



House of Commons

Tuesday 16 June 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

DOMESTIC ABUSE BILL

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

Victoria Atkins
Alex Chalk

Clause 66, page 49, line 36, after “64” insert “, (*Homelessness: victims of domestic abuse*)” *Agreed to* 40

Jess Phillips
Stella Creasy

Clause 66, page 49, line 42, after “children” insert “; *Withdrawn after debate* 55
(c) the support employers should provide to victims of domestic abuse, including through the provisions of paid leave.”

Domestic Abuse Bill, *continued*

Christine Jardine
Liz Saville Roberts
Sarah Champion
Steve McCabe

Withdrawn after debate 47

Clause 66, page 49, line 42, at end insert—

- “(2A) The Secretary of State must issue separate statutory guidance on domestic abuse that also constitutes teenage relationship abuse and such guidance must address how to ensure there are—
- (a) sufficient levels of local authority service provision for both victims and perpetrators of teenage relationship abuse,
 - (b) child safeguarding referral pathways for both victims and perpetrators of teenage relationship abuse.
- (2B) The guidance in subsection (2A) must be published within three months of the Act receiving Royal Assent and must be reviewed bi-annually.
- (2C) For the purposes of subsection (2A), teenage relationship abuse is defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse, which can encompass, but is not limited to psychological, physical, sexual, economic and emotional abuse, including through the use of technology, between those aged 18 or under who are, or have been in a romantic relationships regardless of gender or sexual orientation.”

Stella Creasy
Christine Jardine
Liz Saville Roberts
Debbie Abrahams
Mr Virendra Sharma
Apsana Begum

Rushanara Ali

Withdrawn after debate 84

Clause 66, page 49, line 42, at end insert—

- “(2A) The Secretary of State must issue guidance under this section which takes account of evidence about the relationship between domestic abuse and offences involving hostility based on sex.
- (2B) In preparing guidance under subsection (2A) the Secretary of State must require the chief officer of police of any police force to provide information relating to—
- (a) the number of relevant crimes reported to the police force; and
 - (b) the number of relevant crimes reported to the police force which, in the opinion of the chief officer of police, have also involved domestic abuse.
- (2C) In this section—
- “chief officer of police” and “police force” have the same meaning as in section 64 of this Act;
 - “domestic abuse” has the same meaning as in section 1 of this Act;
 - “relevant crime” means a reported crime in which—
- (a) the victim or any other person perceived the alleged offender, at the time of or immediately before or after the offence, to demonstrate hostility or prejudice based on sex,
 - (b) the victim or any other person perceived the crime to be motivated (wholly or partly) by hostility or prejudice towards persons who are of a particular sex, or

Domestic Abuse Bill, *continued*

- (c) the victim or any other person perceived the crime to follow a course of conduct pursued by the alleged offender towards the victim that was motivated by hostility based on sex;
“sex” has the same meaning as in section 11 of the Equality Act 2010.”

Philip Davies
Bob Stewart

Not selected 13

Clause 66, page 49, line 44, leave out from “that” to the end of line 45 and insert “victims and perpetrators of domestic abuse in England and Wales are both male and female.”

Philip Davies
Bob Stewart

Not selected 14

Clause 66, page 49, line 45, after “female”, insert “and this should in no way exclude male victims from the protection of domestic abuse legislation and services for survivors.”

Clause, as amended, agreed to.

Victoria Atkins
Alex Chalk

Agreed to 41

Clause 67, page 50, line 27, after “64” insert “, (*Homelessness: victims of domestic abuse*)”

Clause, as amended, agreed to.

Victoria Atkins
Alex Chalk

Agreed to 42

Clause 68, page 50, line 38, after “64,” insert “(*Homelessness: victims of domestic abuse*),”

Clause, as amended, agreed to.

Clauses 69 and 70 agreed to.

Victoria Atkins
Alex Chalk

Agreed to 38

Clause 71, page 52, line 3, at end insert—
“() section 36(6A),”

Domestic Abuse Bill, *continued*

Victoria Atkins
Alex Chalk

Agreed to **39**

Clause 71, page 52, line 6, at end insert—

- “() Section 36(6A) and this subsection (and sections 67 to 69, 72 and 73, so far as relating to those provisions) extend to—
- (a) the Isle of Man, and
 - (b) the British overseas territories except Gibraltar;
- and the power under section 384(2) of the Armed Forces Act 2006 may be exercised so as to modify section 36(6A) as it extends to the Isle of Man or a British overseas territory other than Gibraltar.
- () The power under section 384(1) of the Armed Forces Act 2006 may be exercised so as to extend section 36(6A) of this Act to any of the Channel Islands (with or without modifications).”

Clause, as amended, agreed to.

Clauses 72 and 73 agreed to.

Victoria Atkins
Alex Chalk

Added **NC15**

To move the following Clause—

“Consequential amendments of the Sentencing Code

- (1) The Sentencing Code is amended as follows.
- (2) In section 80 (order for conditional discharge), in subsection (3), at the end insert—
 - “(f) section 36(6) (breach of domestic abuse protection order).”
- (3) In Chapter 6 of Part 11 (other behaviour orders), before section 379 (but after the heading “Other orders”) insert—

“378A Domestic abuse protection orders

See Part 3 of the Domestic Abuse Act 2020 (and in particular section 28(3) of that Act) for the power of a court to make a domestic abuse protection order when dealing with an offender for an offence.””

Victoria Atkins
Alex Chalk

Added **NC16**

To move the following Clause—

“Homelessness: victims of domestic abuse

- (1) Part 7 of the Housing Act 1996 (homelessness: England) is amended as follows.
- (2) In section 177 (whether it is reasonable to continue to occupy accommodation)—

Domestic Abuse Bill, *continued*

- (a) in subsection (1), for “domestic violence or other violence” substitute “violence or domestic abuse”;
- (b) for subsection (1A) substitute—
 - “(1A) For this purpose—
 - (a) “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2020;
 - (b) “violence” means—
 - (i) violence from another person; or
 - (ii) threats of violence from another person which are likely to be carried out.”
- (3) Omit section 178 (meaning of associated person).
- (4) In section 179 (duty of local housing authority in England to provide advisory services), in subsection (5)—
 - (a) for the definition of “domestic abuse” substitute—
 - ““domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2020;”;
 - (b) omit the definition of “financial abuse”.
- (5) In section 189 (priority need for accommodation)—
 - (a) in subsection (1), after paragraph (d) insert—
 - “(e) a person who is homeless as a result of that person being a victim of domestic abuse.”;
 - (b) after subsection (4) insert—
 - “(5) In this section “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2020.”
- (6) In section 198 (referral of case to another local housing authority)—
 - (a) in subsection (2), in paragraph (c), for “domestic violence” substitute “domestic abuse”;
 - (b) in subsection (2ZA), in paragraph (b), for “domestic violence” substitute “domestic abuse”;
 - (c) in subsection (2A), in paragraph (a), for “domestic violence” substitute “violence that is domestic abuse”;
 - (d) for subsection (3) substitute—
 - “(3) For the purposes of subsections (2), (2ZA) and (2A)—
 - (a) “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2020;
 - (b) “violence” means—
 - (i) violence from another person; or
 - (ii) threats of violence from another person which are likely to be carried out.”
- (7) In section 218 (index of defined expressions: Part 7), in the table, omit the entry relating to section 178.
- (8) In article 6 of the Homelessness (Priority Need for Accommodation) (England) Order 2002 (S.I. 2002/2051) (vulnerability: fleeing violence or threats of violence)—
 - (a) the existing text becomes paragraph (1);
 - (b) after that paragraph insert—
 - “(2) For the purposes of this article—
 - (a) “violence” does not include violence that is domestic abuse;

Domestic Abuse Bill, *continued*

- (b) “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2020.”
- (9) In consequence of the repeal made by subsection (3), omit the following provisions—
- (a) in Schedule 8 to the Civil Partnership Act 2004, paragraph 61;
- (b) in Schedule 3 to the Adoption and Children Act 2002, paragraphs 89 to 92.”

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Caroline Nokes
 Bob Blackman
 Tim Loughton

Mr Andrew Mitchell
 Tulip Siddiq
 Tracy Brabin
 Alex Davies-Jones
 Yvonne Fovargue
 Dame Diana Johnson
 Olivia Blake
 Steven Bonnar
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 Catherine West
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 Kate Osborne
 Zarah Sultana
 Dr Julian Lewis
 Richard Graham
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 Christina Rees
 John Cryer
 Ms Nusrat Ghani
 Stella Creasy
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 Simon Fell
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 Dr Rupa Huq
 Danny Kruger
 Dame Cheryl Gillan
 Mr William Wragg
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 Theo Clarke
 Sir George Howarth
 Liz Saville Roberts
 Ian Byrne
 Colum Eastwood
 Dame Margaret Hodge
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 Emma Hardy
 Allan Dorans
 Mohammad Yasin
 Dr Lisa Cameron
 Steve McCabe
 Jonathan Gullis
 Kim Johnson
 Gill Furniss
 Kate Griffiths
 Sir Roger Gale
 Sally-Ann Hart
 Sammy Wilson

Withdrawn after debate NC4

To move the following Clause—

“No defence for consent to death

- (1) If a person (“A”) wounds, assaults or asphyxiates another person (“B”) to whom they are personally connected as defined in section 2 of this Act causing death, it is not a defence to a prosecution that B consented to the infliction of injury.

Domestic Abuse Bill, *continued*

- (2) Subsection (1) applies whether or not the death occurred in the course of a sadomasochistic encounter.”

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Caroline Nokes
 Bob Blackman
 Tim Loughton

Mr Andrew Mitchell
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 Tracy Brabin
 Alex Davies-Jones
 Yvonne Fovargue
 Dame Diana Johnson
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 Gill Furniss
 Kate Griffiths
 Sir Roger Gale
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 Darren Jones
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 John Spellar
 Jack Dromey
 Meg Hillier
 Kate Osborne
 Zarah Sultana
 Dr Julian Lewis
 Richard Graham
 Fleur Anderson
 Helen Hayes
 David Johnston
 Paula Barker
 Dr Rupa Huq
 Danny Kruger
 Dame Cheryl Gillan
 Mr William Wragg
 Sir Oliver Heald

Not called NC5

To move the following Clause—

“No defence for consent to injury

- (1) If a person (“A”) wounds, assaults or asphyxiates another person (“B”) to whom they are personally connected as defined in section 2 of this Act causing actual bodily harm or more serious injury, it is not a defence to a prosecution that B consented to the infliction of injury or asphyxiation.
- (2) Subsection (1) applies whether or not the actual bodily harm, non-fatal strangulation, or more serious injury occurred in the course of a sadomasochistic encounter.”
-

Domestic Abuse Bill, *continued*

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Caroline Nokes
 Bob Blackman
 Tim Loughton

Mr Andrew Mitchell
 Tulip Siddiq
 Tracy Brabin
 Alex Davies-Jones
 Yvonne Fovargue
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 Emma Hardy
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 Steve McCabe
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 Paula Barker
 Dr Rupa Huq
 Sir Roger Gale
 Sally-Ann Hart
 Sammy Wilson

Not called NC6

To move the following Clause—

“Consent of Director of Public Prosecutions

In any homicide case in which all or any of the injuries involved in the death, whether or not they are the proximate cause of it, were inflicted in the course of domestic abuse, the Crown Prosecution Service may not without the consent of the Director of Public Prosecutions, in respect of the death—

- (a) charge a person with manslaughter or any other offence less than the charge of murder, or
 - (b) accept a plea of guilty to manslaughter or any other lesser offence.”
-

Domestic Abuse Bill, *continued*

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Caroline Nokes
 Bob Blackman
 Tim Loughton

Mr Andrew Mitchell
 Tulip Siddiq
 Tracy Brabin
 Alex Davies-Jones
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 Dawn Butler
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 Colum Eastwood
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 Emma Hardy
 Allan Dorans
 Mohammad Yasin
 Dr Lisa Cameron
 Steve McCabe
 Christina Rees
 Paula Barker
 Dr Rupa Huq
 Sir Roger Gale
 Sally-Ann Hart
 Sammy Wilson

Not called NC7

To move the following Clause—

“Director of Public Prosecutions consultation with victim’s family in domestic homicides

- (1) Before deciding whether or not to give consent to charging a person with manslaughter or any other offence less than the charge of murder in an offence of homicide in which domestic abuse was involved, the Director of Public Prosecutions must consult the immediate family of the deceased.
 - (2) The Lord Chancellor must make arrangements, including the provision of a grant, to enable the immediate family to access legal advice prior to being consulted by the Director of Public Prosecutions under sub-section (1).”
-

Domestic Abuse Bill, *continued*

Ms Harriet Harman
 Laura Farris
 Jess Phillips
 Tulip Siddiq
 Stella Creasy
 Debbie Abrahams

Helen Hayes
 Ms Angela Eagle
 Janet Daby
 Barbara Keeley
 Tonia Antoniazzi
 Mark Garnier
 Tim Loughton
 Peter Aldous
 Mr Andrew Mitchell
 Alex Davies-Jones
 Steven Bonnar
 Andrew Gwynne
 Catherine West
 John Spellar
 Jack Dromey
 Meg Hillier
 Kate Osborne
 Claire Hanna
 Damian Collins
 Richard Burgon
 Sarah Olney
 Kim Johnson
 Gill Furniss
 Kate Griffiths
 Dame Cheryl Gillan
 Mr William Wragg

Alison McGovern
 Dawn Butler
 Ruth Cadbury
 Rosie Cooper
 Tracy Brabin
 Rosie Duffield
 Mrs Pauline Latham
 Jackie Doyle-Price
 Yvette Cooper
 Sarah Owen
 Sir George Howarth
 Mr Virendra Sharma
 Lilian Greenwood
 Stephen Farry
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 Mohammad Yasin
 Dr Lisa Cameron
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 John Cryer
 Ms Nusrat Ghani
 Sir Roger Gale
 Sally-Ann Hart
 Sammy Wilson

Olivia Blake
 Ruth Jones
 Yvonne Fovargue
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 Dame Diana Johnson
 Caroline Nokes
 Mrs Maria Miller
 Bob Blackman
 Sarah Champion
 Claudia Webbe
 Darren Jones
 Liz Saville Roberts
 Ian Byrne
 Colum Eastwood
 Dame Margaret Hodge
 Ben Lake
 Karin Smyth
 Dr Julian Lewis
 Richard Graham
 Fleur Anderson
 Christina Rees
 Paula Barker
 Dr Rupa Huq
 Tracey Crouch
 Simon Fell
 Barry Sheerman

Withdrawn after debate **NC8**

To move the following Clause—

“Offence of non-fatal strangulation

A person (A) commits an offence if that person unlawfully strangles, suffocates or asphyxiates another person (B), where the strangulation, suffocation or asphyxiation does not result in B’s death.”

Domestic Abuse Bill, *continued*

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Caroline Nokes
 Bob Blackman
 Tim Loughton

Mr Andrew Mitchell
 Tulip Siddiq
 Tracy Brabin
 Alex Davies-Jones
 Yvonne Fovargue
 Dawn Butler
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 Dame Cheryl Gillan
 Mr William Wragg
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Jess Phillips
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 Sir George Howarth
 Liz Saville Roberts
 Ian Byrne
 Colum Eastwood
 Dame Margaret Hodge
 Ben Lake
 Emma Hardy
 Mohammad Yasin
 Dr Lisa Cameron
 Steve McCabe
 Mrs Pauline Latham
 John Cryer
 Ms Nusrat Ghani
 Sir Roger Gale
 Sally-Ann Hart
 Sammy Wilson

Not called **NC9**

To move the following Clause—

“Offence of non-fatal strangulation in domestic abuse context

A person (A) commits an offence if that person unlawfully strangles, suffocates or asphyxiates another person (B) to whom they are personally connected as defined in Section 2 of this Act, where the strangulation, suffocation or asphyxiation does not result in B’s death.”

Domestic Abuse Bill, *continued*

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Caroline Nokes
 Bob Blackman
 Tim Loughton

Mr Andrew Mitchell
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 Dr Rupa Huq
 Sir Roger Gale
 Sally-Ann Hart
 Sammy Wilson

Not called **NC10**

To move the following Clause—

“Prohibition of reference to sexual history of the deceased in domestic homicide trials

If at a trial a person is charged with an offence of homicide in which domestic abuse was involved, then—

- (a) no evidence may be adduced, and
- (b) no question may be asked in cross-examination, by or on behalf of any accused at the trial,

about any sexual behaviour of the deceased.”

Domestic Abuse Bill, *continued*

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Caroline Nokes
 Bob Blackman
 Tim Loughton

Mr Andrew Mitchell
 Tulip Siddiq
 Tracy Brabin
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 Kim Johnson
 Gill Furniss
 Kate Griffiths
 Tracey Crouch
 Simon Fell
 Jackie Doyle-Price
Not called **NC11**

To move the following Clause—

“Anonymity for victims in domestic homicides

- (1) Where a person (“A”) has been accused of a domestic homicide offence and where the person (“B”) against whom the offence is alleged to have been committed has died in the course of sexual activity, no matter likely to lead members of the public to identify a person as B shall be included in any publication.
- (2) The matters relating to a person in relation to which the restrictions imposed by subsection (1) applies (if their inclusion in any publication is likely to have the result mentioned in that subsection) include in particular—
 - (a) the person’s name,
 - (b) the person’s address,
 - (c) the identity of any school or other educational establishment attended by the person,
 - (d) the identity of any place of work,
 - (e) any still or moving picture of the person.
- (3) If, at the commencement of the trial, any of the matters in subsection (2) have already appeared in any publication, the judge at the trial may direct that no further reference to any of these matters may be included in any publication.
- (4) If any matter is included in a publication in contravention of this section, the following persons shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale—

Domestic Abuse Bill, *continued*

- (a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;
 - (b) where the publication is a relevant programme—
 - (i) anybody corporate engaged in providing the programme service in which the programme is included; and
 - (ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;
 - (c) in the case of any other publication, any person publishing it.
- (5) For the purposes of this section—
 “domestic homicide offence” means an offence of murder or manslaughter which has involved domestic abuse; a “publication” includes any speech, writing, relevant programme, social media posting or other communication in whatever form, which is addressed to the public at large or any section of the public (and for this purpose every relevant programme shall be taken to be so addressed), but does not include an indictment or other document prepared for use in particular legal proceedings.”
-

Liz Saville Roberts

Withdrawn after debate NC12

To move the following Clause—

“Register for domestic abuse

- (1) The Secretary of State must arrange for the creation of a register containing the name, home address and national insurance number of any person (P) convicted of an offence that constitutes domestic abuse as defined in section 1 of this Act.
 - (2) Each police force in England and Wales shall be responsible for ensuring that the register is kept to date with all relevant offences committed in the police force’s area.
 - (3) Each police force in England and Wales shall be responsible for ensuring that P notifies relevant police forces within 14 days if they commence a new sexual or romantic relationship.
 - (4) A failure to notify the police in the circumstances set out in subsection (3) shall be an offence liable on conviction to a term of imprisonment not exceeding 12 months.
 - (5) The relevant police force shall have the right to inform any person involved in a relationship with P of P’s convictions for an offence that amounts to domestic abuse as defined in section 1 of this Act.”
-

Domestic Abuse Bill, *continued*

Neil Coyle
 Bob Blackman
 Dame Cheryl Gillan
 Anthony Mangnall
 Robert Halfon
 Mr Steve Baker

Mr Ian Liddell-Grainger
 Fiona Bruce
 Ben Everitt
 Mr William Wragg
 Stephen Crabb
 Gareth Bacon
 Sir Mike Penning
 Martin Vickers
 Stephen Timms
 Helen Hayes
 Apsana Begum
 Wera Hobhouse
 Layla Moran

Tracey Crouch
 Mark Menzies
 Nick Fletcher
 Craig Whittaker
 Tim Loughton
 Rob Butler
 Dr Julian Lewis
 Mrs Pauline Latham
 Mr Clive Betts
 Charlotte Nichols
 Alex Sobel
 Munira Wilson
 Caroline Lucas

Mr Andrew Mitchell
 Gary Sambrook
 Mark Garnier
 Bob Stewart
 Jason McCartney
 Lee Anderson
 Sir Robert Neill
 Rosie Duffield
 Sarah Champion
 Fleur Anderson
 Mr Barry Sheerman
 Christine Jardine

Not called **NC13**

To move the following Clause—

“Homelessness and domestic abuse

- (1) Part 7 of the Housing Act 1996 (Homelessness: England) is amended in accordance with subsections (2) to (5).
- (2) In section 177(1) and (1A) (whether it is reasonable to continue to occupy accommodation) for each instance of “violence” substitute “abuse”.
- (3) After section 177(1A) insert—
 - “(1B) In this Act, “abuse” means—
 - (a) physical or sexual abuse;
 - (b) violent or threatening behaviour;
 - (c) controlling or coercive behaviour;
 - (d) economic abuse (within the meaning of section 1(4) of the Domestic Abuse Act 2020);
 - (e) psychological, emotional or other abuse.”
- (4) At the end of section 189(1) (priority need for accommodation), insert—
 - “(e) a person who—
 - (i) is homeless as a result of being subject to domestic abuse, or
 - (ii) resides or might reasonably be expected to reside with a person who falls within sub-paragraph (i) and is not the abuser.”
- (5) In section 198 (referral of case to another local housing authority):
 - (a) In sub-section (2)(c) for “violence” substitute “abuse”;
 - (b) In sub-section (2ZA)(b) for “violence” substitute “abuse”;
 - (c) In sub-section (2A) for “violence (other than domestic violence)” substitute “abuse (other than domestic abuse)”;
 - (d) In sub-section (3) for “violence” substitute “abuse”.
- (6) Article 6 of the Homelessness (Priority Need for Accommodation) (England) Order 2002, SI 2002/2051, is amended in accordance with subsection (7).
- (7) In Article 6,
 - (a) after “reason of violence” insert “(other than domestic abuse)”;

Domestic Abuse Bill, *continued*

- (b) after “threats of violence” insert “(other than domestic abuse)”.”

Caroline Lucas
Peter Kyle
Jess Phillips
Christine Jardine
Liz Saville Roberts

Not called NC14

To move the following Clause—

“Anonymity of domestic abuse survivors in criminal proceedings

- (1) Where an allegation has been made that a relevant offence has been committed against a person, no matter relating to that person shall during that person’s lifetime be included in any publication if it is likely to lead members of the public to identify that person as the survivor.
- (2) Where a person is accused of a relevant offence, no matter likely to lead members of the public to identify the person against whom the offence is alleged to have been committed as the survivor shall during the survivor’s lifetime be included in any publication.
- (3) This section does not apply in relation to a person by virtue of subsection (1) at any time after a person has been accused of the offence.
- (4) The matters relating to a survivor in relation to which the restrictions imposed by subsection (1) or (2) apply (if their inclusion in any publication is likely to have the result mentioned in that subsection) include—
 - (a) the survivor’s name;
 - (b) the survivor’s address;
 - (c) the identity of any school or other educational establishment the survivor attended;
 - (d) the identity of any place where the survivor worked;
 - (e) any still or moving pictures of the survivor; and
 - (f) any other matter that might lead to the identification of the survivor.
- (5) At the commencement of a trial at which a person is charged with a relevant offence, the judge may issue a direction for lifting the restrictions only following an application by or on behalf of the survivor.
- (6) Any matter that is included in a publication in contravention of this section must be deleted from that publication and no further reference to the matter may be made in any publication.
- (7) If any matter is included in a publication in contravention of this section, the following persons shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale—where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;
 - (a) where the publication is a newspaper or periodical, any proprietor, any editor and any publisher of the newspaper or periodical;
 - (b) where the publication is a relevant programme—
 - (i) any body corporate or Scottish partnership engaged in providing the programme service in which the programme is included; and
 - (ii) any person having functions in relation to the programme corresponding to those of an editor of a newspaper;

Domestic Abuse Bill, *continued*

- (c) in the case of any other publication, any person publishing it.
- (8) For the purposes of the section—
- “publication” means any material published online or in physical form as any well as any speech, writing, website, online news outlet, social media posting, relevant programme or other communication in whatever form which is addressed to the public at large or any section of the public.
- a “relevant offence” means any offence where it is alleged by the survivor that the behaviour of the accused amounted to domestic abuse.
- “survivor” means the person against whom the offence is alleged to have been committed.”

Christine Jardine
 Tim Farron
 Stephen Timms
 Debbie Abrahams

Withdrawn after debate NC17

To move the following Clause—

“Local Welfare Provision schemes

- (1) Every local authority in England must deliver a Local Welfare Provision scheme which provides financial assistance to victims of domestic abuse
- (2) The Secretary of State must issue guidance on the nature and scope of Local Welfare Provision schemes and review this biannually in consultation with the Domestic Abuse Commissioner and other such individuals and agencies he deems appropriate.
- (3) The Chancellor of the Exchequer must provide local authorities with additional funding designated for Local Welfare Provision, to increase per year with inflation.
- (4) For the purposes of this subsection “domestic abuse” is defined in section 1 of the Domestic Abuse Act 2020.”

Christine Jardine
 Daisy Cooper
 Stella Creasy

Withdrawn after debate NC18

To move the following Clause—

“Guidance: Child maintenance

- (1) The Secretary of State must issue guidance relating to the payment of child support maintenance where the person with care of the child is a victim of domestic abuse.
- (2) Guidance issued under this section must take account of—
 - (a) the potential for the withholding or reducing of child support maintenance to constitute economic abuse under section 1(4) of this Act;
 - (b) the need for enforcement action to prevent non-payment; and

Domestic Abuse Bill, *continued*

- (c) the difficulties faced by victims of domestic abuse in obtaining evidence to support an application for a variation of a child support maintenance calculation.
- (3) The Child Maintenance Service must have regard to any guidance issued under this section when exercising a function to which the guidance relates.
- (4) Before issuing guidance under this section, the Secretary of State must consult
 - (a) the Domestic Abuse Commissioner, and
 - (b) such other persons as the Secretary of State considers appropriate.
- (5) The Secretary of State must publish any guidance issued under this section.”

Jess Phillips
Stella Creasy
Christine Jardine

Not called NC19

To move the following Clause—

“Secretary of State’s duty to ensure effective protection and support

- (1) In exercising functions under this Act, the Secretary of State must take steps to ensure equally effective protection against domestic abuse and support for all victims of domestic abuse irrespective of their status, including steps aimed at ensuring that—
 - (a) domestic abuse is prevented;
 - (b) all victims of domestic abuse receive protection and access to specialist services;
 - (c) all perpetrators of domestic abuse are able to access quality assured perpetrator programmes;
 - (d) awareness of this Act is promoted.
- (2) In discharging the duty under subsection (1) the Secretary of State must—
 - (a) ensure that sufficient funding is provided annually to ensure that relevant public authorities can meet their statutory duties under Clause [Duty to commission specialist domestic abuse support services]; and
 - (b) take steps to ensure continuous improvement in the outcomes that are achieved.
- (3) The outcomes in subsection 2(b) include, in particular, outcomes which demonstrate—
 - (a) effective steps aimed at ensuring that domestic abuse is prevented;
 - (b) effective protection and support for persons, including children, against domestic abuse irrespective of their status;
 - (c) effective services to all adult and child victims of domestic abuse irrespective of their status;
 - (d) effective access for all perpetrators to quality assured perpetrator programmes; and
 - (e) effective steps to promote awareness of this Act.
- (4) Every three years from the date on which this section comes into force the Secretary of State must prepare, publish and lay before Parliament a strategic plan setting out their objectives, priorities and the measures they propose to take for the purpose of discharging their duty under subsection (1).

Domestic Abuse Bill, *continued*

- (5) In preparing and adopting any strategic plan under subsection (4) the Secretary of State must take account of any strategy to end violence against women and girls adopted by a Minister of the Crown.
- (6) In this section—
- “quality assured” means meeting standards determined and published by the Secretary of State.
 - “status” means a status for the purpose of Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and combined forms of any such status.
 - “victims of domestic abuse” includes—
 - (a) persons towards whom domestic abuse is directed, and
 - (b) persons who are reasonably believed to be at risk of domestic abuse.”

Jess Phillips
Stella Creasy
Christine Jardine

Not called NC20

To move the following Clause—

“Duty to commission specialist domestic abuse support services

- (1) It is the duty of relevant public authorities in England and Wales to commission sufficient specialist services for all persons affected by domestic abuse regardless of status.
- (2) To ensure compliance with the duty under subsection (1) public authorities must—
- (a) regularly assess population and support needs changes in their area; and
 - (b) co-operate to discharge the duty.
- (3) The Secretary of State may issue regulations making provision for the resolution of disputes between public authorities relating to the discharge of the duty under subsection (1).
- (4) In performing the duty under subsection (1) a relevant public authority must secure sufficient specialist services for (among others) the following persons—
- (a) any victim of domestic abuse aged 18 or over;
 - (b) any child aged under 18 who experiences or witnesses domestic abuse;
 - (c) any child who is a close relative of a victim of domestic abuse;
 - (d) any person aged 18 or over who exhibits abusive behaviour towards another person to whom they are personally connected;
 - (e) any child aged under 18 who exhibits abusive behaviour towards another person to whom they are personally connected.
- (5) In this section—
- “abusive behaviour” is behaviour that is abusive within the definition in section 1(3).
 - “close relative” includes a daughter, son, sibling, sibling-in-law, step child, step sister, step brother, foster child, niece, nephew or grandchild.
 - “domestic abuse” has the meaning given in section 1.
 - “personally connected” has the meaning given in section 2.

Domestic Abuse Bill, *continued*

“relevant public authorities” are public authorities with functions relevant to the provision of specialist services for victims of domestic abuse, and include but are not limited to—

- (a) Ministers of the Crown and any government department in the charge of a Minister;
- (b) any local authority in England and Wales;
- (c) NHS Trusts in England and Wales;
- (d) Police and Crime Commissioners;
- (e) Prison, Police and Probation Service.

“specialist services” include but are not limited to the following when provided in connection with domestic abuse, whether provided by a public authority or any other person or body—

- (a) protective measures and action taken to protect persons against domestic abuse;
- (b) residential accommodation, including refuge services;
- (c) counselling and other support;
- (d) advocacy services;
- (e) access to welfare benefits;
- (f) perpetrator programmes;
- (g) financial support;
- (h) legal services;
- (i) helplines;
- (j) services designed to meet the particular needs of a group that shares a status to ensure appropriate and effective service provision, including separate or single-sex services within the meaning given in Part 7 of Schedule 3 the Equality Act, and “communal accommodation” within the meaning given in paragraph 3 of Schedule 23 to the Equality Act 2010.

“status” means a status for the purpose of Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and combined forms of any such status.

“victims of domestic abuse” includes—

- (a) persons towards whom domestic abuse is directed, and
- (b) persons who are reasonably believed to be at risk of domestic abuse.”

Jess Phillips
Stella Creasy
Ms Harriet Harman
Dame Diana Johnson

Withdrawn after debate **NC21**

To move the following Clause—

Domestic Abuse Bill, *continued***“Duty of the Secretary of State to take account of matters relating to gender**

It shall be the duty of the Secretary of State in performing functions under this Act to take account of the point that domestic abuse is a subset of violence against women and girls, which affects women disproportionately.”

Jess Phillips

Withdrawn after debate NC22

To move the following Clause—

“Children affected by domestic abuse: NHS waiting lists

The Secretary of State must by regulations ensure that children who move to a different area after witnessing or being otherwise affected by domestic abuse as defined by section 1 of this Act are not disadvantaged in respect of their position on any NHS waiting lists.”

Jess Phillips

Not called NC23

To move the following Clause—

“Children witnessing domestic abuse: school admissions

The Secretary of State must by regulations require admissions authorities of all mainstream schools to give the highest priority in their oversubscription criteria to children who have moved as a consequence of witnessing or being otherwise affected by domestic abuse.”

Jess Phillips
Stella Creasy

Withdrawn after debate NC24

To move the following Clause—

“Assess the Impact of Welfare Reforms on Survivors of Domestic Abuse

- (1) It is the duty of the Department for Work and Pensions, in conjunction with the relevant government departments, in developing welfare reform policies, to assess the impact of such policies on individuals who are or are likely to become victims of domestic abuse within the meaning of section 1 of this Act, and to promote their wellbeing through those policies.
- (2) “Wellbeing”, for the purposes of subsection (1) above, relates to any of the following—
 - (a) Physical and mental health and emotional wellbeing;
 - (b) Protection from abuse and neglect;

Domestic Abuse Bill, *continued*

- (c) Control over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);
 - (d) Participation in work, education, training or recreation;
 - (e) Social and economic wellbeing; and
 - (f) Suitability of living accommodation.
- (3) In exercising this duty under subsection (1) above, the Government must have regard to the following matters in particular—
- (a) the importance of individuals who are or are likely to become victims of domestic abuse within the meaning of section 1 of this Act being able to escape abusive relationships;
 - (b) the importance of individuals who are or are likely to become victims of domestic abuse within the meaning of s. 1 of this Act being able to become economically independent of the perpetrator(s) of abuse; and
 - (c) the importance of individuals who are or are likely to become victims of domestic abuse within the meaning of s. 1 of this Act being able to rebuild their lives.”

[Adjourned until Wednesday at 9.25 am