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## Lords Amendments: Monday 6 March 2023

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# Public Order Bill

## (Motions relating to Lords Amendments)

This document should be read alongside the Amendments the Lords have made to this Bill.

This paper sets out motions to agree, disagree, amend or replace amendments made by the Lords.

New Amendments handed in are marked thus ★

New Amendments: LA5 (a) and (b)

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### Lords Amendment 1

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**Secretary Suella Braverman**

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

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**Secretary Suella Braverman**

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

Page 36, line 15, at end insert the following new Clause—

(a)

**“Meaning of serious disruption**

- (1) For the purposes of this Act, the cases in which individuals or an organisation may suffer serious disruption include, in particular, where the individuals or the organisation—
  - (a) are by way of physical obstruction prevented, or hindered to more than a minor degree, from carrying out—
    - (i) their day-to-day activities (including in particular the making of a journey),
    - (ii) construction or maintenance works, or
    - (iii) activities related to such works,
  - (b) are prevented from making or receiving, or suffer a delay that is more than minor to the making or receiving of, a delivery of a time-sensitive product, or

- (c) are prevented from accessing, or suffer a disruption that is more than minor to the accessing of, any essential goods or any essential service.
- (2) In this section—
  - (a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them;
  - (b) a reference to accessing essential goods or essential services includes in particular a reference to accessing—
    - (i) the supply of money, food, water, energy or fuel,
    - (ii) a system of communication,
    - (iii) a place of worship,
    - (iv) a transport facility,
    - (v) an educational institution, or
    - (vi) a service relating to health.”

#### Lords amendment 5

As Amendments to the Lords Amendment:—

##### **Andrew Lewer**

Fiona Bruce  
 Miriam Cates  
 Scott Benton  
 Sir Desmond Swayne  
 Nick Fletcher  
 Carla Lockhart

(a)

★ Line 29, at end insert—

- “(3A) No offence is committed under subsection (1) by a person engaged in consensual communication or in silent prayer in a public place.
- (3B) For the avoidance of doubt, any such communication or prayer shall not, without more, be taken to be —
  - (a) influencing any person’s decision;
  - (b) obstructing or impeding any person;
  - (c) causing harassment, alarm or distress to any person; or
  - (d) otherwise fulfilling any of the elements of an offence within the acts listed in this section.”

##### **Andrew Lewer**

Fiona Bruce  
 Miriam Cates  
 Scott Benton  
 Sir Desmond Swayne  
 Nick Fletcher  
 Carla Lockhart

(b)

★ Line 42, at end insert—

- “(5A) Subsection (1) may not be brought into force until the completion of a review by the Secretary of State of the activities taking place in the vicinity of abortion clinics in England and Wales which could influence any person’s decision to access, provide, or facilitate the provision of abortion services.
- (5B) The review under this section must include evidence from and consultation with the following—
- (a) the operators of abortion providers,
  - (b) owners and occupiers of the land within proposed safe access zones,
  - (c) the National Police Chiefs’ Council,
  - (d) individuals, charities, and organisations affected by proposed safe access zones,
  - (e) the relevant local authorities,
  - (f) the public, and
  - (g) such other persons or organisations as the Secretary of State considers appropriate.
- (5C) The review under this section must consider the effectiveness of existing relevant powers including, but not limited to, the power under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (power to make public spaces protection orders).
- (5D) The review under this section must assess the necessity of further legislation in this area, and whether legislating further would be proportionate.
- (5E) The Secretary of State must publish and lay before each House of Parliament a report on the outcome of the review under this section before the end of the period of one year beginning with the day on which this Act is passed.”

## Lords Amendment 6

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**Secretary Suella Braverman**

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

## Lords Amendment 7

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**Secretary Suella Braverman**

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

## Lords Amendment 8

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**Secretary Suella Braverman**

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

## Lords Amendment 9

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**Secretary Suella Braverman**

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

## Lords Amendment 17

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**Secretary Suella Braverman**

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

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**Secretary Suella Braverman**

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

Page 19, line 22, at end insert the following new Clause—

(a)

**“Exercise of police powers in relation to journalists etc**

- (1) A constable may not exercise a police power for the sole purpose of preventing a person from observing or reporting on a protest.
- (2) A constable may not exercise a police power for the sole purpose of preventing a person from observing or reporting on the exercise of a police power in relation to—
  - (a) a protest-related offence,
  - (b) a protest-related breach of an injunction, or
  - (c) activities related to a protest.
- (3) This section does not affect the exercise by a constable of a police power for any purpose for which it may be exercised apart from this section.
- (4) In this section—
  - “injunction” means an injunction granted by the High Court, the county court or a youth court;
  - “police power” means a power which is conferred on a constable by or by virtue of an enactment or by a rule of law;
  - “protest-related breach”, in relation to an injunction, means a breach which is directly related to a protest;
  - “protest-related offence” means an offence which is directly related to a protest.”

## Lords Amendment 20

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**Secretary Suella Braverman**

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

Lords Amendment 21

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**Secretary Suella Braverman**

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

Lords Amendment 23

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**Secretary Suella Braverman**

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

Lords Amendment 27

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**Secretary Suella Braverman**

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

Lords Amendment 28

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**Secretary Suella Braverman**

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

Lords Amendment 31

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**Secretary Suella Braverman**

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

Lords Amendment 32

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**Secretary Suella Braverman**

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

Lords Amendment 33

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**Secretary Suella Braverman**

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

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**Secretary Suella Braverman**

To move the following Amendments to the Bill in lieu of Lords Amendments 20, 21, 23, 27, 28, 31, 32 and 33:—

Clause 20, page 24, line 19, leave out sub-paragraphs (iii) to (v) (a)

Clause 20, page 24, line 31, at end insert— (b)

“(c) P’s conduct in relation to each occasion mentioned in paragraph (a) has not been taken into account when making any previous serious disruption prevention order in respect of P.”

Lords Amendment 36

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**Secretary Suella Braverman**

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