



House of Commons

Thursday 12 July 2018

PUBLIC BILL COMMITTEE PROCEEDINGS

VOYEURISM (OFFENCES) (NO. 2) BILL

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

FIRST AND SECOND SITTINGS

Lucy Frazer

Agreed to

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 10 July) meet—
 - (a) at 2.00 pm on Tuesday 10 July;
 - (b) at 11.30 am and 2.00 pm on Thursday 12 July;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

Voyeurism (Offences) (No. 2) Bill, *continued*
TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 10 July	Until no later than 10.00 am	Gina Martin
Tuesday 10 July	Until no later than 10.30 am	The National Police Chiefs' Council
Tuesday 10 July	Until no later than 2.30 pm	Rt Hon Maria Miller MP
Tuesday 10 July	Until no later than 3.00 pm	Brook

Lucy Frazer

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Agreed to

Lucy Frazer

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

Agreed to

The following witnesses gave oral evidence:

Gina Martin, Writer and Campaigner.

Assistant Constable Martin Hewitt, Lead for Rape and Sexual Violence, The National Police Chiefs Council.

Rt Hon. Mrs Maria Miller MP, Chair, Women and Equalities Committee.

Lisa Hallgarten, Head of Policy and Public Affairs, Brook.

Voyeurism (Offences) (No. 2) Bill, *continued*

THIRD SITTING

Mrs Maria Miller
 Dame Caroline Spelman
 Wera Hobhouse
 Jess Phillips
 Liz Saville Roberts
 Jim Shannon

Angela Crawley
 Nicky Morgan
 Stella Creasy
 Mr Peter Bone

Mr Andrew Mitchell
 Dr Sarah Wollaston
 Heidi Allen
 Sir Christopher Chope

Caroline Lucas
 Hannah Bardell
 Michael Fabricant
 Jo Swinson

Withdrawn after debate 2

Clause 1, page 1, line 9, leave out “, for a purpose mentioned in subsection (3),”

Mrs Maria Miller
 Dame Caroline Spelman
 Wera Hobhouse
 Jess Phillips
 Liz Saville Roberts
 Jim Shannon

Angela Crawley
 Nicky Morgan
 Stella Creasy
 Mr Peter Bone

Mr Andrew Mitchell
 Dr Sarah Wollaston
 Heidi Allen
 Sir Christopher Chope

Caroline Lucas
 Hannah Bardell
 Michael Fabricant
 Jo Swinson

Not called 3

Clause 1, page 2, line 1, leave out paragraph (c)

Mrs Maria Miller
 Dame Caroline Spelman
 Wera Hobhouse
 Jess Phillips
 Liz Saville Roberts
 Jim Shannon

Angela Crawley
 Nicky Morgan
 Stella Creasy
 Mr Peter Bone

Mr Andrew Mitchell
 Dr Sarah Wollaston
 Heidi Allen
 Sir Christopher Chope

Caroline Lucas
 Hannah Bardell
 Michael Fabricant
 Jo Swinson

Not called 1

Clause 1, page 2, line 6, leave out subsection (3) and insert—

“(3) It is a defence for a person (A) charged with an offence under this section to prove—

(a) in respect of an offence under subsection (1)—

- (i) that operating the equipment was necessary for the purposes of preventing or detecting crime, or
- (ii) that A did not operate the equipment with the intent of observing another person’s genitals, buttocks or underwear, and

(b) in respect of an offence under subsection (2)—

- (i) that recording the image was necessary for the purposes of preventing or detecting crime, or
- (ii) that A did not record the image with the intent of recording an image of another person’s genitals, buttocks or underwear.”

Voyeurism (Offences) (No. 2) Bill, *continued*

Mrs Maria Miller
 Dame Caroline Spelman
 Wera Hobhouse
 Jess Phillips
 Liz Saville Roberts
 Jim Shannon

Angela Crawley
 Nicky Morgan
 Stella Creasy
 Jo Swinson

Mr Andrew Mitchell
 Dr Sarah Wollaston
 Heidi Allen

Caroline Lucas
 Hannah Bardell
 Michael Fabricant

Withdrawn after debate 4

Clause 1, page 2, line 8, at end insert—

- “(3A) It is an offence for a person (A) to disclose an image of another person (B) recorded during the commission of an offence under subsection (2) if the disclosure is made without B’s consent.
- (3B) It is a defence for a person (A) charged with an offence under subsection (3A) to prove—
- (a) that disclosure of the image was necessary for the purposes of preventing or detecting crime, or
 - (b) that A did not disclose the image with the intent of disclosing an image of another person’s genitals, buttocks or underwear.”

Stella Creasy
 Alison McGovern
 Stephen Doughty
 Tonia Antoniazzi
 Ruth Cadbury
 Helen Hayes

Lucy Powell
 Melanie Onn
 Christine Jardine
 Lilian Greenwood

Jess Phillips
 Rosie Cooper
 Thelma Walker
 Caroline Lucas

Dr Rupa Huq
 Rosie Duffield
 Diana Johnson

Withdrawn after debate 6

Clause 1, page 2, line 13, at end insert—

- “(4A) Where a court is considering for the purposes of sentencing the seriousness of an offence under this section, and either or both of the facts in subsection (4B) are true, the court —
- (a) must treat the fact mentioned in subsection (4B) as an aggravating factor (that is to say, a factor that increases the seriousness of an offence), and
 - (b) must state in open court that the offence is so aggravated.
- (4B) The facts referred to in subsection (4A) are—
- (a) if, at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on the victim having (or being presumed to have) a particular sex characteristic, or
 - (b) if the offence is motivated (wholly or partly) by hostility towards persons of who share a particular sex characteristic based on them sharing that characteristic.
- (4C) For the purposes of subsection (4B), “sex characteristic” means the protected characteristic of sex in section 11 of the Equality Act 2010.”

Voyeurism (Offences) (No. 2) Bill, *continued*

Sir Christopher Chope
Mr Peter Bone

Not selected 5

Clause 1, page 2, line 27, leave out paragraphs (a) and (b) and insert “the offence was committed by a person who was aged 18 years or more at the time of the offence, for the purposes of obtaining sexual gratification.”

Clause agreed to.

Clause 2 agreed to.

Stella Creasy
Alison McGovern
Stephen Doughty
Tonia Antoniazzi
Ruth Cadbury
Helen Hayes

Lucy Powell
Melanie Onn
Christine Jardine
Lilian Greenwood

Jess Phillips
Rosie Cooper
Thelma Walker
Caroline Lucas

Dr Rupa Huq
Rosie Duffield
Diana Johnson

Not called NC1

To move the following Clause—

“Requirement to amend guidance

The Director of Public Prosecutions shall ensure, within six months of this Act coming into force, that any guidance issued under section 37A of the Police and Criminal Evidence Act 1984 is amended to ensure such guidance specifies information to be provided to the Director of Public Prosecutions to assist with—

- (a) the prosecution of an offence under this Act, and
- (b) the identification of any aggravating factor to an offence under this Act.”

Bill to be reported.
