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Report Stage: Wednesday 22 March 2023

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

## (Amendment Paper)

This document lists all amendments tabled to the Protection from Sex-based Harassment in Public Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New amendments.

New Amendments: 1 to 9 and NC1

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**Greg Clark**

**NC1**

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

Caroline Nokes  
Charlotte Nichols  
Stephen Morgan  
Alex Davies-Jones  
Dame Diana Johnson  
Feryal Clark

Kate Osborne  
Rosie Duffield  
Janet Daby  
Barry Gardiner  
Debbie Abrahams  
John McDonnell

★ 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.

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**Sir Christopher Chope**

2

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

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**Sir Christopher Chope**

3

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

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**Sir Christopher Chope**

7

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

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**Sir Christopher Chope**

8

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

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**Sir Christopher Chope**

4

- ★ Clause 1, page 1, line 14, after "not—" insert—  
 "(za) A is a man or a woman,"

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**Sir Christopher Chope**

5

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

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**Sir Christopher Chope**

**6**

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

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**Greg Clark**

**1**

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

**Member's explanatory statement**

This amendment is consequential on NC1.

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**Sir Christopher Chope**

**9**

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