



# Crime and Disorder Act 1998

## 1998 CHAPTER 37

### PART III

#### CRIMINAL JUSTICE SYSTEM

##### *Youth justice*

#### **40 Youth justice plans.**

- (1) It shall be the duty of each local authority, after consultation with the relevant persons and bodies, to formulate and implement for each year a plan (a “youth justice plan”) setting out—
  - (a) how youth justice services in their area are to be provided and funded; and
  - (b) how the youth offending team or teams established by them (whether alone or jointly with one or more other local authorities) are to be composed and funded, how they are to operate, and what functions they are to carry out.
- (2) In subsection (1) above “the relevant persons and bodies” means the persons and bodies mentioned in section 38(2) above and, where the local authority is a county council, any district councils whose districts form part of its area.
- (3) The functions assigned to a youth offending team under subsection (1)(b) above may include, in particular, functions under paragraph 7(b) of Schedule 2 to the 1989 Act (local authority’s duty to take reasonable steps designed to encourage children and young persons not to commit offences).
- (4) A local authority shall submit their youth justice plan to the Board established under section 41 below, and shall publish it in such manner and by such date as the Secretary of State may direct.

#### **Modifications etc. (not altering text)**

- C1** **S. 40:** functions of the local authority not to be the sole responsibility of the executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 4\(1\)](#), [Sch. 3](#)

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*Status: Point in time view as at 30/09/1998. This version of this provision has been superseded.*

*Changes to legislation: Crime and Disorder Act 1998, Section 40 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- C2** Ss. 39-42 applied (with modifications) (1.2.2005) by The Local Authorities' Plans and Strategies (Disapplication) (England) Order 2005 (S.I. 2005/157), **art. 5(2)**, Sch. 1 (with art. 5(3))
- C3** S. 40(1) disappplied (1.2.2005) by The Local Authorities' Plans and Strategies (Disapplication) (England) Order 2005 (S.I. 2005/157), **art. 5(1)**

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**Commencement Information**

- I1** S. 40 wholly in force at 1.1.2000; S. 40 not in force at Royal Assent see s. 121; S. 40 in force at 30.9.1998 in the areas specified in Sch. 1 of the said S.I. by S.I. 1998/2327, art. 3(1), **Sch. 1** (subject to savings in art. 9); s. 40 in force at 1.1.2000 insofar as not already in force by S.I. 1999/3426, **art. 2**

**Status:**

Point in time view as at 30/09/1998. This version of this provision has been superseded.

**Changes to legislation:**

Crime and Disorder Act 1998, Section 40 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.