



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Wednesday 6 May 2020

New Amendments handed in are marked thus ★

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

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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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 accordance with the Order to be proposed by Victoria Atkins and Alex Chalk.

Victoria Atkins
Alex Chalk

To move, That the Bill be considered in the following order, namely: Clauses 1 to 37; Schedule 1; Clauses 38 to 62; Schedule 2; Clauses 63 to 73; new Clauses; new Schedules; remaining proceedings on the Bill.

Victoria Atkins
Alex Chalk

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

Domestic Abuse Bill, continued

Philip Davies

1

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.

Philip Davies

7

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.

Philip Davies

2

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

Member's explanatory statement

This amendment is consequential upon Amendment 1.

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 “acquire, use or maintain money or other property” and insert “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.

Domestic Abuse Bill, continued

- 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.
-
- 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.

 Domestic Abuse Bill, *continued*

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.

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.

 Domestic Abuse Bill, *continued*

- Philip Davies 22
- Clause 11, page 7, line 24, leave out subsection (6)
Member's explanatory statement
This amendment is consequential upon Amendment 21.
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- 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.
- Philip Davies 4
- Clause 65, page 49, line 16, leave out paragraph (d).
Member's explanatory statement
This amendment is consequential upon Amendment 1.
- Philip Davies 12
- Clause 65, page 49, line 26, leave out paragraph (b)
Member's explanatory statement
This amendment is consequential upon Amendment 10.
- Philip Davies 27
- 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

Domestic Abuse Bill, continued

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.

Philip Davies

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.”.

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.

Philip Davies

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.”

Member’s explanatory statement

This amendment is an alternative to Amendment 13.

Ms Harriet Harman
 Mark Garnier
 Laura Farris
 Kate Green
 Jess Phillips
 Tulip Siddiq

Stella Creasy
 Helen Hayes
 Ms Angela Eagle
 Janet Daby
 Barbara Keeley
 Tonia Antoniazzi
 Sarah Olney
 Tim Loughton
 Peter Aldous

Ms Karen Buck
 Alison McGovern
 Dawn Butler
 Ruth Cadbury
 Rosie Cooper
 Tracy Brabin
 Rosie Duffield
 Mrs Pauline Latham
 Jackie Doyle-Price

Debbie Abrahams
 Olivia Blake
 Ruth Jones
 Yvonne Fovargue
 Emma Hardy
 Dame Diana Johnson
 Caroline Nokes
 Mrs Maria Miller
 Bob Blackman

NC1

To move the following Clause—

“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.

Domestic Abuse Bill, continued

- (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
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 Laura Farris
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 Sarah Olney
 Caroline Nokes
 Mrs Maria Miller
 Bob Blackman

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.

Domestic Abuse Bill, *continued*

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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.

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.

Domestic Abuse Bill, *continued*

Other proceedings

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