

All line references relate to the large print version of
the Bill

House of Commons

Tuesday 3 March 2020

COMMITTEE OF THE WHOLE HOUSE

*New Amendments handed in are marked thus **

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

**PRISONERS (DISCLOSURE OF INFORMATION
ABOUT VICTIMS) BILL**

NOTE

**This document includes all amendments tabled
to date and includes any withdrawn amendments
at the end. The amendments have been arranged
in the order in which they relate to the Bill.**

Secretary Robert Buckland

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Clause 1, page 4, line 6, at end insert—

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**“28B Indecent images: prisoner’s non-
disclosure of information**

- (1) The Parole Board must comply with this section when making a public protection decision about a life prisoner if—
 - (a) the prisoner’s life sentence was passed for—
 - (i) an offence of taking an indecent photograph of a child, or
 - (ii) a relevant offence of making an indecent pseudo-photograph of a child;
 - (b) the Parole Board does not know the identity of the child who is the subject of the relevant indecent image; and
 - (c) the Parole Board believes that the prisoner has information about the identity of the child who is the subject of the relevant indecent image which the prisoner has not disclosed to the Parole Board (“the prisoner’s non-disclosure”).

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- (2) When making the public protection decision about the prisoner, the Parole Board must take into account—
 - (a) the prisoner’s non-disclosure; and
 - (b) the reasons, in the Parole Board’s view, for the prisoner’s non-disclosure.
- (3) This section does not limit the matters which the Parole Board must or may take into account when making a public protection decision.
- (4) In subsection (1)(a), the reference to a life sentence includes a life sentence passed before the coming into force of section 1 of the Prisoners (Disclosure of Information About Victims) Act 2020.
- (5) For the purposes of this section, an offence is an “offence of taking an indecent photograph of a child” if it is—
 - (a) an offence of taking an indecent photograph of a child under section 1(1)(a) of

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the Protection of Children Act 1978 (the
“England and Wales offence”), or

(b) an offence of taking an indecent
photograph of a child under the law of
Scotland, Northern Ireland, any of the
Channel Islands, the Isle of Man or any other
country or territory that corresponds to the
England and Wales offence.

(6) For the purposes of this section, an offence is a
“relevant offence of making an indecent pseudo-
photograph of a child” if—

(a) it is—

(i) an offence under section 1(1)(a) of the
Protection of Children Act 1978 of making
an indecent pseudo-photograph of a child
(the “England and Wales offence”), or

(ii) an offence of making an indecent
pseudo-photograph of a child under the
law of Scotland, Northern Ireland, any of
the Channel Islands, the Isle of Man or any

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other country or territory that corresponds
to the England and Wales offence, and

(b) the Parole Board believes that an image of
a real child was or may have been used in the
making of the pseudo-photograph; and in the
application of this section to a relevant offence
of making an indecent pseudo-photograph of
a child, the references in subsection (1)(b)
and (c) to the child who is the subject of the
relevant indecent image are references to the
real child.

(7) In this section,—

“public protection decision”, in relation to a
prisoner, means the decision, made under
section 28(6)(b) for the purposes of section 28(5),
as to whether the Parole Board is satisfied that it
is no longer necessary for the protection of the
public that the prisoner should be confined;

“relevant indecent image” means—

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(a) the photograph to which an offence of
taking an indecent photograph of a child
relates, or

(b) the pseudo-photograph to which a relevant
offence of making an indecent pseudo-
photograph of a child relates.”.

Member’s explanatory statement

*This amends the Crime (Sentences) Act 1997 to
require the Parole Board to take account of
nondisclosures by life prisoners serving sentences
for offences relating to indecent photographs or
pseudo-photographs of children.*

Secretary Robert Buckland

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Clause 1, page 4, line 11, leave out “Section 28A
contains” and insert “Sections 28A and 28B contain”.

Member’s explanatory statement

This amendment is consequential on Amendment 1.

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ORDER OF THE HOUSE [11 FEBRUARY 2020]

That the following provisions shall apply to the
Prisoners (Disclosure of Information About Victims)
Bill:

Committal

1. The Bill shall be committed to a Committee of the
whole House.

*Proceedings in Committee, on Consideration and up
to and including Third Reading*

2. Proceedings in Committee, any proceedings on
Consideration and any proceedings in legislative
grand committee shall (so far as not previously
concluded) be brought to a conclusion two hours after
the commencement of proceedings in Committee of
the whole House.

3. Proceedings on Third Reading shall (so far as not
previously concluded) be brought to a conclusion
three hours after the commencement of proceedings
in Committee of the whole House.

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4. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

Other proceedings

5. Any other *proceedings on the Bill may be programmed.*
