



House of Commons

Monday 1 December 2014

CONSIDERATION OF LORDS AMENDMENTS

CRIMINAL JUSTICE AND COURTS BILL

On Consideration of Lords Amendments to the Criminal Justice and Courts Bill

NOTE

The Amendments have been arranged in accordance with the Criminal Justice and Courts Bill Programme (No. 3) to be proposed by Secretary Chris Grayling.

Lords Amendment No. **97**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **98**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Criminal Justice and Courts Bill, *continued*

Lords Amendment No. **99**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **100**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **101**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **102**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Criminal Justice and Courts Bill, *continued*

Lords Amendment No. **103**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **104**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **105**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **106**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **107**

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

Criminal Justice and Courts Bill, *continued*

Secretary Chris Grayling

To move the following Amendment to the Bill in lieu of the Lords Amendment:—

Secretary Chris Grayling

- (a)**
- Page 67, line 22, leave out subsection (1) and insert—
- “(1) This section applies where—
- (a) a person is granted permission to file evidence or make representations in judicial review proceedings, and
 - (b) at that time, the person is not a relevant party to the proceedings.
- (1A) That person is referred to in this section as an “intervener.”

Secretary Chris Grayling

- (b)**
- Page 67, line 30, leave out subsection (4) and insert—
- “(4) On an application to the High Court or the Court of Appeal by a relevant party to the proceedings, if the court is satisfied that a condition described in subsection (4A) is met in a stage of the proceedings that the court deals with, the court must order the intervener to pay any costs specified in the application that the court considers have been incurred by the relevant party as a result of the intervener’s involvement in that stage of the proceedings.
- (4A) Those conditions are that—
- (a) the intervener has acted, in substance, as the sole or principal applicant, defendant, appellant or respondent;
 - (b) the intervener’s evidence and representations, taken as a whole, have not been of significant assistance to the court;
 - (c) a significant part of the intervener’s evidence and representations relates to matters that it is not necessary for the court to consider in order to resolve the issues that are the subject of the stage in the proceedings;
 - (d) the intervener has behaved unreasonably.”

Secretary Chris Grayling

- (c)**
- Page 67, line 44, at end insert—
- “and the proceedings described in paragraphs (a) to (d) are “stages” of judicial review proceedings.”

Secretary Chris Grayling

- (d)**
- Page 68, line 3, leave out from beginning to “directly” in line 6 and insert—
- “(a) a person who is or has been an applicant or defendant in the proceedings described in subsection (7)(a), (b) or (c);
- (b) a person who is or has been an appellant or respondent in the proceedings described in subsection (7)(d);
 - (c) any other person who is or has been”

Criminal Justice and Courts Bill, *continued*

Secretary Chris Grayling

(e)

Page 68, line 8, at end insert—

“() If a person who is an intervener in judicial review proceedings becomes a relevant party to the proceedings, the person is to be treated for the purposes of subsections (2) and (4) as having been a relevant party, rather than an intervener, at all times when involved in the proceedings.”

Lords Amendment No. 74

Secretary Chris Grayling

To move, That this House disagrees with the Lords in their Amendment.

CRIMINAL JUSTICE AND COURTS BILL: PROGRAMME (NO. 3) MOTION

Secretary Chris Grayling

That the following provisions shall apply to the Criminal Justice and Courts Bill for the purpose of supplementing the Order of 24 February 2014 in the last Session of Parliament (Criminal Justice and Courts Bill (Programme)) as varied by the Order of 12 May 2014 in that Session (Criminal Justice and Courts Bill (Programme) (No. 2)):

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion at 10.00pm at today's sitting.
2. The proceedings shall be taken in the order shown in the first column of the following Table.
3. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

TABLE

<i>Lords Amendments</i>	<i>Time for conclusion of proceedings</i>
Nos 97 to 107	7.00pm
Nos. 74 and 127 to 131	8.30pm
Nos. 1 to 73, 75 to 96, 108 to 126 and 132 to 143	10.00pm

Criminal Justice and Courts Bill, *continued*

Subsequent stages

4. Any further message from the Lords may be considered forthwith without any Question being put.
 5. The proceedings on any further message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.
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