



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Tuesday 28 April 2020

New Amendments handed in are marked thus ★

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

Amendments tabled since the last publication: 1 to 27 and NC1 to NC3

PUBLIC BILL COMMITTEE

DOMESTIC ABUSE 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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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.

Philip Davies

- ★ Clause 1, page 1, line 14, leave out paragraph (d).

Member's explanatory statement

This amendment would remove economic abuse from the definition of domestic abuse.

1

Philip Davies

- ★ Clause 1, page 1, line 15, after “abuse”, insert “(see subsection (4A))”.

Member's explanatory statement

This amendment would provide the ability to further define specific abuse.

7

Philip Davies

- ★ Clause 1, page 2, line 1, leave out subsection (4).

Member's explanatory statement

This amendment is consequential upon Amendment 1.

2

 Domestic Abuse Bill, *continued*

Philip Davies

5

- ★ Clause 1, page 2, line 1, after “effect”, insert “without permission, consent, necessity or any other good reason”.

Member’s explanatory statement

The aim of this amendment would be to specify that economic abuse has to be deliberate and unreasonable not just the withholding of money, for example, with lawful authority or good reason – e.g. someone caring for someone or the partner of a gambling addict who gives consent etc.

Philip Davies

6

- ★ Clause 1, page 2, line 3, leave out from “acquire” to “property” and insert “use or maintain their own money or personal property”

Member’s explanatory statement

The aim of this amendment would be to specify that economic abuse must involve the person’s own money and not the lawful property of someone else.

Philip Davies

8

- ★ Clause 1, page 2, line 4, at end insert—

“(4A) “Psychological, emotional or other abuse” includes but is not limited to—

- (a) Parental Alienation, or
- (b) False allegations of domestic abuse by A against B, or
- (c) A deliberately preventing B having contact with their child or children for no good reason.”

Member’s explanatory statement

This amendment gives specific examples of domestic abuse – parental alienation, false allegations of domestic abuse and the prevention of contact with a parent for no good reason.

Philip Davies

9

- ★ Clause 1, page 2, line 4, at end insert—

“(4B) “Parental Alienation” is defined as a child’s resistance or hostility towards parent B which is not justified and is the result of psychological manipulation by parent A.”

Member’s explanatory statement

This amendment defines parental alienation.

Philip Davies

10

- ★ Clause 1, page 2, line 5, leave out subsection (5).

Member’s explanatory statement

This amendment removes the potential creation of two victims of a single act of abuse.

Philip Davies

11

- ★ Clause 1, page 2, line 8, leave out subsection (6).

Member’s explanatory statement

This amendment is consequential upon Amendment 10.

Domestic Abuse Bill, continued

Philip Davies

15

- ★ Clause 6, page 4, line 3, after “the”, insert “objective”

Member’s explanatory statement

This amendment aims to ensure there is no bias and that pre-conceived notions do not form part of the identification of domestic abuse process.

Philip Davies

16

- ★ Clause 6, page 4, line 8, after “abuse”, insert “; (e) a gender-neutral approach to domestic abuse”

Member’s explanatory statement

This amendment would recognise explicitly that domestic violence affects everyone regardless of their sex.

Philip Davies

17

- ★ Clause 6, page 4, line 23, at end insert—

“(h) monitoring the estimated number of actual victims of domestic abuse compared to those prosecuted for such offences according to the sex of the victim and making recommendations to address any differences in outcomes between the sexes;”

Member’s explanatory statement

This amendment would make sure that male and female perpetrators of domestic abuse are prosecuted in similar relative numbers.

Philip Davies

18

- ★ Clause 6, page 4, line 23, at end insert—

“(i) monitoring the estimated number of actual victims of domestic abuse in same sex relationships by gender.”

Member’s explanatory statement

This amendment would ensure that those in same sex relationships are separately monitored in line with the genderneutral approach to domestic abuse.

Philip Davies

19

- ★ Clause 11, page 6, line 38, after “Board””, insert “through an open recruitment process”.

Member’s explanatory statement

This amendment would ensure that members of the Advisory Board are appointed via an open recruitment process.

Philip Davies

23

- ★ Clause 11, page 7, line 7, after the first “of” insert “each of (a) male and (b) female”.

Member’s explanatory statement

This amendment would ensure that different people separately representing the interests of male and female victims are appointed to the Advisory Board.

 Domestic Abuse Bill, *continued*

Philip Davies

24

- ★ Clause 11, page 7, line 9, after “with”, insert “each of (a) male and (b) female”.

Member’s explanatory statement

This amendment would ensure that different people separately representing the interests of male and female organisations are on the Advisory Board.

Philip Davies

20

- ★ Clause 11, page 7, line 11, leave out paragraph (c)

Member’s explanatory statement

This amendment would remove the necessity for a representative of health care providers to be on the Advisory Board to make space for representatives of both male and female victims/groups.

Philip Davies

21

- ★ Clause 11, page 7, line 14, leave out paragraph (d)

Member’s explanatory statement

This amendment would remove the necessity for a representative of social care providers to be on the Advisory Board to make space for representatives of both male and female victims/groups.

Philip Davies

22

- ★ Clause 11, page 7, line 24, leave out subsection (6)

Member’s explanatory statement

This amendment is consequential upon Amendment 21.

Philip Davies

25

- ★ Clause 54, page 35, line 36, after the first “of”, insert “each of (a) male and (b) female”.

Member’s explanatory statement

This amendment would ensure that different people separately represent the interests of both male and female victims on the domestic abuse local partnership boards.

Philip Davies

26

- ★ Clause 54, page 35, line 40, after “with” insert “each of (a) male and (b) female”.

Member’s explanatory statement

This amendment would ensure that different people separately represent the interests of both male and female organisations on the domestic abuse local partnership boards.

Philip Davies

3

- ★ Clause 65, page 48, line 37, leave out paragraph (d).

Member’s explanatory statement

This amendment is consequential upon Amendment 1.

 Domestic Abuse Bill, *continued*

Philip Davies

- ★ Clause 65, page 49, line 16, leave out paragraph (d).
Member's explanatory statement
This amendment is consequential upon Amendment 1.

4

Philip Davies

- ★ Clause 65, page 49, line 26, leave out paragraph (b).
Member's explanatory statement
This amendment is consequential upon Amendment 10.

12

Philip Davies

- ★ Clause 65, page 49, line 29, at end insert—
 “(4) If it transpires that the local authority has been given incorrect information or that it has taken into account false allegations of domestic abuse as the basis for granting a tenancy, it must revoke the secure tenancy within 7 days of receiving this information by giving the tenant 28 days notice to quit in addition to passing on such information to the police, where they are not already involved, as soon as is practicable thereafter.”
Member's explanatory statement
This amendment makes provision for someone who has made false allegations of domestic abuse to lose the home they gained under these false pretences.

27

Philip Davies

- ★ 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.”
Member's explanatory statement
This amendment is an alternative to Amendment 13.

14

Philip Davies

- ★ Clause 66, page 50, line 44, leave out from “that” to “female.” and insert “victims and perpetrators of domestic abuse in England and Wales are both male and female”
Member's explanatory statement
This amendment removes the sex specific reference to females, to include male victims of domestic abuse and reflect the fact that both men and women are perpetrators of domestic abuse.

13

 Ms Harriet Harman
 Mark Garnier
 Laura Farris

- ★ To move the following Clause—

NC1

Domestic Abuse Bill, *continued*
“No defence for consent

- (1) If, in the course of any behaviour which constitutes domestic abuse within the meaning of this Act, a person (“A”) wounds or assaults another person (“B”) causing actual bodily harm, more serious injury or death, it is not a defence to a prosecution that B consented to the infliction of injury.
- (2) Subsection (1) applies whether or not the actual bodily harm, more serious injury or death occurred in the course of a sadomasochistic encounter.”

Member’s explanatory statement

This new clause would prevent consent from being used as a defence to a prosecution in cases of domestic abuse which result in serious injury or death.

Ms Harriet Harman
 Mark Garnier
 Laura Farris

NC2

- ★ To move the following Clause—

“Consent of Director of Public Prosecutions

- (1) 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, 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 without the consent of the Director of Public Prosecutions.
- (2) Before deciding whether or not to give consent for the purposes of subsection (1), the Director of Public Prosecutions must consult the immediate family of the deceased.”

Member’s explanatory statement

This new clause would require the consent of the Director of Public Prosecutions if, in any homicide case in which any of the injuries were inflicted in the course of domestic abuse, the charge (or the plea to be accepted) is of anything less than murder. It would also require the Director of Public Prosecutions to consult the immediate family of the deceased before deciding whether or not to give such consent.

Ms Harriet Harman
 Laura Farris

NC3

- ★ To move the following Clause—

“New 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.”

Member’s explanatory statement

This will create a new offence of non-fatal strangulation.

Domestic Abuse Bill, *continued*

ORDER OF THE HOUSE [28 APRIL 2020]

That the following provisions shall apply to the Domestic Abuse Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 25 June 2020.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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