



House of Commons

Tuesday 3 July 2018

PUBLIC BILL COMMITTEE PROCEEDINGS

COUNTER-TERRORISM AND BORDER SECURITY BILL

[FOURTH AND FIFTH SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

Nick Thomas-Symonds

Withdrawn after debate 5

Clause 3, page 2, line 13, after “occasions” insert “in a 12 month period”

Nick Thomas-Symonds

Not called 6

Clause 3, page 2, line 15, after “kind” insert “, provided that on each occasion the person intends to provide practical assistance to a person who prepares or commits an act of terrorism.”

Nick Thomas-Symonds

Not called 7

Clause 3, page 2, line 26, at end insert—

“(4) In subsection (3), leave out from “section” to the end of the subsection and insert “where—

- (a) the person sets out a reasonable excuse for their action or possession; and
- (b) the excuse in paragraph (a) is not disproved beyond reasonable doubt.””

Counter-Terrorism and Border Security Bill, *continued*

Nick Thomas-Symonds

Not called 8

Clause 3, page 2, line 26, at end insert—

“(5) After subsection (3), insert—

“(3A) A reasonable excuse under subsection (3) may include, but is not limited to, that the material has been viewed, possessed or collected—

(a) for the purposes of journalism;

(b) for the purposes of research;

(c) by an elected official, or an individual acting on behalf of an elected official, in the course of their duties; or

(d) by a public servant in the course of their duties.

(6) At the end of subsection (5) insert—

“(c) “elected official” has the same meaning as section 23 of the Data Protection Act 2018; and

(d) “public servant” means an officer or servant of the Crown or of any public authority.””

Nick Thomas-Symonds

Not called 9

Clause 3, page 2, line 26, at end insert—

“(7) The Secretary of State must within 12 months of the passing of this Act make arrangement for an independent review and report on the operation of section 58 of the Terrorism Act 2000 as amended by subsection (2).

(8) The review under subsection (7) must be laid before both Houses of Parliament within 18 months of the passing of this Act.”

Gavin Newlands

Not selected 12

Page 2, line 7, leave out Clause 3

*Clause agreed to.**Clause 4 agreed to.**Clause 5 agreed to.*

Nick Thomas-Symonds

Withdrawn after debate 10

Clause 6, page 3, line 36, at end insert—

“(7) Sentencing guidelines for offences for which the maximum sentence has been increased under this section must be published within six months of the passing of this Act by the following bodies—

(a) in relation to England and Wales, the Sentencing Council for England and Wales;

(b) in relation to Scotland, the Scottish Sentencing Council; and

(c) in relation to Northern Ireland, the Lord Chief Justice’s Sentencing Group.”

Clause agreed to.

Counter-Terrorism and Border Security Bill, continued

Clause 7 agreed to.

Clause 8 agreed to.

Clause 9 agreed to.

Clause 10 agreed to.

Clause 11 agreed to.

Schedule 1 agreed to.

Nick Thomas-Symonds

Withdrawn after debate 28

Clause 12, page 13, line 18, at end insert—

“(ba) that there are reasonable grounds for believing that the person to whom the warrant relates has committed an offence;”

Stephen Doughty

Not called 46

★ Clause 12, page 13, line 40, at end insert “, provided that all reasonable steps are taken to avoid injury to, or disruption to the normal activities of other occupants of the premises.”

Clause agreed to.

Clause 13 agreed to.

Gavin Newlands

Withdrawn after debate 13

Clause 14, page 15, line 20, at end insert—

“(2A) The authority may not impose any charge where the relevant event is a public procession or assembly as defined by section 16 of the Public Order Act 1986 taking place for the purposes set out at section 11(1) of the same Act.”

Nick Thomas-Symonds

Not called 29

Clause 14, page 15, line 20, at end insert—

“(2A) The authority may not impose a charge where—

- (a) the order or notice is made in relation to an event which is a public procession or public assembly; and
- (b) the event is taking place for one or more of the purposes set out in section 11(1) of the Public Order Act 1986.

(2B) In subsection (2A), “public procession” and “public assembly” have the same meaning as in the Public Order Act 1986.”

Counter-Terrorism and Border Security Bill, continued

Mr Ben Wallace

Agreed to

- ★ That the Order of the Committee of 26 June 2018 be varied by leaving out “and 2.00pm” in paragraph 1(d).”

Nick Thomas-Symonds

Withdrawn after debate 30

Clause 14, page 16, line 33, leave out from “authorise” to “to” in line 34, and insert “another constable”.

Clause agreed to.

Clause 15 agreed to.
*Clause 16 agreed to.**Clause 17 agreed to.*

Gavin Newlands

Withdrawn after debate 14

Schedule 2, page 26, line 5, leave out paragraph 2

Nick Thomas-Symonds

Not called 34

Schedule 2, page 26, line 16, at end insert—
“(c) the Commissioner for the Retention and Use of Biometric Material has consented under section 63G to the retention of the material.”

Gavin Newlands

Not called 15

Schedule 2, page 26, line 29, leave out sub-paragraph 3(4)

Gavin Newlands

Not called 16

Schedule 2, page 29, line 3, leave out sub-paragraph 7(4)

Gavin Newlands

Not called 17

Schedule 2, page 30, line 3, leave out sub-paragraph 10(4)

Gavin Newlands

Not called 18

Schedule 2, page 31, line 32, leave out sub-paragraph 13(4)

Gavin Newlands

Not called 19

Schedule 2, page 33, line 4, leave out sub-paragraph 16(4)

Counter-Terrorism and Border Security Bill, continued

Gavin Newlands

Not called 20

Schedule 2, page 34, line 28, leave out paragraph 19

Nick Thomas-Symonds

Negatived on division 33

Schedule 2, page 35, line 17, at end insert—

- “21 (1) A person whose biometric data is retained under the provisions of this schedule may apply to the Commissioner for the Retention and Use of Biometric Material (“the Commissioner”) for the destruction of that data when the conditions in sub-paragraph (2) are met.
- (2) The conditions referred to in sub-paragraph (1) are—
- (a) that the retention of the biometric data has not been previously authorised by the Commissioner or a court of law; and
 - (b) that the biometric data was taken from the person—
 - (i) in circumstances where the arrest or charging of the person was substantially due to a mistake, whether of identity, place or other material fact; or
 - (ii) the person was arrested but never charged for the relevant offence.
- (3) On receiving an appeal under sub-paragraph (1), the Commissioner must seek representations from the chief officer of police in the area in which the biometric data was taken as to whether the data should be destroyed or not.
- (4) The Commissioner must determine an appeal under sub-paragraph (1) within three months of receiving the appeal.”

Schedule agreed to.

Nick Thomas-Symonds

Negatived on division 31

Clause 18, page 19, line 14, at end insert—

“(8) After section 39 (Power to amend Chapter 2), insert—

“39A Review of support for people vulnerable to being drawn into terrorism

- (1) The Secretary of State must within 6 months of the passing of the Counter-Terrorism and Border Security Act 2018 make arrangements for an independent review and report on the Government strategy for supporting people vulnerable to being drawn into terrorism.
- (2) The report and any recommendations of the review under subsection (1) must be laid before the House of Commons within 18 months of the passing of the Counter-Terrorism and Border Security Act 2018.
- (3) The laying of the report and recommendations under subsection (2) must be accompanied by a statement by the Secretary of State responding to each recommendation made as part of the independent review.”

Counter-Terrorism and Border Security Bill, *continued*

Nick Thomas-Symonds

Withdrawn 32

Clause 18, page 19, line 14, at end insert—

- “(8) Within 6 months of the passing of this Act, the Secretary of State must conduct a review to establish whether local authorities have sufficient resources and expertise to effectively carry out their duties in supporting people vulnerable to being drawn into terrorism.
- (9) Within 12 months of the passing of this Act, the Secretary of State must lay the results of the review under subsection (8) before the House of Commons.”

Clause agreed to.

Neil Coyle*Withdrawn* 45

Clause 19, page 19, line 20, leave out paragraph (b) and insert—

“(b) *after paragraph (b) insert—*“(c) *the use of a motor vehicle during acts of terrorism; and*(d) *any loss which falls within subsection (1A).”*”

Neil Coyle

Withdrawn 11

Clause 19, page 19, line 27, at end insert—

“(c) *the acts of terrorism referred to in paragraph (b) occurred on or after 1 January 2017*”.

[Adjourned until Thursday at 11.30am]