
Report Stage: Tuesday 28 November 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 Any withdrawn amendments are listed at the end of the document.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.

☆ Amendments which will comply with the required notice period at their next appearance.

New Amendments: 34 to 144 and NC17 to NC27

Secretary Alex Chalk

Gov NC20

★ To move the following Clause—

“Domestic abuse related death reviews

- (1) The Domestic Violence, Crime and Victims Act 2004 is amended in accordance with subsections (2) to (4).
- (2) After section 8 insert—

“Domestic abuse related death reviews

8A Establishment and conduct of reviews

- (1) In this section “domestic abuse related death review” means a review of the circumstances of the death of a person which is held—
 - (a) where the death has, or appears to have, resulted from domestic abuse towards the person within the meaning of the Domestic Abuse Act 2021, and
 - (b) with a view to identifying the lessons to be learned from the death.
- (2) The Secretary of State may in a particular case direct a specified person or body within subsection (6) to establish, or to participate in, a domestic abuse related death review.

- (3) It is the duty of any person or body within subsection (6) establishing or participating in a domestic abuse related death review (whether or not held pursuant to a direction under subsection (2)) to have regard to any guidance issued by the Secretary of State as to the establishment and conduct of such reviews.
- (4) A person or body within subsection (6) that establishes a domestic abuse related death review (whether or not held pursuant to a direction under subsection (2)) must send a copy of any report setting out the conclusions of the review to the Secretary of State and the Domestic Abuse Commissioner.
- (5) The copy must be sent as soon as reasonably practicable after the report is completed.
- (6) The persons and bodies within this subsection are—
 - chief officers of police for police areas in England and Wales;
 - local authorities;
 - NHS England;
 - integrated care boards established under section 14Z25 of the National Health Service Act 2006;
 - providers of probation services;
 - Local Health Boards established under section 11 of the National Health Service (Wales) Act 2006;
 - NHS trusts established under section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006.
- (7) In subsection (6) “local authority” means—
 - (a) in relation to England, the council of a district, county or London borough, the Common Council of the City of London and the Council of the Isles of Scilly;
 - (b) in relation to Wales, the council of a county or county borough.
- (8) The Secretary of State may by order amend subsection (6) or (7).”
- (3) In section 9 (establishment and conduct of domestic homicide reviews)—
 - (a) in each of subsections (2) and (3)—
 - (i) for “Secretary of State” substitute “Department of Justice in Northern Ireland”;
 - (ii) for “(4)” substitute “(4)(b)”;
 - (b) omit subsections (3A), (3B), (3C), (4)(a), (5) and (6).
- (4) In section 61 (orders), in subsection (3), for “9(6)” substitute “8A(8)”.
- (5) In section 26 of the Police, Crime, Sentencing and Courts Act 2022 (relationship of offensive weapons homicide reviews with other review requirements), in subsection (1)(b)—
 - (a) after “of a” insert “domestic abuse related death review or”;
 - (b) for “section” substitute “sections 8A and”.

Member's explanatory statement

This new clause, to be inserted after clause 15, concerns reviews of deaths in England and Wales that may be related to domestic abuse.

Secretary Alex Chalk

Gov NC21

★ To move the following Clause—

“Information relating to victims: service police etc

After section 44E of the Police, Crime, Sentencing and Courts Act 2022 (inserted by section 22 of this Act), insert—

“44F Application of this Chapter to service police etc

- (1) This Chapter applies in relation to a person mentioned in subsection (2) as it applies in relation to an authorised person, with the modifications specified in subsections (3) and (4).
- (2) The persons are—
 - (a) a member of the Royal Navy Police, the Royal Military Police or the Royal Air Force Police;
 - (b) a person designated by the Service Police Complaints Commissioner under regulation 36(2) of the Service Police (Complaints etc) Regulations 2023 (S.I. 2023/624);
 - (c) a person who has been engaged to provide services consisting of or including the obtaining of information for the purposes of the exercise of functions by a person mentioned in paragraph (a) or (b).
- (3) Section 44A applies as if for subsection (4) there were substituted—
 - “(4) The reference in subsection (3)(c) to crime is a reference to conduct which constitutes one or more—
 - (a) service offences within the meaning of the Armed Forces Act 2006, or
 - (b) SDA offences within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059).”
- (4) Section 44B applies as if, in subsection (6)—
 - (a) for the definition of “adult without capacity” there were substituted—
 - ““adult without capacity”—
 - (a) in relation to England and Wales, means an adult who, within the meaning of the Mental Capacity Act 2005, lacks capacity in relation to a notice under this section;
 - (b) in relation to Scotland, means an adult (within the meaning of this Chapter) who is incapable, within

- the meaning of the Adults with Incapacity (Scotland) Act 2000, in relation to a notice under this section;
- (c) in relation to Northern Ireland, means an adult who, within the meaning of the Mental Capacity Act (Northern Ireland) 2016, lacks capacity in relation to a notice under this section;”;
- (b) for the definition of “relevant authority” there were substituted—
- ““relevant authority”—
- (a) in relation to England, means a county council, a district council for an area for which there is no county council, a London borough council or the Common Council of the City of London in its capacity as a local authority;
- (b) in relation to Wales, means a county council or a county borough council;
- (c) in relation to Scotland, means a council constituted under section 2 of the Local Government etc (Scotland) Act 1994;
- (d) in relation to Northern Ireland, means an authority within the meaning of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2));”;
- (c) for the definition of “voluntary organisation” there were substituted—
- ““voluntary organisation”—
- (a) in relation to England and Wales, has the same meaning as in the Children Act 1989;
- (b) in relation to Scotland, has the same meaning as in Part 2 of the Children (Scotland) Act 1995;
- (c) in relation to Northern Ireland, has the same meaning as in the Children (Northern Ireland) Order 1995.””

Member's explanatory statement

This new clause, to be inserted after clause 22, provides for that clause to apply with modifications in the case of requests for information about victims of crime made by or on behalf of service police or the Service Police Complaints Commissioner.

Secretary Alex Chalk

Gov NC22

★ To move the following Clause—

“Meaning of “major incident” etc

- (1) This Part concerns advocates for victims of major incidents.
- (2) In this Part, “major incident” means an incident that—

- (a) occurs in England or Wales after this section comes into force,
 - (b) causes the death of, or serious harm to, a significant number of individuals, and
 - (c) is declared in writing by the Secretary of State to be a major incident for the purposes of this Part.
- (3) For the purposes of this Part, “harm” includes physical, mental or emotional harm.
- (4) In this Part, “victims”, in relation to a major incident, means—
- (a) individuals who have suffered harm as a direct result of the incident (whether or not that harm is serious harm), and
 - (b) close family members or close friends of individuals who have died or suffered serious harm as a direct result of the incident.
- (5) In this Part, “advocate” means—
- (a) the standing advocate appointed under section (*Appointment of standing advocate*)(1);
 - (b) an individual appointed as an advocate in respect of a major incident under section 25(1).
- (6) But a reference in this Part to an advocate appointed in respect of a major incident includes the standing advocate only if the standing advocate has been appointed in respect of that incident under section 25(1).”

Member's explanatory statement

This new clause, to be inserted before clause 25, would make introductory provision for Part 2 in consequence of NC23 and Amendment 60.

Secretary Alex Chalk

Gov NC23

★ To move the following Clause—

“Appointment of standing advocate

- (1) The Secretary of State must appoint an individual as the standing advocate for victims of major incidents (in this Part, “the standing advocate”).
- (2) The functions of the standing advocate are—
 - (a) to advise the Secretary of State as to the interests of victims of major incidents, and their treatment by public authorities in response to major incidents;
 - (b) to advise other advocates as to the exercise of the functions of those advocates;
 - (c) to make reports in accordance with section 30.
- (3) The standing advocate may take such steps as the standing advocate considers are—
 - (a) appropriate to facilitate the exercise of, or
 - (b) incidental or conducive to,

the functions of the standing advocate or another advocate.

- (4) An individual may be appointed as the standing advocate only if the Secretary of State considers that the individual is qualified, taking into account—
 - (a) the individual's academic, professional or other qualifications, experience or skills;
 - (b) any other matter the Secretary of State considers relevant.
- (5) For the purposes of subsection (2)(a), "public authority" includes—
 - (a) a court, tribunal, coroner, or inquiry panel within the meaning of section 3 of the Inquiries Act 2005, and
 - (b) any other person certain of whose functions are functions of a public nature,
 but does not include the Security Service, the Secret Intelligence Service or the Government Communications Headquarters."

Member's explanatory statement

This new clause, to be inserted before clause 25, would require the Secretary of State to appoint a standing advocate to undertake general functions in relation to victims of major incidents and other advocates appointed in respect of major incidents.

Secretary Alex Chalk

Gov NC24

★ To move the following Clause—

"Publication of reports

- (1) The Secretary of State must publish a copy of a report made under section 30 if—
 - (a) it is made by the standing advocate under section 30(A1) (annual reports),
 - (b) it is made by an advocate under section 30(1) (reports required by the Secretary of State), or
 - (c) it is made by an advocate under section 30(4A) (reports at discretion of advocate), and the advocate making the report requests in writing that the report is published.
- (2) The copy may be published in such manner as the Secretary of State thinks fit.
- (3) But material may be omitted from the copy if the Secretary of State considers that the publication of that material would—
 - (a) risk death or injury to any person,
 - (b) risk damage to national security or international relations,
 - (c) risk damage to the economic interests of the United Kingdom or of any part of the United Kingdom,
 - (d) risk damage caused by disclosure of commercially sensitive information,
 - (e) breach any conditions as to confidentiality subject to which the advocate making the report acquired the material, or

- (f) contravene the data protection legislation (within the meaning given by section 3 of the Data Protection Act 2018).
- (4) The Secretary of State must lay a copy of a report as published under this section before Parliament."

Member's explanatory statement

This new clause, to be inserted after clause 30, makes provision about the publication of reports made by an advocate.

Secretary Alex Chalk

Gov NC25

★ To move the following Clause—

"Part 2: consequential amendments

- (1) In paragraph 3 of Schedule 1 to the Public Records Act 1958 (establishments and organisations whose records are public records), in Part 2 of the Table, at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

- (2) In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation), at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

- (3) In Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying from membership of the House of Commons), in Part 3, at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

- (4) In Schedule 1 to the Freedom of Information Act 2000 (public authorities), in Part 6, at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

- (5) In Schedule 19 to the Equality Act 2010 (public authorities), in Part 1, after "A government department other than the Security Service, the Secret Intelligence Service or the Government Communications Headquarters." insert—

"Advocates for victims of major incidents

An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024.""

Member's explanatory statement

This new clause, to be inserted after clause 32, would provide for an advocate appointed under Part 2 to be covered by the legislation referred to.

Secretary Alex Chalk

Gov NC26

★ To move the following Clause—

“Imprisonment or detention for public protection: termination of licences

- (1) The Crime (Sentences) Act 1997 is amended as follows.
- (2) In section 31A (imprisonment or detention for public protection: termination of licences)—
 - (a) in subsection (2), in the words after paragraph (b), for “shall” substitute “must”;
 - (b) in subsection (3)—
 - (i) at the end of paragraph (a) insert “and”;
 - (ii) omit paragraph (c) and the “and” before it;
 - (c) for subsection (4) substitute—
 - “(4) Where a reference is made under subsection (3) above—
 - (a) the Parole Board must direct the Secretary of State to make an order that the licence is to cease to have effect, unless paragraph (b) applies;
 - (b) if the Parole Board is satisfied that it is necessary for the protection of the public that the licence should remain in force, it must dismiss the reference.”;
 - (d) omit subsections (4A) to (4C) and insert—
 - “(4D) The reference under subsection (3) must not be made, and a reference under that subsection must not be determined by the Parole Board under subsection (4), if at the time the reference or determination would otherwise be made the prisoner is in prison having been recalled under section 32.
 - (4E) Subsection (4F) applies where—
 - (a) but for subsection (4D), a reference of the prisoner’s case would have been made under subsection (3) or determined by the Parole Board under subsection (4),
 - (b) the Secretary of State has referred the prisoner’s case to the Parole Board under section 28 or 32, and
 - (c) the Board is satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined.
 - (4F) Where this subsection applies—
 - (a) the Parole Board must direct the Secretary of State to release the prisoner unconditionally, unless paragraph (b) applies;

- (b) if the Parole Board is satisfied that it is necessary for the protection of the public for the prisoner, when released, to be released on licence in respect of the preventative sentence or sentences, it must not give a direction under paragraph (a).
- (4G) Where the Parole Board gives a direction under subsection (4F)(a)—
- (a) section 28(5) has effect in relation to the prisoner as if for “release him on licence” there were substituted “release the prisoner unconditionally”;
 - (b) section 32(5) has effect in relation to the prisoner as if for “give effect to the direction” there were substituted “release the prisoner unconditionally”.
- (4H) Where—
- (a) the prisoner has been released on licence under this Chapter (whether or not the prisoner has subsequently been recalled to prison under section 32),
 - (b) the qualifying period has expired, and
 - (c) the prisoner’s licence has remained in force for a continuous period of two years—
 - (i) beginning not before the qualifying period expired, and
 - (ii) ending after the coming into force of section *(Imprisonment or detention for public protection: termination of licences)*(2)(d) of the Victims and Prisoners Act 2023,
 the Secretary of State must order that the licence is to cease to have effect.”;
 - (e) in subsection (5), in the definition of “the qualifying period”, for “ten” substitute “three”;
 - (f) after subsection (5) insert—
 - “(6) The Secretary of State may by regulations made by statutory instrument amend subsection (5) to change the length of the qualifying period for the time being specified.
 - (7) A statutory instrument containing regulations under subsection (6) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”
- (3) In section 32 (recall of life prisoners while on licence), after subsection (1) insert—
- “(1A) Subsection (1) does not apply in relation to a prisoner in respect of whom the Secretary of State is required to make an order under section 31A(4) or (4H) that the licence is to cease to have effect.”

Member's explanatory statement

This new clause, to be inserted after clause 42, makes provision about the termination of licences imposed in connection with sentences of imprisonment for public protection.

Sir Robert Neill

NC1

Ms Harriet Harman
 Stephen Hammond
 Mr Alistair Carmichael
 John McDonnell
 Ian Byrne

Andy Carter
 Christina Rees
 Sir Oliver Heald
 Mick Whitley

Kim Johnson
 Liz Saville Roberts
 Kate Hollern
 Caroline Lucas

Apsana Begum
 John Howell
 Lloyd Russell-Moyle
 Rachael Maskell

To move the following Clause—

“Re-sentencing those serving a sentence of imprisonment for public protection

- (1) The Lord Chancellor must make arrangements for, and relating to, the re-sentencing of all prisoners serving IPP sentences within 18 months beginning on the day on which this Act is passed.
- (2) Those arrangements must include arrangements relating to the establishment of a committee to provide advice regarding the discharge of the Lord Chancellor’s duty under subsection (1).
- (3) The committee established by virtue of subsection (2) must include a judge nominated by the Lord Chief Justice.
- (4) A court that imposed an IPP sentence has the power to re-sentence the prisoner in relation to the original offence.
- (5) But the court may not impose a sentence that is a heavier penalty than the sentence that was imposed for the original offence.
- (6) In relation to the exercise of the power in subsection (4)—
 - (a) that power is to be treated as a power to re-sentence under the Sentencing Code (see section 402(1) of the Sentencing Act 2020);
 - (b) the Code applies for the purposes of this section (and, accordingly, it does not matter that a person serving an IPP sentence was convicted of an offence before 1 December 2020).

- (7) In this section—

“IPP sentence” means a sentence of imprisonment or detention in a young offender institution for public protection under section 225 of the Criminal Justice Act 2003 or a sentence of detention for public protection under section 226 of that Act (including such a sentence of imprisonment or detention passed as a result of section 219 or 221 of the Armed Forces Act 2006);

“original offence” means the offence in relation to which the IPP sentence was imposed.

- (8) This section comes into force at the end of the period of two months beginning with the day on which this Act is passed.”

Member's explanatory statement

This new clause would implement the recommendation of the Justice Committee's 2022 Report that there should be a resentencing exercise in relation to all IPP sentenced individuals, and to establish a time-limited expert committee, including a member of the judiciary, to advise on the practical implementation of such an exercise.

John McDonnell

NC2

Caroline Lucas
Kim Johnson
Rachael Maskell
Apsana Begum

To move the following Clause—

“Appointment of an advocate to represent IPP prisoners’ interests

- (1) The Secretary of State may, by regulations, establish a list of advocates to further the interests of prisoners serving imprisonment for public protection (IPP) sentences.
- (2) For the purposes of subsection (1), the Secretary of State may set out minimum qualifications for any person to be appointed as an IPP advocate.
- (3) A person may only act as an IPP advocate if the Secretary of State considers that the following conditions are satisfied—
 - (a) they have had appropriate experience or training or an appropriate combination of experience and training;
 - (b) they are of integrity and good character; and
 - (c) they are able to act independently of any other person who is professionally concerned with the qualifying prisoner's continuing imprisonment.
- (4) The Secretary of State may pay to, or in respect of, such a person—
 - (a) amounts by way of remuneration, pensions, allowances or gratuities, and
 - (b) sums in respect of the expenses of the IPP advocate.
- (5) Regulations under this section are to be made by statutory instrument; and an instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

Member's explanatory statement

This new clause, and new clause NC3 would allow the Secretary of State to appoint a number of independent advocates to act on behalf of over-tariff prisoners sentenced to imprisonment for public protection.

John McDonnell

NC3

Rachael Maskell

To move the following Clause—

“Functions of an IPP advocate

- (1) Any IPP prisoner who has exceeded their minimum tariff period is entitled to ask for the assistance of an IPP advocate.
- (2) An IPP advocate may not provide legal services or advice to an IPP prisoner.
- (3) An IPP advocate may—
 - (a) visit and advise an IPP prisoner at the facility where they are imprisoned;
 - (b) subject to subsection (2), appear before the Parole Board on behalf of an IPP prisoner;
 - (c) visit and advise an IPP prisoner who has been released on licence.
- (4) For the purposes of this Act, “IPP prisoner” means a person sentenced to imprisonment for public protection under the Criminal Justice Act, or any successor Act.”

Member's explanatory statement

This new clause sets out the functions of an IPP advocate. They will not provide legal advice, but will provide practical advice, support them at the Parole Board and on release.

Sarah Champion

NC4

Rachael Maskell

Richard Fuller

Rosie Duffield

To move the following Clause—

“Parole Board: victim personal statement

- (1) It is the duty of the Parole Board to ensure that victims are offered the opportunity to give their views in the criminal justice process by making a personal statement.
- (2) Where a victim has opted-in to the Victim Contact Scheme, the Parole Board must record whether the victim has been offered the opportunity to provide a personal statement to the Parole Board before it makes a decision relevant to the victim.
- (3) The Parole Board must report annually to the Secretary of State on the data recorded under subsection (2) and on its compliance with the duty under subsection (1).
- (4) The Secretary of State must lay a copy of any reports received under this section before Parliament within 15 days of receipt.”

Member's explanatory statement

This new clause would place a duty on the Parole Board to ensure that victims are offered the opportunity to give their views in the criminal justice process and require it to report to the Secretary of State on its compliance with that duty.

Sarah Champion**NC5**

Rachael Maskell
Richard Fuller
Apsana Begum
Mrs Emma Lewell-Buck
Rosie Duffield

To move the following Clause—

“Duty to develop a single core data set of victims of child sexual abuse

- (1) The responsible authority must make arrangements to develop a shared, single core data set concerning victims of child sexual abuse and child sexual exploitation in England and Wales.
- (2) In accordance with subsection (1) the responsible authority must direct children’s social care and criminal justice agencies to collect consistent and compatible data which includes—
 - (a) the characteristics of victims and alleged perpetrators of child sexual abuse, including—
 - (i) age,
 - (ii) sex, and
 - (iii) ethnicity,
 - (b) the factors that make victims more vulnerable to child sexual abuse or exploitation, and
 - (c) the settings and contexts in which victims have experienced child sexual abuse or exploitation.
- (3) The responsible authority must ensure that the data is published each month.
- (4) For the purposes of this section, the responsible authority is—
 - (a) in England, the Secretary of State; and
 - (b) in Wales, the Welsh Ministers.”

Sarah Champion**NC6**

Rachael Maskell
Richard Fuller
Apsana Begum
Rosie Duffield

To move the following Clause—

“Assessment of numbers of independent domestic violence and sexual violence advisors, stalking advocates and specialist support services

Within six months of the passing of this Act, and annually thereafter, the Secretary of State must—

- (a) make an assessment of the adequacy of the number of independent domestic violence and sexual violence advisors, stalking advocates, and specialist support services in each region of England and Wales, having regard to the population in each region, and
- (b) publish that assessment.”

Member's explanatory statement

This new clause would require the Secretary of State to make an assessment of the adequacy of the number of ISVAs, IDVAs, stalking advocates and specialist support services in each region of England and Wales.

Sarah Champion

NC7

Rachael Maskell
Apsana Begum
Mrs Emma Lewell-Buck
Rosie Duffield

To move the following Clause—

“Improving accessibility and awareness of the Victims’ Code

- (1) In preparing the draft of the victims’ code under section 2, the Secretary of State must take all practicable steps to ensure that the code is fully accessible to all victims and to promote awareness of the code among those victims and associated services.
- (2) For the purposes of this section the Secretary of State must by regulations prescribe—
 - (a) that criminal justice bodies must signpost victims to appropriate support services, and
 - (b) that appropriate training is delivered to staff in criminal justice bodies, including by specialist domestic abuse services.
- (3) The steps taken under subsection (1) must include steps aimed at ensuring that victims who—
 - (a) are deaf,
 - (b) are disabled,
 - (c) are visually impaired, or
 - (d) do not speak English as their first language,are able to understand their entitlements under the code.”

Member's explanatory statement

This new clause seeks to ensure that the victims' code is accessible to all victims and associated services.

Sarah Champion**NC8**

Rachael Maskell
Mr Virendra Sharma
Apsana Begum
Rosie Duffield

To move the following Clause—

"Access to services for victims with no recourse to public funds

- (1) Notwithstanding the provisions of any other enactment, a victim of domestic abuse who—
 - (a) has leave to enter or remain in the United Kingdom which is subject to a condition that they do not have recourse to public funds,
 - (b) requires leave to enter or remain in the United Kingdom but does not have it,
 - (c) has leave to enter or remain in the United Kingdom given as a result of a maintenance undertaking,is entitled to be provided with services in accordance with the victims' code.
- (2) The Secretary of State may by regulations make provision that is consequential on this section.
- (3) For the purposes of this section—

"domestic abuse" has the same meaning as in section 1 of the Domestic Abuse Act 2020;

"victim" has the meaning given by section 1 of this Act."

Member's explanatory statement

This new clause would ensure that victims of domestic abuse who do not have recourse to public funds are still entitled to be provided with services in accordance with the victims' code.

Caroline Nokes**NC9**

Apsana Begum

To move the following Clause—

"Meaning of "honour-based abuse"

- (1) The Secretary of State must by regulations made by statutory instrument define the meaning of "honour-based abuse" for the purposes of section 1.
- (2) Before making regulations under this section, the Secretary of State must carry out a consultation about—

- (a) what conduct should amount to “honour-based abuse” for the purposes of section 1, and
 - (b) any definition of the meaning of “honour-based abuse” proposed by the Secretary of State.
- (3) In carrying out a consultation under subsection (2), the Secretary of State must consult—
- (a) organisations that appear to the Secretary of State to represent those who have an interest in the meaning of “honour-based abuse” for the purposes of section 1;
 - (b) any other persons that the Secretary of State considers appropriate.
- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Tim Farron

NC10

To move the following Clause—

“Sewage Illness Victim Compensation Scheme

- (1) The Secretary of State must by regulations provide for a compensation scheme for victims who have suffered harm as a direct result of criminal conduct in relation to sewage and waste water.
- (2) Regulations under subsection (1) must—
 - (a) provide for the payment of compensation to people who have become unwell as a result of bathing in water contaminated by sewage,
 - (b) make provision in relation to the medical evidence required to support a claim for compensation under the regulations.
- (3) Regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.”

Kevin Brennan

NC13

☆ 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.

Kevin Brennan

NC14

☆ To move the following Clause—

“Major incidents: duty of candour

- (1) In discharging their duties in relation to a major incident, public authorities and public servants and officials must at all times act within their powers—
 - (a) in the public interest, and
 - (b) with transparency, candour and frankness.
- (2) If a major incident results in a court proceeding, official inquiry or investigation, public authorities and public servants and officials have a duty to assist—
 - (a) relating to their own activities, or
 - (b) where their acts or omissions may be relevant.
- (3) In discharging the duty under subsection (2), public authorities and public servants and officials shall—
 - (a) act with proper expedition;
 - (b) act with transparency, candour and frankness,
 - (c) act without favour to their own position,
 - (d) make full disclosure of relevant documents, material and facts,
 - (e) set out their position on the relevant matters at the outset of the proceedings, inquiry or investigation, and
 - (f) provide further information and clarification as ordered by a court or inquiry.
- (4) In discharging their duty under subsection (2), public authorities and public servants and officials shall have regard to the pleadings, allegations, terms of

reference and parameters of the relevant proceedings, inquiry or investigation but shall not be limited by them, in particular where they hold information which might change the ambit of the said proceedings, inquiry or investigation.

- (5) The duties in subsections (1) and (2) shall—
- (a) be read subject to existing laws relating to privacy, data protection and national security,
 - (b) apply in a qualified way with respect to private law and non-public functions as set out in subsection (6), and
 - (c) not be limited by any issue of insurance indemnity.
- (6) The duties in subsections (1) and (2) shall be enforceable by application to the relevant court or inquiry chairperson by any person affected by the alleged breach, or the court or inquiry may act of its own motion. Where there are no extant court or inquiry proceedings, the duties may be enforced by judicial review proceedings in the High Court.”

Member's explanatory statement

This new clause would require public authorities and public servants and officials to act in the public interest and with transparency, candour and frankness when carrying out their duties in relation to major incidents.

Kevin Brennan

NC15

☆ To move the following Clause—

“Referral of release decisions to the Court of Appeal: life prisoners

After section 32ZA of the Crime (Sentences) Act 1997 insert—

“Referral of release decisions to Court of Appeal

327ZAA Referral of release decisions to Court of Appeal

- (1) This section applies where—
- (a) a prisoner is serving a life sentence imposed in respect of an offence specified or described in section 32ZAB (the “relevant sentence”),
 - (b) the Parole Board is required to make a public protection decision about the prisoner under section 28(6)(b) or 32(5A), and
 - (c) the public protection decision relates to the relevant sentence.
- (2) Where the Parole Board has made a decision in a case to which this section applies—
- (a) the Secretary of State may refer the decision to the criminal division of the Court of Appeal, or
 - (b) a victim may apply to the Secretary of State to request that the prisoner’s case be referred to the criminal division of the Court of Appeal.

- (3) Within [30 days] of an application being made under paragraph (2)(b), the Secretary of State must—
 - (a) exercise the power under subsection (2)(a) and refer the prisoner's case to the criminal division of the Court of Appeal, or
 - (b) provide to the victim a written statement explaining why they have decided not to exercise that power.
- (4) This section applies in relation to a prisoner whose sentence was imposed before, as well as after, this section comes into force.
- (5) But nothing in this section affects the duty of the Secretary of State to release a prisoner whose release has been directed by the Parole Board before this section comes into force.
- (6) In this section, "public protection decision" has the meaning given by section 28ZA(2).

327ZAB Offences for purposes of Court of Appeal referral

- (1) The offences specified or described in this section (for the purposes of section 32ZAA) are—
 - (a) murder;
 - (b) manslaughter;
 - (c) an offence under section 5 of the Domestic Violence, Crime 10 and Victims Act 2004, where a child has died as a result of the prisoner's unlawful act;
 - (d) an offence specified in any of paragraphs 41 to 43 of Schedule 18 to the Sentencing Code (specified terrorism offences other than inchoate offences);
 - (e) an offence that is not an inchoate offence and was determined to have a terrorist connection, within the meaning given by section 247A(7A) of the Criminal Justice Act 2003;
 - (f) an offence under section 1 of the Sexual Offences Act 2003 (rape);
 - (g) an offence under section 5 of that Act (rape of a child under 13);
 - (h) an offence under section 6 of that Act (assault of a child under 13 by penetration);
 - (i) an offence under section 8 of that Act (causing or inciting a child under 13 to engage in sexual activity);
 - (j) an offence under section 47 of that Act (paying for sexual services of a child) against a person aged under 16;
 - (k) an offence under section 1 of the Sexual Offences (Scotland) Act 2009 (asp 9) (rape);
 - (l) an offence under section 18 of that Act (rape of a young child);
 - (m) an offence under section 19 of that Act (sexual assault on a young child by penetration);
 - (n) an offence under section 20 of that Act (sexual assault on a young child);

- (o) an offence under section 21 of that Act (causing a young child to participate in a sexual activity);
 - (p) an offence under Article 5 of the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2)) (rape);
 - (q) an offence under Article 12 of that Order (rape of a child under 13);
 - (r) an offence under Article 13 of that Order (assault of a child under 13 by penetration);
 - (s) an offence under Article 15 of that Order (causing or inciting a child under 13 to engage in sexual activity);
 - (t) an offence that—
 - (i) is abolished, and
 - (ii) would have constituted an offence referred to in paragraphs (a) to (s) if committed on or after the date on which it was abolished.
- (2) A sentence in respect of a service offence is to be treated for the 35 purposes of section 32ZAA as if it were a sentence in respect of the corresponding offence.
- (3) In subsection (2)—
- (a) “service offence” means an offence under—
 - (i) section 42 of the Armed Forces Act 2006,
 - (ii) section 70 of the Army Act 1955 or the Air Force Act 1955, or
 - (iii) section 42 of the Naval Discipline Act 1957;
 - (b) “corresponding offence” means—
 - (i) in relation to an offence under section 42 of the Armed Forces Act 2006, the corresponding offence under the law of England and Wales within the meaning of that section;
 - (ii) in relation to an offence under section 70 of the Army Act 1955 or the Air Force Act 1955, the corresponding civil offence within the meaning of that Act;
 - (iii) in relation to an offence under section 42 of the Naval Discipline Act 1957, the civil offence within the meaning of that section.

327ZAC Powers of the Court of Appeal

- (1) On a referral of a prisoner’s case under section 32ZAA, the Court of Appeal may—
- (a) direct the Secretary of State to release the prisoner on licence as soon as is reasonably practicable in all the circumstances including, in particular, the need to make arrangements in connection with any conditions that are to be included in the licence, or

- (b) decide that the prisoner should remain confined and direct the Secretary of State accordingly.
- (2) In making a decision under subsection (1), the Court of Appeal must have regard to whether there is no more than a minimal risk that, were the prisoner no longer confined, the prisoner would commit a further offence the commission of which would cause serious harm.
- (2A) In making a decision under subsection (1), the Court of Appeal must consider—
 - (a) any statement made by the Parole Board as to the reasons for its decision,
 - (b) the evidence considered by the Parole Board in reaching its decision,
 - (c) any representations made to the Parole Board by the Secretary of State, by a victim, or on behalf of the prisoner,
 - (d) any transcript made of a Parole Board hearing in respect of the case.
- (3) No judge shall sit as a member of the Court of Appeal on the hearing of a reference under this section in respect of a sentence they passed.””

Kevin Brennan

NC16

☆ To move the following Clause—

“Referral of release decisions to the Court of Appeal: fixed-term prisoners

- (1) After section 256AZB of the Criminal Justice Act 2003 insert—

“Referral of release decisions to the Court of Appeal

256AZBA Referral of release decisions to the Court of Appeal

- (1) This section applies where—
- (a) a prisoner is serving a fixed-term sentence imposed in respect of an offence specified or described in section 256AZBB (the “relevant sentence”),
 - (b) the Board is required to make a public protection decision about the prisoner under a relevant provision of this Chapter, and
 - (c) the public protection decision relates to the relevant sentence.
- (2) Where the Parole Board has made a decision in a case to which this section applies—
- (a) the Secretary of State may refer the decision to the criminal division of the Court of Appeal, or
 - (b) a victim may apply to the Secretary of State to request that the prisoner’s case be referred to the criminal division of the Court of Appeal.

- (3) Within [30 days] of an application being made under paragraph (2)(b), the Secretary of State must—
 - (a) exercise the power under subsection (2)(a) and refer the prisoner's case to the criminal division of the Court of Appeal, or
 - (b) provide to the victim a written statement explaining why they have decided not to exercise that power.
- (4) This section applies in relation to a prisoner whose sentence was imposed before, as well as after, this section comes into force.
- (5) But nothing in this section affects the duty of the Secretary of State to release a prisoner whose release has been directed by the Parole Board before this section comes into force.
- (6) In this section—
 - "corresponding power of direction", in relation to a relevant provision, is the power of the Board to direct the Secretary of State to release the prisoner, for the purposes of which the public protection decision is made (see section 237B);
 - "public protection decision" has the meaning given by section 237A(2);
 - "relevant provision" has the meaning given by section 237B.

256AZBB Offences for the purpose of Court of Appeal referral

- (1) The offences specified or described in this section (for the purposes of section 256AZBA) are—
 - (a) manslaughter;
 - (b) an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004, where a child has died as a result of the prisoner's unlawful act;
 - (c) an offence specified in any of paragraphs 41 to 43 of Schedule 18 to the Sentencing Code (specified terrorism offences other than inchoate offences);
 - (d) an offence that is not an inchoate offence and was determined to have a terrorist connection, within the meaning given by section 247A(7A);
 - (e) an offence under section 1 of the Sexual Offences Act 2003 (rape);
 - (f) an offence under section 5 of that Act (rape of a child under 13);
 - (g) an offence under sections 6 to 51 of that Act;
 - (h) an offence under section 1 of the Sexual Offences (Scotland) Act 2009 (asp 9) (rape);
 - (i) an offence under section 18 of that Act (rape of a young child);
 - (j) an offence under sections 2 to 11 of that Act against a mentally disordered person, as defined by section 17 of that Act;
 - (k) an offence under Part 4 or Part 5 of that Act;

- (l) an offence under Article 5 of the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2)) (rape);
 - (m) an offence under Article 12 of that Order (rape of a child under 13);
 - (n) an offence under Part 3 or Part 4 of that Order;
 - (p) an offence that—
 - (i) is abolished, and
 - (ii) would have constituted an offence referred to in paragraphs (a) to (o) if committed on or after the date on which it was abolished.
- (2) A sentence in respect of a service offence is to be treated for the purposes of section 256AZBA as if it were a sentence in respect of the corresponding offence.
- (3) In subsection (2)—
- (a) “service offence” means an offence under—
 - (i) section 42 of the Armed Forces Act 2006,
 - (ii) section 70 of the Army Act 1955 or the Air Force Act 1955, or
 - (iii) section 42 of the Naval Discipline Act 1957;
 - (b) “corresponding offence” means—
 - (i) in relation to an offence under section 42 of the Armed Forces Act 2006, the corresponding offence under the law of England and Wales within the meaning of that section;
 - (ii) in relation to an offence under section 70 of the Army Act 1955 or the Air Force Act 1955, the corresponding civil offence within the meaning of that Act;
 - (iii) in relation to an offence under section 42 of the Naval Discipline Act 1957, the civil offence within the meaning of that section.

256AZBC Powers of the Court of Appeal

- (1) On a referral of a prisoner’s case under section 256AZBA, the Court of Appeal may—
- (a) direct the Secretary of State to release the prisoner on licence as soon as is reasonably practicable in all the circumstances including, in particular, the need to make arrangements in connection with any conditions that are to be included in the licence, or
 - (b) decide that the prisoner should remain confined and direct the Secretary of State accordingly.
- (2) In making a decision under subsection (1), the Court of Appeal must have regard to whether there is no more than a minimal risk that, were the prisoner no longer confined, the prisoner would commit a further offence the commission of which would cause serious harm.

- (3) In making a decision under subsection (1), the Court of Appeal must consider—
 - (a) any statement made by the Parole Board as to the reasons for its decision,
 - (b) the evidence considered by the Parole Board in reaching its decision,
 - (c) any representations made to the Parole Board by the Secretary of State, by a victim, or on behalf of the prisoner,
 - (d) any transcript made of a Parole Board hearing in respect of the case.
- (4) No judge shall sit as a member of the Court of Appeal on the hearing of a reference under this section in respect of a sentence they passed.””

Sarah Champion

NC17

★ To move the following Clause—

“Monitoring compliance

- (1) All agencies with responsibilities under the victims’ code have a duty to monitor and report how relevant services are provided in accordance with the victims’ code.
- (2) In accordance with the duty in subsection (1), the agencies must provide an annual report to the Secretary of State on their assessment of their compliance with the code.
- (3) The Secretary of State must make an annual statement to the House of Commons on the delivery of services provided in accordance with the victims’ code.”

Member's explanatory statement

This new clause would place a duty on the Secretary of State to make an annual statement on compliance with the victims’ code.

Sarah Champion

NC18

★ To move the following Clause—

“Compliance with the code: threshold levels

- (1) The Secretary of State must, by regulations, issue minimum threshold levels of compliance with each right of the victims’ code.
- (2) If a minimum threshold is breached by an organisation in a particular area, the Secretary of State must commission an inspection of that body with regard to that breach.
- (3) The Secretary of State must, as soon as is reasonably practicable, lay before Parliament the report of any such inspection.”

Member's explanatory statement

This new clause would require the Secretary of State to set minimum threshold levels of compliance with each right of the victims' code.

Dame Maria Miller

NC19

Sir Robert Buckland
Jess Phillips

★ To move the following Clause—

“Non-disclosure of victims’ counselling records

- (1) Subsection (3) of this clause applies where—
 - (a) in connection with any criminal investigation, access to records of a victim’s protected confidence in a counselling setting is sought (whether pre- or post-charge), or
 - (b) in any criminal proceedings records containing a protected confidence are to be served as evidence or disclosed by the prosecution to the defendant.
- (2) In this section—

“protected confidence” means a communication made by a person in confidence to another person when the confidant was acting in a professional capacity providing counselling, psychological or mental health services;

“victim” has the same meaning as in section 1 of this Act.
- (3) Permission for access to, service or disclosure of records containing a protected confidence may only be granted by the court.
- (4) The court must direct that access should not be granted, or evidence should not be served or disclosed, if the court finds that doing so would disclose a protected confidence.
- (5) Subsection (4) does not apply if the court finds—
 - (a) that the information is of substantial probative value, and
 - (b) that the public interest in disclosure substantially outweighs that of non-disclosure.
- (6) In making a determination under subsection (5)(b), the court must take into account—
 - (a) the need to encourage victims of sexual offences to seek counselling,
 - (b) that the effectiveness of counselling is likely to be dependent on the maintenance of the confidentiality of the counselling relationship,
 - (c) the public interest in ensuring that victims of sexual offences receive effective counselling,
 - (d) that the disclosure of the protected confidence is likely to damage or undermine the relationship between the counsellor and the counselled person,

- (e) whether disclosure of the protected confidence is sought on the basis of a discriminatory belief or bias, or
- (f) that the adducing of the evidence is likely to infringe a reasonable expectation of privacy.”

Dame Diana Johnson

NC27

Margaret Beckett
 Andrew Percy
 Debbie Abrahams
 Charlotte Nichols
 Naz Shah

Valerie Vaz
 Yasmin Qureshi
 Kim Johnson
 Yvonne Fovargue
 Mrs Emma Lewell-Buck
 John Spellar
 Liam Byrne
 Pete Wishart
 Dr Philippa Whitford

Mrs Sharon Hodgson
 Sarah Owen
 Cat Smith
 Judith Cummins
 Lloyd Russell-Moyle
 John McDonnell
 Clive Efford
 Derek Twigg

Stella Creasy
 Rosie Duffield
 Alison Thewliss
 Tony Lloyd
 John Cryer
 Jess Phillips
 Andy Slaughter
 Dame Margaret Hodge

★ To move the following Clause—

“Compensation for victims of the infected blood scandal

- (1) In accordance with section 2(3C), the Secretary of State must, within three months of the passing of this Act, establish a body to administer the compensation scheme for victims of the infected blood scandal.
- (2) The body created under this section must be chaired by a judge of High Court or Court of Session with status as sole decision maker.
- (3) In exercising its functions, the body must—
 - (a) have regard to the need of applicants for speed of provision, simplicity or process, accessibility, involvement, proactive support, fairness and efficiency;
 - (b) involve potentially eligible persons and their representatives amongst those in a small advisory board, and in the review and improvement of the scheme;
 - (c) permit the hearing of applicants in person; and
 - (d) have an independent appeal body which will reconsider decisions of the scheme referred to it.
- (4) The Secretary of State may by regulations make further provision about the body established under this section.
- (5) For the purposes of this Act, a victim of the infected blood scandal means any infected or affected person whom the Second Interim Report of the Infected Blood Inquiry, as laid before Parliament on 19 April 2023, recommends should be admitted to a compensation scheme.
- (6) This section comes into force on the day on which this Act is passed.”

Dame Maria Miller

1

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

Kate Kniveton
 Philip Davies
 Mary Robinson
 Apsana Begum

Mrs Emma Lewell-Buck
 Dame Margaret Hodge
 Elliot Colburn
 Rachael Maskell

Caroline Lucas
 Ms Harriet Harman
 Charlotte Nichols

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.”

Layla Moran

2

Ms Harriet Harman
 Jim Shannon
 Rachael Maskell

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).”

Sarah Champion

5

Rachael Maskell
 Rosie Duffield

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

- “(e) where the person has experienced adult sexual exploitation.”

Sarah Champion

7

Rachael Maskell
 Rosie Duffield

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

- “(e) where the person is the child of a person posing sexual risk to children.”

Member's explanatory statement

This amendment would include children of a person posing a sexual risk to children (that is, paedophiles (including perpetrators of offences online), suspects or offenders) as victims.

Caroline Nokes

27

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

“(e) where the person is a victim of honour-based abuse (see section [Meaning of “honour-based abuse”]).”

Tim Farron

28

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

“(e) where the person has suffered harm as a direct result of criminal conduct in relation to sewage and waste water”

Kevin Brennan

33

☆ 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.

Dame Diana Johnson

144

Margaret Beckett
Andrew Percy
Debbie Abrahams
Charlotte Nichols
Naz Shah

Valerie Vaz
Yasmin Qureshi
Kim Johnson
Yvonne Fovargue
Mrs Emma Lewell-Buck
John Spellar
Liam Byrne
Pete Wishart
Dr Philippa Whitford

Mrs Sharon Hodgson
Sarah Owen
Cat Smith
Judith Cummins
Lloyd Russell-Moyle
John McDonnell
Clive Efford
Derek Twigg

Stella Creasy
Rosie Duffield
Alison Thewliss
Tony Lloyd
John Cryer
Jess Phillips
Andy Slaughter
Dame Margaret Hodge

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

- “(e) where the person is a victim of the infected blood scandal, as defined in section (*Compensation for victims of the infected blood scandal*)(5) of this Act.”

Secretary Alex Chalk

Gov 34

★ Clause 1, page 2, line 3, leave out from “offence” to end of line 6 and insert—

- “(5) It is immaterial for the purposes of subsection (4)(b) that—
- (a) no person has reported the offence;
 - (b) no person has been charged with or convicted of the offence.
- (6) In section 52(3)(a) of the Domestic Violence, Crime and Victims Act 2004, for “complaint has been made about” substitute “person has reported”.”

Member's explanatory statement

This amendment clarifies that conduct which constitutes an offence may be “criminal conduct” for the purposes of Part 1 of the Bill whether or not the offence has been reported. Section 52(3)(a) of the Domestic Violence, Crime and Victims Act 2004 is amended for consistency.

Sarah Champion

8

Rachael Maskell
Rosie Duffield

Clause 1, page 2, line 5, after “that” insert “no report of the conduct has been made to a criminal justice body and that”

Member's explanatory statement

This amendment aims to ensure that a person could meet the definition of a victim without needing to make a report to a criminal justice body.

Sarah Champion

6

Rachael Maskell
Rosie Duffield

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

- “(c) “adult sexual exploitation” means conduct by which a person manipulates, deceives, coerces or controls another person to undertake sexual activity.”

Member's explanatory statement

This amendment creates a statutory definition of adult sexual exploitation.

Sarah Champion 9
Rachael Maskell
Rosie Duffield

Clause 2, page 2, line 18, leave out paragraph (a) and insert—

“(a) should be provided with information from all state agencies with responsibilities under the victims’ code, including the NHS, to help them understand the criminal justice process and beyond, including grant of leave or discharge.”

Member's explanatory statement

This amendment would extend the principle that victims should be given information about the criminal justice process to explicitly include the NHS, in order to bring mental health tribunal decisions in line with the rest of the criminal justice system.

Sarah Champion 10
Rachael Maskell
Rosie Duffield

Clause 2, page 2, line 19, at end insert “in a language or format that they can understand;”

Sarah Champion 11
Rachael Maskell
Rosie Duffield

Clause 2, page 2, line 23, at end insert “and should be provided with appropriate support to communicate these views;”

Sarah Champion 12
Rachael Maskell
Rosie Duffield

Clause 2, page 2, line 23, at end insert “and with all state agencies with responsibilities under the victims’ code, including HMCTS and the NHS when considering leave or discharge;”

Member's explanatory statement

This amendment seeks to ensure that the NHS and HM Courts and Tribunals Service are included when victims have a right to be heard in the justice process, bringing mental health tribunals decisions in line with the rest of the criminal justice system.

Layla Moran

3

Ms Harriet Harman
Jim Shannon
Rachael Maskell

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);
 - “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

13

Rachael Maskell
Richard Fuller
Rosie Duffield

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

- “(3A) In accordance with subsection (3)(e), the victims’ code must include provision requiring that—
- (a) all victims of child sexual abuse, including online-based abuse, are entitled to compensation under the Criminal Injuries Compensation Scheme,

- (b) victims with unspent convictions, whose offences are linked to the circumstances of their sexual abuse as a child, are entitled to compensation under the Criminal Injuries Compensation Scheme, and
- (c) victims of child sexual abuse may apply for compensation under the Criminal Injuries Compensation Scheme within a 7 year period of whichever of these two dates is the later—
 - (i) the date the offence was reported to the police, or
 - (ii) if the offence was reported whilst the victim was a child, the date the victim turned 18.”

Member's explanatory statement

This amendment would provide that all victims of child sexual abuse (CSA), including online, are entitled to compensation under the CICS and that those with unspent convictions directly linked to the circumstances of their abuse can access compensation. It would also extend the period by which victims can apply.

Sarah Champion

14

Rachael Maskell
Richard Fuller
Caroline Lucas
Priti Patel
Caroline Nokes

Sir Peter Bottomley
Sir James Duddridge
Kim Leadbeater
Debbie Abrahams
Sir George Howarth
Kate Osamor

Charlotte Nichols
Lucy Allan
Mr Jonathan Lord
Tony Lloyd
Ruth Jones
Rosie Duffield

Mrs Emma Lewell-Buck
Hilary Benn
Philip Davies
Apsana Begum
Kelly Tolhurst

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.

Sarah Champion

15

Rachael Maskell
 Richard Fuller
 Mrs Emma Lewell-Buck
 Rosie Duffield

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

- “(3A) The victims’ code must make provision about pre-trial therapy for victims, including—
- (a) a requirement that all criminal justice agencies inform victims of their right to pre-trial therapy, and
 - (b) a requirement that the Crown Prosecution Service annually review their pre-trial therapy guidance and its implementation.”

Member's explanatory statement

This amendment would include in the victims’ code a requirement to inform all victims of their right to access pre-trial therapy, and require the CPS to annually review the implementation of pre-trial therapy guidance.

Mr Alistair Carmichael

29

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

- “(3A) The victims’ code must make provision about support for victims of burglaries.
- (3B) Provision under subsection (3A) must include a requirement that a victim of a burglary must be visited by a police officer.”

Dame Diana Johnson

142

Margaret Beckett
 Andrew Percy
 Debbie Abrahams
 Charlotte Nichols
 Naz Shah

Valerie Vaz
 Yasmin Qureshi
 Kim Johnson
 Yvonne Fovargue
 Mrs Emma Lewell-Buck
 John Spellar
 Liam Byrne
 Pete Wishart
 Dr Philippa Whitford

Mrs Sharon Hodgson
 Sarah Owen
 Cat Smith
 Judith Cummins
 Lloyd Russell-Moyle
 John McDonnell
 Clive Efford
 Derek Twigg

Stella Creasy
 Rosie Duffield
 Alison Thewliss
 Tony Lloyd
 John Cryer
 Jess Phillips
 Andy Slaughter
 Dame Margaret Hodge

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

- “(3A) The victims’ code must include provision requiring that all victims of the infected blood scandal, as defined in section (*Compensation for victims of the infected blood scandal*)(5) of this Act, are entitled to compensation.

- (3B) Subject to subsection (3C), compensation must be administered by a body established for that purpose by the Secretary of State under section (*Compensation for victims of the infected blood scandal*).
- (3C) The Secretary of State must ensure that an interim compensation payment of £100,000 is made within one month of the passing of this Act in the following circumstances—
- (a) where an infected victim died as a child or died as an adult without a partner or child, the compensation payment should be made to their bereaved parents (split equally if separated);
 - (b) where an infected victim has died and there is no bereaved partner but there is a bereaved child or children (including any adopted child), the compensation payment should be paid to the child or children (split equally); and
 - (c) where an infected victim has died and there is no bereaved partner, child nor parent but there is a bereaved full sibling or siblings, the compensation payment should be paid to the sibling or siblings (split equally)."

Dame Diana Johnson

143

Margaret Beckett
 Andrew Percy
 Debbie Abrahams
 Charlotte Nichols
 Naz Shah

Valerie Vaz
 Yasmin Qureshi
 Kim Johnson
 Yvonne Fovargue
 Mrs Emma Lewell-Buck
 John Spellar
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 Andy Slaughter
 Dame Margaret Hodge

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

“(3A) Within one month of the passing of this Act, the victims’ code must make specific provision for a bespoke psychological service in England for victims of the infected blood scandal, as defined in section (*Compensation for victims of the infected blood scandal*)(5) of this Act.”

Sarah Olney

26

Rachael Maskell
 Ian Byrne
 Sir Robert Buckland
 Ms Harriet Harman
 Sarah Champion

Sarah Green
 Ben Lake
 Kim Johnson

Layla Moran
 Hywel Williams
 Jim Shannon

Liz Saville Roberts
 Sir Robert Neill
 John McDonnell

Clause 2, page 2, line 34, at end insert—

“(5A) Regulations under subsection (4) must make provision for a person to be able to obtain free of charge, on request, a transcript of a trial in which the person was involved as a victim.”

Secretary Alex Chalk

Gov 35

★ Clause 6, page 4, line 37, after “review” insert “whether and”

Member's explanatory statement

This amendment clarifies that criminal justice bodies must keep under review whether they provide services in accordance with the victims’ code, as well as how services are provided.

Secretary Alex Chalk

Gov 36

★ Clause 6, page 5, line 17, leave out “provided in accordance with the victims’ code”

Member's explanatory statement

This amendment is consequential on Amendment 35.

Secretary Alex Chalk

Gov 37

★ Clause 6, page 5, line 20, leave out “provided in accordance with the victims’ code”

Member's explanatory statement

This amendment is consequential on Amendment 35.

Secretary Alex Chalk

Gov 38

★ Clause 7, page 6, line 6, at beginning insert “whether and”

Member's explanatory statement

This amendment clarifies that elected local policing bodies must keep under review whether criminal justice bodies in their area provide services in accordance with the victims’ code, as well as how services are provided.

Secretary Alex Chalk

Gov 39

- ★ Clause 8, page 6, line 39, after “review” insert “whether and”

Member's explanatory statement

This amendment clarifies that the Chief Constable of the British Transport Police Force and the British Transport Police Authority must keep under review whether the Chief Constable provides services in accordance with the victims' code, as well as how services are provided.

Secretary Alex Chalk

Gov 40

- ★ Clause 8, page 7, line 18, leave out “provided in accordance with the victims' code”

Member's explanatory statement

This amendment is consequential on Amendment 39.

Secretary Alex Chalk

Gov 41

- ★ Clause 8, page 7, line 21, leave out “provided in accordance with the victims' code”

Member's explanatory statement

This amendment is consequential on Amendment 39.

Secretary Alex Chalk

Gov 42

- ★ Clause 9, page 8, line 1, after “review” insert “whether and”

Member's explanatory statement

This amendment clarifies that the Chief Constable of the Ministry of Defence Police and the Secretary of State must keep under review whether the Chief Constable provides services in accordance with the victims' code, as well as how services are provided.

Secretary Alex Chalk

Gov 43

- ★ Clause 9, page 8, line 17, leave out “provided in accordance with the victims' code”

Member's explanatory statement

This amendment is consequential on Amendment 42.

Secretary Alex Chalk

Gov 44

- ★ Clause 9, page 8, line 20, leave out “provided in accordance with the victims' code”

Member's explanatory statement

This amendment is consequential on Amendment 42.

Secretary Alex Chalk

Gov 45

- ★ Clause 11, page 9, line 28, leave out “other protected characteristics” and insert “protected characteristics within the meaning of the Equality Act 2010”

Member's explanatory statement

This amendment clarifies the meaning of “protected characteristics” for the purposes of guidance about reviewing victims’ code compliance.

Secretary Alex Chalk

Gov 46

- ★ Clause 12, page 10, line 5, at end insert—

“(1A) A relevant authority exercises a function in relation to relevant victim support services if it exercises the function in relation to—

- (a) the provision of such services, or
- (b) the commissioning of such services provided by another person.”

Member's explanatory statement

This amendment clarifies the functions in relation to which the duties in clauses 12 to 14 apply.

Sarah Champion

4

Rachael Maskell
Rosie Duffield

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

“(d) stalking.”

Sarah Champion

16

Rachael Maskell
Rosie Duffield

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

“(d) modern slavery.”

Member's explanatory statement

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

Secretary Alex Chalk

Gov 47

- ★ Clause 12, page 10, line 38, leave out subsection (9)

Member's explanatory statement

This amendment is consequential on Amendment 46.

Secretary Alex Chalk

Gov 48

- ★ Clause 13, page 11, line 9, leave out from “must” to first “persons” in line 12 and insert “—
- (a) make reasonable efforts to obtain the views of victims in the police area,
 - (b) consult”

Member's explanatory statement

This Amendment is consequential on Amendment 48.

Secretary Alex Chalk

Gov 49

- ★ Clause 13, page 11, line 13, after “services” insert “in the police area”

Member's explanatory statement

This amendment clarifies that, when a strategy in relation to victim support services in a police area is being prepared or revised, providers of services outside the area need not be consulted.

Secretary Alex Chalk

Gov 50

- ★ Clause 13, page 11, line 14, at beginning insert “consult”

Member's explanatory statement

This Amendment is consequential on Amendment 48.

Secretary Alex Chalk

Gov 51

- ★ Clause 13, page 11, line 15, leave out from “must” to end of line 20 and insert “—
- (a) assess the needs of victims in the police area for relevant victim support services,
 - (b) assess whether, and how, those needs are being met by the services which are available (whether or not provided by the relevant authorities), and
 - (c) have regard to those assessments.”

Member's explanatory statement

This amendment requires authorities preparing a strategy in relation to victim support services in a police area to assess, and have regard to, whether and how the needs of victims are being met.

Secretary Alex Chalk

Gov 52

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

“(3A) When making an assessment under subsection (3), the relevant authorities must have regard to the particular needs of victims who are children or have protected characteristics within the meaning of the Equality Act 2010.”

Member's explanatory statement

This amendment requires authorities undertaking the assessments required by Amendment 51 to have regard to the particular needs of victims who are children or have protected characteristics within the meaning of the Equality Act 2010.

Sarah Champion

17

Rachael Maskell
Rosie Duffield

Clause 15, page 12, line 5, at end insert—

“(c) independent stalking advocates.”

Sarah Champion

19

Rachael Maskell
Rosie Duffield

Clause 15, page 12, line 5, at end insert—

“(c) any other specialist community-based services relevant to the criminal conduct .”

Sarah Champion

18

Rachael Maskell
Rosie Duffield

Clause 15, page 12, line 12, at end insert—

“(c) “independent stalking advocate” means a person who provides a relevant service to individuals who are victims of criminal conduct which constitutes stalking.”

Member's explanatory statement

This amendment ensures that the Secretary of State must also provide guidance around stalking advocates, in addition to guidance about ISVAs and IDVAs.

Sarah Champion 20

Rachael Maskell
Rosie Duffield

Clause 15, page 12, line 12, at end insert—

- “(c) specialist community-based service” means a person who provides a relevant service to individuals based on a protected characteristics under the Equality Act 2010 or the specific nature of the crime faced by the victim.”

Sarah Champion 21

Rachael Maskell
Rosie Duffield

Clause 15, page 12, line 13, leave out “or (b)” and insert “, (b) or (c)”

Sarah Champion 22

Rachael Maskell
Rosie Duffield

Clause 15, page 12, line 16, leave out subsection (4) and insert—

- “(4) Guidance under this section about service providers under subsection (1) must include provision about—
- (a) the role of such providers;
 - (b) the services they provide to—
 - (i) victims, including (where relevant) victims who are children or have other protected characteristics, or
 - (ii) persons who are not victims, where that service is provided in connection with a service provided to a victim;
 - (c) how such providers and other persons who have functions relating to victims, or any aspect of the criminal justice system, should work together;
 - (d) appropriate training and qualifications for such providers.”

Secretary Alex Chalk

Gov 53

★ Clause 15, page 12, line 21, leave out “other protected characteristics” and insert “protected characteristics within the meaning of the Equality Act 2010”

Member's explanatory statement

This amendment clarifies the meaning of “protected characteristics” for the purposes of guidance about independent domestic violence advisers and independent sexual violence advisers.

Sarah Champion

23

Rachael Maskell
Rosie Duffield

Clause 15, page 12, line 28, leave out from beginning to “must” and insert “The service providers listed in subsection (1)”

Sarah Champion

24

Rachael Maskell
Rosie Duffield

Clause 22, page 18, line 26, at end insert—

“(d) is satisfied that the victim has been informed of their rights in relation to the request.”

Secretary Alex Chalk

Gov 54

★ Clause 22, page 19, leave out lines 6 to 11

Member's explanatory statement

This amendment is consequential on NC21.

Secretary Alex Chalk

Gov 55

★ Clause 22, page 20, line 9, leave out “to understand” and insert “in relation to”

Member's explanatory statement

This amendment is consequential on NC21.

Secretary Alex Chalk

Gov 56

★ Clause 22, page 20, leave out lines 14 and 15 and insert—

““relevant authority”—

- (a) in relation to England, means a county council, a district council for an area for which there is no county council, a London borough council or the Common Council of the City of London in its capacity as a local authority;

- (b) in relation to Wales, means a county council or a county borough council;”

Member's explanatory statement

This amendment is consequential on NC21.

Sarah Champion

25

Rachael Maskell
Rosie Duffield

Clause 22, page 20, line 23, at end insert—

- “(d) including a full statement of the victim’s rights in relation to the request.”

Secretary Alex Chalk

Gov 57

- ★ Clause 22, page 21, leave out lines 38 and 39

Member's explanatory statement

This amendment is consequential on NC21.

Secretary Alex Chalk

Gov 58

- ★ Clause 25, page 23, line 15, leave out “independent public”

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 59

- ★ Clause 25, page 23, line 16, leave out from “incident” to end of line 22

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 60

- ★ Clause 25, page 23, line 24, after “if” insert “—

- (a) the individual is the standing advocate, or
(b)”

Member's explanatory statement

This amendment would enable the Secretary of State to appoint the standing advocate appointed under NC23 as an advocate in respect of a specific major incident.

Secretary Alex Chalk

Gov 61

- ★ Clause 25, page 23, line 25, leave out "to act as an advocate"

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 62

- ★ Clause 25, page 23, line 38, leave out subsection (7)

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 63

- ★ Clause 26, page 24, line 25, leave out "appointed in respect of a major incident"

Member's explanatory statement

This amendment is consequential on NC23.

Secretary Alex Chalk

Gov 64

- ★ Clause 27, page 24, line 31, leave out "may" and insert "must"

Member's explanatory statement

This amendment would require the Secretary of State to appoint a lead advocate where more than one advocate is appointed in respect of a major incident.

Secretary Alex Chalk

Gov 65

- ★ Clause 27, page 24, line 33, after first "advocate" insert "appointed in respect of the incident"

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 66

- ★ Clause 27, page 24, line 35, leave out subsection (4)

Member's explanatory statement

This amendment is consequential on Amendment 67.

Secretary Alex Chalk

Gov 67

- ★ Clause 28, page 25, line 2, at end insert—

“(A1) This section applies where an advocate is appointed in respect of a major incident.

(A2) Where more than one advocate is appointed in respect of the incident, references in this section to “the advocate” are to each advocate individually and any number of them (including all of them) acting jointly.”

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 68

- ★ Clause 28, page 25, line 3, leave out “in respect of a major incident, an” and insert “, the”

Member's explanatory statement

This amendment is consequential on Amendment 67.

Secretary Alex Chalk

Gov 69

- ★ Clause 28, page 25, line 23, leave out “An” and insert “The”

Member's explanatory statement

This amendment is consequential on Amendment 67.

Secretary Alex Chalk

Gov 70

- ★ Clause 28, page 25, line 26, leave out “an” and insert “the”

Member's explanatory statement

This amendment is consequential on Amendment 67.

Secretary Alex Chalk

Gov 71

- ★ Clause 28, page 25, line 33, leave out “An” and insert “The”

Member's explanatory statement

This amendment is consequential on Amendment 67.

Secretary Alex Chalk

Gov 72

- ★ Clause 28, page 25, line 37, leave out “an” and insert “the”

Member's explanatory statement

This amendment is consequential on Amendment 67.

Secretary Alex Chalk

Gov 73

- ★ Clause 28, page 26, leave out lines 3 and 4

Member's explanatory statement

This amendment is consequential on NC23.

Secretary Alex Chalk

Gov 74

- ★ Clause 28, page 26, leave out lines 7 to 10 and insert—

““public authority” has the same meaning as in section (*Appointment of standing advocate*)(2)(a) (see section (*Appointment of standing advocate*)(5)).”

Member's explanatory statement

This amendment is consequential on NC23.

Secretary Alex Chalk

Gov 75

- ★ Clause 29, page 26, line 14, leave out from “paragraph” to end of line 18 and insert “(ka) insert—

“(kb) where an advocate has been appointed under section 25(1) of the Victims and Prisoners Act 2024 in respect of an incident which may have caused or contributed to the death of the deceased—

- (i) each advocate that has been appointed under that section in respect of that incident, and
- (ii) the standing advocate appointed under section (*Appointment of standing advocate*) of that Act;”

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 76

★ Clause 30, page 26, line 19, at end insert—

“(A1) The standing advocate must, in respect of each calendar year, report to the Secretary of State as to—

- (a) the exercise of the standing advocate’s functions in that year;
- (b) such matters as the Secretary of State may require in writing;
- (c) such other matters as the standing advocate considers relevant to their functions or the functions of another advocate.

(A2) A report under subsection (A1) must be made by 1 July in the calendar year following the year in respect of which the report is made.”

Member's explanatory statement

This amendment would require the standing advocate appointed under NC23 to make annual reports.

Secretary Alex Chalk

Gov 77

★ Clause 30, page 26, line 20, leave out “sends a” and insert “gives”

Member's explanatory statement

This amendment is consequential on Amendment 81.

Secretary Alex Chalk

Gov 78

★ Clause 30, page 26, line 28, leave out “this section” and insert “subsection (1)”

Member's explanatory statement

This amendment is consequential on Amendment 76.

Secretary Alex Chalk

Gov 79

★ Clause 30, page 26, line 32, leave out “this section” and insert “subsection (1)”

Member's explanatory statement

This amendment is consequential on Amendment 76.

Secretary Alex Chalk

Gov 80

★ Clause 30, page 26, line 33, leave out “the incident in respect of which they are appointed” and insert “—

- (a) a major incident in respect of which they are appointed, or
- (b) in the case of the standing advocate, any major incident,”

Member's explanatory statement

This amendment is consequential on NC23.

Secretary Alex Chalk

Gov 81

★ Clause 30, page 26, line 34, at end insert—

“(4A) An advocate may, at their discretion and at any time, report to the Secretary of State such matters as the advocate considers relevant to—

- (a) a major incident in respect of which they are appointed, or
- (b) in the case of the standing advocate, any major incident.

(4B) If more than one advocate has been appointed in respect of the same major incident—

- (a) the Secretary of State may give notice under subsection (2) in relation to the incident only to the lead advocate;
- (b) only the lead advocate may make a report under subsection (4A) in relation to the incident.”

Member's explanatory statement

This amendment would enable an advocate (or the lead advocate where multiple advocates are appointed in respect of the same incident) to report at their discretion.

Secretary Alex Chalk

Gov 82

★ Clause 30, page 26, line 35, leave out subsections (5) to (7)

Member's explanatory statement

This amendment is consequential on NC24 and Amendment 81.

Secretary Alex Chalk

Gov 83

★ Clause 31, page 27, line 8, at end insert—

“(za) the standing advocate;”

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 84

★ Clause 31, page 27, line 11, leave out paragraphs (c) and (d) and insert—

- “(c) any other person exercising functions of a public nature;
- (d) a victim of a major incident in respect of which the advocate is appointed.”

Member's explanatory statement

This amendment would expressly allow an advocate to share information with any person exercising functions of a public nature and clarify the victims with whom information may be shared.

Secretary Alex Chalk

Gov 85

★ Clause 31, page 27, line 13, leave out first “The Secretary of State” and insert “A person exercising functions of a public nature”

Member's explanatory statement

This amendment would expressly allow persons exercising functions of a public nature as well as the Secretary of State to share information with an advocate.

Secretary Alex Chalk

Gov 86

★ Clause 31, page 27, line 13, leave out second “Secretary of State” and insert “person”

Member's explanatory statement

This amendment is consequential on Amendment 85.

Secretary Alex Chalk

Gov 87

★ Clause 31, page 27, line 16, leave out first “the”

Member's explanatory statement

This amendment would clarify that clause 31(3) relates to any information received in the exercise of an advocate’s functions rather than specific information.

Secretary Alex Chalk

Gov 88

★ Clause 31, page 27, line 17, leave out “those” and insert “their”

Member's explanatory statement

This amendment would clarify that an advocate may use information received in the exercise of an advocate’s functions for any of their functions.

Secretary Alex Chalk

Gov 89

- ★ Clause 31, page 27, line 20, leave out subsection (5)

Member's explanatory statement

This amendment would allow an advocate to share personal data without consent where it is necessary to do so (consistently with data protection legislation).

Secretary Alex Chalk

Gov 90

- ★ Clause 31, page 27, line 22, at end insert—

“(5A) This section does not limit the circumstances in which information may be disclosed apart from this Part.

(5B) Except as provided by subsection (6), a disclosure of information under this Part does not breach—

- (a) any obligation of confidence owed by the person disclosing the information, or
- (b) any other restriction on the disclosure of information (however imposed).”

Member's explanatory statement

This amendment would provide that clause 31 does not limit other powers to disclose information and that a disclosure of information under Part 2 does not breach other obligations (subject to data protection legislation).

Secretary Alex Chalk

Gov 91

- ★ Clause 31, page 27, line 28, leave out ““data subject”,”

Member's explanatory statement

This amendment is consequential on Amendment 89.

Secretary Alex Chalk

Gov 92

- ★ Clause 31, page 27, leave out line 31

Member's explanatory statement

This amendment is consequential on Amendment 84.

Secretary Alex Chalk

Gov 93

- ★ Clause 32, page 27, line 35, after “advocate” insert “appointed in respect of a major incident”

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 94

- ★ Clause 32, page 28, line 2, after “advocate” insert “appointed in respect of a major incident”

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 95

- ★ Clause 33, page 29, leave out line 26 and insert—

“(c) subsection (1) of section 32ZAC, for the purposes of that subsection.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 96

- ★ Clause 33, page 29, line 31, leave out “32ZAC(2), the Secretary of State” and insert “32ZAC(1), the Upper Tribunal or High Court (as the case may be)”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 97

- ★ Clause 33, page 30, line 12, leave out subsection (5)

Member's explanatory statement

This amendment is consequential on Amendment NC26.

Secretary Alex Chalk

Gov 98

- ★ Clause 34, page 31, line 40, leave out “256AZBC(2), the Secretary of State” and insert “256AZBC(1), the Upper Tribunal or High Court (as the case may be)”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 99

- ★ Clause 34, page 32, line 26, leave out “256AZBC(2)” and insert “256AZBC(1)”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 100

- ★ Clause 35, page 35, leave out lines 19 to 26 and insert—

- “(a) section 32ZAC(1) of the Crime (Sentences) Act 1997 (powers on referral of release decisions);
- (b) section 256AZBC(1) of the Criminal Justice Act 2003 (powers on referral of release decisions).”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 101

- ★ Clause 36, page 35, line 30, leave out “Secretary of State” and insert “relevant court”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 102

- ★ Clause 36, page 35, line 31, leave out “Secretary of State” and insert “relevant court”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 103

- ★ Clause 36, page 35, line 34, leave out from “32ZAB” to end of line 11 on page 36 and insert “, and

- (b) the Parole Board directs the prisoner’s release under section 28(5) or 32(5).”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 104

★ Clause 36, page 36, line 13, leave out “Secretary of State” and insert “relevant court if the Secretary of State considers that—

- (a) the release of the prisoner would be likely to undermine public confidence in the parole system, and
- (b) if the case were referred, the relevant court might not be satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined (see section 32ZAC(1)).”

Member's explanatory statement

This amendment, and the other Government amendments to clauses 33 to 42 and 47, enable the Secretary of State to direct the Parole Board to refer certain prisoner release decisions to the Upper Tribunal or, where sensitive material may be relevant, the High Court.

Secretary Alex Chalk

Gov 105

★ Clause 36, page 36, line 13, at end insert—

“(5A) “Relevant court” means—

- (a) if the Secretary of State certifies that sensitive material may be relevant to the prisoner’s case, the High Court;
- (b) in any other case, the Upper Tribunal.

(5B) For the purposes of subsection (5A), “sensitive material” means material the disclosure of which would, in the opinion of the Secretary of State, be damaging to the interests of national security.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 106

★ Clause 36, page 36, leave out lines 15 and 16 and insert “the Secretary of State—

- (a) must notify the prisoner of the direction and the reasons for giving it, and
- (b) pending determination of the prisoner’s case under section 32ZAC(1), is not required to give effect to the Parole Board’s direction to release the prisoner.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 107

- ★ Clause 36, page 36, leave out lines 22 and 23

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 108

- ★ Clause 36, page 36, line 24, leave out "Offences for purposes of Secretary of State referral" and insert "Specified offences"

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 109

- ★ Clause 36, page 37, line 31, leave out "Secretary of State" and insert "relevant court"

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 110

- ★ Clause 36, page 37, line 32, leave out from "the" to end of line 38 and insert "relevant court—

- (a) must, if satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined, make an order requiring the Secretary of State to give effect to the Parole Board's direction to release the prisoner on licence;
- (b) otherwise, must make an order quashing the Parole Board's direction to release the prisoner on licence."

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 111

- ★ Clause 36, page 37, line 39, leave out from beginning to end of line 9 on page 38 and insert—

- "(2) An order under subsection (1)(a) may include directions as to the conditions to be included in the prisoner's licence on release.
- (3) An order under subsection (1)(b) has effect as if the prisoner's case were disposed of by the Parole Board on the date on which the order was made.

(4) In this section “relevant court” has the meaning given by section 32ZAA(5A).””

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 112

★ Clause 36, page 38, line 9, at end insert—

“(2) In section 32ZB of the Crime (Sentences) Act 1997 (release at direction of Parole Board: timing), in subsection (1), at the end insert “(including where the Upper Tribunal or High Court makes an order under section 32ZAC(1)(a) requiring the Secretary of State to give effect to such a direction)”.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 113

★ Clause 37, page 38, line 12, leave out “Secretary of State” and insert “relevant court”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 114

★ Clause 37, page 38, line 13, leave out “Secretary of State” and insert “relevant court”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 115

★ Clause 37, page 38, line 16, leave out from “256AZBB” to end of line 33 and insert “, and

(b) the Board directs the prisoner’s release under a provision mentioned in the second column of the table in section 237B.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 116

★ Clause 37, page 38, line 35, leave out “Secretary of State” and insert “relevant court if the Secretary of State considers that—

- (a) the release of the prisoner would be likely to undermine public confidence in the parole system, and
- (b) if the case were referred, the relevant court might not be satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined (see section 256AZBC(1)).”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 117

★ Clause 37, page 38, line 35, at end insert—

“(5A) “Relevant court” means—

- (a) if the Secretary of State certifies that sensitive material may be relevant to the prisoner’s case, the High Court;
- (b) in any other case, the Upper Tribunal.

(5B) For the purposes of subsection (5A), “sensitive material” means material the disclosure of which would, in the opinion of the Secretary of State, be damaging to the interests of national security.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 118

★ Clause 37, page 38, leave out lines 37 and 38 and insert “the Secretary of State—

- (a) must notify the prisoner of the direction and the reasons for giving it, and
- (b) pending determination of the prisoner’s case under section 256AZBC(1), is not required to give effect to the Parole Board’s direction to release the prisoner.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 119

★ Clause 37, page 39, leave out lines 4 to 11

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk**Gov 120**

- ★ Clause 37, page 39, line 12, leave out "Offences for purposes of Secretary of State referral" and insert "Specified offences"

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk**Gov 121**

- ★ Clause 37, page 40, line 17, leave out "Secretary of State" and insert "relevant court"

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk**Gov 122**

- ★ Clause 37, page 40, line 18, leave out from "the" to end of line 24 and insert "relevant court—
- (a) must, if satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined, make an order requiring the Secretary of State to give effect to the Parole Board's direction to release the prisoner on licence;
 - (b) otherwise, must make an order quashing the direction."

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk**Gov 123**

- ★ Clause 37, page 40, leave out lines 25 to 37 and insert—

- "(2) An order under subsection (1)(a) may include directions as to the conditions to be included in the prisoner's licence on release.
- (3) An order under subsection (1)(b) has effect as if the prisoner's case were disposed of by the Parole Board on the date on which the order was made.
- (4) In this section, "relevant court" has the meaning given by section 256AZBA(5A)."

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 124

- ★ Clause 37, page 40, line 38, leave out “Secretary of State” and insert “relevant court”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 125

- ★ Clause 37, page 40, line 39, leave out “(2)” and insert “(1)(a)”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 126

- ★ Clause 37, page 40, line 41, at end insert—

“(2) In section 256AZC of the Criminal Justice Act 2003 (release at direction of Parole Board: timing), in subsection (1), at the end insert “(including where the Upper Tribunal or High Court makes an order under section 256AZBC(1)(a) requiring the Secretary of State to give effect to such a direction)”.”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 127

- ★ Page 41, line 1, leave out Clause 38

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 128

- ★ Page 41, line 27, leave out Clause 39

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 129

- ★ Page 43, line 1, leave out Clause 40

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 130

- ★ Clause 41, page 44, line 13, leave out from beginning to “, or” on line 14

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 131

- ★ Clause 41, page 44, leave out lines 17 to 20 and insert—

“(3A) Where the Upper Tribunal or High Court gives a direction under section 32ZAC(2) as to the conditions to be included in a life prisoner’s licence on release, the Secretary of State—

- (a) must include the conditions in the prisoner’s licence on release;”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 132

- ★ Clause 42, page 44, leave out lines 24 to 36 and insert—

“(1) Section 250 of the Criminal Justice Act 2003 (licence conditions) is amended as follows.

(2) In subsection (5A), at the beginning insert “Subject to subsection (5D),”.

(3) After subsection (5C) insert—

“(5D) Where the Upper Tribunal or High Court gives a direction under section 256AZBC(2) as to the conditions to be included in a prisoner’s licence on release, the Secretary of State—

- (a) must include the conditions in the prisoner’s licence on release;
 (b) may subsequently insert a condition in such a licence or vary or cancel a condition of such a licence.””

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 133

- ★ Clause 47, page 46, line 30, leave out subsection (1)

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk**Gov 134**

- ★ Clause 47, page 46, line 32, leave out “subsection (5)” and insert “section 239(5) of the Criminal Justice Act 2003 (power to make rules for Parole Board proceedings)”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk**Gov 135**

- ★ Clause 47, page 47, line 1, leave out subsection (3)

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk**Gov 136**

- ★ Clause 54, page 52, line 3, leave out “to subsection (2)” and insert “as follows”

Member's explanatory statement

This amendment is consequential on other amendments to clause 54.

Secretary Alex Chalk**Gov 137**

- ★ Clause 54, page 52, line 3, at end insert—

“(1A) Section (*Part 2: consequential amendments*)(5) also extends to Scotland.”

Member's explanatory statement

This amendment is consequential on NC25.

Secretary Alex Chalk**Gov 138**

- ★ Clause 54, page 52, line 3, at end insert—

“(1A) Section (*Domestic abuse related death reviews*)(3) and (4) also extends to Northern Ireland.”

Member's explanatory statement

This amendment is consequential on NC20.

Secretary Alex Chalk

Gov 139

★ Clause 54, page 52, line 5, at end insert—

“(aa) section (*Information relating to victims: service police etc*);”

Member's explanatory statement

This amendment is consequential on NC21.

Secretary Alex Chalk

Gov 140

★ Clause 54, page 52, line 6, at end insert—

“(ba) section (*Part 2: consequential amendments*)(1) to (4);”

Member's explanatory statement

This amendment is consequential on NC25.

Secretary Alex Chalk

Gov 141

★ Title, line 3, leave out “individuals to act as independent public”

Member's explanatory statement

This amendment is consequential on NC22.

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.
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Withdrawn Amendments

The following amendments were withdrawn on 27 November 2023:

30, 31, 32, NC11 and NC12