



SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Tuesday 3 March 2020

COMMITTEE OF THE WHOLE HOUSE PROCEEDINGS

PRISONERS (DISCLOSURE OF INFORMATION ABOUT VICTIMS) BILL

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.

Negated: rejected without a vote.

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

Secretary Robert Buckland

Agreed to 1

Clause 1, page 2, line 26, at end insert—

“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

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- (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”).
- (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 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 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—
 - (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.”.

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Secretary Robert Buckland

Agreed to 2

Clause 1, page 2, line 30, leave out “Section 28A contains” and insert “Sections 28A and 28B contain”.

Clause, as amended, agreed to.

Clause 2 and 3 agreed to.

No amendments on consideration.

Bill read the third time, and passed.
