STATUTORY INSTRUMENTS

# 2010 No. 648

# CRIMINAL LAW, WALES

## The Crime and Disorder (Formulation and Implementation of Strategy) (Wales) (Amendment) Regulations 2010

| | |
|---|---|
| *Made - - - -* | *6th March 2010* |
| *Laid before Parliament* | *10th March 2010* |
| *Laid before the National Assembly for Wales* | *10th March 2010* |
| *Coming into force - -* | *1st April 2010* |

In exercise of the powers conferred by sections 6(2), (3), (4), (9)(c) and 114 of the Crime and Disorder Act 1998(**a**) on the Secretary of State and the National Assembly for Wales, the powers conferred on the National Assembly for Wales now being vested in the Welsh Ministers(**b**), the Secretary of State and the Welsh Ministers jointly make the following Regulations.

**Citation, commencement, interpretation and application**

**1.**—(1) These Regulations may be cited as the Crime and Disorder (Formulation and Implementation of Strategy) (Wales) (Amendment) Regulations 2010 and come into force on the 1st April 2010.

(2) In these Regulations "the 2007 Regulations" means the Crime and Disorder (Formulation and Implementation of Strategy) (Wales) Regulations 2007(**c**).

(3) These Regulations apply in relation to Wales.

**Amendments to the 2007 Regulations**

**2.** The 2007 Regulations are amended as follows.

**3.**—(1) In regulation 2, after the definition of "partnership plan" insert the following definition—

> ""re-offending" means offending (in any area) by people living in the area who have previously been convicted of, cautioned for, or warned or reprimanded under section 65 of the Crime and Disorder Act 1998(**d**) for, a criminal offence;".

(2) In regulation 3—

---

(**a**) 1998 c.37; section 6 was substituted by section 22 of, and Schedule 9 to, the Police and Justice Act 2006 (c.48). It was also amended by section 108 of the Policing and Crime Act 2009 (c. 26) which will come into force on 1st April 2010 (save for sections 108(4) and (5) which are already in force for the purpose of making these Regulations). There are amendments to section 114 of the 1998 Act not relevant to these Regulations.

(**b**) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**c**) S.I. 2007/3076.

(**d**) Section 65 was amended by section 56 of the Criminal Justice and Court Services Act 2000 (c. 43) and paragraph 1 of Schedule 5(4) to the Children Act 2004 (c. 31).

(a) in paragraph (2), for "paragraph (3)" substitute "paragraphs (3) and (3A)";

(b) after paragraph (3), insert—

"(3A) Where there is more than one responsible authority of the type specified in section 5(1)(aa) of the 1998 Act in the area, those providers shall jointly appoint one or more persons to the strategy group.".

(3) In regulation 6(f), before "crime and disorder" insert "re-offending,".

(4) In regulation 7—

(a) in sub-paragraph (a), before "crime and disorder" insert "re-offending,";

(b) in sub-paragraph (d), before "crime and disorder" insert "re-offending,";

(c) in sub-paragraph (e) before "crime and disorder" insert "re-offending,".

(5) In regulation 9(1), after sub-paragraph (a) insert—

"(aa) a strategy for the reduction of re-offending in the area in the three year period beginning with the year referred to in regulation 8(2);".

(6) In regulation 10(1)—

(a) in sub-paragraph (a), before "crime and disorder" insert "re-offending,".

(b) in sub-paragraph (b), before "crime and disorder" insert "re-offending,".

(7) In regulation 11, before "crime and disorder" insert "re-offending,".

Home Office
6th March 2010

*David Hanson*
Minister of State

*Carl Sargeant*
Minister for Social Justice and Local Government,
one of the Welsh Ministers

4th March 2010

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Crime and Disorder (Formulation and Implementation of Strategy) (Wales) Regulations 2007 to take into account the requirement for responsible authorities to formulate and implement a strategy to reduce re-offending inserted into the Crime and Disorder Act 1998 (the "1998 Act") by section 108 of the Policing and Crime Act 2009 (the "2009 Act"). The changes made by these Regulations also reflect the fact that every provider of probation services operating within an area in pursuance of arrangements under section 3 of the Offender Management Act 2007, which provide for it to be a responsible authority under section 5 of the 1998 Act, will be a responsible authority as from the 1st April 2010 when section 108 of the 2009 Act comes into force.

---

© Crown copyright 2010

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

STATUTORY INSTRUMENTS

# 2010 No. 648

# CRIMINAL LAW, WALES

## The Crime and Disorder (Formulation and Implementation of Strategy) (Wales) (Amendment) Regulations 2010

£4.00

E6403 03/2010 106403T 19585