
Committee Stage: Tuesday 20 June 2023

Victims and Prisoners Bill (Amendment Paper)

This document lists all amendments tabled to the Victims and Prisoners 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 Any withdrawn amendments are listed at the end of the document.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: 5 to 19 and NC2

Resolution of the Programming Sub-Committee

The Programming Sub-Committee appointed by the Speaker in respect of the Bill agreed the following Resolution at its meeting on Monday 19 June (Standing Order No. 83C):

That—

1. the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 20 June) meet—
 - (a) at 2.00 pm on Tuesday 20 June;
 - (b) at 11.30 am and 2.00 pm on Thursday 22 June;
 - (c) at 9.25 am and 2.00 pm on Tuesday 27 June;
 - (d) at 11.30 am and 2.00 pm on Thursday 29 June;
 - (e) at 9.25 am and 2.00 pm on Tuesday 4 July;
 - (f) at 11.30 am and 2.00 pm on Thursday 6 July;
 - (g) at 9.25 am and 2.00 pm on Tuesday 11 July;
 - (h) at 11.30 am and 2.00 pm on Thursday 13 July;
2. the Committee shall hear oral evidence in accordance with the following Table:

Date	Time	Witness
Tuesday 20 June	Until no later than 9.55 am	Domestic Abuse Commissioner

Date	Time	Witness
Tuesday 20 June	Until no later than 10.40 am	Rape Crisis England & Wales; Southall Black Sisters; SafeLives
Tuesday 20 June	Until no later than 10.55 am	Children's Commissioner for England
Tuesday 20 June	Until no later than 11.25 am	Dame Vera Baird DBE KC; Victims' Commissioner for London
Tuesday 20 June	Until no later than 2.45 pm	Nottinghamshire Police and Crime Commissioner; Association of Police and Crime Commissioners; National Police Chiefs' Council
Tuesday 20 June	Until no later than 3.00 pm	Parole Board
Tuesday 20 June	Until no later than 3.30 pm	Crown Prosecution Service
Tuesday 20 June	Until no later than 4.00 pm	Local Government Association NHS England
Tuesday 20 June	Until no later than 4.45 pm	National Association for People Abused in Childhood; Victim Support; We Are Survivors
Thursday 22 June	Until no later than 12.00 noon	The Right Reverend James Jones KBE; Ken Sutton
Thursday 22 June	Until no later than 12.15 pm	Lord Wills
Thursday 22 June	Until no later than 12.45 pm	Nick Hurd; Tim Suter
Thursday 22 June	Until no later than 1.00 pm	Refuge
Thursday 22 June	Until no later than 2.30 pm	Jenni Hicks
Thursday 22 June	Until no later than 2.45 pm	Dr Stuart Murray; Grenfell Next of Kin
Thursday 22 June	Until no later than 3.15 pm	Sophie Cartwright KC

3. proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 11; Clauses 16 to 21; Clauses 12 to 15; Clauses 22 to 33; Schedule; Clauses 34 to 55; new Clauses; new Schedules; remaining proceedings on the Bill.
4. the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 13 July.

Edward Argar has given notice of his intention to move a motion in the terms of the Resolution of the Programming Sub-Committee [Standing Order No. 83C].

Edward Argar

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Edward Argar

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

Dame Maria Miller

1

Dame Caroline Dinenage
Wera Hobhouse
Mrs Flick Drummond
Sarah Champion
Christine Jardine

Kate Kniveton
Philip Davies
Ms Harriet Harman
Charlotte Nichols

Mrs Emma Lewell-Buck
Sir Chris Bryant
Mary Robinson

Caroline Lucas
Dame Margaret Hodge
Elliot Colburn

Clause 1, page 1, line 16, at end insert—

“(e) where a person has entered into a non-disclosure agreement that has the effect of preventing that person from speaking about behaviour that may be criminal misconduct.”

Member's explanatory statement

This amendment expands the definition of a victim to include those who have signed NDAs which restrict them on speaking about incidents which may constitute criminal misconduct, to recognise that many NDAs include the dropping of allegations as part of a settlement, and to recognise that those who have been legally prevented from speaking about experiences are victimised in the process.

Layla Moran

2

Clause 1, page 1, line 16, at end insert—

“(e) where the person has experienced, or made allegations that they have experienced—

- (i) sexual abuse, sexual harassment or sexual misconduct, or
- (ii) bullying or harassment not falling within paragraph (i).”

Member's explanatory statement

This amendment would extend the definition of "victim" to include someone who has experienced, or made allegations that they have experienced, sexual abuse, sexual harassment or sexual misconduct, or other bullying or harassment.

Anna McMorrin

10

★ Clause 1, page 1, line 16, at end insert—

"(e) where the person has experienced anti-social behaviour, as defined by section 2 of the Anti-social Behaviour Act 2014, and the conditions necessary for an ASB case review under section 104 of that Act have been met."

Member's explanatory statement

This amendment would include victims of anti-social behaviour in the definition of a victim.

Anna McMorrin

17

★ Clause 1, page 1, line 16, at end insert—

"(e) where the person has experienced child criminal exploitation;"

Member's explanatory statement

This amendment would include victims of child criminal exploitation in the definition of a victim.

Anna McMorrin

18

★ Clause 1, page 2, line 6, at end insert—

"(c) "child criminal exploitation" means conduct by which a person manipulates, deceives, coerces or controls a person under 18 to undertake activity which constitutes a criminal offence;"

Member's explanatory statement

This amendment provides a definition for the term "child criminal exploitation".

Anna McMorrin

6

★ Clause 2, page 2, line 18, leave out "should" and insert "must"

Anna McMorrin

5

★ Clause 2, page 2, line 20, leave out "should" and insert "must"

Anna McMorrin

7

★ Clause 2, page 2, line 22, leave out “should” and insert “must”

Anna McMorrin

8

★ Clause 2, page 2, line 24, leave out “should” and insert “must”

Layla Moran

3

Clause 2, page 2, line 25, at end insert—

“(3A) The victims’ code must make provision in relation to people who have experienced, or made allegations that they have experienced—

- (a) sexual abuse, sexual harassment or sexual misconduct, or
- (b) bullying or harassment not falling within paragraph (a).

(3B) Provision under subsection (3A) must include—

- (a) provision relating to the enforcement of non-disclosure agreements signed by such victims, and
- (b) provision about legal advice and other support for such victims in cases where they are asked to sign, or have signed, a non-disclosure agreement.

(3C) In this section—

“non-disclosure agreement” means an agreement which purports to any extent to preclude a victim from—

- (a) publishing information about a relevant complaint, or
- (b) disclosing information about the relevant complaint to any one or more other persons;

“misconduct” means—

- (a) sexual abuse, sexual harassment or sexual misconduct, and
- (b) bullying or harassment not falling within paragraph (a); and

“relevant complaint” means a complaint relating to misconduct or alleged misconduct by any person.”

Member's explanatory statement

This amendment would require the victims’ code to include specific provision for people who have experienced, or made allegations that they have experienced, sexual abuse, sexual harassment or sexual misconduct, or other bullying or harassment.

Sarah Champion

4

Sir Peter Bottomley
 Charlotte Nichols
 Caroline Lucas
 Priti Patel
 Sir James Duddridge

Apsana Begum
 Sir George Howarth
 Ruth Jones
 Kelly Tolhurst
 Kate Osamor

Mr Jonathan Lord
 Philip Davies
 Debbie Abrahams
 Mrs Emma Lewell-Buck
 Tony Lloyd

Lucy Allan
 Rachael Maskell
 Hilary Benn
 Kim Leadbeater

Clause 2, page 2, line 25, at end insert—

“(3A) The victims’ code must—

- (a) require criminal justice bodies to take all reasonable steps to identify and record any change of name by a perpetrator, and
- (b) require criminal justice bodies to inform a relevant victim when a perpetrator changes their name.

(3B) For the purposes of subsection (3A)—

“perpetrator” means a person whose conduct or alleged conduct results in another person being a victim as defined by section 1 of this Act;

“relevant victim” means a person who becomes a victim as a result of the perpetrator’s conduct.”

Member's explanatory statement

This amendment would require criminal justice bodies to monitor name changes of perpetrators and inform victims of any name changes.

Anna McMorrin

11

★ Clause 3, page 3, line 29, at end insert “and the Commissioner for Victims and Witnesses.”

Member's explanatory statement

This amendment would require the Secretary of State to consult the Commissioner for Victims and Witnesses when preparing a draft of the victims’ code.

Anna McMorrin

12

★ Clause 4, page 4, line 24, after “Attorney General” insert “and the Commissioner for Victims and Witnesses”

Member's explanatory statement

This amendment would require the Secretary of State to consult the Commissioner for Victims and Witnesses when revising the victims’ code.

Anna McMorrin

13

- ★ Clause 6, page 5, line 6, after “services” insert “in accordance with the victims’ code”

Member's explanatory statement

This amendment would clarify that criminal justice bodies must collect information about their provision of services for victims in accordance with the victims’ code.

Anna McMorrin

14

- ★ Clause 10, page 8, line 37, at end insert—

“(1A) The Secretary of State must share compliance information with the Commissioner for Victims and Witnesses (“the Commissioner”) within 2 days of receipt.

- (1B) The Commissioner must use compliance information received under subsection (1A) to prepare an assessment of compliance with the victims’ code, including—
- (a) an assessment of compliance in each police area,
 - (b) identifying any instances of systemic non-compliance with the victims’ code,
 - (c) identifying opportunities for improvement in compliance with the victims’ code, and
 - (d) identifying best practice in respect of compliance with the victims’ code.

(1C) The Commissioner must include a summary of the assessment made under subsection (1B) in their annual report prepared under section 49 of the Domestic Violence, Crime and Victims Act 2004.”

Member's explanatory statement

This amendment would require the Secretary of State to share information about compliance with the victims’ code with the Commissioner for Victims and Witnesses and require the Commissioner to prepare an assessment using that information.

Anna McMorrin

9

- ★ Clause 12, page 10, line 22, at end insert—

“(d) offences against children.”

Member's explanatory statement

This amendment would extend the duty to collaborate to include victim support services for child victims.

Anna McMorrin

19

★ Clause 12, page 10, line 22, at end insert—

“(d) fraud.”

Member's explanatory statement

This amendment would extend the duty to collaborate to include victim support services for victims of fraud.

Anna McMorrin

15

★ Clause 13, page 11, line 14, at end insert—

“(d) the Commissioner for Victims and Witnesses.”

Member's explanatory statement

This amendment would require the relevant authorities to consult the Commissioner for Victims and Witnesses when preparing their strategy for collaboration.

Anna McMorrin

16

★ Clause 13, page 11, line 20, at end insert—

“(c) any guidance prepared by the Commissioner for Victims and Witnesses on collaboration between victim support services.”

Member's explanatory statement

This amendment would require the relevant authorities to consider any guidance prepared by the Commissioner for Victims and Witnesses when preparing their strategy for collaboration.

Mrs Emma Lewell-Buck

NC1

To move the following Clause—

“Victims of major incidents: registration of death

- (1) Notwithstanding anything in the Births and Deaths Registration Act 1953 or the Coroners and Justice Act 2009, a qualified informant (within the meaning in those Acts) may register the death of a person who was a victim of a major incident.
- (2) Subsection (1) applies even if an investigation is conducted under Part 1 of the Coroners and Justice Act 2009.”

Member's explanatory statement

This new clause would enable a qualified informant such as a relative of the deceased to provide information to register the death after a major incident.

Anna McMorrin

NC2

★ To move the following Clause—

“Duty to co-operate with Commissioner for Victims and Witnesses

- (1) The Commissioner may request a specified public authority to co-operate with the Commissioner in any way that the Commissioner considers necessary for the purposes of monitoring compliance with the victims’ code.
- (2) A specified public authority must, so far as reasonably practicable, comply with a request made to it under this section.
- (3) In this section “specified public authority” means any of the following—
 - (a) a criminal justice body, as defined by subsection 6(6),
 - (b) the Parole Board,
 - (c) an elected local policing body,
 - (d) the British Transport Police Force,
 - (e) the Ministry of Defence Police.
- (4) The Secretary of State may by regulations amend this section so as to—
 - (a) add a public authority as a specified public authority for the purposes of this section;
 - (b) remove a public authority added by virtue of paragraph (a);
 - (c) vary any description of a public authority.
- (5) Before making regulations under subsection (4) the Secretary of State must consult the Commissioner for Victims and Witnesses.
- (6) A statutory instrument containing regulations under subsection (4) may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.”

Member's explanatory statement

This new clause would place a duty on specified public authorities to co-operate with the Commissioner for Victims and Witnesses.

Order of the House

[15 May 2023]

That the following provisions shall apply to the Victims and Prisoners Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee.

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 13 July 2023.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.