



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 2

#### PREVENTION, INVESTIGATION AND PROSECUTION OF CRIME

#### CHAPTER 1

##### FUNCTIONS RELATING TO SERIOUS VIOLENCE

##### *Functions relating to serious violence*

### **8 Duties to collaborate and plan to prevent and reduce serious violence**

- (1) The specified authorities for a local government area must collaborate with each other to prevent and reduce serious violence in the area.
- (2) The duty imposed on the specified authorities for a local government area by subsection (1) includes a duty to plan together to exercise their functions so as to prevent and reduce serious violence in the area.
- (3) In particular, the specified authorities for a local government area must—
  - (a) identify the kinds of serious violence that occur in the area,
  - (b) identify the causes of serious violence in the area, so far as it is possible to do so, and
  - (c) prepare and implement a strategy for exercising their functions to prevent and reduce serious violence in the area.
- (4) In preparing a strategy under this section for a local government area, the specified authorities for the area must ensure that the following are consulted—
  - (a) each educational authority for the area;

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- (b) each prison authority for the area;
  - (c) each youth custody authority for the area.
- (5) A strategy under this section for a local government area may specify an action to be carried out by—
  - (a) an educational authority for the area,
  - (b) a prison authority for the area, or
  - (c) a youth custody authority for the area.

See section 15 for further provision about the duties of such authorities in relation to such actions.
- (6) In preparing a strategy under this section for a local government area, the specified authorities for the area may invite participation from—
  - (a) in the case of a strategy for a local government area in England, a person of a description for the time being prescribed by order of the Secretary of State under section 5(3) of the Crime and Disorder Act 1998;
  - (b) in the case of a strategy for a local government area in Wales, a person of a description for the time being prescribed by order of the Welsh Ministers under section 5(3) of that Act.
- (7) Once a strategy has been prepared under this section for a local government area, the specified authorities for the area must—
  - (a) publish the strategy,
  - (b) keep the strategy under review, and
  - (c) from time to time prepare and implement a revised strategy.
- (8) A strategy under this section must not include any material that the specified authorities consider—
  - (a) might jeopardise the safety of any person,
  - (b) might prejudice the prevention or detection of crime or the investigation or prosecution of an offence, or
  - (c) might compromise the security of, or good order or discipline within, an institution of a kind mentioned in the first column of a table in Schedule 2.
- (9) A strategy under this section may cover an area that is wider than a local government area if it is also prepared in the exercise of the powers in section 9.
- (10) The Secretary of State may by regulations make further provision for or in connection with the publication and dissemination of a strategy under this section.
- (11) References in subsections (4) to (10) to a strategy under this section include a revised strategy.
- (12) This section does not affect any power of a specified authority to collaborate or plan apart from this section.
- (13) For provisions about the interpretation of this section, see—
  - (a) section 11 and Schedule 1 (specified authorities and local government areas);
  - (b) section 12 and Schedule 2 (educational, prison and youth custody authorities);
  - (c) section 13 (preventing and reducing serious violence).

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#### Commencement Information

- I1** S. 8 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)  
**I2** [S. 8](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(a\)](#)

## 9 Powers to collaborate and plan to prevent and reduce serious violence

- (1) Two or more specified authorities may collaborate with each other to prevent and reduce serious violence in a relevant area.
- (2) The power conferred on specified authorities by subsection (1) includes a power to plan together to exercise their functions so as to prevent and reduce serious violence in a relevant area.
- (3) In particular, the specified authorities may—
  - (a) identify the kinds of serious violence that occur in a relevant area,
  - (b) identify the causes of serious violence in the area, and
  - (c) prepare and implement a strategy for exercising their functions to prevent and reduce serious violence in the area.
- (4) In preparing a strategy under this section for a relevant area, the specified authorities preparing the strategy must ensure that the following are consulted—
  - (a) every other specified authority for the area;
  - (b) each educational authority for the area;
  - (c) each prison authority for the area;
  - (d) each youth custody authority for the area.
- (5) A strategy under this section for a relevant area may specify actions to be carried out by—
  - (a) an educational authority for the area,
  - (b) a prison authority for the area, or
  - (c) a youth custody authority for the area.

See section 15 for further provision about the duties of such authorities in relation to such actions.
- (6) In preparing a strategy under this section for a relevant area, the specified authorities for the area may invite participation from—
  - (a) in the case of a strategy for a relevant area in England, an eligible person for the time being prescribed by order of the Secretary of State under section 5(3) of the Crime and Disorder Act 1998;
  - (b) in the case of a strategy for a relevant area in Wales, an eligible person for the time being prescribed by order of the Welsh Ministers under section 5(3) of that Act;
  - (c) in the case of a strategy for a relevant area partly in England and partly in Wales, an eligible person for the time being prescribed by order of the Secretary of State or the Welsh Ministers under section 5(3) of that Act.
- (7) For the purposes of subsection (6), an eligible person is—
  - (a) where a person is prescribed in terms of a description which includes a connection to a local government area, a person of that description with such

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a connection to a local government area all or part of which coincides with or falls within the relevant area, or

- (b) a person prescribed in terms that do not refer to a connection with a local government area.

In this subsection “local government area” has the same meaning as in section 5 of the Crime and Disorder Act 1998 (see subsection (4) of that section).

- (8) Once a strategy has been prepared under this section for a relevant area, the specified authorities for the area—
  - (a) must publish the strategy,
  - (b) may keep the strategy under review, and
  - (c) may from time to time prepare and implement a revised strategy.
- (9) A strategy under this section must not include any material that the specified authorities consider—
  - (a) might jeopardise the safety of any person,
  - (b) might prejudice the prevention or detection of crime or the investigation or prosecution of an offence, or
  - (c) might compromise the security of, or good order or discipline within, an institution of a kind mentioned in the first column of a table in Schedule 2.
- (10) The Secretary of State may by regulations make further provision for or in connection with the publication and dissemination of a strategy under this section.
- (11) References in subsections (4) to (10) to a strategy under this section include a revised strategy.
- (12) This section does not affect any power of a specified authority to collaborate or plan apart from this section.
- (13) In this Chapter “relevant area”, in relation to a specified authority, educational authority, prison authority or youth custody authority means an area made up of—
  - (a) all or part of a local government area for which it is a specified authority, educational authority, prison authority or youth custody authority, and
  - (b) all or part of one or more other local government areas (regardless of whether, in the case of a specified authority or educational authority, it is also a specified authority or educational authority for the other area or areas).
- (14) For further provisions about the interpretation of this section, see—
  - (a) section 11 and Schedule 1 (specified authorities and local government areas);
  - (b) section 12 and Schedule 2 (educational, prison and youth custody authorities);
  - (c) section 13 (preventing and reducing serious violence).

#### **Commencement Information**

- I3** S. 9 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)
- I4** [S. 9](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(b\)](#)

## **10 Power to authorise collaboration etc. with other persons**

- (1) The Secretary of State may by regulations—

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- (a) confer powers on a specified authority to collaborate with a prescribed person to prevent and reduce serious violence in a prescribed area;
  - (b) confer powers on a prescribed person to collaborate with a specified authority to prevent and reduce serious violence in a prescribed area.
- (2) The Secretary of State may by regulations authorise the disclosure of information—
  - (a) by a prescribed person to any person listed in subsection (3) for the purposes of preventing and reducing serious violence in a prescribed area;
  - (b) by any person listed in subsection (3) to a prescribed person for such purposes.
- (3) Those persons are—
  - (a) a specified authority;
  - (b) a local policing body;
  - (c) an educational authority;
  - (d) a prison authority;
  - (e) a youth custody authority.
- (4) Regulations under subsection (2) may provide that a disclosure under the regulations does not breach—
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information (however imposed).
- (5) But if regulations under subsection (2) contain provision under subsection (4)(b), they must provide that they do not authorise a disclosure of information that—
  - (a) would contravene the data protection legislation (but in determining whether a disclosure would do so, any power conferred by the regulations is to be taken into account), or
  - (b) is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.
- (6) Regulations under subsection (2) must not authorise—
  - (a) the disclosure of patient information, or
  - (b) the disclosure of personal information by a specified authority which is a health or social care authority.
- (7) This section does not affect any power to collaborate or to disclose information apart from regulations under this section.
- (8) In this section, “prescribed” means prescribed, or of a description prescribed, in regulations under this section.
- (9) Regulations under this section may, in particular, prescribe persons by reference to the fact that they have been invited under section 8(6) or 9(6) to participate in the preparation of a strategy under section 8 or 9.
- (10) In this Chapter—
  - “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);
  - “health or social care authority” means a specified authority which is listed in the first column of the table headed “Health and social care” in Schedule 1;
  - “patient information” means personal information (however recorded) which relates to—
    - (a) the physical or mental health or condition of an individual,

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- (b) the diagnosis of an individual's condition, or
  - (c) an individual's care or treatment,
- or is (to any extent) derived directly or indirectly from information relating to any of those matters;
- “personal information” means information which is in a form that identifies any individual or enables any individual to be identified (either by itself or in combination with other information).

#### Commencement Information

- I5** S. 10 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)
- I6** [S. 10](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(c\)](#)

## 11 Specified authorities and local government areas

- (1) In this Chapter “specified authority” means a person listed in the first column of a table in Schedule 1.
- (2) Subsection (3) applies to a specified authority listed in Schedule 1 in terms that refer to the exercise of particular functions or to a particular capacity that it has.
- (3) References in this Chapter to the authority's functions are to those functions or its functions when acting in that capacity.
- (4) In this Chapter “local government area” means—
  - (a) in relation to England, a district, a London borough, the City of London or the Isles of Scilly;
  - (b) in relation to Wales, a county or county borough.
- (5) For the purposes of this Chapter the Inner Temple and the Middle Temple form part of the City of London.
- (6) For the purposes of this Chapter a specified authority listed in a table in Schedule 1 is an authority for the local government area or (as the case may be) each local government area listed in the corresponding entry in the second column of the table.
- (7) The Secretary of State may by regulations amend Schedule 1 by adding, modifying or removing a reference to a specified authority or a local government area.

#### Commencement Information

- I7** S. 11 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)
- I8** [S. 11](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(d\)](#)

## 12 Educational, prison and youth custody authorities

- (1) In this Chapter—
  - “educational authority” means a person listed in the first column of the first table in Schedule 2;
  - “prison authority” means a person listed in the first column of the second table in Schedule 2;

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“youth custody authority” means a person listed in the first column of the third table in Schedule 2.

- (2) For the purposes of this Chapter an educational authority, prison authority or a youth custody authority listed in a table in Schedule 2 is an authority for the local government area or (as the case may be) each local government area listed in the corresponding entry in the second column of the table.
- (3) The Secretary of State may by regulations amend Schedule 2 by adding, modifying or removing an entry in a table in that Schedule.

#### Commencement Information

- I9** S. 12 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(b\)](#)
- I10** [S. 12](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(e\)](#)

### 13 Preventing and reducing serious violence

- (1) In this Chapter—
  - (a) references to preventing serious violence in an area are to preventing people from becoming involved in serious violence in the area, and
  - (b) references to reducing serious violence in an area are to reducing instances of serious violence in the area.
- (2) The reference in subsection (1)(a) to becoming involved in serious violence includes becoming a victim of serious violence.
- (3) In this Chapter “violence”—
  - (a) includes, in particular—
    - (i) domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act),
    - (ii) sexual offences,
    - (iii) violence against property, and
    - (iv) threats of violence;
  - (b) does not include terrorism (within the meaning of the Terrorism Act 2000 (see section 1(1) to (4) of that Act)).
- (4) In subsection (3)(a)(ii), “sexual offence” means an offence under the law of England and Wales which is for the time being specified in Schedule 3 to the Sexual Offences Act 2003, other than the offence specified in paragraph 14 of that Schedule (fraudulent evasion of excise duty).
- (5) In determining for the purposes of subsection (4) whether an offence is specified in Schedule 3 to the Sexual Offences Act 2003, any limitation in that Schedule referring to the circumstances of a particular case (including the sentence imposed) is to be disregarded.
- (6) In considering whether violence in an area amounts to serious violence for the purposes of this Chapter, account must be taken in particular of the following factors—
  - (a) the maximum penalty which could be imposed for the offence (if any) involved in the violence,
  - (b) the impact of the violence on any victim,



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- (c) the prevalence of the violence in the area, and
- (d) the impact of the violence on the community in the area.

#### **Commencement Information**

**III** S. 13 in force at Royal Assent, see [s. 208\(4\)\(c\)](#)

### *Exercise of functions*

## **14 Involvement of local policing bodies**

- (1) A local policing body for a police area may assist a specified authority in the exercise of—
  - (a) the authority's functions under or in accordance with section 8 in relation to a local government area which coincides with or falls within the police area, or
  - (b) the authority's functions under or in accordance with section 9 in relation to a relevant area which, or any part of which, coincides with or falls within the police area.
- (2) A local policing body for a police area may—
  - (a) monitor the exercise by specified authorities of their functions under or in accordance with section 8 in relation to a local government area which coincides with or falls within the police area, or
  - (b) monitor the exercise by specified authorities of their functions under or in accordance with section 9 in relation to a relevant area which, or any part of which, coincides with or falls within the police area.
- (3) A local policing body may report its findings under subsection (2) to the Secretary of State.
- (4) The Secretary of State may by regulations make provision conferring functions on a local policing body for a police area for the purposes of subsection (1).
- (5) Provision under subsection (4) may include provision—
  - (a) for a local policing body to provide funding to a specified authority,
  - (b) for a local policing body to arrange for meetings to be held for the purpose of assisting the exercise by specified authorities of their functions under or in accordance with section 8 or 9,
  - (c) for the local policing body or a representative of the body to chair the meetings, and
  - (d) for such descriptions and numbers of persons as the local policing body may specify to be required to attend the meetings.
- (6) If a local policing body acts under subsection (1) or (2), or under regulations under subsection (4), in relation to the exercise by a specified authority of its functions under or in accordance with section 8 or 9, the authority must co-operate with the body.
- (7) References in this Chapter (however expressed) to a specified authority exercising functions in accordance with section 8 or 9 are to the authority exercising functions conferred on it apart from this Chapter in accordance with the section in question.



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#### Commencement Information

- I12** S. 14 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(d\)](#)  
**I13** [S. 14](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(f\)](#)

### 15 Involvement of educational, prison and youth custody authorities

- (1) An educational, prison or youth custody authority (a “relevant authority”) for a local government area and a specified authority for that area may collaborate with each other to prevent and reduce serious violence in that area.
- (2) A relevant authority for a relevant area and a specified authority for that area may collaborate with each other to prevent and reduce serious violence in that area.
- (3) A relevant authority and a specified authority must collaborate with each other as mentioned in subsection (1) or (2) if either the relevant authority or the specified authority requests the other to do so.
- (4) A relevant authority must carry out any actions which are specified under section 8(5) or 9(5) as actions to be carried out by the authority.
- (5) A relevant authority for a local government area—
  - (a) may collaborate with another relevant authority for that area to prevent and reduce serious violence in that area, and
  - (b) must collaborate with another relevant authority for that area for those purposes if requested by that other relevant authority to do so.
- (6) A relevant authority (“RA1”) may collaborate with another relevant authority (“RA2”) to prevent and reduce serious violence in an area which is made up of—
  - (a) all or part of the local government area for which RA1 is a relevant authority, and
  - (b) all or part of the local government area for which RA2 is a relevant authority.
- (7) A relevant authority is not subject to a duty in subsection (3), (4) or (5)(b), and a specified authority is not subject to a duty in subsection (3), if or to the extent that compliance with the duty—
  - (a) would be incompatible with any other duty of the authority imposed by an enactment (other than subsection (5)(b)),
  - (b) would otherwise have an adverse effect on the exercise of the authority’s functions,
  - (c) would be disproportionate to the need to prevent and reduce serious violence in the area to which the duty relates, or
  - (d) would mean that the authority incurred unreasonable costs.
- (8) In determining whether subsection (7) applies to an authority, the cumulative effect of complying with duties under this section must be taken into account.
- (9) Subsection (7) or (8) does not apply in relation to the duty of a relevant authority to collaborate with a specified authority under subsection (3) to the extent that it relates to—
  - (a) the exercise by the specified authority of its function under subsection (3)(a) or (b) of section 8 of identifying the kinds or causes of serious violence in

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an area or its function of preparing a strategy under subsection (3)(c) of that section, or

- (b) the exercise by the specified authority of its function under subsection (3)(a) or (b) of section 9 of identifying the kinds or causes of serious violence in an area or its function of preparing a strategy under subsection (3)(c) of that section.

(10) This section does not affect any power to collaborate apart from this section.

(11) In this section “enactment” includes—

- (a) an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978, and
- (b) an enactment comprised in, or in an instrument made under, a Measure or Act of Senedd Cymru.

#### **Commencement Information**

**I14** S. 15 not in force at Royal Assent, see [s. 208\(1\)](#)

**I15** [S. 15](#) in force at 31.1.2023 by [S.I. 2022/1227](#), [reg. 4\(g\)](#)

## **16 Disclosure of information**

(1) A person listed in subsection (2) may disclose information that it holds for the purposes of its functions to another person listed in that subsection for the purposes of the exercise by the other person of its functions under or in accordance with this Chapter.

(2) Those persons are—

- (a) a specified authority;
- (b) a local policing body;
- (c) an educational authority;
- (d) a prison authority;
- (e) a youth custody authority.

(3) A disclosure of information authorised by this section does not breach—

- (a) any obligation of confidence owed by the person making the disclosure, or
- (b) any other restriction on the disclosure of information (however imposed).

(4) But this section does not authorise—

- (a) the disclosure of patient information,
- (b) the disclosure of personal information by a specified authority which is a health or social care authority,
- (c) a disclosure of information that would contravene the data protection legislation (but in determining whether a disclosure would do so, the power conferred by this section is to be taken into account), or
- (d) a disclosure of information that is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.

(5) Subsection (6) applies if—

- (a) a disclosure of information under this section is also permitted by regulations under section 6(2) of the Crime and Disorder Act 1998 or by section 115 of that Act (but is not also a disclosure under section 17A of that Act), and

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- (b) a condition or limitation applies to a disclosure under those regulations or section 115 of that Act by virtue of such regulations.
- (6) The condition or limitation does not apply to the disclosure of information under this section.
- (7) This section does not otherwise affect any power to disclose information apart from this section.

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**Commencement Information**

- I16** S. 16 not in force at Royal Assent, see [s. 208\(1\)](#)  
**I17** [S. 16](#) in force at 31.1.2023 by [S.I. 2022/1227](#), [reg. 4\(h\)](#)

## 17 Supply of information to local policing bodies

- (1) A local policing body may, for the purposes of enabling or assisting it to exercise its functions under section 14 in relation to an area, request any person listed in subsection (2) to supply it with such information as may be specified in the request.
- (2) Those persons are—
  - (a) a specified authority for that area;
  - (b) an educational authority for that area;
  - (c) a prison authority for that area;
  - (d) a youth custody authority for that area.
- (3) Information requested under subsection (1) must be information that is held by the person to whom the request is made and that relates to—
  - (a) the person to whom the request was made,
  - (b) a function of the person to whom the request was made, or
  - (c) a person in respect of whom a function is exercisable by the person requested to supply the information.
- (4) Subject to subsection (6), a person who is requested to supply information under subsection (1) must comply with the request.
- (5) A disclosure of information required by subsection (4) does not breach—
  - (a) any obligation of confidence owed by the person making the disclosure, or
  - (b) any other restriction on the disclosure of information (however imposed).
- (6) But subsection (4) does not require—
  - (a) the disclosure of patient information,
  - (b) the disclosure of personal information by a specified authority which is a health or social care authority,
  - (c) a disclosure of information that would contravene the data protection legislation (but in determining whether a disclosure would do so, the duty imposed by that subsection is to be taken into account), or
  - (d) a disclosure of information that is prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016.

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- (7) Information supplied to a local policing body under this section may be used by the body only for the purpose of enabling or assisting it to exercise its functions under section 14.

#### Commencement Information

- I18** S. 17 not in force at Royal Assent, see [s. 208\(1\)](#)  
**I19** [S. 17](#) in force at 31.1.2023 by [S.I. 2022/1227](#), [reg. 4\(i\)](#)

## 18 Directions

- (1) Subsection (2) applies if the Secretary of State is satisfied that—
- a specified authority has failed to discharge a duty imposed on it by section 8, 14(6), 15(3) or 17(4), or
  - an educational authority, prison authority or youth custody authority has failed to discharge a duty imposed on it by section 15(3), (4) or (5)(b) or 17(4).
- (2) The Secretary of State may give directions to the authority for the purpose of securing compliance with the duty.
- (3) A direction under subsection (2) may be enforced, on an application made on behalf of the Secretary of State, by a mandatory order.
- (4) The Secretary of State must obtain the consent of the Welsh Ministers before giving a direction under this section to a devolved Welsh authority within the meaning of the Government of Wales Act 2006 (see section 157A of that Act).
- (5) This section does not apply in relation to—
- a provider of probation services if that provider is the Secretary of State,
  - the governor of a prison, young offender institution or secure training centre, or
  - the principal of a directly managed secure college as defined in paragraph 27 of Schedule 10 to the Criminal Justice and Courts Act 2015.

#### Commencement Information

- I20** S. 18 not in force at Royal Assent, see [s. 208\(1\)](#)  
**I21** [S. 18](#) in force at 31.1.2023 by [S.I. 2022/1227](#), [reg. 4\(j\)](#)

## 19 Guidance

- (1) A person listed in subsection (2) must have regard to guidance issued by the Secretary of State—
- in exercising any function conferred by or by virtue of this Chapter, or
  - in exercising any function in accordance with this Chapter.
- (2) Those persons are—
- a specified authority;
  - a person prescribed in regulations under section 10;
  - a local policing body;

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- (d) an educational authority;
  - (e) a prison authority;
  - (f) a youth custody authority.
- (3) The Secretary of State must consult the Welsh Ministers before issuing guidance relating to the exercise of functions as mentioned in subsection (1) by a devolved Welsh authority within the meaning of the Government of Wales Act 2006 (see section 157A of that Act).
- (4) After issuing guidance under this section, the Secretary of State must lay a copy of the guidance before Parliament.

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**Commencement Information**

**I22** S. 19 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(e\)](#)

**I23** [S. 19](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(k\)](#)

*Amendments to the Crime and Disorder Act 1998 etc*

**20 Amendments to the Crime and Disorder Act 1998**

- (1) The Crime and Disorder Act 1998 is amended as follows.
- (2) In section 5A (combination agreements: further provision)—
- (a) in subsection (2), after paragraph (c) insert—
    - “(d) preventing people from becoming involved in serious violence;
    - (e) reducing instances of serious violence.”, and
  - (b) after subsection (9) insert—
    - “(10) References in this section to serious violence and to becoming involved in serious violence are to be construed in accordance with section 18.”
- (3) Section 6 (formulation and implementation of strategies) is amended in accordance with subsections (4) to (7).
- (4) In subsection (1), at the end of paragraph (c) insert “; and
- (d) a strategy for—
    - (i) preventing people from becoming involved in serious violence in the area, and
    - (ii) reducing instances of serious violence in the area.”
- (5) In subsection (6)—
- (a) omit the “or” at the end of paragraph (a), and
  - (b) after paragraph (b) insert—
    - “(c) the prevention of people becoming involved in serious violence of a particular description; or
    - (d) the reduction of instances of serious violence of a particular description.”

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**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, CHAPTER 1. (See end of Document for details)

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- (6) In subsection (9), at the end of paragraph (a) insert “and strategies for preventing people from becoming involved in and reducing instances of serious violence in areas in Wales”.
- (7) After subsection (9) insert—
  - “(10) The Secretary of State must consult the Welsh Ministers before making regulations under this section if and to extent that the regulations—
    - (a) relate to a strategy within subsection (1)(d), and
    - (b) make provision that applies in relation to a devolved Welsh authority within the meaning of the Government of Wales Act 2006 (see section 157A of that Act).
  - (11) References in this section to serious violence and to becoming involved in serious violence are to be construed in accordance with section 18.”
- (8) Section 17 (duty to consider crime and disorder implications) is amended in accordance with subsections (9) to (11).
- (9) In subsection (1), at the end of paragraph (c) insert “; and
  - (d) serious violence in its area.”
- (10) After subsection (1) insert—
  - “(1A) The duty imposed on an authority by subsection (1) to do all it reasonably can to prevent serious violence in its area is a duty on the authority to do all it reasonably can to—
    - (a) prevent people from becoming involved in serious violence in its area, and
    - (b) reduce instances of serious violence in its area.”
- (11) After subsection (5) insert—
  - “(6) References in this section to serious violence and to becoming involved in serious violence are to be construed in accordance with section 18.”
- (12) In section 18 (interpretation of Chapter 1)—
  - (a) in subsection (1), at the appropriate place insert—
    - ““violence”—
      - (a) includes, in particular—
        - (i) domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act),
        - (ii) sexual offences,
        - (iii) violence against property, and
        - (iv) threats of violence;
      - (b) does not include terrorism (within the meaning of the Terrorism Act 2000 (see section 1(1) to (4) of that Act)).”, and
    - (b) after that subsection insert—
      - “(1A) In the definition of “violence” in subsection (1) “sexual offence” means an offence under the law of England and Wales which is for the time being specified in Schedule 3 to the Sexual Offences Act 2003,

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other than the offence specified in paragraph 14 of that Schedule (fraudulent evasion of excise duty).

(1B) In determining for the purposes of subsection (1A) whether an offence is specified in Schedule 3 to the Sexual Offences Act 2003, any limitation in that Schedule referring to the circumstances of a particular case (including the sentence imposed) is to be disregarded.

(1C) References in this Chapter to becoming involved in serious violence include becoming a victim of serious violence.

(1D) In considering whether violence in an area amounts to serious violence for the purposes of this Chapter account must be taken in particular of the following factors—

- (a) the maximum penalty which could be imposed for the offence (if any) involved in the violence,
- (b) the impact of the violence on any victim,
- (c) the prevalence of the violence in the area, and
- (d) the impact of the violence on the community in the area.”

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**Commencement Information**

**I24** S. 20 in force at Royal Assent for specified purposes, see [s. 208\(4\)\(f\)](#)

**I25** [S. 20](#) in force at 31.1.2023 in so far as not already in force by [S.I. 2022/1227](#), [reg. 4\(l\)](#)

## 21 Amendment to the Police and Justice Act 2006

In section 19(11) of the Police and Justice Act 2006 (local authority scrutiny of crime and disorder matters: interpretation), in the definition of “local crime and disorder matter”—

- (a) omit the “or” at the end of paragraph (a), and
- (b) at the end of paragraph (b) insert “or
- (c) serious violence (within the meaning of Chapter 1 of Part 1 of the Crime and Disorder Act 1998),”.

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**Commencement Information**

**I26** S. 21 not in force at Royal Assent, see [s. 208\(1\)](#)

**I27** [S. 21](#) in force at 31.1.2023 by [S.I. 2022/1227](#), [reg. 4\(m\)](#)

### General

## 22 Regulations

(1) Regulations under this Chapter are to be made by statutory instrument.

(2) Regulations under this Chapter—

- (a) may make different provision for different purposes or areas;
- (b) may make consequential, supplementary, incidental, transitional, transitory or saving provision.



**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, CHAPTER 1. (See end of Document for details)

- (3) The Secretary of State must consult the Welsh Ministers before making regulations under this Chapter if and to extent that the regulations make provision that applies in relation to a devolved Welsh authority within the meaning of the Government of Wales Act 2006 (see section 157A of that Act).
- (4) A statutory instrument containing regulations under this Chapter may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) Subsection (4) does not apply to a statutory instrument containing only one or more of the following—
- (a) regulations under section 8(10);
  - (b) regulations under section 9(10);
  - (c) regulations under section 11(7) which make provision for the removal of an entry in Schedule 1 where the authority concerned has ceased to exist;
  - (d) regulations under section 11(7) which make provision for the modification of an entry in Schedule 1 in consequence of a change of name or transfer of functions;
  - (e) regulations under section 12(3) which make provision for the removal of an entry in Schedule 2 where the authority concerned has ceased to exist;
  - (f) regulations under section 12(3) which make provision for the modification of an entry in Schedule 2 in consequence of a change of name or transfer of functions;
  - (g) regulations under section 14(4).
- (6) A statutory instrument within subsection (5) is subject to annulment in pursuance of a resolution of either House of Parliament.

#### Commencement Information

**I28** S. 22 in force at Royal Assent, see s. 208(4)(g)

## 23 Index of defined expressions

In this Chapter an expression listed in the first column of the table has the meaning given by, or is to be interpreted in accordance with, the corresponding provision listed in the second column.

<i>Expression</i>	<i>Provision</i>
the data protection legislation	section 10(10)
educational authority	section 12(1) and Schedule 2
educational authority for a local government area	section 12(2) and Schedule 2
educational authority for a relevant area	section 9(13)
health or social care authority	section 10(9)
local government area	section 11(4)
patient information	section 10(9)

**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, CHAPTER 1. (See end of Document for details)

<i>Expression</i>	<i>Provision</i>
personal information	section 10(9)
preventing serious violence	section 13(1) and (2)
prison authority	section 12(1) and Schedule 2
prison authority for a local government area	section 12(2) and Schedule 2
prison authority for a relevant area	section 9(13)
reducing serious violence	section 13(1)
relevant area	section 9(13)
serious violence	section 13(6)
specified authority	section 11(1) and Schedule 1
specified authority for a local government area	section 11(6) and Schedule 1
specified authority for a relevant area	section 9(13)
violence	section 13(3)
youth custody authority	section 12(1) and Schedule 2
youth custody authority for a local government area	section 12(2) and Schedule 2
youth custody authority for a relevant area	section 9(13)

#### Commencement Information

**I29** S. 23 in force at Royal Assent, see [s. 208\(4\)\(g\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, CHAPTER 1.