

SCHEDULE 1

Modification of the Crime and Disorder Act 1998

3. After section 40, insert—

“Youth justice arrangements of excepted authorities

40A.—(1) Subsections (2) to (4) below apply where an excepted authority—

- (a) have, before being excepted, made a youth justice plan, but decide not to implement it; or
- (b) decide not to formulate a youth justice plan.

(2) The authority shall be under a duty to determine, in conjunction with the relevant persons and bodies—

- (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.

(3) The functions assigned to a youth offending team under subsection (2)(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) Any assignment of functions to a youth offending team under subsection (2)(b) above shall be made in writing.

(5) In this section, “relevant persons and bodies” has the meaning given by section 40(2) above.”.