



House of Commons

NOTICES OF AMENDMENTS

given on

Tuesday 2 July 2013

For other Amendment(s) see the following page(s):
Anti-social Behaviour, Crime and Policing Bill Committee 79-97

PUBLIC BILL COMMITTEE

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING BILL

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 98, page 70, line 28, at end insert—

‘(e) after subsection (4) there is inserted—

“(5) Whether the aggravated form of the offence comprises an attack on a person or on an assistance dog they will be treated, for sentencing purposes, in the same way.”’.

120

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 98, page 70, leave out lines 45 and 46 and insert—

“‘assistance dog’ is a dog which has been trained to provide assistance to a disabled person by a designated assistance dog training organisation. A designated assistance dog training organisation is one which has been prescribed by the Secretary of State as such.’”.

121

Status of off-duty civilian police staff

Mr David Hanson
Gloria De Piero
Phil Wilson

To move the following Clause:—

NC12

Anti-social Behaviour, Crime and Policing Bill, *continued*

‘In section 29 of the Police Reform Act 2002 (Interpretation of Part 2), at the end of subsection (4)(a) there is inserted “except where that person was a member of the civilian staff of the police force and was off-duty at the time when the conduct is supposed to have taken place.”.’.

Treatment of police support volunteers

Mr David Hanson
Gloria De Piero
Phil Wilson

NC13

To move the following Clause:—

‘The Secretary of State may make regulations providing that, for the purposes of this Part, a police support volunteer is to be treated as a person serving with the police.’.

Female genital mutilation review of legislation

Stephen Phillips
Richard Fuller
Stephen Barclay
Tracey Crouch

NC14

To move the following Clause:—

‘The Secretary of State must carry out an assessment of the Female Genital Mutilation Act 2003, and must lay a copy of the assessment before Parliament within 12 months of this section coming into force.’.

Powers of community support officers

Stephen Barclay
Tracey Crouch
Stephen Phillips

NC15

To move the following Clause:—

- ‘(1) Part 1 of Schedule 4 to the Police Reform Act 2002 (powers exercisable by community support officers) is amended as follows.
- (2) After section 1(2)(b) insert—
 - “(ba) the power of a constable in uniform to give a person a fixed penalty notice under section 54 of the Road Traffic Offenders Act 1988 (c. 53) (fixed penalty notices) in respect of an offence under section 42 of the Road Traffic Act 1988 c.53 (Breach of other construction and use requirement) as specified by Table III (Pedal cycle) of Schedule 1 (Obligatory Lamps, Reflectors, Rear Markings and Devices) of the Road Vehicles Lighting Regulations 1989/1796;”.’.
- (3) In section 7B(1) after “sub-paragraphs” insert “(1A),”.
- (4) After section 7B(1) insert—

Anti-social Behaviour, Crime and Policing Bill, *continued*

- “(1A) Where, in the exercise of the power referred to in paragraph 1A or paragraph 3, a CSO has required a person to give his name and address, and has reasonable grounds to suspect that person is in possession of a controlled drug in contravention of the Misuse of Drugs Act 1971 or of any regulations (or orders) made thereunder, the CSO may—
- (a) search that person, and detain him for the purpose of searching him;
 - (b) search any vehicle in which the constable suspects that the drug may be found, and for that purpose require the person in control of the vehicle to stop it.”.
- (5) In section 11A(2) after “footway”, insert “or an offence under section 42 of the Road Traffic Act 1988 c.53 (Breach of other construction and use requirement) as specified by Table III (Pedal cycle) of Schedule 1 (Obligatory Lamps, Reflectors, Rear Markings and Devices) of the Road Vehicles (Lighting Regulations 1989/1796.”.’.

Paul Maynard

122

Clause 98, page 70, line 23, at end insert—

‘(1C) Where—

- (a) part of the building is a dwelling where D dwells, and
- (b) the building also contains other dwellings,

the internal areas accessible to residents as means to access their dwellings are not treated for the purposes of subsection (1B) as a part of a building that is a dwelling.

(1D) Where—

- (a) part of a building is a dwelling where D dwells, and
- (b) use of another part of the building is designated within classes A and B of the Town and Country Planning (Use Classes) Order 1987 or any replacement currently in force,

the designated part is not treated for the purposes of subsection (1B) as a part of the building that is a dwelling.

(1E) In the case of service providers, entry of less than—

- (a) an arm, or
- (b) a leg,

into a building or part of a building will not constitute entry for the purposes of subsection (1B).’.

Paul Maynard

123

Clause 98, page 70, leave out lines 43 to 46 and insert—

‘(a) in subsection (2)—

- (i) after the definition of “advertisement” there is inserted ““assistance dog” has the meaning given by section 173(1) of the Equality Act 2010;”; and
- (ii) after the definition of “public place” there is inserted ““service providers” includes authorised representatives of a utility company of which D is a customer, post delivery bodies, persons providing government or other public services and health care providers.”;’.