



House of Commons

Tuesday 30 June 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

COUNTER-TERRORISM AND SENTENCING BILL

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

Chris Philp

Agreed to

That—

- (1) the Committee shall (in addition to its first meeting at 11.30 am on Thursday 25 June) meet;
 - (a) at 2.00 pm on Thursday 25 June;
 - (b) at 9.25 am and 2.00 pm on Tuesday 30 June;
 - (c) at 11.30 am and 2.00 pm on Thursday 2 July;
 - (d) at 9.25 am and 2.00 pm on Tuesday 7 July;
 - (e) at 11.30 am and 2.00 pm on Thursday 9 July;
- (2) the Committee shall hear oral evidence in accordance with the following Table;

Counter-Terrorism and Sentencing Bill, *continued*

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 25 June	Until no later than 12.30 pm	Jonathan Hall QC, Independent Reviewer of Terrorism Legislation
Thursday 25 June	Until no later than 13.00 pm	The National Police Chiefs' Council
Thursday 25 June	Until no later than 14.30 pm	Prison Reform Trust
Thursday 25 June	Until no later than 15.00 pm	The Northern Ireland Human Rights Commission
Thursday 25 June	Until no later than 15.30 pm	Law Society of Scotland
Thursday 25 June	Until no later than 16.00 pm	Professor Donald Grubin, Newcastle University
Tuesday 30 June	Until no later than 9.55 am	The Professional Trades Union for Prison, Correctional and Secure Psychiatric Workers
Tuesday 30 June	Until no later than 10.25 am	The Tony Blair Institute for Global Change
Tuesday 30 June	Until no later than 10.55 am	Professor Andrew Silke, Cranfield University

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clause 1; Schedule 1; Clause 2; Schedule 2; Clause 3; Schedule 3; Clauses 4 to 6; Schedule 4; Clauses 7 to 19; Schedule 5; Clauses 20 and 21; Schedule 6; Clauses 22 and 23; Schedule 7; Clauses 24 and 25; Schedule 8; Clauses 26 and 27; Schedule 9; Clause 28; Schedule 10; Clauses 29 to 36; Schedule 11; Clauses 37 to 45; Schedule 12; Clauses 46 to 48; Schedule 13; Clauses 49 to 53; new Clauses; new Schedules; remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 14 July.

Chris Philp

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

Counter-Terrorism and Sentencing Bill, continued

Chris Philp

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

Agreed to

The following witnesses gave oral evidence:

Jonathan Hall QC, Independent Reviewer of Terrorism Legislation

Assistant Chief Constable Tim Jacques, Deputy Senior National Coordinator for Counter Terrorism Policing

Peter Dawson, Director, Prison Reform Trust

Les Allamby, Chief Commissioner, and Dr Hannah Russell, Director of Legal, Research and Investigations, and Advice to Government, Northern Ireland Human Rights Commission

Michael Clancy, Director, Law Reform, Law Society of Scotland

Professor Donald Grubin, Professor of Forensic Psychiatry, Newcastle University

[THIRD AND FOURTH SITTINGS]

The following witnesses gave oral evidence:

Mark Fairhurst, National Chair, The Professional Trades Union for Prison, Correctional and Secure Psychiatric Workers

Professor Ian Acheson, Senior Advisor, Counter Extremism Project, The Tony Blair Institute for Global Change

Professor Andrew Silke, Professor of Terrorism, Risk and Resilience, Cranfield Forensic Institute, Cranfield University

Alex Cunningham

Withdrawn after debate 35

Clause 1, page 1, line 8, at end insert—

“(ab) In subsection (3), after “if” insert “the court has found beyond reasonable doubt that””

Alex Cunningham

Withdrawn after debate 36

Clause 1, page 3, line 30, at end insert—

“(8) Before this section comes into force, the Secretary of State must commission an analysis of the impact of this section on people with protected characteristics, including but not limited to—

- (a) the impact on people from minority faith groups, including the numbers received into prison and the length of the sentence served;
- (b) the impact on people from BAME communities, including the numbers received into prison and the length of the sentence served; and
- (c) the consequences of any disproportionate impact on people with protected characteristics on efforts by the prison authorities to rehabilitate prisoners convicted of terrorism offences.

(9) A copy of the analysis must be laid before both Houses of Parliament.”

Clause agreed to.

Schedule 1 agreed to.

Counter-Terrorism and Sentencing Bill, *continued*

Clause 2 agreed to.

Schedule 2 agreed to.

Clause 3 agreed to.

Schedule 3 agreed to.

Alex Cunningham

Negated on division 37

Clause 4, page 5, line 32, at end insert—

- “(7) The pre-sentence report must—
- (a) take account of the offender’s age;
 - (b) consider whether options other than a serious terrorism sentence might be more effective at—
 - (i) reducing the risk of serious harm to members of the public, or
 - (ii) rehabilitating the offender.
- (8) The court must take account of any points made by the pre-sentence report in relation to the matters in subsection (7) and consider whether they constitute exceptional circumstances under subsection (2).”

Clause agreed to.

Alex Cunningham

Withdrawn after debate 38

Clause 5, page 7, line 35, after “25 years.”, insert—

- “(5) Where—
- (a) a prisoner is subject to a licence for an extension period under this section, and
 - (b) the qualifying period has expired,
- the Secretary of State shall, if directed to do so by the National Probation Service, order that the licence is to cease to have effect.
- (6) Where—
- (a) the prisoner has been released on licence for an extension period under this section;
 - (b) the qualifying period has expired; and
 - (c) if the prisoner has made a previous application under this subsection, a period of at least twelve months has expired since the disposal of that application,
- the prisoner may make an application to the National Probation Service under this subsection.
- (7) Where an application is made under subsection (6) above, the National Probation Service—
- (a) shall, if it is satisfied that it is no longer necessary for the protection of the public that the licence should remain in force, direct the Secretary of State to make an order that the licence is to cease to have effect;

Counter-Terrorism and Sentencing Bill, *continued*

- (b) shall otherwise dismiss the application.
- (8) In this section, “the qualifying period”, in relation to a prisoner who has been released on licence, means the period of ten years beginning with the date of his release.”

Clause agreed to.

Joanna Cherry
Kenny MacAskill

Withdrawn after debate 43

Clause 6, page 8, line 10, at end insert—

“(ea) the court does not impose an order for lifelong restriction under section 210F of the Criminal Procedure (Scotland) Act 1995, and”

Alex Cunningham

Not called 45

Clause 6, page 9, line 20, leave out subsection (11) and insert—

“(11) In forming an opinion for the purposes of subsections (1)(d) and (6), the court must consider a report by a relevant officer of a local authority about the offender and the offender’s circumstances.

(11A) Where the offender is under 21 years of age, the report must—

(a) take account of the offender’s age; and

(b) consider whether options other than a serious terrorism sentence might be more effective at—

(i) reducing the risk of serious harm to members of the public, or

(ii) rehabilitating the offender;

and the court must take these factors into account when forming its opinion under subsection (6).

(11B) In considering the report, the court must, if it thinks it necessary, hear the relevant officer.”

Clause agreed to.

Schedule 4 agreed to.

Alex Cunningham

Not called 46

Clause 7, page 10, line 13, at end insert—

“(2A) Where the offender is under the age of 21, in forming an opinion for the purposes of paragraph (2), the court must consider and take into account a pre-sentence report within the meaning of Article 4 which must—

(a) take account of the offender’s age; and

(b) consider whether options other than a serious terrorism sentence might be more effective at—

(i) reducing the risk of serious harm to members of the public, or

(ii) rehabilitating the offender.”

Counter-Terrorism and Sentencing Bill, *continued*

Clause agreed to.

Clauses 8 to 10 agreed to.

[Adjourned until Thursday at 11.30 am