



House of Commons

Thursday 11 June 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

DOMESTIC ABUSE BILL

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

Agreed to

RESOLUTION OF THE PROGRAMMING SUB-COMMITTEE

The Programming Sub-Committee appointed by the Speaker in respect of the Bill agreed the following Resolution at its meeting on Tuesday 2 June (Standing Order No. 83C):

That—

- (1) the Committee shall (in addition to its first meeting at 11.30 am on Thursday 4 June) meet—
 - (a) at 2.00 pm on Thursday 4 June;
 - (b) at 9.25 am and 2.00 pm on Tuesday 9 June;
 - (c) at 9.25 am and 2.00 pm on Wednesday 10 June;
 - (d) at 11.30 am and 2.00 pm on Thursday 11 June;
 - (e) at 9.25 am and 2.00 pm on Tuesday 16 June;
 - (f) at 9.25 am and 2.00 pm on Wednesday 17 June;

Domestic Abuse Bill, continued

- (2) the Committee shall hear oral evidence in accordance with the following Table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 4 June	Until no later than 12.30 pm	Nicole Jacobs, Designate Domestic Abuse Commissioner
Thursday 4 June	Until no later than 1.00 pm	Southall Black Sisters
Thursday 4 June	Until no later than 2.15 pm	Latin American Women's Rights Service
Thursday 4 June	Until no later than 2.45 pm	Somiya Basar; Saliha Rashid
Thursday 4 June	Until no later than 3.15 pm	Women's Aid Federation of England; End Violence Against Women Coalition
Thursday 4 June	Until no later than 3.45 pm	Refuge; SafeLives
Thursday 4 June	Until no later than 4.15 pm	Hestia; Gisela Valle, Step Up Migrant Women UK
Thursday 4 June	Until no later than 4.30 pm	Dame Vera Baird QC, Commissioner for Victims and Witnesses
Thursday 4 June	Until no later than 5.00 pm	Local Government Association; Welsh Women's Aid

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: 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;
- (4) the proceedings on the Bill shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 25 June.

Alex Chalk has given notice of his intention to move a motion in the terms of the Resolution of the Programming Sub-Committee [Standing Order No. 83C].

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*Agreed to*

Victoria Atkins
Alex Chalk

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

Agreed to

The following witnesses gave oral evidence:

Nicole Jacobs, Designate Domestic Abuse Commissioner

Pragna Patel, Director, Southall Black Sisters

Gilmar Garcia, Survivor of domestic abuse, Latin American Women's Rights Service

Somiya Basar; and Saliha Rashid

Lucy Hadley, Campaigns and Policy Manager, Women's Aid Federation of England; and Ms

Andrea Simon, Head of Public Affairs, End Violence against Women

Ms Ellie Butt, Head of Policy and Public Affairs, Refuge; and Suzanne Jacob OBE, CEO, Safelives (via audio link)

Lyndsey Dearlove, Head of UK Says NO MORE, Hestia; and Gisela Valle, Director, Latin American Women's Rights Service

Dame Vera Baird QC, Victims Commissioner

Councillor Simon Blackburn, Leader of Blackpool Council and Chair of the LGA's Safer and Stronger Communities Board, Local Government Association; and Sara Kirkpatrick; CEO, Welsh Women's Aid

[THIRD AND FOURTH SITTINGS]

Philip Davies
Bob Stewart

Not selected 1

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

Philip Davies
Bob Stewart
Damian Collins

Not selected 7

Clause 1, page 1, line 15, after "abuse", insert "(see subsection (4A))"

Philip Davies
Bob Stewart

Not selected 2

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

Domestic Abuse Bill, *continued*

Philip Davies
Bob Stewart
Damian Collins

Not selected 5

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

Philip Davies
Bob Stewart
Damian Collins

Not selected 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”

Philip Davies
Bob Stewart
Damian Collins

Not selected 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.”

Philip Davies
Bob Stewart
Damian Collins

Not selected 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.”

Philip Davies
Bob Stewart
Damian Collins

Not selected 10

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

Jess Phillips
Christine Jardine

Withdrawn after debate 50

Clause 1, page 2, line 7, at end insert—

“(5A) For the purposes of this Act, people affected by domestic abuse may include any child (such as a child in relation to whom A or B has a parental relationship) who sees, hears or is otherwise exposed to domestic abuse within the meaning of this section.”

Philip Davies
Bob Stewart
Damian Collins

Not selected 11

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

Domestic Abuse Bill, continued

Clause 1 agreed to.

Jess Phillips

Negatived on division 48

Clause 2, page 2, line 21, at end insert—
“(ee) one person is a provider of care to the other;”

Liz Saville Roberts

Withdrawn after debate 29

Clause 2, page 2, line 24, at end insert—
“(h) they live, or at the time of the abuse lived, in the same household.”

Jess Phillips

Not called 49

Clause 2, page 2, line 34, at end insert—
““provider of care” means any person (“A”) who provides ongoing emotional, psychological or physical support to another person (“B”) with the aim of enabling B to live independently, whether or not A is paid for this support;”

Clauses 2 to 5 agreed to.

Philip Davies
Bob Stewart

Not selected 15

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

Philip Davies
Bob Stewart

Not selected 16

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

Philip Davies
Bob Stewart

Not selected 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;”

Philip Davies
Bob Stewart

Not selected 18

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

Domestic Abuse Bill, *continued*

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

Clause 6 agreed to.

Peter Kyle
Jess Phillips

- Clause 7, page 5, line 7, leave out “direct” and insert “request” *Withdrawn after debate* 43

Peter Kyle
Jess Phillips

- Clause 8, page 5, line 29, leave out “direct” and insert “request” *Not called* 44

Clauses 8 to 10 agreed to.

Philip Davies
Bob Stewart

- Clause 11, page 6, line 38, after “Board””, insert “through an open recruitment process”. *Not selected* 19

Philip Davies
Bob Stewart

- Clause 11, page 7, line 7, after the first “of” insert “each of (a) male and (b) female”. *Not selected* 23

Liz Saville Roberts

- Clause 11, page 7, line 7, at end insert “in England;
(aa) at least one person appearing to the Commissioner to represent the interests of victims of domestic abuse in Wales;” *Withdrawn after debate* 28

Philip Davies
Bob Stewart

- Clause 11, page 7, line 9, after “with”, insert “each of (a) male and (b) female” *Not selected* 24

Philip Davies
Bob Stewart

- Clause 11, page 7, line 11, leave out paragraph (c) *Not selected* 20

Domestic Abuse Bill, *continued*

Philip Davies
Bob Stewart

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

Not selected 21

Philip Davies
Bob Stewart

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

Not selected 22

[FIFTH AND SIXTH SITTINGS]

Clauses 11 and 12 agreed to.

Peter Kyle
Jess Phillips

Clause 13, page 8, line 16, leave out from “must” to “on” and insert “report annually to Parliament”

Withdrawn after debate 45

Peter Kyle
Jess Phillips

Clause 13, page 8, line 25, leave out subsections (3) to (5) and insert—
“(3) The Commissioner must arrange for a copy of every annual report under this section to be laid before Parliament.
(4) Before laying the report before Parliament, the Commissioner must ensure that no material is included in the report which—
(a) might jeopardise the safety of any person, or
(b) might prejudice the investigation or prosecution of an offence.
(5) The Commissioner must provide a copy of the report to the Secretary of State.”

Not called 46

Clause agreed to.

Victoria Atkins
Alex Chalk

Clause 14, page 10, line 2, after “London” insert “in its capacity as a local authority”

Agreed to 30

Clause, as amended, agreed to.

Clauses 15 to 19 agreed to.

 Domestic Abuse Bill, *continued*

- Jess Phillips
 Clause 20, page 13, line 8, after “lives”, insert “or works.” *Withdrawn after debate* 56
- Jess Phillips
 Clause 20, page 13, line 10, after “lives”, insert “or works.” *Not called* 57
- Jess Phillips
 Clause 20, page 13, line 11, after “lives”, insert “or works.” *Not called* 58
Clause agreed to.
-
- Jess Phillips
 Clause 21, page 13, line 29, after “lives”, insert “or works.” *Not called* 59
- Jess Phillips
 Clause 21, page 13, line 32, after “lives”, insert “or works.” *Not called* 60
Clause agreed to.
Clauses 22 to 31 agreed to.
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- Jess Phillips
 Clause 32, page 20, line 24, after “lives”, insert “or works.” *Not called* 61
- Jess Phillips
 Clause 32, page 20, line 26, after “lives”, insert “or works.” *Not called* 62
- Jess Phillips
 Clause 32, page 20, line 27, after “lives”, insert “or works.” *Not called* 63
- Jess Phillips
 Clause 32, page 20, line 28, after “person from”, insert “part of” *Not called* 64
- Jess Phillips
 Clause 32, page 20, line 28, after “the”, insert “workplace or” *Not called* 65

Domestic Abuse Bill, *continued*

Clause 32 agreed to.

Jess Phillips

Not called 66

Clause 33, page 20, line 43, after “establishment”, add “except in a case where the person against whom the order is made works in the same premises as the person for whose protection the order is made;”

Jess Phillips

Withdrawn after debate 51

Clause 33, page 21, line 3, leave out subsection (2) and insert—

- “(2) A domestic abuse protection order that imposes a requirement to do something on a person (“P”) must—
- (a) specify the person who is to be responsible for supervising compliance with that requirement; and
 - (b) meet the standard published by the Home Secretary for domestic abuse behaviour interventions, if the requirement is to attend an intervention specifically designed to address the use of abusive behaviour.”

Clause agreed to.

Clauses 34 and 35 agreed to.

Victoria Atkins
Alex Chalk

Agreed to 31

Clause 36, page 23, line 29, leave out “section 154(1) of the Criminal Justice Act 2003” and insert “paragraph 24(2) of Schedule 22 to the Sentencing Act 2020”

Victoria Atkins
Alex Chalk

Agreed to 32

Clause 36, page 23, line 36, leave out from “under” to “(conditional” and insert “section 80 of the Sentencing Code”

Victoria Atkins
Alex Chalk

Agreed to 33

Clause 36, page 23, line 37, at end insert—

- “(6A) If a person is convicted of an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales (within the meaning given by that section) is an offence under this section, it is not open to the service court that convicted the person to make, in respect of the offence, an order under section 185 of that Act (conditional discharge).
In this subsection “service court” means the Court Martial or the Service Civilian Court.”

Clause, as amended, agreed to.

Domestic Abuse Bill, *continued*

Clause 37 agreed to.

Schedule 1 agreed to.

Clauses 38 and 39 agreed to.

Victoria Atkins
Alex Chalk

Agreed to **34**

Clause **40**, page **26**, line **22**, leave out “section 154(1) of the Criminal Justice Act 2003” and insert “paragraph 24(2) of Schedule 22 to the Sentencing Act 2020”

Clause, as amended, agreed to.

Clauses 41 to 44 agreed to.

Victoria Atkins
Alex Chalk

Agreed to **35**

Clause **45**, page **31**, leave out line 15 and insert “sections 79, 80 and 82 of the Sentencing Code”

Clause agreed to.

Clauses 46 to 52 agreed to.

[SEVENTH AND EIGHTH SITTINGS]

Jess Phillips

Withdrawn after debate **67**

Clause **53**, page **34**, line **23**, after “area,” insert—
“by all persons affected by domestic abuse regardless of status, duly taking into account the special situation of women and children, with reference to a national needs assessment,”

Jess Phillips

Not called **68**

Clause **53**, page **34**, line **24**, leave out paragraph (b) and insert—
“(b) prepare and publish a strategy for the provision of such support to meet the needs identified in its area by the assessment referred to in subsection 1(a) above, including sufficient specialist support for all persons affected by domestic abuse regardless of status,
(ba) in preparing and adopting any strategy, take account of any strategy to end violence against women and girls adopted by a Minister or Ministers, and”

Domestic Abuse Bill, *continued*

Jess Phillips

Not called 69

Clause 53, page 34, line 26, after “strategy”, insert “and publish such evaluation in accordance with subsection (5)(a) and such regulation issued under subsection (8)”

Jess Phillips

Not called 70

Clause 53, page 34, line 26, at end insert—

- “(1A) The assessment and strategy referred to in subsections (1)(a) and (b) must, at a minimum, address the following matters—
- (a) the prevalence of and trends in domestic abuse including that against women and girls, and the demographic of all persons in the area affected by domestic abuse;
 - (b) the needs for support, protection and safety of those who are affected by domestic abuse in the local population;
 - (c) the nature and extent of the need for and provision of specialist support in respect of those persons affected by domestic abuse with presenting characteristics including sex, gender, race, colour, language, religion, national or social origin, association with a national minority, sexual orientation, gender identity, age, state of health, disability, or such other relevant status;
 - (d) the specific needs of vulnerable persons including women and children regardless of status;
 - (e) the nature and extent of the need for and provision of specialist support to women who are affected by domestic abuse and their children;
 - (f) the need for and provision of refuge services in sufficient numbers to provide safe accommodation for victims, especially women and their children;
- (1B) The relevant local authority shall allocate appropriate financial and human resources for the implementation of the strategy, including the arrangement of such specialist support as is set out in the strategy.
- (1C) For the purposes of this section—
- “domestic abuse support” means specialist support, in relation to domestic abuse, provided to victims of domestic abuse or their children, who reside in relevant accommodation, by organisations whose organisational purpose is to support victims and/or children and young people impacted by domestic abuse.
 - “relevant accommodation” means accommodation which is safe for victims and their children of a description specified by the Secretary of State in regulations. This must include refuge services, which are provided in separate or single-sex services within the meaning given in Part 7 of Schedule 3 of the Equality Act and the address of which cannot be made publicly available or disclosed.
 - “status” includes a status for the purpose of Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic abuse and combined forms of such status.
 - “national needs assessment” means the needs assessment prepared by the national oversight group referred to in section [*National Oversight Group*].”

Jess Phillips

Not called 71

Clause 53, page 34, line 39, after “area,” insert—

Domestic Abuse Bill, *continued*

“(ba) any person, group or organisation providing support and services with those affected by domestic abuse in the local authority’s area, whether or not they are commissioned by the local authority,”

Jess Phillips

Not called 72

Clause 53, page 34, line 42, after “appropriate” insert—
“to ensure equal representation and meet their equalities duties”

Jess Phillips

Not called 73

Clause 53, page 35, line 1, after “strategy” insert—
“but only further to undertaking a consultation of the kind referred to in subsection (4) above and taking into account the needs identified in the assessment referred to in subsection (1)(a) and any population and support needs changes in the local authority’s area”

Jess Phillips

Not called 74

Clause 53, page 35, line 1, at end insert—
“(ba) when undertaking a consultation to review or alter the strategy, must publish the timeframe for the consultation of the kind referred to in subsection (4) well in advance, and involve the person, group or organisation providing support and services in the consultation and review of the strategy, and”

Jess Phillips

Not called 75

Clause 53, page 35, line 16, after “strategy” insert—
“additional to those identified in subsection (1A)”

Jess Phillips

Not called 76

Clause 53, page 35, line 5, after “strategy” insert—
“(f) how complaints about a local authority strategy will be handled;”

Jess Phillips

Not called 77

Clause 53, page 35, line 21, after “authorities” insert—
“(ba) persons, groups and organisations providing support and services with those affected by domestic abuse locally, regionally and nationally,
(bb) organisations representing the interests of services providing specialist support for women and children affected by domestic abuse,”

Clause agreed to.

Jess Phillips

Not called 78

Clause 54, page 35, line 30, at end insert—

Domestic Abuse Bill, *continued*

“(1A) The purpose of the board is to establish an equitable partnership that reflects the needs of those affected by domestic abuse in the local area and to deliver quality services that meet the needs of victims in the area identified in the assessment and strategy referred to in subsection (1) (a) and (b) of section 53.”

Philip Davies
Bob Stewart

Not selected 25

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

Philip Davies
Bob Stewart

Not selected 26

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

Jess Phillips

Not called 79

Clause 54, page 36, line 3, after “area” insert—
“, and (h) at least one person representing the interests of organisations working with or providing specialist support for women and children affected by domestic abuse”

Jess Phillips

Not called 80

Clause 54, page 36, line 3, at end insert—
“(2A) The domestic abuse local partnership board must establish a reference group of organisations delivering specialist support services to victims of domestic abuse and their children, and respond to recommendations made by the reference group in their decision making.”

Clauses 54 and 55 agreed to.

Jess Phillips

Withdrawn after debate 81

Clause 56, page 36, line 22, at end insert—
“(2A) Before issuing guidance under this section the Secretary of State must lay a draft of the guidance before Parliament.
(2B) Guidance under this section comes into force in accordance with regulations made by the Secretary of State.”

Jess Phillips

Not called 82

Clause 56, page 36, line 28, at end insert—
“(ba) persons, groups and organisations providing support and services with those affected by domestic abuse locally, regionally and nationally, and in particular those working with or providing specialist support services to affected women and children,”

Domestic Abuse Bill, continued

Jess Phillips

Not selected 83

Clause 56, page 36, line 35, at end insert—

“(7) Subsection (4) does not apply in relation to any revisions of guidance issued under this section if the Secretary of State considers the proposed revisions of the guidance are insubstantial.”

Clause agreed to.

Victoria Atkins
Alex Chalk*Agreed to* 36

Clause 57, page 37, line 1, after “London” insert “in its capacity as a local authority”

Clause, as amended, agreed to.

Christine Jardine
Sir Edward Davey*Withdrawn after debate* 54

Clause 58, page 37, line 32, at end insert—

“(3A) In cases where it is alleged that domestic abuse is involved, Chapter 1 of Part 2 of the Youth Justice and Criminal Evidence Act 1999 (special measures directions in case of vulnerable and intimidated witnesses) applies to proceedings in the family court as it applies to criminal proceedings, but with any necessary modifications.”

Clause agreed to.

Victoria Atkins
Alex Chalk*Agreed to* 37

Clause 59, page 39, line 32, at end insert—

“(aa) section 80 of the Sentencing Code;”

Clause, as amended, agreed to.

Clause 60 to 62 agreed to.

Schedule 2 agreed to.

Clause 63 agreed to.

Domestic Abuse Bill, *continued*Peter Kyle
Jess Phillips*Withdrawn after debate* 52

Clause 64, page 47, line 15, at end insert—

- “(1A) Before issuing guidance under this section, the Secretary of State must undertake a comprehensive assessment of the contribution of the disclosure of police information to the prevention of domestic abuse, drawing on disclosures made by chief officers of police prior to this section coming into force.
- (1B) Disclosures of police information for the purposes of the prevention of domestic abuse may only be made—
- (a) where reasonable, necessary, and proportionate,
 - (b) with regard to the best interests of children likely to be affected by the disclosure, and
 - (c) after ensuring there is an operational plan to support the recipients of such disclosures.”

Peter Kyle
Jess Phillips*Not called* 53

Clause 64, page 47, line 17, at end insert—

- “(2B) Each chief officer of police of a police force must annually review—
- (a) the compliance of their own force with any guidance issued under this section, and
 - (b) the overall contribution of the disclosures under that guidance to the prevention of domestic abuse in their force area.”

*Clause agreed to.*Philip Davies
Bob Stewart*Not selected* 3

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

Philip Davies
Bob Stewart*Not selected* 4

Clause 65, page 49, line 16, leave out paragraph (d)

Philip Davies
Bob Stewart
Damian Collins*Not selected* 12

Clause 65, page 49, line 26, leave out paragraph (b)

Philip Davies
Bob Stewart*Not selected* 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

Domestic Abuse Bill, *continued*

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.”

Clause agreed to.