



House of Commons

Thursday 4 July 2013

PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING BILL

NOTE

The amendments have been arranged in accordance with the Order of the Committee [18 June]

Stephen Phillips
Tracey Crouch
Stephen Barclay

Clause 81, page 49, line 17, after 'owner', insert 'or occupier'.

73

Stephen Phillips
Tracey Crouch
Stephen Barclay

Clause 81, page 49, line 26, after 'owner', insert 'or occupier'.

74

Stephen Phillips
Tracey Crouch
Stephen Barclay

Clause 82, page 49, line 40, at end insert 'or arising out of gross negligence'.

75

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

Gloria De Piero
Mr David Hanson
Phil Wilson

116

Clause 91, page 62, line 2, at end add—

- ‘(3) The Secretary of State shall review one year after this section comes into force the extent to which courts have ordered possession under the grounds inserted by this section into the Housing Acts 1985 and 1988, and shall publish the results of this review.’.

Tracey Crouch

10

Clause 93, page 64, line 1, after ‘in’, insert ‘bullying or’.

Tracey Crouch

11

Clause 93, page 64, line 19, at end insert—

“‘bullying’ means behaviour capable of causing physical or mental harm to a second person, including self-harm; or to arouse apprehension or fear in the second person for his or her own safety or that of any other person.’.

Gloria De Piero
Mr David Hanson
Phil Wilson

117

Clause 96, page 67, line 3, at end insert—

- ‘(1A) The relevant bodies must decide under subsection (1)(b) that the threshold for a review is met where the person making the complaint has notified any of the relevant bodies that he or she has been a victim of anti-social behaviour or is vulnerable due to ill health, mental capacity, race, sexuality or religion.’.

Richard Fuller
Stephen Phillips
Tracey Crouch
Stephen Barclay

37

Clause 98, page 70, leave out line 3 and insert—

- ‘(ii) for “injures any person” there is substituted “injures or kills any person or assistance dog”.’.

Tracey Crouch

39

Clause 98, page 70, line 3, after ‘dog’, insert ‘or protected animal’.

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

Mr David Hanson
 Gloria De Piero
 Phil Wilson
 Julie Hilling
 Huw Irranca-Davies
 Luciana Berger

43

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

- ‘(1C) For the purposes of section 3, a Court must consider all the circumstances, and in particular if the owner, and if different, the person for the time being in charge of the dog at the time of the incident, took reasonable steps to prevent the dog being dangerously out of control in any place.’.

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).’.

Richard Fuller
 Stephen Phillips
 Tracey Crouch
 Stephen Barclay

38

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

- ‘(iii) for “two years” there is substituted “life imprisonment”.’.

Mr David Hanson
 Gloria De Piero
 Phil Wilson

120

☆ 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.”.’.

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

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.”;’.

Mr David Hanson
Gloria De Piero
Phil Wilson

121

- ☆ 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.’.

Tracey Crouch

40

- Clause 98, page 70, line 46, at end insert ““protected animal” has the meaning given by section 2 of the Animal Welfare Act (2006).’.

Tracey Crouch

41

- Clause 98, page 71, line 1, at end insert ‘or protected animal.’.

Tracey Crouch

42

- Clause 98, page 71, line 2, at end insert ‘or protected animal.’.

Mr David Hanson
Gloria De Piero
Phil Wilson

76

- Clause 99, page 71, line 18, leave out ‘may’ and insert ‘must’.

Mr David Hanson
Gloria De Piero
Phil Wilson

77

- Clause 99, page 71, line 33, leave out ‘may’ and insert ‘must’.
-

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

Bridget Phillipson
Mrs Emma Lewell-Buck
Simon Danczuk
Sarah Champion
Gloria De Piero
Phil Wilson

Mr David Hanson

118

Clause 103, page 75, line 15, at end add—

- ‘(8) It shall be a duty on the Secretary of State to prepare and publish guidance about the effect of this section before it comes into force to such descriptions of persons as the Secretary of State considers appropriate.
- (9) A person exercising public functions to whom guidance is given under this section must have regard to it in the exercise of those functions.’

Paul Maynard

53

Clause 104, page 75, line 27, at end add—

- ‘(2A) A person commits an offence if he or she—
 - (a) causes a person to enter into a marriage who lacks capacity, as determined by the Mental Capacity Act 2005,
 - (b) uses violence, threats or any other form of coercion, or practises any form of deception for the purposes of causing another person to enter into a marriage, and believes, or should reasonably believe, that such conduct may diminish the other person’s capacity to make decisions, to the extent that they no longer have capacity to consent to the marriage.’

Bridget Phillipson
Mrs Emma Lewell-Buck
Simon Danczuk
Sarah Champion
Gloria De Piero
Phil Wilson

Mr David Hanson

119

Clause 104, page 76, line 8, at end add—

- ‘(9) It shall be a duty on the Secretary of State to prepare and publish guidance about the effect of this section before it comes into force to such descriptions of persons as the Secretary of State considers appropriate.
 - (10) A person exercising public functions to whom guidance is given under this section must have regard to it in the exercise of those functions.’
-

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

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 105, page 76, line 21, leave out from ‘so’ to end of line 22.

2

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 105, page 77, line 13, leave out from ‘so’ to end of line 14.

3

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 105, page 77, line 31, leave out from ‘so’ to end of line 32.

4

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 107, page 78, line 22, leave out from ‘officer’ to end of line 24.

47

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 107, page 78, line 29, at end insert—
‘(c) the scope of use by police forces of civilian and contracted staff.’.

59

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 113, page 80, line 33, leave out ‘five’ and insert ‘four’.

60

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 113, page 80, line 33, at end insert ‘and one member appointed by the Department of Justice in Northern Ireland.’.

61

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

Mr David Hanson
Gloria De Piero
Phil Wilson

62

Clause 113, page 81, line 4, leave out from '(4)' to end line of 6, and insert 'may not be made unless a draft of the instrument has been laid before both Houses of Parliament and approved by a resolution of each House.'

Mr Jeremy Browne

98

Clause 116, page 85, line 39, after 'Part' insert 'and of any regulations made under this Part'.

Mr Jeremy Browne

99

Clause 116, page 85, line 44, after 'Part' insert ', and to any regulations made under this Part,'.

Mr Jeremy Browne

100

Clause 118, page 86, leave out lines 35 to 37.

Mr Jeremy Browne

101

Clause 118, page 86, line 39, leave out 'that Act' and insert 'the Regulation of Investigatory Powers Act 2000'.

Mr Jeremy Browne

102

Clause 118, page 86, line 39, at end insert—
'() to provide information that was provided to the person by, or by an agency of, the Government of a country or territory outside the United Kingdom where that Government does not consent to the disclosure of the information.'

Mr Jeremy Browne

103

Clause 118, page 86, line 39, at end insert—
'() Neither must an information notice require a postal or telecommunications operator (within the meaning of Chapter 2 of Part 1 of the Regulation of Investigatory Powers Act 2000) to provide communications data (within the meaning of that Chapter).'

Mr Jeremy Browne

104

Clause 118, page 87, line 30, leave out from beginning to line 4 on page 88 and insert—

Anti-social Behaviour, Crime and Policing Bill, continued*‘Sensitive information: restriction on further disclosure*

- 19ZD(1) Where the Commission receives information within sub-paragraph (2) under an information notice, it must not disclose (whether under section 11, 20 or 21 or otherwise) the information, or the fact that it has received it, unless the relevant authority consents to the disclosure.
- (2) The information is—
- (a) intelligence service information,
 - (b) intercept information, or
 - (c) information obtained (directly or indirectly) from a government department which, at the time it is provided to the Commission, is identified by the department as information the disclosure of which may, in the opinion of the relevant authority, cause damage to—
 - (i) national security or international relations, or
 - (ii) the economic interests of the United Kingdom or any part of the United Kingdom.
- (3) Where the Commission discloses to another person information within sub-paragraph (2), or the fact that it has received it, that person must not disclose that information or that fact unless the relevant authority consents to the disclosure.’.

Mr Jeremy Browne

105

Clause 118, page 88, line 5, at end insert—

- “government department” means a department of Her Majesty’s Government but does not include—
- (a) the Security Service,
 - (b) the Secret Intelligence Service, or
 - (c) the Government Communications Headquarters (“GCHQ”);’.

Mr Jeremy Browne

106

Clause 118, page 88, line 12, leave out ‘the Government Communications Headquarters (“GCHQ”)’ and insert ‘GCHQ’.

Mr Jeremy Browne

107

Clause 118, page 88, line 19, at end insert—

- “Minister of the Crown” includes the Treasury;’.

Mr Jeremy Browne

108

Clause 118, page 88, line 34, at end insert—

- ‘() in the case of information within sub-paragraph (2)(c)—
- (i) the Secretary of State, or
 - (ii) the Minister of the Crown in charge of the government department from which the information was obtained (if that Minister is not a Secretary of State);’.

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

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 123, page 95, line 16, leave out ‘may’ and insert ‘shall’.

34

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 123, page 95, line 27, leave out ‘may’ and insert ‘shall’.

35

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 123, page 95, line 29, at end insert—

‘(3A) The Secretary of State shall from time to time publish guidance as to the quality standard of service expected under this section.’

36

Mr Jeremy Browne

Schedule 6, page 132, line 28, at end insert—

111

‘Power to make and retain copies

In Schedule 7 to the Terrorism Act 2000, after paragraph 11 there is inserted—

“Power to make and retain copies

11A (1) This paragraph applies where the examining officer is a constable.

(2) The examining officer may copy anything which—

- (a) is given to the examining officer in accordance with paragraph 5,
- (b) is searched or found on a search under paragraph 8, or
- (c) is examined under paragraph 9.

(3) The copy may be retained—

- (a) for so long as is necessary for the purpose of determining whether a person falls within section 40(1)(b),
 - (b) while the examining officer believes that it may be needed for use as evidence in criminal proceedings, or
 - (c) while the examining officer believes that it may be needed in connection with a decision by the Secretary of State whether to make a deportation order under the Immigration Act 1971.”
-

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

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 133, page 103, line 31, leave out ‘£200’ and insert ‘£100’. 113

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 133, page 103, line 31, leave out ‘£200’ and insert ‘£40’. 115

Mr David Hanson
Gloria De Piero
Phil Wilson

Clause 133, page 103, line 37, at end insert— 114
 ‘(d) the person accused has not received a Simple Caution, Conditional Caution or Penalty Notice for Disorder for a previous shoplifting offence.’

NEW CLAUSES

Appointment of chief officers of police

Mr Jeremy Browne

NC9

To move the following Clause:—

- ‘(1) Paragraph 2 of Schedule 8 to the Police Reform and Social Responsibility Act 2011 (appointment of chief constables) is amended as follows.
- (2) In sub-paragraph (1)(a), for “is, or has been, a constable in any part of the United Kingdom” there is substituted “is eligible for appointment”.
- (3) After sub-paragraph (1) there is inserted—
 - “(1A) A person is eligible for appointment if the person is or has been—
 - (a) a constable in any part of the United Kingdom, or
 - (b) a police officer in an approved overseas police force, of at least the approved rank.
 - (1B) An “approved overseas police force” is a police force which—
 - (a) is in a country or territory outside the United Kingdom designated by the College of Policing, and
 - (b) is designated in relation to that country or territory by the College of Policing.
 - (1C) The “approved rank” for an approved overseas police force is the rank which is designated as the approved rank for that police force by the College of Policing.

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

- (1D) The College of Policing must make designations under subparagraphs (1B) and (1C), but must not do so without the approval of the Secretary of State.”
- (4) Section 42 of that Act (appointment of Commissioner of Police of the Metropolis) is amended as follows.
- (5) In subsection (3), for “is, or has been, a constable in any part of the United Kingdom” there is substituted “is eligible for appointment”.
- (6) After subsection (3) there is inserted—
- “(3A) A person is eligible for appointment if the person is or has been—
- (a) a constable in any part of the United Kingdom, or
- (b) a police officer in an approved overseas police force, of at least the approved rank.
- (3B) An “approved overseas police force” is a police force which—
- (a) is in a country or territory outside the United Kingdom designated by the College of Policing, and
- (b) is designated in relation to that country or territory by the College of Policing.
- (3C) The “approved rank” for an approved overseas police force is the rank which is designated as the approved rank for that police force by the College of Policing.
- (3D) The College of Policing must make designations under subsections (3B) and (3C), but must not do so without the approval of the Secretary of State.”.

Retention of personal samples that are or may be disclosable

Mr Jeremy Browne

NC10

To move the following Clause:—

- (1) In section 63U of the Police and Criminal Evidence Act 1984 (fingerprints and samples etc: exclusions from destruction rules)—
- (a) in subsection (5) (material that is or may become disclosable to the defence), for “Sections 63D to 63Q, 63S and 63T” there is substituted “Sections 63D to 63T”;
- (b) after that subsection there is inserted—
- “(5A) A sample that—
- (a) falls within subsection (5), and
- (b) but for that subsection would be required to be destroyed under section 63R,
- must not be used other than for the purposes of any proceedings for the offence in connection with which the sample was taken.
- (5B) A sample that once fell within subsection (5) but no longer does, and so becomes a sample to which section 63R applies, must be destroyed immediately if the time specified for its destruction under that section has already passed.”

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

- (2) In Schedule 8 to the Terrorism Act 2000 (detention of terrorist suspects etc), in paragraph 20I (substituted by paragraph 1 of Schedule 1 to the Protection of Freedoms Act 2012) (fingerprints and samples etc: exclusion from destruction rules of material that is or may become disclosable to the defence)—
- (a) for “Paragraphs 20A to 20F and 20H do not apply to paragraph 20A material” there is substituted “Paragraphs 20A to 20H do not apply to material”;
 - (b) at the end of that paragraph (which becomes sub-paragraph (1)) there is inserted—
 - “(2) A sample that—
 - (a) falls within sub-paragraph (1), and
 - (b) but for that sub-paragraph would be required to be destroyed under paragraph 20G,
 must not be used other than for the purposes of any proceedings for the offence in connection with which the sample was taken.
 - (3) A sample that once fell within sub-paragraph (1) but no longer does, and so becomes a sample to which paragraph 20G applies, must be destroyed immediately if the time specified for its destruction under that paragraph has already passed.”.

Content of community remedy document

Stephen Phillips
Tracey Crouch
Mr David Hanson
Gloria De Piero
Phil Wilson

NC1

To move the following Clause:—

- (1) Each of the actions contained in a community remedy document must—
 - (a) consist of one or more of the elements within subsection (2),
 - (b) promote public confidence in the out of court disposal of any anti-social behaviour or offences capable of being dealt with under section 94.
- (2) The elements within this subsection are—
 - (a) a punitive element reflecting the effects on the victim (if any) and the wider community of any anti-social behaviour or offences capable of being dealt with under section 94 in a manner proportionate to those effects;
 - (b) a restorative element ensuring appropriate restitution to the victim (if any) and the wider community of any anti-social behaviour or offences capable of being dealt with under section 94.
- (3) The Secretary of State shall from time to time publish guidance as to appropriate actions to be contained in a community remedy document.
- (4) In this section—

“anti-social behaviour” means behaviour capable of causing nuisance or annoyance to any person.

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

“punitive element” includes any action which results in a loss of free time to the person carrying it out.

“restorative action” includes an apology in writing.

“victim” means a person affected or principally affected by any anti-social behaviour or offence capable of being dealt with under section 94.

“the wider community” means those living, working or visiting the area for which the policing body has responsibility.’.

Legal highs—offence

Mr David Hanson
Gloria De Piero
Phil Wilson

NC2

To move the following Clause:—

- ‘(1) It is an offence for a person to supply, or offer to supply, a psychoactive substance, including but not restricted to—
- (a) a powder;
 - (b) a pill;
 - (c) a liquid; or
 - (d) a herbal substance with the appearance of cannabis,
- which he knows, or has reasonable cause to believe, to be so acting, that the substance is likely to be consumed by a person for the purpose of causing intoxication.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale.
- (3) This section does not apply to alcohol, tobacco, or any drug currently scheduled under the Misuse of Drugs Act 1971 or the Medicines Act 1968.

Review of effect of legal highs on anti-social behaviour

Mr David Hanson
Gloria De Piero
Phil Wilson

NC3

To move the following Clause:—

- ‘The Secretary of State shall carry out a review no more than 12 months following Royal Assent to this Act to assess the effect of legal psychoactive drugs on—
- (a) anti-social behaviour offending rates; and

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

- (b) NHS, policing and local authority resources dedicated to tackling anti-social behaviour.’.
-

Dog control notice

Mr David Hanson
Gloria De Piero
Phil Wilson
Julie Hilling
Huw Irranca-Davies
Luciana Berger

NC4

To move the following Clause:—

- (1) Where an authorised officer has reasonable cause to believe that a dog is not under sufficient control and requires greater control in any place, as a preventative measure to protect the public, the dog itself, or another protected animal, he or she may serve on the owner, and if different, person for the time being in charge of the dog a written control notice which—
- (a) states that he or she is of that belief;
 - (b) specifies the respects in which he or she believes the owner, and if different, the person for the time being in charge of the dog is failing to keep the dog under sufficient control;
 - (c) specifies the steps he or she requires the owner, and if different, the person for the time being in charge of the dog to take in order to comply with the notice;
 - (d) specifies the date by which the terms of the notice must be complied with; and
 - (e) specifies the date that the notice expires which will not be for a period which exceeds six months.
- (2) In a control notice pursuant to subsection (1)(c) an authorised officer must require a dog to be microchipped (if not already done so) and the owner, and if different, the person for the time being in charge of the dog, register the dog with a microchip database, and may require the following steps, where appropriate, but is not limited to—
- (a) keeping the dog muzzled as directed;
 - (b) keeping the dog on a lead when in public or under control as directed;
 - (c) requiring the owner, and if different, the person for the time being in charge of the dog, to seek and implement expert advice about training and behaviour for the dog;
 - (d) having the dog neutered where appropriate; and
 - (e) keeping the dog away from particular places or persons.
- (3) Failure to comply with the steps required in a control notice within the time period specified, to the satisfaction of the authorised officer may lead to a complaint to a Magistrates Court under section 2 of the Dogs Act 1871.
- (4) The provisions of section 2 of the Dogs Act 1871 shall have effect if the owner, and if different, the person for the time being in charge of a dog fails to comply with the steps required in a control notice within the time period specified in accordance with subsection (3) above as they would apply if a dog was dangerous and not kept under proper control.

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

- (5) An “authorised officer” is a person that has been appointed by the local authority or police for the purposes of this Act.
- (6) A “protected animal” is one that is commonly domesticated in the British Islands, is under the control of man whether on a permanent or temporary basis, or is not living in a wild state.’.

Firearms licences—assessing public safety

Mr David Hanson
Gloria De Piero
Phil Wilson
Grahame M. Morris

NC5

To move the following Clause:—

- ‘(1) The Firearms Act 1968 is amended as follows.
- (2) After section 28A (Certificates: supplementary) insert—

“28B Assessing public safety

- 5 (1) When assessing the threat to public safety under sections 27, 28, 30A, 30B or 30C the Chief Police Officer must ensure that a range of background checks are performed.
- 10 (2) Where these checks uncover substantiated evidence of violent conduct, domestic violence, mental illness or drug or alcohol abuse, the presumption is that the Chief Police Officer should refuse the licence application unless exceptional evidence can be brought forward by the applicant as to their suitability to possess a weapon.
- (3) When assessing public safety within this section the Chief Police Officer must follow any guidance issued by the Secretary of State.”’.

As an Amendment to Mr David Hanson’s proposed New Clause (*Firearms licences—assessing public safety*) (NC5):—

Bridget Phillipson

(a)

Line 6, at end insert—

- ‘(1A) Background checks under subsection (1) must include, so far as practicable, consultation with current and former partners of the applicant.’.

Anti-social Behaviour, Crime and Policing Bill, *continued**Firearms: power of Secretary of State to alter fees*

Mr David Hanson
Gloria De Piero
Phil Wilson
Grahame M. Morris

NC6

To move the following Clause:—

- ‘(1) Section 43 of the Firearms Act 1968 (power of Secretary of State to alter fees) is amended as follows.
- (2) After subsection (1) insert—
 - “(1A) Before making an order under this section the Secretary of State must consult with chief police officers to ensure the level of fees collected by the police under sections 32 and 35 are sufficient for the police to recoup the costs they incur through the administration and assessment of firearms licences made under this Act.”.’.

Offence of arranging a marriage for immigration purposes

Richard Fuller

NC7

To move the following Clause:—

- ‘(1) A person commits an offence if he or she arranges a marriage primarily for the purpose of facilitating the immigration into the United Kingdom of a party to the marriage.
- (2) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding seven years.’.

Requirement for review of alcohol licences where public spaces protection order is made

Gloria De Piero
Mr David Hanson
Phil Wilson

NC8

To move the following Clause:—

- ‘Where a local authority has made a public spaces protection order which prohibits the consumption of alcohol, it must—
- (a) inform all premises licensed to sell alcohol within the restricted area that such an order has been issued;

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

- (b) carry out a formal review of all licenses issued under the Licensing Act 2003 to those premises, in order to ensure that the licensing conditions are appropriate for minimising the detrimental effects of alcohol in the local area; and
 - (c) where a premises has been identified by the police or local authority as a particular cause of nuisance or anti-social behaviour, revoke that premises' alcohol licence or review the conditions imposed by it.'
-

Dog number control notice

Julie Hilling
Sarah Champion
Rosie Cooper
Mrs Emma Lewell-Buck
Simon Danczuk

NC11

To move the following Clause:—

- (1) This section applies where more than one dog is being kept in a domestic property in England or Wales.
- (2) Where an authorised officer has reasonable cause to believe that the number of dogs being kept in a domestic property gives rise to a risk that any one or more of the dogs may become dangerously out of control while in or partly in the domestic property (“the risk”), he or she may serve on the person in charge a written control notice which—
 - (a) states that the authorised officer is of that belief;
 - (b) specifies the maximum number of dogs which, in the opinion of the authorised officer, are capable of being kept in the domestic property such as to sufficiently reduce the risk;
 - (c) requires the person in charge to reduce the number of dogs kept in the domestic property to no more than the number specified under paragraph (b); and
 - (d) specifies the date by which the terms of the control notice must be complied with.
- (3) A control notice may be served on more than one person in respect of one domestic property.
- (4) It is an offence for a person without reasonable excuse to fail to comply with a requirement under subsection (2).
- (5) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) An authorised officer may make a complaint to a Magistrates' Court if a person in charge fails, to the satisfaction of the authorised officer, to comply with the steps required in a control notice within the time period specified.
- (7) A Magistrates' Court receiving a complaint under subsection (6) shall, if it finds that the person in charge has failed to comply with the steps required in a control notice, make an order in a summary way directing any of the dogs kept in the domestic property to be destroyed.
- (8) In this section—

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

“authorised officer” means a person appointed by a local authority within whose area the domestic property is situated for the purposes of this section;

“domestic property” means a building, or part of a building, that is a dwelling or is forces accommodation (or both);

“person in charge” means the owner or owners, and if different, person or persons for the time being in charge of the dogs.’.

Status of off-duty civilian police staff

Mr David Hanson
Gloria De Piero
Phil Wilson

NC12

☆ To move the following Clause:—

‘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:—

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

‘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—
 - “(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.”.
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Anti-social Behaviour, Crime and Policing Bill, *continued**Assault of workers*

David Hanson
Phil Wilson
Gloria De Piero

NC16

★ To move the following Clause:—

- (1) A person, being a member of the public, who assaults a worker—
- (a) in the course of that worker’s employment, or
 - (b) by reason of that worker’s employment,
- commits an offence.
- (2) No offence is committed—
- (a) under subsection (1)(a) unless the person who assaults knows or ought to know that the worker is acting in the course of the worker’s employment,
 - (b) under subsection (1)(b) unless the assault is motivated, in whole or in part, by malice towards the worker by reason of the worker’s employment.
- (3) In this section—
- “worker” means a person whose employment involves dealing with members of the public, to any extent, but only if that employment involves—
- (a) being physically present in the same place and at the same time as one or more members of the public, and
 - (b) (either or both)—
 - (i) interacting with those members of the public for the purposes of the employment, or
 - (ii) providing a service to either particular members of the public or the public generally,
- “employment” in this context means any paid or unpaid work whether under a contract, apprenticeship, or otherwise.
- (4) Evidence from a single source is sufficient evidence to establish for the purpose of subsection (1) whether a person is a worker.
- (5) A person guilty of an offence under this Act is liable, on summary conviction, to imprisonment for a period not exceeding 12 months or to a fine not exceeding level 5 on the standard scale.’

Mr Jeremy Browne

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Schedule 7, page 146, line 16, at end insert—

- () In paragraph 20A(4), at the end there is inserted “, but this is subject to paragraph 19ZD (restriction on disclosure of sensitive information)”.
- () In paragraph 20C(4)—
- (a) the words from the beginning to “sub-paragraph (3),” are omitted;
 - (b) at the end there is inserted “, except so far as—
 - (a) regulations made by virtue of sub-paragraph (3) provide otherwise, or

Anti-social Behaviour, Crime and Policing Bill, continued

- (b) the Commission is prevented from doing so by paragraph 19ZD (restriction on disclosure of sensitive information).”
- (c) In paragraph 20H(5)—
- (a) the words from the beginning to “sub-paragraph (4),” are omitted;
- (b) at the end there is inserted “, except so far as—
- (a) regulations made by virtue of sub-paragraph (4) provide otherwise, or
- (b) the Commission is prevented from doing so by paragraph 19ZD (restriction on disclosure of sensitive information).”
- (c) In paragraph 23(12)—
- (a) the words from the beginning to “sub-paragraph (11),” are omitted;
- (b) at the end there is inserted “, except so far as—
- (a) regulations made by virtue of sub-paragraph (11) provide otherwise, or
- (b) the Commission is prevented from doing so by paragraph 19ZD (restriction on disclosure of sensitive information).”
- (c) In paragraph 24A(3), after “a report” there is inserted “to the Commission”.’.

Mr Jeremy Browne

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Clause 140, page 107, line 30, at end insert—

- ‘(c) section [*Retention of personal samples that are or may be disclosable*](1);’.

Mr Jeremy Browne

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Clause 140, page 108, line 2, at end insert—

- ‘(c) section [*Retention of personal samples that are or may be disclosable*](2);’.

ORDER OF THE HOUSE [10 JUNE 2013]

That the following provisions shall apply to the Anti-social Behaviour, Crime and Policing Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 16 July 2013.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Anti-social Behaviour, Crime and Policing Bill, continued*Consideration and Third Reading*

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other Proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

ORDER OF THE COMMITTEE [18 JUNE 2013]
[AS AMENDED 27 JUNE 2013]

That—

- (1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 18 June) meet—
 - (a) at 2.00 pm on Tuesday 18 June;
 - (b) at 11.30 am and 2.00 pm on Thursday 20 June;
 - (c) at 8.55 am and 2.00 pm on Tuesday 25 June;
 - (d) at 11.30 am and 2.00 pm on Thursday 27 June;
 - (e) 2.00 pm on Tuesday 2 July;
 - (f) at 11.30 am and 2.00 pm on Thursday 4 July;
 - (g) at 8.55 am and 2.00 pm on Tuesday 9 July;
 - (h) at 11.30 am and 2.00 pm on Thursday 11 July.
 - (i) at 8.55 am and 2.00 pm on Tuesday 16 July.
- (2) the Committee shall hear oral evidence in accordance with the following Table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 18 June	Until no later than 10.00 am	Police Superintendents' Association of England and Wales; Police Federation of England and Wales
	Until no later than 2.30 pm	Independent Police Complaints Commission
	Until no later than 4.00 pm	Local Government Association; Social Landlords Crime and Nuisance Group; Chartered Institute of Housing; Standing Committee on Youth Justice
	Until no later than 5.00 pm	College of Policing; John Randall, Independent Chair of the Police Negotiating Board and Police Advisory Board for England and Wales

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

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 20 June	Until no later than 12.30 pm	Association of Police and Crime Commissioners; Chief police officers
	Until no later than 1.00 pm	Karma Nirvana; Freedom
	Until no later than 2.45 pm	Victim Support
	Until no later than 3.15 pm	Fair Trials International
	Until no later than 4.00 pm	Liberty
	Until no later than 4.30 pm	Royal Society for the Prevention of Cruelty to Animals; Dogs Trust
	Until no later than 5.15 pm	Home Office

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 10; Schedule 1; Clause 11; Schedule 2; Clauses 12 to 86; Schedule 3; Clauses 87 to 96; Schedule 4; Clauses 97 to 113; Schedule 5; Clauses 114 to 124; Schedule 6; Clauses 125 to 136; new Clauses; new Schedules; Clause 137; Schedule 7; Clauses 138 to 142; remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 16 July.
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