

---

Report Stage: Friday 24 March 2023

---

# Protection from Sex-based Harassment in Public Bill, As Amended

## (Report Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at report stage.

A glossary with key terms can be found at the end of this document.

---

---

### Greg Clark

Priti Patel  
Jackie Doyle-Price  
Siobhan Baillie  
Holly Mumby-Croft  
Laura Farris

Stella Creasy  
Taiwo Owatemi  
Lloyd Russell-Moyle  
Christine Jardine  
Dawn Butler  
Dr Rupa Huq  
Bell Ribeiro-Addy  
Clive Lewis  
Emma Hardy  
Clive Efford

Caroline Nokes  
Charlotte Nichols  
Stephen Morgan  
Alex Davies-Jones  
Dame Diana Johnson  
Feryal Clark  
Sarah Champion  
Mr Virendra Sharma  
Helen Hayes

Kate Osborne  
Rosie Duffield  
Janet Daby  
Barry Gardiner  
Debbie Abrahams  
John McDonnell  
Mr Ben Bradshaw  
Tulip Siddiq  
Catherine West

Added NC1

To move the following Clause—

### “Guidance

- (1) The Secretary of State must issue guidance to—
  - (a) chief officers of police,
  - (b) the chief constable of the British Transport Police Force,
  - (c) the chief constable of the Ministry of Defence Police, and
  - (d) the chief constable of the Civil Nuclear Constabulary,about the offence in section 4B of the Public Order Act 1986 (intentional harassment, alarm or distress on account of sex).

- (2) The guidance must in particular include guidance about the reasonable conduct defence in section 4A(3)(b) of that Act.
- (3) The Secretary of State may revise guidance issued under this section.
- (4) The Secretary of State must arrange for guidance issued under this section to be published.
- (5) A chief officer of police or a chief constable mentioned in subsection (1) must have regard to guidance issued under this section."

#### **Member's explanatory statement**

This new clause requires the Secretary of State to issue guidance to the police about the new offence in section 4B of the Public Order Act 1986. It also requires that guidance to include provision about the application of the reasonable conduct defence in section 4A(3)(b) of that Act.

---

**Sir Christopher Chope**

**Not called 2**

Clause 1, page 1, line 7, after "4A(1)" insert "primarily"

---

**Sir Christopher Chope**

**Not called 3**

Clause 1, page 1, line 7, leave out "because of" and insert "due to"

---

**Sir Christopher Chope**

**Not called 7**

Clause 1, page 1, line 8, leave out "(or presumed sex)"

---

**Sir Christopher Chope**

**Not called 8**

Clause 1, page 1, line 10, leave out "'presumed" means presumed by A;"

---

**Sir Christopher Chope**

**Not called 4**

Clause 1, page 1, line 14, after "not—" insert—

"(za) A is a man or a woman,"

---

**Sir Christopher Chope**

**Not called 5**

Clause 1, page 1, line 16, leave out "because of" and insert "due to"

---

**Sir Christopher Chope**

**Not called 6**

Clause 1, page 1, line 16, after "other" insert "subsidiary"

---

**Greg Clark**

**Agreed to 1**

Clause 3, page 2, line 20, after "1" insert ", (Guidance)"

**Member's explanatory statement**

This amendment is consequential on NC1.

---

**Sir Christopher Chope**

**Not called 9**

Clause 3, page 2, line 20, leave out from "on" to the end of line 21 and insert "1 August 2023"

Bill read the third time, and passed

---

## Glossary

**Added:** New Clause agreed without a vote and added to the Bill.

**Agreed to:** agreed without a vote.

**Agreed to on division:** agreed following a vote.

**Negated:** rejected without a vote.

**Negated 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.

**Not selected:** not chosen for debate by the Speaker.

**Question proposed:** debate underway but not concluded.

**Withdrawn after debate:** moved and debated but then withdrawn, so not put to a decision.