

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 Any withdrawn amendments are listed at the end of the document.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

All references refer to the large font accessible version of the Bill.

Secretary Alex Chalk

Gov NC20

To move the following Clause—After section 8 insert—

“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—After section 44E of the Police, Crime, Sentencing and Courts Act 2022 (inserted by of this Act), insert— applies as if for there were substituted—for the definition of “adult without capacity” there were substituted—for the definition of “relevant authority” there were substituted—for the definition of “voluntary organisation” there were substituted—

**“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.

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—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—In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation), at the appropriate place insert—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—In Schedule 1 to the Freedom of Information Act 2000 (public authorities), in Part 6, at the appropriate place insert—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—

“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.

To move the following Clause—for subsection (4) substitute—omit subsections (4A) to (4C) and insert—after subsection (5) insert—In section 32 (recall of life prisoners while on licence), after subsection (1) insert—

“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.

To move the following Clause—

**“Restricting parental responsibility
where one parent kills the other**

- (1) The Children Act 1989 is amended in accordance with subsections (2) to (7).
- (2) In section 8 (child arrangements orders and other orders with respect to children), in the closing words of subsection (3), after “include” insert “proceedings in the Crown Court under section 10A or”.
- (3) After section 10 insert—

**“ “10A Duty of Crown Court to make
prohibited steps order**

- (1) This section applies where—
 - (a) a child has two parents at least one of whom has parental responsibility for the child, and
 - (b) a parent who has parental responsibility for the child (“the offender”) is convicted of the murder or, in the circumstances

mentioned in subsection (2),
manslaughter of the other parent.

- (2) The circumstances are where, but for section 54 of the Coroners and Justice Act 2009 (loss of control) or section 2 of the Homicide Act 1957 (diminished responsibility), the offender would have been liable to be convicted for murder.
- (3) The Crown Court must make a prohibited steps order when sentencing the offender.
- (4) The order must—
 - (a) specify that no step which could be taken by a parent in meeting their parental responsibility for a child may be taken by the offender with respect to the child without the consent of the High Court or the family court, and
 - (b) be made to have effect until the order is varied or discharged by the High Court or the family court.

- (5) But the Crown Court must not make a prohibited steps order under this section if—
 - (a) a prohibited steps order is already in force that meets the requirements in subsection (4), or
 - (b) in a case where the offender is convicted of manslaughter, it appears to the Crown Court that it would not be in the interests of justice to do so.
- (6) Sections 1, 7 and 11 do not apply where the Crown Court proceeds under this section.
- (7) A prohibited steps order made under this section does not cease to have effect if the offender is acquitted of the murder or manslaughter on appeal (but see section 10B(3) and (4)).
- (8) A prohibited steps order made under this section is to be treated for the purposes of section 31F(6) of the Matrimonial and Family Proceedings

Act 1984 (proceedings and decisions) as if it were made by the family court.

- (9) The Crown Court does not have jurisdiction to entertain any proceedings in connection with the enforcement of a prohibited steps order made under this section.

10B Review of orders made under section 10A

- (1) This section applies where a prohibited steps order is made under section 10A prohibiting the taking of steps by a parent with respect to a child.
- (2) The local authority that is the relevant local authority at the time the order is made must make an application to the court (see section 92(7)) to review the order.
- (3) Subsection (4) applies if—
 - (a) the application under subsection (2) has been disposed of (whether or not the order was varied), and

- (b) the parent is acquitted on appeal of the murder or manslaughter that resulted in the making of the order.
- (4) The local authority that is the relevant local authority at the time the verdict of acquittal is entered must make an application to the court to review the order.
- (5) An application under this section must be made as soon as is reasonably practicable and in any event before the end of the period of 14 days beginning with the day after the day on which—
 - (a) in the case of an application under subsection (2), the order was made;
 - (b) in the case of an application under subsection (4), the verdict of acquittal was entered.
- (6) The Secretary of State may by regulations amend the period specified in subsection (5).

- (7) In this section “relevant local authority” means—
- (a) where the child with respect to whom the order was made is ordinarily resident within the area of a local authority in England or Wales, that local authority;
 - (b) where the child with respect to whom the order was made does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority.” ”
- (4) In section 9 (restrictions on making section 8 orders)—
- (a) in subsection (1), after “applies” insert “or a prohibited steps order made under section 10A”;
 - (b) in subsection (6A), after “applies” insert “or a prohibited steps order made under section 10A”;
 - (c) after subsection (7) insert—

“ “(8) Subsection (7) does not apply to a prohibited steps order made under section 10A.” ”

(5) In section 33 (effect of care order), after subsection (3) insert—

“ “(3A) Where a prohibited steps order made under section 10A is in force in relation to a parent, the authority may only exercise the power in subsection (3)(b) in relation to the taking of a step by that parent that is not prohibited by that order.” ”

(6) In section 91 (effect and duration of orders etc)—

(a) in subsection (2), after “section 8 order” insert “(other than a prohibited steps order made under section 10A)”;

(b) after subsection (5A) insert—

“ “(5B) Subsection (5C) applies where—

(a) a prohibited steps order (the “existing order”) is in force prohibiting the taking of

steps by a parent (“P”) with respect to a child (“C”), and

(b) a prohibited steps order is made under section 10A in relation to P with respect to C.

(5C) The existing order is discharged (except to the extent that it prohibits the taking of steps other than by P with respect to C).” ”

(7) In section 104 (regulations and orders)—

(a) in each of subsections (2) and (3A), after “subsection” insert “(3AZA),”;

(b) after subsection (3A) insert—

“ “(3AZA) Regulations fall within this subsection if they are regulations made in the exercise of the power conferred by section 10B(6).” ”

(8) In section 50 of the Criminal Appeal Act 1968 (meaning of “sentence”), after subsection (2) insert—

“(2A) A prohibited steps order made under section 10A of the Children Act 1989 is not a sentence for the purposes of this Act.” ”

Member's explanatory statement

This new clause, to be inserted after clause 15, requires the Crown Court to make a prohibited steps order when a parent is convicted of the murder or voluntary manslaughter of the other parent and provides for the order to be reviewed by the family courts.

Sir Robert Neill

NC1

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

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

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

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

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

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.

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

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

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.”

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

“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—After section 256AZB of the Criminal Justice Act 2003 insert—

“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

To move the following Clause—

“Non-disclosure of victims’ counselling records (No. 2)

- (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

To move the following Clause—

“Compensation for victims of the infected blood scandal (No. 2)

- (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 of 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.”

Christine Jardine

NC28

To move the following Clause—

“Report on impact on victims of the UK’s reservation in respect of Article 59 of the Istanbul Convention

- (1) Within six months of the passing of this Act, the Secretary of State must lay before Parliament a report containing an assessment of the impact on victims of the UK’s reservation in

respect of Article 59 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (“the Istanbul Convention”).

- (2) The report laid under subsection (1) must contain—
 - (a) an assessment of the impact on victims of domestic abuse,
 - (b) an assessment of the impact on the children of such victims, and
 - (c) an assessment of the merits of implementing the measures necessary for compliance with article 59 of the Istanbul Convention.”

Christine Jardine

NC29

To move the following Clause—

“Mandatory training

- (1) The Secretary of State must by regulations require certain police officers and employees of

the Crown Prosecution Service to receive training in respect of violence against women and girls.

- (2) Regulations under subsection (1) must—
 - (a) make provision about the content of mandatory training, including training on the impact of trauma on victims of violence against women and girls, and
 - (b) make provision about the persons for whom this training is mandatory.
- (3) 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.”

Sarah Champion

NC30

To move the following Clause—

“Victims of specified offences: data-sharing for immigration purposes

- (1) The Secretary of State must make arrangements for ensuring that the personal data of a victim of a crime as specified in subsection (3), that is processed for the purpose of that person requesting or receiving support or assistance related to the crime, is not used for any immigration control purpose without the consent of that person.
- (2) The Secretary of State must make arrangements for ensuring that the personal data of a witness to a crime as specified in subsection (3), that is processed for the purpose of that person giving information or evidence to assist the investigation or prosecution of the crime, is not used for any immigration control purpose without the consent of that person.
- (3) The crimes referred to in subsections (1) and (2) are—

- (a) domestic abuse as defined by section 1 of the Domestic Abuse Act 2021,
 - (b) an offence under any of sections 2, 2A, 4 or 4A of the Protection from Harassment Act 1997 or section 42A (1) of the Criminal Justice and Police Act 2001,
 - (c) an offence under any of sections 1, 2 or 4 of the Modern Slavery Act 2015,
 - (d) an offence under Part 1 of the Sexual Offences Act 2003, or
 - (e) such other offences as may be specified in regulations made by the Secretary of State.
- (4) Paragraph 4 of Schedule 2 to the Data Protection Act 2018 shall not apply to personal data processed for the purposes of subsection (1) or (2).
- (5) For the purposes of this section, the Secretary of State must issue guidance to those persons mentioned

in subsection (10) about the effect of subsections (1) and (2).

- (6) The Secretary of State may from time to time revise any guidance issued under this section.
- (7) Before issuing or revising guidance under this subsection, the Secretary of State must consult—
 - (a) the Domestic Abuse Commissioner,
 - (b) the Victims' Commissioner,
 - (c) the Independent Anti-Slavery Commissioner, and
 - (d) such other persons as the Secretary of State considers appropriate.
- (8) Subsection (7) does not apply in relation to any revisions of the guidance issued under this section if the Secretary of State considers the proposed revisions of the guidance are insubstantial.
- (9) The Secretary of State must publish—

- (a) any guidance issued under this section, and
- (b) any revisions of that guidance.

(10) The persons mentioned in subsection (5) are—

- (a) persons who are victims of or witnesses to the crimes in subsection (3),
- (b) persons from whom support or assistance may be requested or received by a victim of crime in England and Wales,
- (c) persons providing support to, or conducting investigations or prosecutions with the support of, witnesses of crime in England and Wales,
- (d) persons exercising any function of the Secretary of State in relation to immigration, asylum or nationality and,
- (e) persons exercising any function conferred by or by

virtue of the Immigration Acts
on an immigration officer.

(11) A person exercising public functions to whom guidance issued under this section relates must have regard to it in the exercise of those functions.

(12) For the purposes of this section—

“consent” means a freely given, specific, informed and unambiguous indication of the individual’s wishes by which the individual, by a statement, signifies agreement to the processing of the personal data;

“immigration control” means the exercise of any functions of the Secretary of State and of immigration officers under the Immigration Acts within the meaning of section 61 of the UK Borders Act 2007;

“support or assistance” includes the provision of accommodation,

banking services, education, employment, financial or social assistance, healthcare and policing services and any function of a court or prosecuting authority;

“victim”, in relation to a crime, means the particular person who appears to have been affected by the crime, and their dependent, where that dependent is also affected by the crime.”

Dame Diana Johnson

NC31

To move the following Clause—

“Duty to notify school safeguarding lead of domestic abuse incident

- (1) The police must notify the designated safeguarding lead or officer of a child’s school of any incident that meets the criteria in subsection (2).
- (2) Those criteria are that—
 - (a) the police have attended an incident of domestic abuse, and

- (b) the child is a child of an adult party involved in the incident.
- (3) A notification under this section must occur before the start of the next school day following the incident.
- (4) In this section, “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021.”

Stella Creasy

NC32

To move the following Clause—In Article 21 (right to object), after paragraph 1, insert—

“Victims’ rights in relation to data

- (1) The UK GDPR is amended as follows.
- (2) In Article 21 (right to object), after paragraph 1, insert—
 - “ “(1A) The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her, or a third party where that party is a child for whom they

have parental responsibility, which is based on points (a) to (f) of Article 6(1), including profiling based on those provisions, if exceptional circumstances apply

(1B) The exceptional circumstances mentioned in paragraph 1B are—

- (a) that the processing of the data was connected to, or reliant upon, conduct which could reasonably be suspected to constitute a criminal offence, or
- (b) that the processing of the data was connected to, or reliant upon, conduct which could reasonably be considered as being intended to cause harassment, alarm or distress to the data subject or another living individual.

(1C) The Secretary of State may by regulations subject to the

affirmative resolution procedure prescribe other exceptional circumstances where the right to object mentioned in paragraph 1A applies.”” ”

(3) In Article 17 (right to erasure (“right to be forgotten”)), after paragraph 1(c), insert—

(ca) the data subject objects to the processing pursuant to Article 21(1A).””

Member's explanatory statement

This new clause would allow victims of third party harassment to request the deletion of any personal data which was gathered or held as part of activity which could be considered criminal conduct – preventing third party reporting from causing ongoing distress to victims.

Jonathan Edwards

NC33

To move the following Clause—

**“Commissioner for Victims:
enforcement of victims’ code**

- (1) The Commissioner for Victims (“the Commissioner”) may investigate a complaint that a person to whom the code of practice under subsection 2(1) of this Act applies has failed to carry out their duties under the victims’ code.
- (2) Where the Commissioner upholds a complaint under subsection (1), the Commissioner may—
 - (a) recommend action to rectify the breach of the victims’ code, or
 - (b) impose a fine on the person who has failed to comply with the victims’ code.
- (3) The Secretary of State may by regulations make further provision in connection with this section.”

Apsana Begum

NC34

To move the following Clause—

**“Funding for domestic abuse services:
review**

- (1) The Secretary of State must, within 3 months of this Act being passed, conduct a review into the level of funding and provision for domestic abuse services.
- (2) The review must, in particular, consider—
 - (a) counselling and advocacy services, and
 - (b) refuges in the UK.
- (3) Upon completion of the review, the Secretary of State must publish and lay before Parliament a report setting out—
 - (a) the findings of the review, and
 - (b) the action that the Secretary of State proposes to take in response to the review.”

Apsana Begum

NC35

To move the following Clause—

“Experiences of victims of domestic abuse in the criminal justice system: review

- (1) The Secretary of State must, within 3 months of this Act being passed, conduct a review into the experiences of victims of domestic abuse in the criminal justice system.
- (2) The review must consult, in particular—
 - (a) victims of domestic abuse who have been through the criminal justice system, specifically ensuring that views are sought from women with protected characteristics, and
 - (b) organisations, both inside and outside of the criminal justice system, who represent victims of domestic abuse.
- (3) Upon completion of the review, the Secretary of State must publish and lay before Parliament a report setting out—
 - (a) the findings of the review, and

- (b) the action that the Secretary of State proposes to take in response to the review.”

Ms Harriet Harman

NC36

To move the following Clause—

“Data collection in relation to children of prisoners

The Secretary of State must collect and publish annual data identifying—

- (a) how many prisoners are the primary carers of a child,
- (b) how many children have a primary carer who is a prisoner, and
- (c) the ages of those children.”

Kevin Brennan

NC38

To move the following Clause—

“Free independent legal advocates for rape victims

- (1) The Secretary of State must develop proposals for a scheme to give victims

of rape access to free, independent legal advocates available in every police force area in England and Wales.

(2) For the purposes of this section—

“independent legal advocate for rape victims” means a person who is a qualified solicitor, with experience working with vulnerable people, who provides appropriate legal advice and representation to individuals who are victims of criminal conduct which constitutes rape.”

Sir Robert Buckland

NC39

To move the following Clause—

“Duty to inform victims and families of the Unduly Lenient Sentencing Scheme

(1) The Criminal Justice Act 1988 is amended as follows.

(2) After section 36, insert—

“ “36A Duty to inform victims and families of the Unduly Lenient Sentencing Scheme

- (1) The Secretary of State must nominate a Government Department (“relevant body”) to inform victims and their families of their rights under the Unduly Lenient Sentencing Scheme, and such information must include the type of sentence and the time limit for application, and advise that applications must be made to the Attorney General.” ”

Sir Robert Buckland

NC40

To move the following Clause—

“Unduly lenient sentences: time limit

- (1) The Criminal Justice Act 1988 is amended as follows.
- (2) In Schedule 3, paragraph 1, at end insert “, subject to paragraph 1A.”
- “ (1A) The time limit of 28 days shall be extended in exceptional

circumstances, where the relevant body has failed to inform the victim and families of their rights under the Unduly Lenient Sentencing Scheme.” ”

Richard Fuller

NC41

To move the following Clause—

“Independent legal advice and representation for victims of rape and sexual assault

- (1) The Secretary of State must establish a Sexual Violence Complainants’ Advocate scheme (“the scheme”).
- (2) The scheme must provide free legal advice and representation to victims of rape and sexual offences in England and Wales.
- (3) The scheme must—
 - (a) provide legal advice to victims in relation to requests for access to their personal data;
 - (b) provide victims with advice on their rights under the Victims’

Right to Review scheme,
and assist them with making
requests under that scheme;

- (c) provide legal advice to victims
in relation to sexual history
applications under section
41 of the Youth Justice and
Criminal Evidence Act 1999
- (d) provide legal advice to victims
in relation to complaints
made to justice agencies
- (e) provide legal advice to assist
victims to negotiate fully
informed consent to access
to their personal data; or
- (f) subject to subsection (4),
provide legal representation of
victims in relation to the police,
prosecutors, or court, where that
representation is necessary to
prevent irrelevant or excessive
material being accessed.

- (4) Section 3(f) is limited to those
circumstances in which a complainant

has rights of audience, including hearings on disclosure of third-party materials where a court chooses to invite participation by a complainant under Criminal Procedure Rules 17.4-17.6

- (5) The Secretary of State may by regulations make further provision about the scheme”

Kevin Brennan

NC42

To move the following Clause—

“Statement on report of Infected Blood Inquiry

- (1) Within 25 sitting days of the publication of the final report of the Infected Blood Inquiry, the Secretary of State must make an oral statement to the House of Commons responding in full to the recommendations of the report, including—

- (a) how victims of the infected blood scandal will be able to access compensation, and
 - (b) what steps will be taken to establish a body to administer the compensation scheme.
- (2) In this section, "sitting days" means days on which the House of Commons sits."

Mrs Emma Lewell-Buck

NC43

To move the following Clause—

**“Victims of major incidents:
registration of death**

- (1) The Secretary of State must by regulations make provision for a relative to provide information in the connection with the registration of the death of a person who was a victim of a major incident, even if an investigation is conducted under Part 1 of the Coroners and Justice Act 2009.
- (2) Regulations under this section must—

- (a) amend form 13 in Schedule 2 of the Registration of Births and Deaths Regulations 1987 as follows—
 - (i) add an additional section, entitled “victims of major incidents”, to include the name, qualification and usual address of the relative,
 - (ii) provide for the signature of the relative to be given under the statement “I certify that the particulars given by me above are true to the best of my knowledge and belief”, and
- (b) provide that the relative may provide these details during the five day period beginning with the day on which a registrar completes the form.

- (3) The Secretary of State may by regulations make further provision consequential on this section.
- (4) The power to make regulations under subsection (3) may (among other things) be exercised by modifying any provision made by or under an enactment.”

Member's explanatory statement

This new clause would enable a relative of a person who has died in a major incident to have their details included in the registration of the person's death.

Daisy Cooper

160

Clause 1, page 2, line 7, at end insert—

"(aa) witnessing criminal
conduct,

(ab) having subsequent
responsibility for
care because of
criminal conduct,

(ac) experiencing vicarious harm due to criminal conduct.”

Dame Maria Miller

1

Clause 1, page 3, line 3, 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

Clause 1, page 3, line 3, 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

Clause 1, page 3, line 3, at end insert—

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

Sarah Champion

7

Clause 1, page 3, line 3, 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 3, line 3, 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 3, line 3, 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 3, line 3, 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

Clause 1, page 3, line 3, 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.”

Stella Creasy

147

Clause 1, Page 3, Line 3, at end insert—

“(e) where the person has suffered significant harm as a result of, and knows or knew of any other victim of, criminal conduct.”

Member's explanatory statement

This amendment would include those who suffer from vicarious trauma after a crime in the scope of the Victims Code.

Sarah Champion

157

Clause 1, page 3, line 3, at end insert—

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

Member's explanatory statement

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

Stella Creasy

148

Clause 1, Page 3, Line 3, at end insert—

“(3A) For the purposes of this section, it does not matter whether the criminal conduct happened within the United Kingdom or elsewhere.”

Member's explanatory statement

This amendment would explicitly require that victims do not miss out on support as a result of the crime affecting them being carried out outside the UK.

Secretary Alex Chalk

Gov 34

Clause 1, page 3, line 12, leave out from “offence” to end of line 17 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

Clause 1, page 3, line 15, 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

Clause 1, page 3, line 17, 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

158

Clause 1, page 3, line 17, at end insert—

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

Member's explanatory statement

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

Sarah Champion

9

Clause 2, page 4, line 13, 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

Clause 2, page 4, line 15, at end insert “in a language or format that they can understand;”

Sarah Champion

11

Clause 2, page 4, line 21, at end insert “and should be provided with appropriate support to communicate

these views;”

Sarah Champion

12

Clause 2, page 4, 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

Clause 2, page 5, line 2, 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

Clause 2, page 5, line 2 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

Clause 2, page 5, line 2, 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

Clause 2, page 5, line 2 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 5, line 2, 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

Clause 2, page 5, line 2, 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

Clause 2, page 5, line 2, 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.”

Rachael Maskell

146

Clause 2, page 5, line 2, at end insert—

“(3A) The victims’ code must include provision about therapy and

other support services for victims who are children.

(3B) Provision under subsection

(3A) must include—

- (a) a requirement that support must be provided to such victims within one month of a request for support being made,
- (b) provision relating to the types of support to which such victims are entitled,
- (c) minimum standards for the quality of support to which such victims are entitled,
- (d) a requirement that support should be available to such victims—
 - (i) throughout the criminal justice process, and
 - (ii) after that process has been completed.”

“(3A) The victims’ code must provide that, where a victim has signed a non-disclosure agreement relating to criminal conduct to which they have been subjected, nothing in that agreement may prevent them from accessing services to which they are entitled under the code.”

Sarah Olney

26

Clause 2, page 5, line 18, 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.”

Sir Robert Buckland

156

Clause 6, page 11, line 21, at end insert—

“(1A) The Secretary of State must publish and implement, in consultation with the Commissioner for Victims and Witnesses, a strategy for providing training on the impact of

crime on victims and on victims' rights for relevant staff of the following organisations—

- (a) the Police
- (b) the Crown Prosecution Service;
- (c) probation services;
- (d) the Foreign and Commonwealth Office;
- (e) health and social services;
- (f) victim support services
- (g) maintained and independent schools and colleges of further education; and
- (h) such other bodies as the Secretary of State deems appropriate.

(1B)The Secretary of State must review and update the strategy published under subsection (1A) every three years.”

Secretary Alex Chalk

Gov 35

Clause 6, page 11, line 19, 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 13, line 4, 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 13, line 8, 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 15, line 9, after review 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 17, line 20, 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 19, line 9, 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 19, line 13, 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 21, line 4, 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 22, line 9, 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 22, line 13, 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 26, line 11, 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 27, line 15, 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

Clause 12, page 28, line 18, at end insert—
“(d) stalking.”

Sarah Champion

16

Clause 12, page 28, line 18, 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 29, line 21, leave out subsection (9)

Member's explanatory statement

This amendment is consequential on Amendment 46.

Sarah Champion

149

Clause 12, Page 30, line 3, at end insert—

- “(10) For the purposes of this section, the relevant authorities for a police area, as defined in subsection (2), must together conduct a joint strategic needs assessment.
- (11) The Secretary of State must provide a National Statement every three years on support for victims of domestic abuse and sexual violence, including—
- (a) volume of provision at the time at which the National Statement is provided,
 - (b) levels of need, including a breakdown of demographics, including victims with protected characteristics, and
 - (c) levels of investment in services.

- (12) In preparing a National Statement under subsection (11), the Secretary of State must have regard to the joint strategic needs assessments prepared under subsection 10.
- (13) The Secretary of State must ensure that sufficient funding is provided annually to ensure that the relevant authorities, as defined in subsection (2), are able to commission relevant victim support services, as defined in subsection (4).
- (14) The Secretary of State must provide sufficient funding to enable 'by and for' services to deliver services to, and to increase the capacity for delivering services to, victims of domestic abuse and sexual violence.
- (15) In this section, "'by and for' services" means services which—
- (a) are designed for and delivered by those that share the same protected characteristic(s)

as the victims they are intended to serve, and

- (b) provide services to Black and minority ethnic, LGBT+, deaf or disabled victims and survivors of domestic abuse.

(16) The Secretary of State must issue guidance in relation to this section about—

- (a) the production of Joint Strategic Needs Assessments by the relevant authorities,
- (b) the identification of victims' need and of gaps in provision by the National Statement,
- (c) the principles which must be followed in the application and allocation of funding,
- (d) the conditions under which “by and for” organisations that do not have specialism in domestic abuse service provision may be eligible to apply for funding.

(17) In preparing guidance under subsection (16), the Secretary of State must consult—

- (a) “by and for” organisations working with victims of domestic abuse and of violence against women and girls,
- (b) the Domestic Abuse Commissioner,
- (c) the Commissioner for Victims,
- (d) the Children’s Commissioner.”

Secretary Alex Chalk

Gov 48

Clause 13, page 30, line 17, leave out from “must” to first “persons” in line 21 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 31, line 2, 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 31, line 3, at beginning insert “consult”

Member's explanatory statement

This Amendment is consequential on Amendment 48.

Secretary Alex Chalk

Gov 51

Clause 13, page 31, line 5, leave out from “must” to end of line 15 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 31, line 15, 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.

Kevin Brennan

155

Clause 15, page 33, line 5, leave out “Secretary of State” and insert “responsible authority”

Sarah Champion

17

Clause 15, page 33, line 9, at end insert—

“(c) independent stalking advocates.”

Kevin Brennan

154

Clause 15, page 33, line 9, at end insert—

“(1A) 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

19

Clause 15, page 33, line 9, at end insert—

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

Sarah Champion

18

Clause 15, page 33, line 20, 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

Clause 15, page 33, line 20, 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

Clause 15, page 33, line 22, leave out “or (b)” and insert “, (b) or (c)”

Sarah Champion

22

Clause 15, page 34, line 4, 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 34, line 12, 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

Clause 15, page 35, line 5, leave out from beginning to “must” on line 7 and insert “The service providers listed in subsection (1)”

Sarah Champion

24

Clause 22, page 52, line 2, 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 53, leave out lines 13 to 21

Member's explanatory statement

This amendment is consequential on NC21.

Secretary Alex Chalk

Gov 55

Clause 22, page 57, line 4, 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 57, leave out lines 11 and 13 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

Clause 22, page 58, line 7, 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 62, leave out lines 17 to 19

Member's explanatory statement

This amendment is consequential on NC21.

Rachael Maskell

145

Clause 22, page '64, line 12, at end insert—

**“44F Requirements for training in
respect of victim information requests**

- (1) The Secretary of State must by regulations require certain persons to receive training in respect of victim information requests.
- (2) Regulations under subsection (1) must—
 - (a) require authorised persons to undertake training relating to the making of victim information requests, including on the meaning of “reasonable line of enquiry”,
 - (b) require certain employees of the Crown Prosecution Service to undertake training in respect of victim information requests, including training in

- the appropriate use of material obtained through such a request,
- (c) require persons who provide services to victims and who may receive victim information requests to undertake training in relation to those requests,
 - (d) make provision about the content and delivery of the training required.
- (3) 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.”

Secretary Alex Chalk

Gov 58

Clause 25, page 66, line 19, leave out “independent public”

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 59

Clause 25, page 66, line 20, leave out from “incident” to end of line 9 on page 67

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 60

Clause 25, page 67, line 12, 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 67, line 14, 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 68, line 16, leave out

Member's explanatory statement

This amendment is consequential on NC22.

Secretary Alex Chalk

Gov 63

Clause 26, page 70, line 14, 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 71, line 1, 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 71, line 4, 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 71, line 8, leave out subsection (4)

Member's explanatory statement

This amendment is consequential on Amendment 67.

Secretary Alex Chalk

Gov 67

Clause 28, page 71, line 15, 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 71, line 17, 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 73, line 5, 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 73, line 10, 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 73, line 20, 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 74, line 4, 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 74, leave out lines 11 and 12

Member's explanatory statement

This amendment is consequential on NC23.

Secretary Alex Chalk

Gov 74

Clause 28, page 74, leave out lines 16 to 21 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 75, line 6, leave out from “paragraph” to end of line 13 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 75, line 14, 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 75, line 15, 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 76, line 8, leave out “this section” and insert “”

Member's explanatory statement

This amendment is consequential on Amendment 76.

Secretary Alex Chalk

Gov 79

Clause 30, page 76, line 15, leave out “this section” and insert “”

Member's explanatory statement

This amendment is consequential on Amendment 76.

Secretary Alex Chalk

Gov 80

Clause 30, page 76, line 17, 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 76, line 20, 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 76, line 21, leave out subsections to

Member's explanatory statement

This amendment is consequential on NC24 and Amendment 81.

Secretary Alex Chalk

Gov 83

Clause 31, page 77, line 18, 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 77, line 22, leave out paragraphs and and insert—

(c)(d)“(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 78, line 2, 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 78, line 3, 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 78, line 7, 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 78, line 10, 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 78, line 13, 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 78, line 16, 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 79, line 2, leave out ““data subject”,”

Member's explanatory statement

This amendment is consequential on Amendment 89.

Secretary Alex Chalk

Gov 92

Clause 31, page 79, leave out lines 6 and 7

Member's explanatory statement

This amendment is consequential on Amendment 84.

Secretary Alex Chalk

Gov 93

Clause 32, page 79, line 13, 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 79, line 20, 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 84, leave out line 20 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 85, line 8, leave out “, the Secretary of State” and insert “, 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 86, line 16, leave out subsection (5)

Member's explanatory statement

This amendment is consequential on Amendment NC26.

Secretary Alex Chalk

Gov 98

Clause 34, page 92, line 2 , leave out “, the Secretary

of State” and insert “, 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 94, line 7, leave out “” and insert “”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 150

Clause 34, page 97, line 3, leave out from “of,” to end of line 9 and insert “section 256AZBC(1) (powers on referral of release decisions).”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 100

Clause 35, page 101, leave out lines 22 to 14 on page 102 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.

Kevin Brennan

152

Page 102, line 16, leave out Clause 36

Secretary Alex Chalk

Gov 101

Clause 36, page 102, line 15, 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 103, line 4, 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 103, line 9, leave out from “” to end of line 16 on page 104 and insert “, and

32ZAB(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 104, line 19, 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 104, line 19, 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 104, leave out lines 22 to 2 on page 105 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 105, leave out lines 12 to 14

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 108

Clause 36, page 105, line 15, 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 109, line 11, 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 109, line 13, leave out from “the” to end of line 2 on page 110 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 110, line 3, leave out from beginning to end of line 3 on page 111 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 111, line 3, 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.

Kevin Brennan

153

Page 111, line 4, leave out Clause 37

Secretary Alex Chalk

Gov 113

Clause 37, page 111, line 8, 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 111, line 11, 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 111, line 17, leave out from “” to end of line 33 and insert “, and

256AZBB(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 113, line 3, 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 113, line 3, 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 113, leave out lines 6 to 8 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 113, leave out lines 4 to line 6 on page 114

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 120

Clause 37, page 114, line 7, 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 118, line 1, 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 118, line 4, leave out from “the” to end of line 15 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 118, leave out lines 16 to 16 on page

119 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 119, line 18, 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 119, line 20, leave out “(2)” and insert
“”

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 126

Clause 37, page 119, line 24, 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 120, line 1, leave out Clause 38

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 128

Page 122, line 2, leave out Clause 39

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 129

Page 125, line 17, leave out Clause 40

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 130

Clause 41, page 130, line 1, leave out from beginning to “, or” on line 4

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 131

Clause 41, page 130, leave out lines 8 to 15 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 130, leave out lines 22 to 22 on page 131 and insert—After subsection (5C) 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 136, line 12, leave out subsection (1)

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 134

Clause 47, page 136, line 15, 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 137, line 1, leave out subsection (3)

Member's explanatory statement

See the explanatory statement to Amendment 104.

Secretary Alex Chalk

Gov 151

Clause 51, page 149, line 13, after “section” insert “(Restricting parental responsibility where one parent kills the other),”

Member's explanatory statement

This amendment enables the Secretary of State to make provision consequential on NC37.

Secretary Alex Chalk

Gov

That Clause 51 be transferred to the end of line 15 on page 150.

Member's explanatory statement

This amendment is consequential on Amendment 150.

Secretary Alex Chalk

Gov 136

Clause 54, page 151, line 20, leave out “to ” 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 151, line 20, 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 151, line 20, 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 152, line 1, 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 152, line 2, 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.

Withdrawn Amendments

The following amendments were withdrawn on 27 November 2023:

30, 31, 32, NC11 and NC12