



Crime and Disorder Act 1998

1998 CHAPTER 37

PART I

PREVENTION OF CRIME AND DISORDER

CHAPTER I

ENGLAND AND WALES

Miscellaneous and supplemental

17 Duty to consider crime and disorder implications.

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
- (2) This section applies to a local authority, a joint authority, [^{F1}the London Fire and Emergency Planning Authority,]^{F2} [^{F3}a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies], a police authority, a National Park authority and the Broads Authority.
- (3) In this section—
 - “local authority” means a local authority within the meaning given by section 270(1) of the ^{M1}Local Government Act 1972 or the Common Council of the City of London;
 - “joint authority” has the same meaning as in the ^{M2}Local Government Act 1985;
 - “National Park authority” means an authority established under section 63 of the ^{M3}Environment Act 1995.

Status: Point in time view as at 07/09/2004. This version of this cross heading contains provisions that are not valid for this point in time.

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Textual Amendments

- F1** Words in s. 17(2) inserted (3.7.2000) by 1999 c. 29, s. 328(8), **Sch. 29 Pt. I para. 63** (with Sch. 12 para. 9(1)); S.I. 2000/1094, **art. 4**
- F2** Words in s. 17(2) inserted (1.4.2003) by Police Reform Act 2002 (c. 30), **ss. 97(12), 108(2)(4)**; S.I. 2003/525, **art. 2**; S.I. 2003/808, **art. 2(j)**
- F3** Words in s. 17(2) substituted (7.9.2004 for E.S. for specified purposes, 1.10.2004 for E.S. otherwise, and 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), **ss. 53(1), 61, Sch. 1 para. 89(3)**; S.I. 2004/2304, **art. 2(1)** (with art. 3); S.I. 2004/2917, **art. 2**

Commencement Information

- I1** S. 17 wholly in force; S. 17 not in force at Royal Assent see s. 121. In force at 30.9.1998 by S.I. 1998/2327, **art. 2(1)** (subject to savings in **arts. 5-8**)

Marginal Citations

- M1** 1972 c.70.
M2 1985 c.51.
M3 1995 c.25.

VALID FROM 01/08/2007

[^{F4}17A Sharing of information

- (1) A relevant authority is under a duty to disclose to all other relevant authorities any information held by the authority which is of a prescribed description, at such intervals and in such form as may be prescribed.
- (2) In subsection (1) “prescribed” means prescribed in regulations made by the Secretary of State.
- (3) The Secretary of State may only prescribe descriptions of information which appears to him to be of potential relevance in relation to the reduction of crime and disorder in any area of England and Wales (including anti-social or other behaviour adversely affecting the local environment in that area).
- (4) Nothing in this section requires a relevant authority to disclose any personal data (within the meaning of the Data Protection Act 1998).
- (5) In this section “relevant authority” means an authority in England and Wales which is for the time being a relevant authority for the purposes of section 115.]

Textual Amendments

- F4** S. 17A inserted (1.8.2007 for E. and 19.11.2007 for W.) by Police and Justice Act 2006 (c. 48), **ss. 22, 53(1)(a), Sch. 9 para. 5**; S.I. 2007/1614, **art 3(b)**; S.I. 2007/3073, **art. 2(a)**

18 Interpretation etc. of Chapter I.

- (1) In this Chapter—
 “anti-social behaviour order” has the meaning given by section 1(4) above;

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“chief officer of police” has the meaning given by section 101(1) of the ^{M4}Police Act 1996;

“child safety order” has the meaning given by section 11(1) above;

“curfew notice” has the meaning given by section 14(6) above;

[^{F5}“individual support order” has the meaning given by section 1AA(2) above;]

“local child curfew scheme” has the meaning given by section 14(1) above;

“parenting order” has the meaning given by section 8(4) above;

“police area” has the meaning given by section 1(2) of the ^{M5}Police Act 1996;

“police authority” has the meaning given by section 101(1) of that Act;

“responsible officer”—

(za) [^{F6}in relation to an individual support order, has the meaning given by section 1AA(10) above;

(a) in relation to a parenting order, has the meaning given by section 8(8) above;

(b) in relation to a child safety order, has the meaning given by section 11(8) above;

“sex offender order” has the meaning given by section 2(3) above.

[In this Chapter, “protecting the public from serious harm” shall be construed in ^{F7}(2) accordance with section 161(4) of the Powers of Criminal Courts (Sentencing) Act 2000.]

(3) Where directions under a parenting order are to be given by [^{F8}an officer of a local probation board], [^{F8}the officer of a local probation board] shall be an officer appointed for or assigned to the petty sessions area within which it appears to the court that the child or, as the case may be, the parent resides or will reside.

(4) Where the supervision under a child safety order is to be provided, or directions under [^{F9}an individual support order or] a parenting order are to be given, by—

(a) a social worker of a local authority social services department; or

(b) a member of a youth offending team,

the social worker or member shall be a social worker of, or a member of a youth offending team established by, the local authority within whose area it appears to the court that [^{F10}the child, defendant or parent, as the case may be,] resides or will reside.

(5) For the purposes of this Chapter the Inner Temple and the Middle Temple form part of the City of London.]

Textual Amendments

F5 S. 18(1): definition of "individual support order" inserted (1.5.2004) by [Criminal Justice Act 2003 \(c. 44\), ss. 323\(3\)\(a\), 336\(3\); S.I. 2004/829 {art. 3\(2\)\(b\)}](#)

F6 S. 18(1): in definition of "responsible officer", para. (za) inserted (1.5.2004) by [Criminal Justice Act 2003 \(c. 44\), ss. 323\(3\)\(b\), 336\(3\); S.I. 2004/829 {art. 3\(2\)\(b\)}](#)

F7 S. 18(2) substituted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), [Sch. 9 para. 196](#)

F8 Words in s. 18(3) substituted (1.4.2001) by 2000 c. 43, s. 74, [Sch. 7 Pt. I para. 4; S.I. 2001/919, art. 2\(f\)\(i\)](#)

F9 Words in s. 18(4) inserted (1.5.2004) by [Criminal Justice Act 2003 \(c. 44\), ss. 323\(4\)\(a\), 336\(3\); S.I. 2004/829 {art. 3\(2\)\(b\)}](#)

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F10 Words in s. 18(4) substituted (1.5.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), [s. 323\(4\)\(b\)](#), [336\(3\)](#); [S.I. 2004/829](#) {art. 3(2)(b)}

Modifications etc. (not altering text)

C1 S. 18(3)(4) applied (27.2.2004) by [Powers of Criminal Courts \(Sentencing\) Act 2000 \(c. 6\)](#), [Sch. 1 para. 9D\(7\)](#) (as inserted by [Crime and Disorder Act 2003 \(c. 44\)](#), ss. 324, 336(3), [Sch. 34 para. 6](#); [S.I. 2004/81](#), [art. 5\(2\)\(d\)](#))

Commencement Information

I2 S. 18 wholly in force; s. 18 not in force at Royal Assent see s. 121; In force at 30.9.1998 by 1998/2327, art. 2(1) (subject to savings in arts. 5-8)

Marginal Citations

M4 [1996 c.16](#).

M5 [1996 c.16](#).

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