

2006 No. 2138

CRIMINAL LAW, ENGLAND AND WALES

**The Crime and Disorder Act 1998 (Intervention Orders)
Order 2006**

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| <i>Made</i> - - - - | <i>1st August 2006</i> |
| <i>Laid before Parliament</i> | <i>3rd August 2006</i> |
| <i>Coming into force</i> - - | <i>1st October 2006</i> |

The Secretary of State makes the following Order in exercise of the powers conferred by section 1G (1)(c) and (9) to (11) of the Crime and Disorder Act 1998(a) :

Citation, commencement, interpretation and application

- 1.—(1) This Order may be cited as the Crime and Disorder Act 1998 (Intervention Orders) Order 2006 and shall come into force on 1st October 2006.
- (2) In this Order “the Act” means the Crime and Disorder Act 1998.
- (3) This Order extends to England and Wales.

Persons to be consulted by relevant authority

- 2.—(1) The persons with whom the relevant authority is to consult for the purposes of section 1G(1)(c) of the Act (consultation prior to applying for an intervention order) are—
- (a) a National Health Service Trust;
 - (b) a Primary Care Trust;
 - (c) a National Health Service Foundation Trust; and
 - (d) a local authority, where it is not the relevant authority,
- concerned with the provision of appropriate activities within the area in which it appears that the defendant resides or will arise.
- (2) The reference in paragraph (1) to a local authority is a reference to—
- (a) in England, the council of a county, district or London borough, the City of London, the Isle of Wight and the Isles of Scilly, and
 - (b) in Wales, the council of a county or county borough.

(a) 1998 c.37. Section 1G was inserted by section 20(1) of the Drugs Act 2005 (c.17).

Person responsible for provision or supervision of appropriate activities

3. The description of person for the purposes of section 1G(9) of the Act (person responsible for the provision or supervision of appropriate activities) is a trust or authority referred to in article 2 which—

- (a) provides or supervises or,
- (b) arranges for the provision or supervision of,

the appropriate activities under the intervention order, as the case may be.

Appropriate activities and appropriately qualified persons

4. For the purposes of section 1G(10) of the Act—

- (a) “appropriate activities” are such activities as are involved in the provision of the drug misuse treatment services under the “Models of care for treatment of adult drug users” as, for the time being, approved by the Secretary of State and published by the National Treatment Agency, and
- (b) an “appropriately qualified person” is a fully registered medical practitioner, within the meaning given by section 55(1) of the Medical Act 1983(a), employed by a trust referred to in article 2 as a specialist in the treatment of substance misuse of addiction, including drug misuse or addiction.

Home Office
1st August 2006

Joan Ryan
Parliamentary Under Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 1st October 2006, prescribes certain matters for the purposes of intervention orders under section 1G of the Crime and Disorder Act 1998 (as inserted by section 20 of the Drugs Act 2005). Article 2 of the Order prescribes the persons to be consulted before applying for an intervention order. Article 3 prescribes the person responsible for the provision or supervision of “appropriate activities” under such an order, namely a trust or authority referred to in article 2 which provides or supervises, or arranges for the provision or supervision of, those activities. Article 4 prescribes those activities and who constitutes an “appropriately qualified person” to compile a report for the purposes of such an application.

The National Treatment Agency was established by the Government in 2001 to improve the availability, capacity and effectiveness of treatment for drug misuse. The publication “Models of care for treatment of adult misusers; Update 2006” can be obtained free of charge as a PDF on the National Treatment Agency’s website at www.nta.nhs.uk or from the Department of Health publications order line, telephone number 08701 555 455.

(a) 1983 c.54.

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