



# House of Commons

**Monday 26 April 2021**

## **CONSIDERATION OF LORDS MESSAGE**

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*New Amendments handed in are marked thus ★*

*Amendments tabled since the last publication: LAs 42D, 42E and 42F (d) to (f)*

### **DOMESTIC ABUSE BILL**

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*On Consideration of Lords Amendments in lieu of Lords Amendments disagreed to by this House*

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Lords Amendment No. **9B**

Secretary Priti Patel  
Secretary Robert Buckland

To move, That this House disagrees with the Lords in their Amendment.

Secretary Priti Patel  
Secretary Robert Buckland

To move the following Amendments to the Bill in lieu of the Lords Amendment:—

Page **57**, line **36**, at end insert the following new Clause—

**(a)**

*“Contact centres*

#### **Report on the use of contact centres in England**

- (1) The Secretary of State must, before the end of the relevant period, prepare and publish a report about the extent to which individuals, when they are using contact centres in England, are protected from the risk of domestic abuse or, in the case of children, other harm.
- (2) “The relevant period” means the period of 2 years beginning with the day on which this Act is passed.
- (3) In this section “contact centre” means a place that is used for the facilitation of contact between a child and an individual with whom the child is not, or will not be, living (including the handover of the child to that individual).”

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**Domestic Abuse Bill, continued**

- Page 59, line 8, after “72” insert “, (*Report on the use of contact centres in England*)” (b)  
 Page 60, line 32, at end insert— (c)  
 “( ) section (*Report on the use of contact centres in England*);”
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Lords Amendments Nos. **40B and 40C**

Secretary Priti Patel  
 Secretary Robert Buckland

To move, That this House disagrees with the Lords in their Amendments.

Secretary Priti Patel  
 Secretary Robert Buckland

To move the following Amendments to the Bill in lieu of the Lords Amendments:—

- Page 57, line 36, at end insert the following new Clause— (a)

*“Data processing for immigration purposes*

**Review of processing of victims’ personal data for immigration purposes**

- (1) The Secretary of State must before the end of the relevant period—
  - (a) review the processing of domestic abuse data carried out by specified public authorities for immigration purposes,
  - (b) prepare and publish a report setting out the findings of the review, and
  - (c) lay a copy of the report before Parliament.
- (2) In carrying out the review, the Secretary of State must have regard to the recommendations of the HMIC Report.
- (3) In subsection (1), the “relevant period” means the period beginning with the day on which this section comes into force and ending with 30 June 2021 (but see subsection (4)).
- (4) The Secretary of State may by regulations extend the relevant period by a further period of up to 6 months.
- (5) The power conferred by subsection (4) may be exercised only once.
- (6) In this section—
 

“domestic abuse data” means personal data obtained for the purposes of, or in connection with, the provision of support in relation to domestic abuse to victims of domestic abuse or their children;

“the HMIC Report” means the report on Liberty and Southall Black Sisters’ super-complaint on policing and immigration status published by Her Majesty’s Chief Inspector of Constabulary on 17 December 2020;

“immigration purposes” means the purposes of—

  - (a) the maintenance of effective immigration control, or
  - (b) the investigation or detection of activities that would undermine the maintenance of effective immigration control;

**Domestic Abuse Bill, *continued***

“immigration officer” means a person appointed as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971;

“personal data” has the meaning given by section 3(2) of the Data Protection Act 2018;

“processing” has the meaning given by section 3(4) of that Act;

“specified public authority” means—

- (a) a chief officer of police of a police force maintained for a police area in England and Wales;
- (b) the chief constable of the Police Service of Scotland;
- (c) the Chief Constable of the Police Service of Northern Ireland;
- (d) the Chief Constable of the British Transport Police Force;
- (e) the Chief Constable of the Ministry of Defence Police;
- (f) an immigration officer or other official of the Secretary of State exercising functions in relation to immigration or asylum.”

**(b)**

Page 57, line 36, at end insert the following new Clause—

**“Code of practice**

- (1) The Secretary of State may issue a code of practice relating to the processing of domestic abuse data for immigration purposes.
- (2) A code of practice issued under this section—
  - (a) must be kept under review;
  - (b) may be revised or replaced.
- (3) A person to whom a code of practice issued under this section applies must have regard to it in processing domestic abuse data for immigration purposes.
- (4) In preparing, revising or replacing a code, the Secretary of State must consult—
  - (a) the Domestic Abuse Commissioner,
  - (b) the Information Commissioner, and
  - (c) such other persons as the Secretary of State considers appropriate.
- (5) Before issuing a code (or a revised code) under this section, the Secretary of State must lay the code before Parliament.
- (6) If, within the 40-day period, either House of Parliament resolves not to approve the code—
  - (a) the code is not to be issued, and
  - (b) the Secretary of State may prepare another code.
- (7) If no such resolution is passed within the 40-day period, the Secretary of State may issue the code.
- (8) In this section, the “40-day period” is the period of 40 days beginning with the day on which the code is laid before Parliament (or, if it is not laid before each House of Parliament on the same day, the later of the 2 days on which it is laid).
- (9) In calculating the 40-day period, no account is to be taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.
- (10) In this section—
  - “domestic abuse data” has the same meaning as in section (*Review of processing of victims’ personal data for immigration purposes*);
  - “immigration purposes” has the same meaning as in section (*Review of processing of victims’ personal data for immigration purposes*);
  - “personal data” has the meaning given by section 3(2) of the Data Protection Act 2018;
  - “processing” has the meaning given by section 3(4) of that Act.”

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**Domestic Abuse Bill, continued**

Page 58, line 36, leave out “or 72” and insert “, 72, (*Review of processing of victims’ personal data for immigration purposes*) or (*Code of practice*)” (c)

Page 59, line 8, after “72” insert “, (*Review of processing of victims’ personal data for immigration purposes*), (*Code of practice*)” (d)

Page 59, line 36, after “35(7),” insert “(*Review of processing of victims’ personal data for immigration purposes*)(4),” (e)

Page 60, line 15, at end insert— (f)  
 “() sections (*Review of processing of victims’ personal data for immigration purposes*) and (*Code of practice*),”

Page 60, line 32, at end insert— (g)  
 “() section (*Review of processing of victims’ personal data for immigration purposes*);”

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**Lords Amendment No. 41B**

Secretary Priti Patel  
 Secretary Robert Buckland

To move, That this House disagrees with the Lords in their Amendment.

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**Lords Amendments Nos. 42D, 42E and 42F**

Secretary Priti Patel  
 Secretary Robert Buckland

To move, That this House disagrees with the Lords in their Amendments.

Secretary Priti Patel  
 Secretary Robert Buckland

To move the following Amendments to the Bill in lieu of the Lords Amendments:—

★ Page 53, line 10, at end insert the following new Clause— (d)

**“Strategy for prosecution and management of offenders**

- (1) The Secretary of State must, before the end of the period of 12 months beginning with the day on which this Act is passed, prepare and publish a document setting out a strategy for—

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**Domestic Abuse Bill, *continued***

- (a) detecting, investigating and prosecuting offences involving domestic abuse,
  - (b) assessing and managing the risks posed by individuals who commit offences involving domestic abuse, including (among others) risks associated with stalking, and
  - (c) reducing the risk that such individuals commit further offences involving domestic abuse.
- (2) The Secretary of State—
- (a) must keep the strategy under review;
  - (b) may revise it.
- (3) If the Secretary of State revises the strategy, the Secretary of State must publish a document setting out the revised strategy.
- (4) In preparing or revising a strategy under this section, the Secretary of State must consult—
- (a) the Domestic Abuse Commissioner, and
  - (b) such other persons as the Secretary of State considers appropriate.
- (5) Subsection (4) does not apply in relation to any revisions of the strategy if the Secretary of State considers the proposed revisions of the strategy are insubstantial.
- (6) In this section, the reference to “risks associated with stalking” is to be read in accordance with section 1(4) of the Stalking Protection Act 2019.”

★ Page 59, line 8, after “section” insert “(*Strategy for prosecution and management of offenders*),” (e)

★ Page 60, line 32, at end insert— (f)  
 “( ) section (*Strategy for prosecution and management of offenders*);”

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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 23 April 2021:*

Lords Amendments Nos. 42D, 42E and 42F (a) to (c)

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