Alcohol Action team established in respect of the area which includes that local government area;

(a) 1998 c. 37; section 5(2) and (3) was amended by section 97(4) and (5) respectively of the Police Reform Act 2002 (c. 30).
(b) 1990 c. 19.
(c) 1996 c. 56.
(d) 1992 c. 13.
(e) Section 6 was amended by section 97(7) to (11) of the Police Reform Act 2002.
(f) 1996 c. 52.

- (c) a Training and Enterprise Council, as defined in paragraph (3) below, which provides assistance to persons who reside within the local government area;
- (d) a voluntary organisation operating in that local government area whose objects are to provide assistance to young persons through youth work or informal education;
- (e) the Crown Prosecution Service;
- (f) a Court Manager of the Crown Court;
- (g) a magistrates' court committee for an area any part of which is within that local government area;
- (h) a representative of Neighbourhood Watch Schemes in the local government area;
- (i) a member of a Victim Support Scheme in that local government area which is affiliated to the National Association of Victim Support Schemes;
- (j) the service police, as defined in paragraph (4) below, where any military establishment is within that local government area;
- (k) the Ministry of Defence police, where any place to which section 2(2) of the Ministry of Defence Police Act 1987^(a) applies is within that local government area;
- (l) a body which provides school transport within that local government area;
- (m) a body which provides or operates public transport within that local government area;
- (n) a Passenger Transport Authority, within the meaning of section 9 of the Transport Act 1968^(b), for an area any part of which is in that local government area;
- (o) a Passenger Transport Executive within the meaning of section 9 of the Transport Act 1968, for an area any part of which is in that local government area;
- (p) Transport for London where that local government area is a London borough;
- (q) in respect of each of the following descriptions, a body which promotes the interests of, or provides services to, persons of that description within that local government area—
 - (i) women;
 - (ii) the young, including children;
 - (iii) the elderly;
 - (iv) the physically and mentally disabled;
 - (v) those of different racial groups within the meaning of section 3(1) of the Race Relations Act 1976^(c);
 - (vi) homosexuals;
 - (vii) residents;
- (r) a body not falling within sub-paragraph (q) above, one of whose purposes is to reduce crime and disorder in that local government area;
- (s) a body established for religious purposes within that local government area;
- (t) a company or partnership which has a place of business within that local government area;
- (u) a body established to promote retail business in that local government area;
- (v) a trade union, within the meaning of section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992^(d);
- (w) a registered medical practitioner who is—
 - (i) providing general medical services in that local government area in accordance with arrangements made under section 29 of the National Health Service Act 1977^(e); or
 - (ii) performing personal medical services in that local government area in accordance with arrangements made under section 28C of that Act;
- (x) a body which is representative of registered medical practitioners who are—
 - (i) providing general medical services in that local government area; or
 - (ii) performing personal medical services in that local government area;

(a) 1987 c. 4.

(b) 1968 c. 73; section 9 was amended by sections 57 and 58 of the Transport Act 1985 (c. 67).

(c) 1976 c. 74.

(d) 1992 c. 52.

(e) 1977 c. 49.

- (y) a governing body of an institution within the higher education sector, as defined in section 91 of the Further and Higher Education Act 1992, in that local government area;
- (z) the chief officer of the fire brigade for an area any part of which lies within that local government area;
- (aa) the British Transport Police.

(3) In paragraph (2)(c) above, “Training and Enterprise Council” means a body with whom the secretary of State has made arrangements under section 2 of the Employment and Training Act 1973(a) for the purpose of assisting persons to select, train for, obtain or retain employment.

(4) In paragraph (2)(j) above, “service police” means the Royal Navy Regulating Branch, the Royal Marines Police, the Royal Military Police, the Royal Air Force Police or the Royal Air Force Provost Marshall.

4. The following Orders are hereby revoked to the extent that they apply to England—
- (a) the Crime and Disorder Strategies (Prescribed Descriptions) Order 1998(b);
 - (b) the Crime and Disorder Strategies (Prescribed Descriptions)(Amendment) Order 1998(c);
 - (c) the Crime and Disorder Strategies (Prescribed Descriptions)(Amendment) Order 1999(d); and
 - (d) the Crime and Disorder Strategies (Prescribed Descriptions)(Amendment) Order 2000(e).

Home Office
22nd January 2004

Hazel Blears
Minister of State

(a) 1973 c. 50.
(b) S.I. 1998/2452.
(c) S.I. 1998/2513.
(d) S.I. 1999/483.
(e) S.I. 2000/300.

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order prescribes descriptions of persons or bodies who are required to cooperate with responsible authorities (defined in section 5(1) of the Crime and Disorder Act 1998) in the formulation and implementation of strategies for the reduction of crime and disorder and drug misuse within local government areas (defined in section 5(4)(a) of that Act) in England. Article 3 prescribes descriptions of persons and bodies, at least one of each description must be invited to participate in that exercise.

Article 4 of this Order revokes, in so far as they apply to England, the Orders specified in subparagraphs (a) to (d). Those Orders will continue in force in Wales until amended or revoked by the National Assembly for Wales.

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