

Community Safety – Legal Framework

The legal duty on partner agencies to work together to improve community safety was first set out in the Crime and Disorder Act 1998. This has subsequently been developed and amended within a number of other pieces of legislation. The table below provides a summary of the key legislation of relevance to community safety partnership working.

A full list of the legislation of relevance to community safety can be found in the Community Safety Information Sharing Protocol, available here: <https://safeinwarwickshire.com/isp/>

Legislation	District/Borough level requirements	County level requirements	PCC requirements	Other
Crime and Disorder Act 1998	<p>Introduced responsible authorities (1), with a duty to produce three year strategies for the reduction of crime and disorder.</p> <p>Duty placed on local authorities, Police and others (added / amended over the years) to have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (section 17).</p>	<p>Duty placed on local authorities, Police and others (added / amended over the years) to have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (section 17).</p>		
The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007 Exercised powers conferred with	Duty to have a strategy group whose functions are to prepare annual strategic assessments and implement a partnership plan	Duty to have a county strategy group to prepare a community safety agreement on behalf of the		

<p>the Crime and Disorder Act</p>	<p>on behalf of the responsible authorities.</p> <p>Duty to put in place arrangements for the sharing of information between responsible authorities and have a protocol setting out those arrangements (2).</p>	<p>responsible authorities in the county.</p>		
<p>Domestic Violence, Crime and Victims Act 2004</p>	<p>Duty on Community Safety Partnerships to undertake Domestic Homicide Reviews (2).</p>			
<p>Police and Justice Act 2006</p>	<p>Duty to have a crime and disorder scrutiny committee.</p> <p>Amended section 17 to include Anti-Social Behaviour and the misuse of drugs, alcohol and other substances.</p> <p>Added requirement for strategies to include anti-social and other behaviour adversely affecting the local environment and the misuse of drugs, alcohol and other substances.</p>	<p>Amended section 17 to include Anti-Social Behaviour and the misuse of drugs, alcohol and other substances.</p>		

Policing and Crime Act 2009	Amended section 17 to include re-offending. Added requirement for strategies to include the reduction of re-offending.	Amended section 17 to include re-offending.		
Police Reform and Social Responsibility Act 2011			Abolished Police Authorities and introduced Police and Crime Commissioners for areas outside London. Duty on the PCC to issue a Police and Crime Plan and co-operate with and have regard to the relevant priorities of each responsible authority.	Funding for partnership Community Safety interventions transferred from Local Authorities (WCC) to PCCs.
Police, Crime, Sentencing and Courts Bill 2021	Will introduce a duty on responsible authorities to tackle serious violence			

(1) The detail of the community safety responsible authorities has been updated a number of times over the years. The responsible authorities in a two tier area in England such as Warwickshire are currently:

- The District/Borough Council
- The County Council
- Probation services
- The Police
- The Fire and Rescue Authority
- Clinical Commissioning Groups.

The responsible authorities have a reciprocal duty to act in co-operation with other bodies as prescribed by the Secretary of State. At the time of implementation of the Crime and Disorder Act, the organisations with a duty to co-operate with responsible authorities were Registered Social Landlords, Parish Councils and NHS Trusts. Many other organisations could be invited to co-operate.

(2) This is co-ordinated at a county level in Warwickshire.