



# House of Commons

Tuesday 29 January 2013

## PUBLIC BILL COMMITTEE PROCEEDINGS

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### CRIME AND COURTS BILL [*LORDS*]

[*FIFTH AND SIXTH SITTINGS*]

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*Clause 8 agreed to.*

*Schedule 5 agreed to.*

*Clauses 9 and 10 agreed to.*

*Schedule 6 agreed to.*

*Clause 11 agreed to.*

*Schedule 7 agreed to.*

*Clauses 12 to 14 agreed to.*

Mr Jeremy Browne

*Agreed to* 45

Schedule 8, page 91, line 5, leave out ‘under a staff transfer scheme’.

Mr Jeremy Browne

*Agreed to* 46

Schedule 8, page 98, line 14, at end insert—

‘(aa) in paragraph (bfa) (inserted by Schedule 1 to the Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013), in sub-paragraph (vi), for “member of staff of SOCA” substitute “National Crime Agency officer”.’.

Mr Jeremy Browne

*Agreed to* 47

Schedule 8, page 98, line 18, leave out paragraph (a) and insert—

‘(a) for paragraph (c) substitute—

“(c) in relation to any such service as is mentioned in subsection (1)(bfa)(vi) or subsection (1)(ca) above, or any service of the kind described in section 97(1)(cj) of the Police Act 1996, “police pension authority” means the Director General of the National Crime Agency and “pension supervising authority” means the Secretary of State;’.

Crime and Courts Bill [*Lords*], *continued*

Mr Jeremy Browne

*Agreed to* 48

Schedule 8, page 112, line 29, at end insert—

‘(2) In Schedule 3 to that Act (handling of complaints and conduct matters etc), in paragraph 19F(7), for paragraph (b) substitute—

“(b) the National Crime Agency.”’.

*Schedule, as amended, agreed to.*

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Mr David Hanson  
Jenny Chapman  
Stella Creasy  
Phil Wilson

*Withdrawn* 4

Clause 15, page 14, line 25, at end insert—

‘(i) The Association of Police and Crime Commissioners’.

*Clause agreed to.*

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Jenny Chapman  
Mr David Hanson  
Stella Creasy  
Phil Wilson

*Withdrawn* 73

Clause 16, page 16, line 17, at end add—

‘(7) There shall be no restriction on the number of days that a family magistrate may sit in the family proceedings court.’.

*Clause agreed to.*

*Schedule 9 agreed to.*

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Mr Jeremy Browne

*Agreed to* 49

Schedule 10, page 150, line 28, leave out ‘legal adviser or assistant legal adviser’ and insert ‘justices’ clerk or an assistant to a justices’ clerk’.

Mr Jeremy Browne

*Agreed to* 50

Schedule 10, page 157, line 40, leave out from ‘31O’ to end of line 3 on page 158 and insert ‘**Justices’ clerks and assistants: functions**’.

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**Crime and Courts Bill [Lords], continued**

Mr Jeremy Browne

*Agreed to* **51**

Schedule 10, page 158, line 8, leave out 'legal adviser' and insert 'justices' clerk'.Jenny Chapman  
Mr David Hanson  
Stella Creasy  
Phil Wilson

*Not called* **74**

Schedule 10, page 158, line 8, after 'legal adviser', insert 'provided the functions are deemed to be essentially administrative in nature (for example, case management decisions)'.

Mr Jeremy Browne

*Agreed to* **52**

Schedule 10, page 158, line 9, leave out from 'a' to end of line 11 and insert 'justices' clerk given under paragraph (a), or specified in subsection (5), to be carried out by an assistant to a justices' clerk'.Jenny Chapman  
Mr David Hanson  
Stella Creasy  
Phil Wilson

*Not called* **75**

Schedule 10, page 158, leave out lines 12 to 23.

Mr Jeremy Browne

*Agreed to* **53**

Schedule 10, page 158, line 12, leave out 'legal adviser' and insert 'justices' clerk'.

Mr Jeremy Browne

*Agreed to* **54**

Schedule 10, page 158, line 17, leave out 'adviser' and insert 'clerk'.

Mr Jeremy Browne

*Agreed to* **55**

Schedule 10, page 158, line 18, leave out 'adviser thinks that the adviser' and insert 'clerk thinks that the clerk'.Jenny Chapman  
Mr David Hanson  
Stella Creasy  
Phil Wilson

*Not called* **76**

Schedule 10, page 158, leave out lines 24 to 27.

Mr Jeremy Browne

*Agreed to* **56**

Schedule 10, page 158, line 25, leave out 'legal adviser' and insert 'justices' clerk'.

Mr Jeremy Browne

*Agreed to* **57**

Schedule 10, page 158, line 27, leave out 'legal adviser' and insert 'justices' clerk'.

**Crime and Courts Bill [Lords], continued**

Mr Jeremy Browne

*Agreed to*    **58**

Schedule 10, page 158, line 28, leave out ‘legal adviser’ and insert ‘justices’ clerk’.

Mr Jeremy Browne

*Agreed to*    **59**

Schedule 10, page 158, line 32, leave out ‘legal adviser’ and insert ‘to a justices’ clerk’.

Mr Jeremy Browne

*Agreed to*    **60**

Schedule 10, page 158, line 33, leave out ‘legal adviser’ and insert ‘justices’ clerk’.

Mr Jeremy Browne

*Agreed to*    **61**

Schedule 10, page 158, line 37, leave out ‘legal adviser or assistant legal adviser’ and insert ‘justices’ clerk or an assistant to a justices’ clerk’.

Mr Jeremy Browne

*Agreed to*    **62**

Schedule 10, page 158, line 43, leave out ‘legal adviser or assistant legal adviser’ and insert ‘justices’ clerk or an assistant to a justices’ clerk’.

Mr Jeremy Browne

*Agreed to*    **63**

Schedule 10, page 159, line 11, leave out from beginning to end of line 13 on page 160.

Mr Jeremy Browne

*Agreed to*    **64**

Schedule 10, page 160, line 22, leave out ‘regulations under section 31P(4) or’.

Mr Jeremy Browne

*Agreed to*    **65**

Schedule 10, page 160, line 24, leave out ‘regulations or’.

Mr Jeremy Browne

*Agreed to*    **66**

Schedule 10, page 169, line 2, at end insert—

‘51A In section 144 (procedure rules for civil proceedings in magistrates’ courts and before justices’ clerks) after subsection (1) insert—

“(1ZA) Subsection (1) does not apply in relation to functions of justices’ clerks given under section 31O(4)(a), or specified in section 31O(5), of the Matrimonial and Family Proceedings Act 1984 (functions in the family court).”.

Mr Jeremy Browne

*Agreed to*    **67**

Schedule 10, page 174, line 14, at end insert—

‘() After subsection (2) insert—

“(2A) Subsection (2) does not apply in relation to functions of a justices’ clerk given under section 31O(4)(a), or specified in section 31O(5), of

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Crime and Courts Bill [*Lords*], *continued*

the Matrimonial and Family Proceedings Act 1984 (functions in the family court, but see section 31O(4)(b) of that Act).”’.

Mr Jeremy Browne

*Agreed to* 68

Schedule 10, page 174, line 20, at end insert—

‘87A In section 34(2) (no order for costs in legal proceedings to be made against justices’ clerk or assistant in respect of acts or omissions in exercising functions of a single justice of the peace) after “function of a single justice of the peace” insert “or a function of the family court or of a judge of that court.”’.

*Schedule, as amended, agreed to.*

*Schedule 11 agreed to.*

*Clause 17 agreed to.*

*Schedule 12 agreed to.*

[Adjourned until Thursday at 11.30 am