

LORDS AMENDMENTS TO THE
DOMESTIC ABUSE BILL

[The page and line references are to HL Bill 124, the bill as first printed for the Lords]

Clause 2

- 1 Page 2, line 27, at end insert –
“() A is a carer for B who is a disabled person.”
- 2 Page 2, line 32, at end insert –
““carer” means an adult who provides care, whether paid or unpaid;”
- 3 Page 2, line 35, at end insert –
““disabled person” means a person who has a disability within the meaning of section 6 of the Equality Act 2010 (disability);”

After Clause 16

- 4 Insert the following new Clause –
- “Duty to send conclusions of domestic homicide review to Commissioner**
- (1) Section 9 of the Domestic Violence, Crime and Victims Act 2004 (establishment and conduct of domestic homicide reviews) is amended as follows.
- (2) After subsection (3A) insert –
- “(3B) A person or body within subsection (4)(a) that establishes a domestic homicide review (whether or not held pursuant to a direction under subsection (2)) must send a copy of any report setting out the conclusions of the review to the Domestic Abuse Commissioner.
- (3C) The copy must be sent as soon as reasonably practicable after the report is completed.””

After Clause 18

5 Insert the following new Clause—

“Duty to report on domestic abuse services in England

- (1) The Commissioner must, before the end of the relevant period, prepare and publish a report under section 8 on—
 - (a) the need for domestic abuse services in England, and
 - (b) the provision of such services.
- (2) But subsection (1) does not require the Commissioner to report on the need for, or provision of, services provided to people who reside in relevant accommodation (within the meaning of section 55(2)).
- (3) In subsection (1)—
 - “domestic abuse services” means any advice, advocacy or counselling services provided, in relation to domestic abuse, to victims of domestic abuse or their children;
 - “the relevant period” means the period of 12 months beginning with the day on which this section comes into force (but see subsection (4)).
- (4) The Secretary of State, with the agreement of the Commissioner, may by regulations extend the relevant period for a further period of up to 6 months.
- (5) The power conferred by subsection (4) may be exercised only once.”

Clause 33

6 Page 20, line 39, at end insert—

- “(c) may not come within a specified distance of any other specified premises, or any other premises of a specified description, in England or Wales.”

Clause 34

7 Page 21, line 12, leave out from “with” to “an” in line 13 and insert “the person’s work or with the person’s attendance at”

Clause 55

8 Page 35, line 16, leave out “domestic abuse” and insert “accommodation-based”

9 Page 35, line 19, at end insert—

- “() ensure all child contact centres and organisations that offer child contact services are accredited in accordance with national standards in relation to safeguarding and preventing domestic abuse as specified in regulations made by the Secretary of State.”

10 Page 35, line 21, leave out first “domestic abuse” and insert “accommodation-based”

11 Page 35, line 37, at end insert—

- “(aa) must keep under review any effect of the strategy on the provision of other local authority support in its area,”

- 12 Page 35, line 39, at end insert—
- “() In this section “other local authority support”, in relation to a local authority, means support, in relation to domestic abuse, that—
- (a) is provided to victims of domestic abuse or their children, and
 - (b) is provided or funded by the local authority, other than accommodation-based support (within the meaning of subsection (2)).”

- 13 Page 36, line 15, at end insert “or any effect of the strategy on the provision of other local authority support in its area”

Clause 56

- 14 Page 36, line 23, after “about” insert “—
- (a) ”
- 15 Page 36, line 24, at end insert “, and
- (b) the provision of other local authority support in the authority’s area.”
- 16 Page 36, line 43, at end insert—
- ““other local authority support” has the same meaning as in section 55.”

Clause 62

- 17 Page 39, line 18, after “person” insert “—
- (a) is, or is at risk of being, a victim of domestic abuse;
 - (b) ”

Clause 63

- 18 Page 41, line 20, after “conviction” insert “by or”
- 19 Page 41, line 24, at end insert “, including—
- (i) in the case of proceedings in respect of a service offence, anything that under section 376(1) and (2) of the Armed Forces Act 2006 (which relates to summary hearings and the Summary Appeal Court) is to be treated as a conviction for the purposes of that Act, and
 - (ii) in the case of any other service disciplinary proceedings, a finding of guilt in those proceedings;”
- 20 Page 41, line 32, leave out from “offence” to “(except” in line 33
- 21 Page 41, line 34, leave out “that Act” and insert “the Armed Forces Act 2006”
- 22 Page 41, line 41, at end insert—
- ““service offence” means—
- (a) a service offence within the meaning of the Armed Forces Act 2006, or

- (b) an SDA offence within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059);”

23 Page 42, line 1, leave out “80” and insert “82”

Clause 64

24 Page 46, line 39, at end insert –

“85EA Prohibition of cross-examination in person: victims of offences

- (1) In civil proceedings, no party to the proceedings who has been convicted of, or given a caution for, a specified offence may cross-examine in person a witness who is the victim of that offence.
- (2) In civil proceedings, no party to the proceedings who is the victim of a specified offence may cross-examine in person a witness who has been convicted of, or given a caution for, that offence.
- (3) Subsections (1) and (2) do not apply to a conviction or caution that is spent for the purposes of the Rehabilitation of Offenders Act 1974, unless evidence in relation to the conviction or caution is admissible in, or may be required in, the proceedings by virtue of section 7(2), (3) or (4) of that Act.
- (4) Cross-examination in breach of subsection (1) or (2) does not affect the validity of a decision of the court in the proceedings if the court was not aware of the conviction or caution when the cross-examination took place.
- (5) In this section –
 - “caution” means –
 - (a) in the case of England and Wales –
 - (i) a conditional caution given under section 22 of the Criminal Justice Act 2003,
 - (ii) a youth conditional caution given under section 66A of the Crime and Disorder Act 1998, or
 - (iii) any other caution given to a person in England and Wales in respect of an offence which, at the time the caution is given, the person has admitted;
 - (b) in the case of Scotland, anything corresponding to a caution falling within paragraph (a) (however described) which is given to a person in respect of an offence under the law of Scotland;
 - (c) in the case of Northern Ireland –
 - (i) a conditional caution given under section 71 of the Justice Act (Northern Ireland) 2011, or
 - (ii) any other caution given to a person in Northern Ireland in respect of an offence which, at the time the caution is given, the person has admitted;

“conviction” means –

- (a) a conviction by or before a court in England and Wales, Scotland or Northern Ireland;
- (b) a conviction in service disciplinary proceedings (in England and Wales, Scotland, Northern Ireland, or elsewhere), including –
 - (i) in the case of proceedings in respect of a service offence, anything that under section 376(1) and (2) of the Armed Forces Act 2006 (which relates to summary hearings and the Summary Appeal Court) is to be treated as a conviction for the purposes of that Act, and
 - (ii) in the case of any other service disciplinary proceedings, a finding of guilt in those proceedings;
- (c) a finding in any criminal proceedings (including a finding linked with a finding of insanity) that the person concerned has committed an offence or done the act or made the omission charged;

and “convicted” is to be read accordingly;

“service disciplinary proceedings” means –

- (a) any proceedings (whether or not before a court) in respect of a service offence (except proceedings before a civilian court within the meaning of the Armed Forces Act 2006);
- (b) any proceedings under the Army Act 1955, the Air Force Act 1955, or the Naval Discipline Act 1957 (whether before a court-martial or before any other court or person authorised under any of those Acts to award a punishment in respect of an offence);
- (c) any proceedings before a Standing Civilian Court established under the Armed Forces Act 1976;

“service offence” means –

- (a) a service offence within the meaning of the Armed Forces Act 2006, or
- (b) an SDA offence within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059);

“specified offence” means an offence which is specified, or of a description specified, in regulations made by the Lord Chancellor.

- (6) The following provisions (which deem a conviction of a person discharged not to be a conviction) do not apply for the purposes of this section to a conviction of a person for an offence in respect of which an order has been made discharging the person absolutely or conditionally –
 - (a) section 14 of the Powers of Criminal Courts (Sentencing) Act 2000;
 - (b) section 82 of the Sentencing Code;
 - (c) section 187 of the Armed Forces Act 2006 or any corresponding earlier enactment.
- (7) For the purposes of this section “offence” includes an offence under a law that is no longer in force.

85EB Prohibition of cross-examination in person: persons protected by injunctions etc

- (1) In civil proceedings, no party to the proceedings against whom an on-notice protective injunction is in force may cross-examine in person a witness who is protected by the injunction.
- (2) In civil proceedings, no party to the proceedings who is protected by an on-notice protective injunction may cross-examine in person a witness against whom the injunction is in force.
- (3) Cross-examination in breach of subsection (1) or (2) does not affect the validity of a decision of the court in the proceedings if the court was not aware of the protective injunction when the cross-examination took place.
- (4) In this section “protective injunction” means an order, injunction or interdict specified, or of a description specified, in regulations made by the Lord Chancellor.
- (5) For the purposes of this section, a protective injunction is an “on-notice” protective injunction if –
 - (a) the court is satisfied that there has been a hearing at which the person against whom the protective injunction is in force asked, or could have asked, for the injunction to be set aside or varied, or
 - (b) the protective injunction was made at a hearing of which the court is satisfied that both the person who applied for it and the person against whom it is in force had notice.

85EC Prohibition of cross-examination in person: evidence of domestic abuse

- (1) In civil proceedings, where specified evidence is adduced that a person who is a witness has been the victim of domestic abuse carried out by a party to the proceedings, that party to the proceedings may not cross-examine the witness in person.
- (2) In civil proceedings, where specified evidence is adduced that a person who is a party to the proceedings has been the victim of domestic abuse carried out by a witness, that party may not cross-examine the witness in person.
- (3) In this section –

“domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021;

“specified evidence” means evidence specified, or of a description specified, in regulations made by the Lord Chancellor.

- (4) Regulations under subsection (3) may provide that any evidence which satisfies the court that domestic abuse, or domestic abuse of a specified description, has occurred is specified evidence for the purposes of this section.”

25 Page 46, line 43, after “if” insert “–

- (a) none of sections 85EA to 85EC operates to prevent the party from cross-examining the witness, and
(b) ”

26 Page 47, line 29, at end insert –

- “(ca) any charge of which the court is aware in respect of a specified offence alleged to have been committed by the party in relation to the witness;
(cb) any charge of which the court is aware in respect of a specified offence alleged to have been committed by the witness in relation to the party;”

27 Page 47, leave out lines 30 to 33

28 Page 47, line 45, at end insert –

- “() In subsection (5)(ca) and (cb) “specified offence” means an offence that is a specified offence for the purposes of section 85EA.”

29 Page 48, line 28, leave out “a direction under section” and insert “any of sections 85EA to”

30 Page 49, leave out lines 36 and 37

31 Page 50, line 5, at end insert –

“85K Regulations under Part 7A

Regulations under this Part may make different provision for different purposes.””

After Clause 64

32 Insert the following new Clause –

“Orders under section 91(14) of the Children Act 1989

Orders under section 91(14) of the Children Act 1989

- (1) The Children Act 1989 is amended as follows.
(2) In section 91 (effect and duration of orders etc.), at the end of subsection (14) insert –
“For further provision about orders under this subsection, see section 91A (section 91(14) orders: further provision).”

- (3) After section 91 insert –

“91A Section 91(14) orders: further provision

- (1) This section makes further provision about orders under section 91(14) (referred to in this section as “section 91(14) orders”).
- (2) The circumstances in which the court may make a section 91(14) order include, among others, where the court is satisfied that the making of an application for an order under this Act of a specified kind by any person who is to be named in the section 91(14) order would put –
 - (a) the child concerned, or
 - (b) another individual (“the relevant individual”),
 at risk of harm.
- (3) In the case of a child or other individual who has reached the age of eighteen, the reference in subsection (2) to “harm” is to be read as a reference to ill-treatment or the impairment of physical or mental health.
- (4) Where a person who is named in a section 91(14) order applies for leave to make an application of a specified kind, the court must, in determining whether to grant leave, consider whether there has been a material change of circumstances since the order was made.
- (5) A section 91(14) order may be made by the court –
 - (a) on an application made –
 - (i) by the relevant individual;
 - (ii) by or on behalf of the child concerned;
 - (iii) by any other person who is a party to the application being disposed of by the court;
 - (b) of its own motion.
- (6) In this section, “the child concerned” means the child referred to in section 91(14).”

33

Insert the following new Clause –

“Training

- (1) The Secretary of State shall within six months of the passing of this Act publish –
 - (a) a strategy for providing specialist training for all magistrates and judges hearing cases in family proceedings in the Family Courts concerning rape, sexual and domestic abuse and coercive control; and
 - (b) a timetable for the delivery of the training mentioned in paragraph (a), to include the training of all judges and magistrates who are already hearing or who are to be appointed to hear Family cases and to include continuing professional development training for all such judges and magistrates.
- (2) The training mentioned in subsection (1)(a) must include but is not limited to training concerning –
 - (a) the impact upon victims and witnesses, both adults and children, of the trauma of rape, sexual and domestic abuse and coercive control;

- (b) the risks and difficulties for victims and witnesses in giving evidence and taking part in proceedings concerning rape, sexual, domestic abuse and coercive control; and
 - (c) the risks and difficulties for victims and witnesses of being involved in proceedings where one or more other parties may be the perpetrators of rape, sexual and domestic abuse and coercive control or persons connected to such perpetrators.
- (3) Before publishing the strategy and timetable mentioned in subsection (1) the Secretary of State must consult –
- (a) the Chairman of the Board of the Judicial College;
 - (b) the President of the Family Division;
 - (c) the Chief Executive of the Magistrates Association; and
 - (d) the Domestic Abuse Commissioner.
- (4) After commencement of this subsection, which shall not be more than two years after the passing of this Act, the Secretary of State shall ensure that no Family cases are heard by judges or magistrates who have not successfully completed the training mentioned in subsection (1).”

Before Clause 65

34 Insert the following new Clause –

“Controlling or coercive behaviour

Controlling or coercive behaviour in an intimate or family relationship

- (1) Section 76 of the Serious Crime Act 2015 (offence of controlling or coercive behaviour in an intimate or family relationship) is amended as follows.
- (2) In subsection (1)(b), after “personally connected” insert “(see subsection (6))”.
- (3) Omit subsection (2).
- (4) For subsection (6) substitute –
 - “(6) A and B are “personally connected” if any of the following applies –
 - (a) they are, or have been, married to each other;
 - (b) they are, or have been, civil partners of each other;
 - (c) they have agreed to marry one another (whether or not the agreement has been terminated);
 - (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
 - (e) they are, or have been, in an intimate personal relationship with each other;
 - (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (6A));
 - (g) they are relatives.
 - (6A) For the purposes of subsection (6)(f) a person has a parental relationship in relation to a child if –
 - (a) the person is a parent of the child, or

(b) the person has parental responsibility for the child.”

(5) In subsection (7), for “subsection (6)” substitute “subsections (6) and (6A)”.

35

Insert the following new Clause –

“Disclosure of private sexual photographs and films

Threats to disclose private sexual photographs and films with intent to cause distress

- (1) Section 33 of the Criminal Justice and Courts Act 2015 (disclosing private sexual photographs and films with intent to cause distress) is amended as follows.
- (2) In the heading, after “Disclosing” insert “, or threatening to disclose,”.
- (3) For subsection (1) substitute –
 - “(1) A person commits an offence if –
 - (a) the person discloses, or threatens to disclose, a private sexual photograph or film in which another individual (“the relevant individual”) appears,
 - (b) by so doing, the person intends to cause distress to that individual, and
 - (c) the disclosure is, or would be, made without the consent of that individual.”
- (4) In subsection (2) –
 - (a) after “disclose” insert “, or threaten to disclose,”;
 - (b) for “the individual mentioned in subsection (1)(a) and (b)” substitute “the relevant individual”.
- (5) After subsection (2) insert –

“(2A) Where a person is charged with an offence under this section of threatening to disclose a private sexual photograph or film, it is not necessary for the prosecution to prove –
 - (a) that the photograph or film referred to in the threat exists, or
 - (b) if it does exist, that it is in fact a private sexual photograph or film.”
- (6) In subsection (4)(a), after “disclosure” insert “, or threat to disclose,”.
- (7) In subsection (5) –
 - (a) in paragraph (a), for “the individual mentioned in subsection (1)(a) and (b)” substitute “the relevant individual”;
 - (b) in paragraph (b), for “the individual mentioned in subsection (1)(a) and (b)” substitute “the relevant individual”.
- (8) For subsection (8) substitute –

“(8) A person charged with an offence under this section is not to be taken to have intended to cause distress by disclosing, or threatening to disclose, a photograph or film merely because that was a natural and probable consequence of the disclosure or threat.”

- (9) In section 35 of that Act (meaning of “private” and “sexual”), in subsection (5)(c), for “the person mentioned in section 33(1)(a) and (b)” substitute “the relevant individual (within the meaning of section 33)”.
- (10) In Schedule 8 to that Act (disclosing private sexual photographs or films: providers of information society services) –
- (a) in the heading, after “Disclosing” insert “, or threatening to disclose,”;
 - (b) in paragraph 5 (exception for hosting) –
 - (i) in sub-paragraph (1), after “sub-paragraph (2)” insert “, (2A)”;
 - (ii) in sub-paragraph (2), in the words before paragraph (a), after “if” insert “, in the case of information which consists of or includes a private sexual photograph or film,”;
 - (iii) after sub-paragraph (2) insert –

“(2A) This sub-paragraph is satisfied if, in the case of information which consists of or includes a threat to disclose a private sexual photograph or film, the service provider had no actual knowledge when the information was provided –

 - (a) that it consisted of or included a threat to disclose a private sexual photograph or film in which another individual appears,
 - (b) that the threat was made with the intention of causing distress to that individual, or
 - (c) that the disclosure would be made without the consent of that individual.”

36 Insert the following new Clause –

“Strangulation or suffocation

- (1) In Part 5 of the Serious Crime Act 2015 (protection of children and others), after section 75 insert –

“Strangulation or suffocation

75A Strangulation or suffocation

- (1) A person (“A”) commits an offence if –
- (a) A intentionally strangles another person (“B”), or
 - (b) A does any other act to B that –
 - (i) affects B’s ability to breathe, and
 - (ii) constitutes battery of B.
- (2) It is a defence to an offence under this section for A to show that B consented to the strangulation or other act.
- (3) But subsection (2) does not apply if –
- (a) B suffers serious harm as a result of the strangulation or other act, and
 - (b) A either –
 - (i) intended to cause B serious harm, or

- (ii) was reckless as to whether B would suffer serious harm.
- (4) A is to be taken to have shown the fact mentioned in subsection (2) if—
 - (a) sufficient evidence of the fact is adduced to raise an issue with respect to it, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (5) A person guilty of an offence under this section is liable—
 - (a) on summary conviction—
 - (i) to imprisonment for a term not exceeding 12 months (or 6 months, if the offence was committed before the coming into force of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020), or
 - (ii) to a fine,or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine, or both.
- (6) In this section “serious harm” means—
 - (a) grievous bodily harm, within the meaning of section 18 of the Offences Against the Person Act 1861,
 - (b) wounding, within the meaning of that section, or
 - (c) actual bodily harm, within the meaning of section 47 of that Act.

75B Offences under section 75A committed outside the United Kingdom

- (1) If—
 - (a) a person does an act in a country outside the United Kingdom,
 - (b) the act, if done in England and Wales, would constitute an offence under section 75A, and
 - (c) the person is a United Kingdom national or is habitually resident in England and Wales,the person is guilty in England and Wales of that offence.
- (2) In this section—
 - “country” includes territory;
 - “United Kingdom national” means an individual who is—
 - (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen,
 - (b) a person who under the British Nationality Act 1981 is a British subject, or
 - (c) a British protected person within the meaning of that Act.”
- (2) Schedule (*Strangulation or suffocation: consequential amendments*) contains consequential amendments.”

Before Clause 69

37 Insert the following new Clause –

“Reasonable force in domestic abuse cases

- (1) Section 76 of the Criminal Justice and Immigration Act 2008 (reasonable force for purposes of self-defence etc.) is amended as follows.
- (2) In subsection (5A) after “In a householder case” insert “or a domestic abuse case”.
- (3) In subsection (6) after “In a case other than a householder case” insert “or a domestic abuse case”.
- (4) After subsection (8F) insert –
 - “(8G) For the purposes of this section “a domestic abuse case” is a case where –
 - (a) the defence concerned is the common law defence of self-defence,
 - (b) D is, or has been, a victim of domestic abuse, and
 - (c) the force concerned is force used by D against the person who has perpetrated the abusive behaviour referred to in paragraph (b).
 - (8H) Subsection (8G)(b) will only be established if the behaviour concerned is, or is part of, a history of conduct which constitutes domestic abuse as defined in sections 1 and 2 of the Domestic Abuse Act 2021, including but not limited to conduct which constitutes the offence of controlling or coercive behaviour in an intimate or family relationship as defined in section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship).”
- (5) In subsection (9) after “householder cases” insert “and domestic abuse cases”.

38 Insert the following new Clause –

“Defence for victims of domestic abuse who commit an offence

- (1) A person is not guilty of an offence if –
 - (a) the person is aged 18 or over when the person does the act which constitutes the offence,
 - (b) the person does that act because the person is compelled to do it,
 - (c) the compulsion is attributable to their being a victim of domestic abuse, and
 - (d) a reasonable person in the same situation as the person and having the person’s relevant characteristics would have no realistic alternative to doing that act.
- (2) A person may be compelled to do something by another person or by the person’s circumstances.

- (3) Compulsion is attributable to domestic abuse only if—
 - (a) it is, or is part of, conduct which constitutes domestic abuse as defined in sections 1 and 2 of this Act, including but not limited to conduct which constitutes the offence of controlling or coercive behaviour in an intimate or family relationship as defined in section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship), or
 - (b) it is a direct consequence of a person being, or having been, a victim of such abuse.
- (4) A person is not guilty of an offence if—
 - (a) the person is under the age of 18 when the person does the act which constitutes the offence,
 - (b) the person does that act as a direct consequence of the person being, or having been, a victim of domestic abuse as defined at subsection (3)(a) above, and
 - (c) a reasonable person in the same situation as the person and having the person’s relevant characteristics would do that act.
- (5) For the purposes of this section “relevant characteristics” means age, sex, any physical or mental illness or disability and any experience of domestic abuse.
- (6) In this section references to an act include an omission.
- (7) Subsections (1) and (4) do not apply to an offence listed in Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*).
- (8) The Secretary of State may by regulations amend Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*).
- (9) The Secretary of State must make arrangements for monitoring of the types of offence for which victims of domestic abuse are prosecuted and use this evidence to inform an annual review of the offences listed in Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*) and any amendment to Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*).

After Clause 72

39 Insert the following new Clause—

“Medical evidence of domestic abuse

Prohibition on charging for the provision of medical evidence of domestic abuse

- (1) No person may charge a fee or any other remuneration for the preparation or provision of relevant evidence relating to an assessment of an individual carried out by a relevant health professional in England or Wales under a qualifying medical services contract.
- (2) No person may charge a fee or any other remuneration for the preparation or provision of relevant evidence relating to an individual by a relevant health professional in England or Wales if the services provided by the relevant health professional are wholly or mainly services provided under a qualifying medical services contract.

- (3) In this section “relevant evidence”, in relation to an individual, means –
- (a) evidence that the individual is, or is at risk of being, a victim of domestic abuse which is intended to support an application by the individual for civil legal services, or
 - (b) any other evidence that the individual is, or is at risk of being, a victim of domestic abuse which is of a description specified in regulations made by the Secretary of State.
- (4) In this section “relevant health professional” means –
- (a) a medical practitioner licensed to practise by the General Medical Council;
 - (b) a health professional registered to practise in the United Kingdom by the Nursing and Midwifery Council;
 - (c) a paramedic registered to practise in the United Kingdom by the Health and Care Professions Council.
- (5) In this section “qualifying medical services contract” means –
- (a) in relation to England –
 - (i) a general medical services contract made under section 84(2) of the National Health Service Act 2006;
 - (ii) any contractual arrangements made under section 83(2) of that Act;
 - (iii) an agreement made under section 92 of that Act;
 - (b) in relation to Wales –
 - (i) a general medical services contract made under section 42(2) of the National Health Service (Wales) Act 2006;
 - (ii) any contractual arrangements made under section 41(2)(b) of that Act;
 - (iii) an agreement made under section 50 of that Act.
- (6) The appropriate national authority may by regulations amend the definition of –
- (a) “relevant health professional”;
 - (b) “qualifying medical services contract”.
- (7) In this section –
- “appropriate national authority” means –
- (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers;
- “assessment” includes a consultation, whether in person or otherwise;
- “civil legal services” has the meaning given by section 8 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- (8) Subsections (1) and (2) do not apply in relation to anything done by a relevant health professional before the coming into force of this section.”

40

Insert the following new Clause –

“Victims of domestic abuse: data-sharing for immigration purposes

- (1) The Secretary of State must make arrangements to ensure that personal data of a victim of domestic abuse in the United Kingdom that is processed for the purpose of that person requesting or receiving support or assistance related to domestic abuse is not used for any immigration control purpose.

- (2) The Secretary of State must make arrangements to ensure that the personal data of a witness to domestic abuse in the United Kingdom that is processed for the purpose of that person giving information or evidence to assist the investigation or prosecution of that abuse, or to assist the victim of that abuse in any legal proceedings, is not used for any immigration control purpose.
- (3) Paragraph 4 of Schedule 2 to the Data Protection Act 2018 shall not apply to the personal data to which subsection (1) or (2) applies.
- (4) For the purposes of this section, the Secretary of State must issue guidance to—
 - (a) persons from whom support or assistance may be requested or received by a victim of domestic abuse in the United Kingdom;
 - (b) persons exercising any function of the Secretary of State in relation to immigration, asylum or nationality; and
 - (c) persons exercising any function conferred by or by virtue of the Immigration Acts on an immigration officer.
- (5) For the purposes of this section—
 - “immigration control purpose” means any purpose of the functions to which subsection (4)(b) and (c) refers;
 - “support or assistance” includes the provision of accommodation, banking services, education, employment, financial or social assistance, healthcare and policing services; and any function of a court or prosecuting authority;
 - “victim” includes any dependent of a person, at whom the domestic abuse is directed, where that dependent is affected by that abuse.”

41 Insert the following new Clause—

“Victims of domestic abuse: leave to remain and the destitution domestic violence concession (DDVC)

- (1) The Secretary of State must, within three months of this Act being passed, lay before Parliament a statement of changes in rules made under section 3(2) of the Immigration Act 1971 (“the immigration rules”) to make provision for any person subject to immigration control who is a victim of domestic abuse in the United Kingdom to have a route to apply for leave to remain.
- (2) The statement laid under subsection (1) must—
 - (a) set out rules for applying for indefinite leave to remain by any person subject to immigration control who is a victim of domestic abuse in the United Kingdom; and
 - (b) provide for those rules to be commenced no later than one month after the laying of the statement.
- (3) The Secretary of State must make provision for granting limited leave to remain for a period of no less than six months to any person eligible to make an application under the immigration rules for the purposes of subsection (2); such leave must include no condition under section 3(1)(c)(i), (ia), (ii) or (v) of the Immigration Act 1971.
- (4) The Secretary of State must make provision for extending limited leave to remain granted in accordance with subsection (3) to ensure that leave continues throughout the period during which an application made under the immigration rules for the purposes of subsection (2) remains pending.

- (5) Where subsection (6) applies, notwithstanding any statutory or other provision, no services shall be withheld from a victim of domestic abuse solely by reason of that person not having leave to remain or having leave to remain subject to a condition under section 3(1)(c) of the Immigration Act 1971.
- (6) This subsection applies where a provider of services is satisfied that the victim of domestic abuse is eligible to make an application to which subsection (3) refers.
- (7) The Secretary of State must, for the purposes of subsection (5), issue guidance to providers of services about the assessment of eligibility to make an application to which subsection (3) refers.
- (8) In this section –
 - (a) an application is pending during the period –
 - (i) beginning when it is made,
 - (ii) ending when it is finally decided, withdrawn or abandoned;
 - (b) an application is not finally decided while an application for review or appeal could be made within the period permitted for either or while any such review or appeal remains pending (meaning that review or appeal has not been finally decided, withdrawn or abandoned);
 - (c) “person subject to immigration control” means a person in the United Kingdom who does not have the right of abode;
 - (d) “provider of services” includes both public and private bodies;
 - (e) “services” includes accommodation, education, employment, financial assistance, healthcare and any service provided exclusively or particularly to survivors of domestic abuse.”

42

Insert the following new Clause –

“Monitoring of serial and serious harm domestic abuse and stalking perpetrators under Multi-Agency Public Protection Arrangements

- (1) The Criminal Justice Act 2003 is amended as follows.
- (2) In section 325 (arrangements for assessing etc risk posed by certain offenders) –
 - (a) in subsection (1), after ““relevant sexual or violent offender” has the meaning given by section 327;” insert ““relevant domestic abuse or stalking perpetrator” has the meaning given in section 327ZA;”;
 - (b) in subsection (2), after paragraph (a) insert –
 - “(aa) relevant domestic abuse or stalking perpetrators,”.
- (3) After section 327 (section 325: interpretation) insert –

“327ZA Section 325: interpretation of relevant domestic abuse or stalking perpetrator

 - (1) For the purposes of section 325, a person (“P”) is a “relevant domestic abuse or stalking perpetrator” if P has been convicted of a specified offence and meets either the condition in subsection (2)(a) or the condition in subsection (2)(b).
 - (2) For the purposes of subsection (1), the conditions are –
 - (a) P is a relevant serial offender; or

- (b) a risk of serious harm assessment has identified P as presenting a high or very high risk of serious harm.
- (3) An offence is a “specified offence” for the purposes of this section if it is a specified domestic abuse offence or a specified stalking offence.
- (4) In this section –
- “relevant serial offender” means a person convicted on more than one occasion for the same specified offence, or a person convicted of more than one specified offence;
- “specified domestic abuse offence” means an offence where it is alleged that the behaviour of the accused amounted to domestic abuse within the meaning defined in section 1 of the Domestic Abuse Act 2021;
- “specified stalking offence” means an offence contrary to section 2A or section 4A of the Protection from Harassment Act 1997.
- (5) Within 12 months of the Domestic Abuse Act 2021 being passed the Secretary of State must commission a review into the operation of the provisions of this section.
- (6) The Secretary of State must lay before Parliament a report setting out the findings of the review under subsection (5) which must include a comprehensive prevention and perpetrator strategy for domestic abusers and stalkers for the purposes of –
- (a) improving the early identification, assessment and management of perpetrators;
 - (b) increasing the number of rehabilitation programmes;
 - (c) increasing specialist work to tackle abusive attitudes and behaviour; and
 - (d) ensuring a co-ordinated approach to data collection and management of perpetrators across England and Wales.”

43 Insert the following new Clause –

“Effective protection and support for all victims of domestic abuse

- (1) The Secretary of State must take steps to ensure that all victims of domestic abuse, irrespective of their status, receive –
- (a) equally effective protection against domestic abuse, and
 - (b) equally effective support.
- (2) In this section –
- “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 violence and any combined forms of such status;
- “victims of domestic abuse” includes persons who are reasonably believed to be at risk of domestic abuse.”

Clause 73

44 Page 57, line 41, at end insert –

“() section (*Controlling or coercive behaviour in an intimate or family relationship*),”

- 45 Page 57, line 41, at end insert –
“() section (*Strangulation or suffocation*),”
- 46 Page 57, line 43, at end insert “, or
() section (*Prohibition on charging for the provision of medical evidence of domestic abuse*) so far as relating to England;”
- 47 Page 57, line 44, leave out “in England and Wales” and insert “ –
(i) in England, and
(ii) so far as not relating to Welsh devolved matters, in Wales.”
- 48 Page 58, line 28, at end insert –
“() For the purposes of this section something relates to Welsh devolved matters so far as it relates to –
(a) any matter provision about which would be within the legislative competence of Senedd Cymru if it were contained in an Act of Senedd Cymru, or
(b) (so far as it is not within paragraph (a)), any matter functions with respect to which are exercisable by the Welsh Ministers, the First Minister for Wales, the Counsel General to the Welsh Government or the Senedd Commission.”

Clause 74

- 49 Page 58, line 34, after “section” insert “(*Controlling or coercive behaviour in an intimate or family relationship*) or”
- 50 Page 58, line 34, after “section” insert “(*Threats to disclose private sexual photographs and films with intent to cause distress*) or”
- 51 Page 58, line 34, after “section” insert “(*Strangulation or suffocation*) or”
- 52 Page 58, line 36, at end insert –
“(1A) The appropriate national authority may by regulations make provision that is consequential on any provision made by or under section (*Prohibition on charging for the provision of medical evidence of domestic abuse*).
(1B) In subsection (1A) “the appropriate national authority” means –
(a) in relation to England, the Secretary of State;
(b) in relation to Wales, the Welsh Ministers.”
- 53 Page 58, line 37, after “power” insert “of the Secretary of State”
- 54 Page 58, line 40, at end insert –
“(3) The power of the Welsh Ministers to make regulations under this section may, in particular, be exercised by amending, repealing, revoking or otherwise modifying any provision made by or under primary legislation passed or made before, or in the same session of Parliament as, this Act.
(4) In subsection (3) “primary legislation” means –
(a) an Act of Parliament;
(b) a Measure or Act of the National Assembly for Wales or an Act of Senedd Cymru.”

Clause 75

- 55 Page 59, line 6, after “section” insert “(Controlling or coercive behaviour in an intimate or family relationship) or”
- 56 Page 59, line 6, after “section” insert “(Threats to disclose private sexual photographs and films with intent to cause distress) or”
- 57 Page 59, line 6, after “section” insert “(Strangulation or suffocation) or”
- 58 Page 59, line 8, at end insert –
- “(1A) The appropriate national authority may by regulations make such transitional or saving provision as the authority considers appropriate in connection with the coming into force of section (Prohibition on charging for the provision of medical evidence of domestic abuse).
- (1B) In subsection (1A) “the appropriate national authority” means –
- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers.”
- 59 Page 59, line 14, after “(1)” insert “, (1A)”

Clause 76

- 60 Page 59, line 19, leave out “or Lord Chancellor” and insert “, the Lord Chancellor or the Welsh Ministers”
- 61 Page 59, line 36, after “section” insert “(Duty to report on domestic abuse services in England)(4),”
- 62 Page 59, line 38, leave out “or” and insert –
- “() regulations of the Secretary of State under section (Prohibition on charging for the provision of medical evidence of domestic abuse)(6), or”
- 63 Page 59, line 39, after “regulations” insert “of the Secretary of State”
- 64 Page 59, line 41, at end insert –
- “(7) A statutory instrument containing regulations made by the Welsh Ministers under this Act is subject to annulment in pursuance of a resolution made by Senedd Cymru, unless the instrument –
- (a) is required by subsection (8) or any other enactment to be laid before, and approved by a resolution of, Senedd Cymru, or
- (b) contains only regulations under section 75.
- (8) A statutory instrument that contains (with or without other provisions) –
- (a) regulations of the Welsh Ministers under section (Prohibition on charging for the provision of medical evidence of domestic abuse)(6), or
- (b) regulations of the Welsh Ministers under section 74 that amend or repeal primary legislation (within the meaning of section 74(4)),
- may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.”

Clause 78

- 65 Page 60, line 9, after “3” insert “or Schedule (Strangulation or suffocation: consequential amendments)”

66 Page 60, line 9, after “extent” insert “within the United Kingdom”

Clause 79

67 Page 60, line 35, after “Sections” insert “(*Threats to disclose private sexual photographs and films with intent to cause distress*),”

68 Page 60, line 41, at end insert –

“() Section (*Prohibition on charging for the provision of medical evidence of domestic abuse*) comes into force on 1 October 2021.”

After Schedule 1

69 Insert the following new Schedule –

“SCHEDULE

STRANGULATION OR SUFFOCATION: CONSEQUENTIAL AMENDMENTS

Police and Criminal Evidence Act 1984

1 In section 65A of the Police and Criminal Evidence Act 1984 (qualifying offences for the purposes of Part 5 of that Act), in subsection (2), after paragraph (r) insert –

“(ra) an offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Housing Act 1985

2 In Schedule 2A to the Housing Act 1985 (absolute ground for possession for anti-social behaviour: serious offences), after paragraph 14 insert –

“14A An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Criminal Justice and Public Order Act 1994

3 In Part 1 of Schedule 7A to the Criminal Justice and Public Order Act 1994 (offences in England and Wales for which cross-border powers of arrest available), for paragraph 24 substitute –

“24 An offence under either of the following provisions of the Serious Crime Act 2015 –
 (a) section 45 (participating in activities of organised crime group);
 (b) section 75A (strangulation or suffocation).”

Crime and Disorder Act 1998

4 (1) Section 29 of the Crime and Disorder Act 1998 (racially or religiously aggravated assaults) is amended as follows.

(2) In subsection (1), after paragraph (b) (but before the “or” following it) insert –

“(ba) an offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation);”.

- (3) In subsection (2), for “or (b)” substitute “, (b) or (ba)”.

Youth Justice and Criminal Evidence Act 1999

- 5 (1) Schedule 1A to the Youth Justice and Criminal Evidence Act 1999 (proceedings in which witnesses are automatically eligible for assistance on grounds of fear or distress about testifying) is amended as follows.
- (2) After paragraph 29 insert –

“Serious Crime Act 2015

- 29A An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation) in a case where it is alleged that –
- (a) the accused was carrying a firearm or knife at any time during the commission of the offence, and
 - (b) a person other than the accused knew or believed at any time during the commission of the offence that the accused was carrying a firearm or knife.”

- (3) In paragraph 30, after “paragraphs 1 to 8” insert “or 29A”.

Sexual Offences Act 2003

- 6 In Schedule 5 to the Sexual Offences Act 2003 (cases where sexual harm prevention orders may be made), after paragraph 63B insert –
- “63C An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Criminal Justice Act 2003

- 7 In Part 1 of Schedule 15 to the Criminal Justice Act 2003 (violent offences specified for purposes of certain custodial sentences), before paragraph 63G insert –
- “63FA An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Domestic Violence, Crime and Victims Act 2004

- 8 In section 6A of the Domestic Violence, Crime and Victims Act 2004 (evidence and procedure in cases of serious physical harm: England and Wales), in subsection (2), at the end insert –
- “(c) an offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Children Act 2004

- 9 In section 58 of the Children Act 2004 (reasonable punishment: England), in subsection (2), after paragraph (c) insert –
- “(d) an offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Criminal Justice and Immigration Act 2008

- 10 In section 98 of the Criminal Justice and Immigration Act 2008 (violent offender orders), in subsection (3), after paragraph (d) insert –
- “(da) an offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation);”.

Modern Slavery Act 2015

- 11 In Schedule 4 to the Modern Slavery Act 2015 (offences to which defence for slavery or trafficking victims under section 45 of that Act does not apply), after paragraph 35 insert –

“Serious Crime Act 2015

- 35A An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Sentencing Act 2020

- 12 (1) The Sentencing Act 2020 is amended as follows.
- (2) In section 67 (assaults on emergency workers), in subsection (3), after paragraph (a) insert –
- “(aa) an offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation);”.
- (3) In Part 1 of Schedule 18 (violent offences for which extended sentence of imprisonment available), after paragraph 25 insert –

“Serious Crime Act 2015

- 25A An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).”

Schedule 2

- 70 Page 64, line 37, leave out from beginning to end of line 10 on page 65
- 71 Page 65, leave out lines 12 and 13
- 72 Page 65, line 21, leave out from “Wales,” to “an” in line 22 and insert “subsections (1) and (2) of section 72 also apply to”
- 73 Page 66, line 17, at end insert –
- “(2AA) For the purposes of subsection (2A)(a), an act punishable under the law in force in the country is an offence under that law however it is described in that law.
- (2AB) The condition specified in subsection (2A)(a) is to be taken as satisfied unless, not later than such time as may be prescribed by Act of Adjournal, the accused serves on the prosecutor a notice –
- (a) stating that, on the facts as alleged with respect to the act in question, the condition is not in the accused’s opinion satisfied,
- (b) setting out the grounds for the accused’s opinion, and
- (c) requiring the prosecutor to prove that the condition is satisfied.

(2AC) But the court, if it thinks fit, may permit the accused to require the prosecutor to prove that the condition is satisfied without the prior service of a notice under subsection (2AB).

(2AD) In proceedings on indictment, the question whether the condition is satisfied is to be determined by the judge alone.”

74 Page 66, line 18, leave out “(2A)” and insert “(2AA)”

75 Page 66, line 35, leave out “or is habitually resident in Scotland”

76 Page 66, leave out lines 38 and 39

77 Page 66, line 42, at end insert –

“(1A) If–

- (a) a person who is habitually resident in Scotland does an act in a country outside the United Kingdom,
- (b) the act constitutes an offence under the law in force in that country, and
- (c) the act, if done in Scotland, would constitute an offence to which this subsection applies,

then the person commits that offence.”

78 Page 67, line 1, leave out “subsection (1) applies” and insert “subsections (1) and (1A) apply”

79 Page 67, line 3, at end insert –

“(2A) For the purposes of subsection (1A)(b), an act punishable under the law in force in the country is an offence under that law however it is described in that law.

(2B) The condition specified in subsection (1A)(b) is to be taken as satisfied unless, not later than such time as may be prescribed by Act of Adjournal, the accused serves on the prosecutor a notice –

- (a) stating that, on the facts as alleged with respect to the act in question, the condition is not in the accused’s opinion satisfied,
- (b) setting out the grounds for the accused’s opinion, and
- (c) requiring the prosecutor to prove that the condition is satisfied.

(2C) But the court, if it thinks fit, may permit the accused to require the prosecutor to prove that the condition is satisfied without the prior service of a notice under subsection (2B).

(2D) In proceedings on indictment, the question whether the condition is satisfied is to be determined by the judge alone.”

80 Page 69, leave out lines 5 to 15

81 Page 69, leave out lines 17 and 18

82 Page 69, line 22, leave out from beginning to “an offence” and insert “Paragraphs (1) and (2) also apply to”

After Schedule 2

83 Insert the following new Schedule –

“OFFENCES TO WHICH THE DEFENCE FOR VICTIMS OF DOMESTIC ABUSE WHO COMMIT
AN OFFENCE DOES NOT APPLY

Common law offences

- 1 False imprisonment.
- 2 Kidnapping.
- 3 Manslaughter.
- 4 Murder.
- 5 Perverting the course of justice.
- 6 Piracy.

Offences Against the Person Act 1861

- 7 An offence under any of the following provisions of the Offences Against the Person Act 1861 –
 - (a) section 4 (soliciting murder);
 - (b) section 16 (threats to kill);
 - (c) section 18 (wounding with intent to cause grievous bodily harm);
 - (d) section 20 (malicious wounding);
 - (e) section 21 (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence);
 - (f) section 22 (using drugs etc to commit or assist in the committing of an indictable offence);
 - (g) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);
 - (h) section 27 (abandoning children);
 - (i) section 28 (causing bodily injury by explosives);
 - (j) section 29 (using explosives with intent to do grievous bodily harm);
 - (k) section 30 (placing explosives with intent to do bodily injury);
 - (l) section 31 (setting spring guns etc with intent to do grievous bodily harm);
 - (m) section 32 (endangering safety of railway passengers);
 - (n) section 35 (injuring persons by furious driving);
 - (o) section 37 (assaulting officer preserving wreck);
 - (p) section 38 (assault with intent to resist arrest).

Explosive Substances Act 1883

- 8 An offence under any of the following provisions of the Explosive Substances Act 1883 –
 - (a) section 2 (causing explosion likely to endanger life or property);
 - (b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property);

- (c) section 4 (making or possession of explosives under suspicious circumstances).

Infant Life (Preservation) Act 1929

- 9 An offence under section 1 of the Infant Life (Preservation) Act 1929 (child destruction).

Children and Young Persons Act 1933

- 10 An offence under section 1 of the Children and Young Persons Act 1933 (cruelty to children).

Public Order Act 1936

- 11 An offence under section 2 of the Public Order Act 1936 (control etc of quasi-military organisation).

Infanticide Act 1938

- 12 An offence under section 1 of the Infanticide Act 1938 (infanticide).

Firearms Act 1968

- 13 An offence under any of the following provisions of the Firearms Act 1968 –
 - (a) section 5 (possession of prohibited firearms);
 - (b) section 16 (possession of firearm with intent to endanger life);
 - (c) section 16A (possession of firearm with intent to cause fear of violence);
 - (d) section 17(1) (use of firearm to resist arrest);
 - (e) section 17(2) (possession of firearm at time of committing or being arrested for specified offence);
 - (f) section 18 (carrying firearm with criminal intent).

Theft Act 1968

- 14 An offence under any of the following provisions of the Theft Act 1968 –
 - (a) section 8 (robbery or assault with intent to rob);
 - (b) section 9 (burglary), where the offence is committed with intent to inflict grievous bodily harm on a person, or to do unlawful damage to a building or anything in it;
 - (c) section 10 (aggravated burglary);
 - (d) section 12A (aggravated vehicle-taking), where the offence involves an accident which causes the death of any person;
 - (e) section 21 (blackmail).

Criminal Damage Act 1971

- 15 The following offences under the Criminal Damage Act 1971 –
 - (a) an offence of arson under section 1;
 - (b) an offence under section 1(2) (destroying or damaging property) other than an offence of arson.

Immigration Act 1971

- 16 An offence under section 25 of the Immigration Act 1971 (assisting unlawful immigration to member State).

Customs and Excise Management Act 1979

- 17 An offence under section 170 of the Customs and Excise Management Act 1979 (penalty for fraudulent evasion of duty etc) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (indecent or obscene articles).

Taking of Hostages Act 1982

- 18 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).

Aviation Security Act 1982

- 19 An offence under any of the following provisions of the Aviation Security Act 1982 –
- (a) section 1 (hijacking);
 - (b) section 2 (destroying, damaging or endangering safety of aircraft);
 - (c) section 3 (other acts endangering or likely to endanger safety of aircraft);
 - (d) section 4 (offences in relation to certain dangerous articles).

Mental Health Act 1983

- 20 An offence under section 127 of the Mental Health Act 1983 (ill-treatment of patients).

Child Abduction Act 1984

- 21 An offence under any of the following provisions of the Child Abduction Act 1984 –
- (a) section 1 (abduction of child by parent etc);
 - (b) section 2 (abduction of child by other persons).

Public Order Act 1986

- 22 An offence under any of the following provisions of the Public Order Act 1986 –
- (a) section 1 (riot);
 - (b) section 2 (violent disorder).

Criminal Justice Act 1988

- 23 An offence under section 134 of the Criminal Justice Act 1988 (torture).

Road Traffic Act 1988

- 24 An offence under any of the following provisions of the Road Traffic Act 1988—
- (a) section 1 (causing death by dangerous driving);
 - (b) section 3A (causing death by careless driving when under the influence of drink or drugs).

Aviation and Maritime Security Act 1990

- 25 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
- (a) section 1 (endangering safety at aerodromes);
 - (b) section 9 (hijacking of ships);
 - (c) section 10 (seizing or exercising control of fixed platforms);
 - (d) section 11 (destroying fixed platforms or endangering their safety);
 - (e) section 12 (other acts endangering or likely to endanger safe navigation);
 - (f) section 13 (offences involving threats).

Channel Tunnel (Security) Order 1994 (S.I. 1994/570)

- 26 An offence under Part 2 of the Channel Tunnel (Security) Order 1994 (S.I. 1994/570) (offences relating to Channel Tunnel trains and the tunnel system).

Protection from Harassment Act 1997

- 27 An offence under any of the following provisions of the Protection from Harassment Act 1997—
- (a) section 4 (putting people in fear of violence);
 - (b) section 4A (stalking involving fear of violence or serious alarm or distress).

Crime and Disorder Act 1998

- 28 An offence under any of the following provisions of the Crime and Disorder Act 1998—
- (a) section 29 (racially or religiously aggravated assaults);
 - (b) section 31(1)(a) or (b) (racially or religiously aggravated offences under section 4 or 4A of the Public Order Act 1986).

Terrorism Act 2000

- 29 An offence under any of the following provisions of the Terrorism Act 2000—
- (a) section 54 (weapons training);
 - (b) section 56 (directing terrorist organisation);
 - (c) section 57 (possession of article for terrorist purposes);
 - (d) section 59 (inciting terrorism overseas).

International Criminal Court Act 2001

- 30 An offence under any of the following provisions of the International Criminal Court Act 2001 –
- (a) section 51 (genocide, crimes against humanity and war crimes);
 - (b) section 52 (ancillary conduct).

Anti-terrorism, Crime and Security Act 2001

- 31 An offence under any of the following provisions of the Anti-terrorism, Crime and Security Act 2001 –
- (a) section 47 (use of nuclear weapons);
 - (b) section 50 (assisting or inducing certain weapons-related acts overseas);
 - (c) section 113 (use of noxious substance or thing to cause harm or intimidate).

Female Genital Mutilation Act 2003

- 32 An offence under any of the following provisions of the Female Genital Mutilation Act 2003 –
- (a) section 1 (female genital mutilation);
 - (b) section 2 (assisting a girl to mutilate her own genitalia);
 - (c) section 3 (assisting a non-UK person to mutilate overseas a girl's genitalia).

Sexual Offences Act 2003

- 33 An offence under any of the following provisions of the Sexual Offences Act 2003 –
- (a) section 1 (rape);
 - (b) section 2 (assault by penetration);
 - (c) section 3 (sexual assault);
 - (d) section 4 (causing person to engage in sexual activity without consent);
 - (e) section 5 (rape of child under 13);
 - (f) section 6 (assault of child under 13 by penetration);
 - (g) section 7 (sexual assault of child under 13);
 - (h) section 8 (causing or inciting child under 13 to engage in sexual activity);
 - (i) section 9 (sexual activity with a child);
 - (j) section 10 (causing or inciting a child to engage in sexual activity);
 - (k) section 13 (child sex offences committed by children or young persons);
 - (l) section 14 (arranging or facilitating commission of child sex offence);
 - (m) section 15 (meeting a child following sexual grooming);
 - (n) section 16 (abuse of position of trust: sexual activity with a child);
 - (o) section 17 (abuse of position of trust: causing or inciting a child to engage in sexual activity);

- (p) section 18 (abuse of position of trust: sexual activity in presence of child);
- (q) section 19 (abuse of position of trust: causing a child to watch a sexual act);
- (r) section 25 (sexual activity with a child family member);
- (s) section 26 (inciting a child family member to engage in sexual activity);
- (t) section 30 (sexual activity with a person with a mental disorder impeding choice);
- (u) section 31 (causing or inciting a person with a mental disorder impeding choice to engage in sexual activity);
- (v) section 32 (engaging in sexual activity in the presence of a person with a mental disorder impeding choice);
- (w) section 33 (causing a person with a mental disorder impeding choice to watch a sexual act);
- (x) section 34 (inducement, threat or deception to procure sexual activity with a person with a mental disorder);
- (y) section 35 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception);
- (z) section 36 (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder);
- (aa) section 37 (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception);
- (ab) section 38 (care workers: sexual activity with a person with a mental disorder);
- (ac) section 39 (care workers: causing or inciting sexual activity);
- (ad) section 40 (care workers: sexual activity in the presence of a person with a mental disorder);
- (ae) section 41 (care workers: causing a person with a mental disorder to watch a sexual act);
- (af) section 47 (paying for sexual services of a child);
- (ag) section 48 (causing or inciting child prostitution or pornography);
- (ah) section 49 (controlling a child prostitute or a child involved in pornography);
- (ai) section 50 (arranging or facilitating child prostitution or pornography);
- (aj) section 61 (administering a substance with intent);
- (ak) section 62 (committing offence with intent to commit sexual offence);
- (al) section 63 (trespass with intent to commit sexual offence);
- (am) section 64 (sex with an adult relative: penetration);
- (an) section 65 (sex with an adult relative: consenting to penetration);
- (ao) section 66 (exposure);
- (ap) section 67 (voyeurism);
- (aq) section 70 (sexual penetration of a corpse).

Domestic Violence, Crime and Victims Act 2004

- 34 An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing a child or vulnerable adult to die or suffer serious physical harm).

Terrorism Act 2006

- 35 An offence under any of the following provisions of the Terrorism Act 2006 –
- (a) section 5 (preparation of terrorist acts);
 - (b) section 6 (training for terrorism);
 - (c) section 9 (making or possession of radioactive device or material);
 - (d) section 10 (use of radioactive device or material for terrorist purposes);
 - (e) section 11 (terrorist threats relating to radioactive devices etc).

Modern Slavery Act 2015

- 36 An offence under any of the following provisions of the Modern Slavery Act 2015 –
- (a) section 1 (slavery, servitude and forced or compulsory labour);
 - (b) section 2 (human trafficking).

Ancillary offences

- 37 (1) An offence of attempting or conspiring to commit an offence listed in this Schedule.
- (2) An offence committed by aiding, abetting, counselling or procuring an offence listed in this Schedule.
- (3) An offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) where the offence (or one of the offences) which the person in question intends or believes would be committed is an offence listed in this Schedule.”

In the Title

- 84 Line 6, after “circumstances;” insert “to make further provision about orders under section 91(14) of the Children Act 1989;”
- 85 Line 6, after “circumstances;” insert “to provide for an offence of threatening to disclose private sexual photographs and films with intent to cause distress;”
- 86 Line 6, after “circumstances;” insert “to provide for an offence of strangulation or suffocation;”

LORDS AMENDMENTS TO THE
Domestic Abuse Bill

*Ordered, by The House of Commons,
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