



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

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—

Status: This is the original version (as it was originally enacted).

- (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.”
- (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),

Status: This is the original version (as it was originally enacted).

- (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, 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.”