

---

Committee Stage: Tuesday 23 January 2024

---

## Criminal Justice Bill (Amendment Paper)

This document lists all amendments tabled to the Criminal Justice 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 Any withdrawn amendments are listed at the end of the document.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.

This document should be read alongside the Chair's provisional Selection and Grouping, which sets out the order in which the amendments will be debated.

★ New Amendments.

New Amendments: 149, NC49 and NC50

---

---

Alex Norris

140

Clause 38, page 39, line 23, at end insert—

“(c) any interference with the person’s attendance at substance abuse support services, mental or physical health support services, or places of worship.”

---

Alex Norris

139

Clause 38, page 39, line 36, at end insert—

“(10) The Secretary of State must lay an annual report before Parliament on the application of the provisions introduced by this section.”

---

Alex Norris

142

Clause 39, page 40, line 12, leave out “3 years” and insert “1 year”

---

**Alex Norris**

**138**

Clause 39, page 40, line 31, at end insert—

“(9) Where a person has been served a nuisance begging notice the serving authority must refer that person to their local authority who must provide guidance relating to welfare rights or any other associated issue the person faces.”

**Member's explanatory statement**

This amendment would require the local council to offer support for people given nuisance begging notices.

---

**Alex Norris**

**141**

Clause 40, page 41, line 5, at end insert—

“(c) any interference with the person’s attendance at substance abuse support services, mental or physical health support services, or places of worship.”

---

**Chris Philp**

**Gov 70**

Laura Farris

Clause 43, page 42, line 21, after “application” insert “by complaint”

**Member's explanatory statement**

This amendment provides for applications for nuisance begging prevention orders to be made by complaint.

---

**Chris Philp**

**Gov 71**

Laura Farris

Clause 45, page 44, line 8, leave out “on the day” and insert “at the beginning of the day after the day on which”

**Member's explanatory statement**

This amendment provides for a nuisance begging prevention order to take effect at the beginning of the day after the day on which it is made.

---

**Chris Philp**

**Gov 72**

Laura Farris

Clause 45, page 44, line 9, leave out “subsection (2)” and insert “subsections (2) and (2A)”

**Member's explanatory statement**

This amendment and amendments 74 and 76 provide that where a nuisance begging prevention order is made in respect of certain offenders, the order may take effect from a later time described in the table inserted by amendment 74.

Chris Philp

Gov 73

Laura Farris

Clause 45, page 44, line 12, leave out “be made so as to take” and insert “provide that it takes”

**Member's explanatory statement**

This is a drafting change.

Chris Philp

Gov 74

Laura Farris

Clause 45, page 44, line 13, at end insert—

“(2A) If a nuisance begging prevention order is made in respect of a person described in the first column of the following table, the order may provide that it takes effect as mentioned in the second column.

Description of person	Time when order takes effect
A person who has been remanded in custody, or committed to custody, by an order of a court	From the beginning of the day on which the person is released from custody
A person subject to a custodial sentence	Immediately after the person ceases to be subject to a custodial sentence”

**Member's explanatory statement**

See the statement for amendment 72.

Chris Philp

Gov 75

Laura Farris

Clause 45, page 44, line 16, leave out “not exceed” and insert “be a fixed period not exceeding”

**Member's explanatory statement**

This amendment clarifies that the specified period for an order must be a fixed period.

---

**Alex Norris**

**143**

Clause 45, page 44, line 16, leave out “5 years” and insert “1 year”

---

**Chris Philp**

**Gov 76**

Laura Farris

Clause 45, page 44, line 19, after “section” insert “—

“custodial sentence” means—

- (a) a sentence of imprisonment or any other sentence or order mentioned in section 222 of the Sentencing Code or section 76(1) of the Powers of Criminal Courts (Sentencing) Act 2000, or
- (b) a sentence or order which corresponds to a sentence or order within paragraph (a) and which was imposed or made under an earlier enactment;”

**Member's explanatory statement**

See the statement for amendment 72.

---

**Layla Moran**

**3**

Page 47, line 13, leave out Clause 51

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

**4**

Page 48, line 13, leave out Clause 52

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

**5**

Page 49, line 19, leave out Clause 53

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

**6**

Page 49, line 35, leave out Clause 54

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

**7**

Page 50, line 28, leave out Clause 55

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Chris Philp**

**Gov 77**

Laura Farris

Clause 56, page 51, line 13, after "application" insert "by complaint"

**Member's explanatory statement**

This amendment provides for applications for nuisance rough sleeping prevention orders to be made by complaint.

---

**Layla Moran**

**8**

Page 51, line 12, leave out Clause 56

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

**9**

Page 51, line 37, leave out Clause 57

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Chris Philp**

**Gov 78**

Laura Farris

Clause 58, page 53, line 2, leave out "on the day" and insert "at the beginning of the day after the day on which"

**Member's explanatory statement**

This amendment provides for a nuisance rough sleeping prevention order to take effect at the beginning of the day after the day on which it is made.

---

**Chris Philp**

**Gov 79**

Laura Farris

Clause 58, page 53, line 3, leave out “subsection (2)” and insert “subsections (2) and (2A)”

**Member's explanatory statement**

This amendment and amendments 81 and 83 provide that where a nuisance begging prevention order is made in respect of certain offenders, the order may take effect from a later time described in the table inserted by amendment 81.

---

**Chris Philp**

**Gov 80**

Laura Farris

Clause 58, page 53, line 6, leave out “be made so as to take” and insert “provide that it takes”

**Member's explanatory statement**

This is a drafting change.

---

**Chris Philp**

**Gov 81**

Laura Farris

Clause 58, page 53, line 7, at end insert—

“(2A) If a nuisance rough sleeping prevention order is made in respect of a person described in the first column of the following table, the order may provide that it takes effect as mentioned in the second column.

Description of person	Time when order takes effect
A person who has been remanded in custody, or committed to custody, by an order of a court	From the beginning of the day on which the person is released from custody
A person subject to a custodial sentence	Immediately after the person ceases to be subject to a custodial sentence”

**Member's explanatory statement**

See the statement for amendment 79.

---

**Chris Philp**

**Gov 82**

Laura Farris

Clause 58, page 53, line 10, leave out “not exceed” and insert “be a fixed period not exceeding”

**Member's explanatory statement**

This amendment clarifies that the specified period for an order must be a fixed period.

---

**Chris Philp**

**Gov 83**

Laura Farris

Clause 58, page 53, line 13, after “section” insert “—

“custodial sentence” has the meaning given by section 45;”

**Member's explanatory statement**

See the statement for amendment 79.

---

**Layla Moran**

**10**

Page 53, line 1, leave out Clause 58

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

**11**

Page 53, line 15, leave out Clause 59

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

**12**

Page 54, line 7, leave out Clause 60

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Layla Moran**

13

Page 54, line 30, leave out Clause 61

**Member's explanatory statement**

This amendment is intended to prevent the criminalisation of rough sleeping.

---

**Alex Norris**

144

Clause 66, page 58, line 18, at end insert—

“in subsection (4), after “48 hours” insert—

“, unless—

- (a) the individual has been issued with a direction under this section, relating to the same or a substantially similar or related location or behaviour, on one previous occasion, in which case the exclusion period may extend to seven days;
- (b) the individual has been issued with a direction under this section, relating to the same or a substantially similar or related location or behaviour, on more than one previous occasion, in which case the exclusion period may extend to twenty-eight days.”

**Member's explanatory statement**

This amendment would allow for longer exclusion periods under section 35 of the Anti-social behaviour, Crime and Policing Act 2014 for individuals who receive more than one such direction.

---

**Alex Norris**

145

Clause 68, page 58, line 37, at end insert—

“(2) Within twelve months of Royal Assent to this Bill, the Secretary of State must lay before Parliament a report on police use of the power to make public spaces protection orders and expedited orders under Chapter 2 of Part 4 of the Anti-social behaviour, Crime and Policing Act 2014 (as amended by this Bill).”

**Member's explanatory statement**

This amendment would require the Secretary of State to produce a report on the police's use of PSPO powers.

---

**Alex Norris**

63

Clause 73, page 64, line 36, at end insert—

“(2A) The Code must set out the actions and behaviours which will be considered to constitute “acting ethically.””



**Member's explanatory statement**

This amendment would require the College of Policing's code to state how police officers are to embody and demonstrate the requirement to act ethically.

---

**Jess Phillips****135**

Clause 73, page 64, line 36, at end insert—

- “(2A) In subsection (2) the reference to acting ethically includes a prohibition on a police officer engaging in—
- (a) sexual relationships with members of the public whilst acting in their capacity as a police officer; and
  - (b) abusive conduct, including domestic abuse or sexual violence, towards any person whether in their role as a police officer or otherwise.”

**Member's explanatory statement**

Clause 73 is amended to make explicit that ethical policing also entails zero tolerance for violence and other forms of abuse against women and girls by police officers and staff.

---

**Alex Norris****149**

★ Clause 73, page 64, line 36, at end insert—

- “(2A) The Code must set out how persons under the chief officer's direction and control are to act ethically and with candour when discharging their duties in relation to a major incident, including—
- (a) their duty to assist with any court proceeding, official inquiry or investigation resulting from a major incident fully, transparently and with proper expedition;
  - (b) their duty to disclose relevant information related to the discharge of their duties in relation to a major incident which would not otherwise be disclosed under the terms of reference or parameters of the relevant proceedings, inquiry or investigation.
- (2B) The duties under (2A) may arise from—
- (a) an application by any person affected by the major incident to the relevant court or inquiry chairperson;
  - (b) an instruction from the relevant court or inquiry chairperson; or
  - (c) where there are no extant court or inquiry proceedings, a requirement of any judicial review proceedings in the High Court.”

---

**Jess Phillips**

134

Clause 73, page 65, line 5, at end insert—

“(3A) The Code must make explicit that any criminal behaviour perpetrated by persons under the chief officer’s direction and control disclosed as a result of proceedings in the family courts must be considered during the vetting process.”

**Member's explanatory statement**

This amendment ensures criminal behaviour that is uncovered within family courts is disclosed within the vetting process of police officers.

---

**Jess Phillips**

136

Clause 73, page 65, line 17, at end insert—

“(h) the Domestic Abuse Commissioner for England and Wales;  
(i) the Commissioner for Victims and Witnesses;  
(j) the Independent Anti-Slavery Commissioner.”

**Member's explanatory statement**

This amendment aims to ensure that there is independent external oversight to the Code of Practice from bodies which represent the interests of victims and survivors whom this Code seeks to protect.

---

**Jess Phillips**

137

Clause 74, page 66, line 1, leave out “a local policing body” and insert “the Independent Office for Police Conduct”

**Member's explanatory statement**

The power to seek a referral to the police appeals tribunal should sit with an independent organisation, such as the IOPC.

---

**Chris Philp**

Gov 146

Laura Farris

Clause 76, page 68, line 15, after “purposes” insert “or areas”

**Member's explanatory statement**

This amendment provides that regulations under the Bill (other than regulations under clause 78) may make different provision for different areas.

---

**Chris Philp**

Gov 41

Laura Farris

Clause 77, page 68, line 36, leave out “5” and insert “1”

**Member's explanatory statement**

This amendment provides that clauses 1 to 4 extend to (ie form part of the law of) Scotland and Northern Ireland, as well as England and Wales.

---

**Chris Philp**

**Gov 42**

Laura Farris

Clause 77, page 69, line 2, at end insert—

“(ea) section (*Terrorist offenders*) (and Schedule (*Notification orders*));”

**Member's explanatory statement**

This amendment provides that the new clause and Schedule moved by NC14 and NS1 extend to England and Wales, Scotland and Northern Ireland.

---

**Chris Philp**

**Gov 43**

Laura Farris

Clause 77, page 69, line 10, at end insert—

“(3A) Sections 11 and 12 extend to England and Wales and Northern Ireland.”

**Member's explanatory statement**

See the statement to amendment 23.

---

**Chris Philp**

**Gov 44**

Laura Farris

Clause 77, page 69, line 11, after “by” insert “section 32(2) or”

**Member's explanatory statement**

This amendment to the extent provision is consequential on Amendment 40.

---

**Chris Philp**

**Gov 147**

Laura Farris

Clause 77, page 69, line 11, after “by” insert “section (*Administering etc harmful substances (including by spiking)*)(2) or”

**Member's explanatory statement**

This amendment provides that consequential amendments made by subsection (2) of the new clause moved by NC45 have the same extent as the provision amended.

---

**Chris Philp**

**Gov 50**

Laura Farris

Clause 77, page 69, line 12, at end insert—

- “(5) Nothing in subsections (1) to (4) limits the extent within the United Kingdom of the armed forces provisions.
- (6) Section 384(1) and (2) of the Armed Forces Act 2006 (extent outside the United Kingdom) applies to the armed forces provisions as it applies to the provisions of that Act.
- (7) In subsections (5) and (6) the “armed forces provisions” means—
- (a) a provision made, or inserted, by or under this Act so far as it is applied (by whatever words) by or under the Armed Forces Act 2006;
  - (b) an amendment, modification or repeal made by or under this Act of—
    - (i) a provision of or made under the Armed Forces Act 2006,
    - (ii) a provision that amends, modifies or repeals a provision of, or made under, that Act, or
    - (iii) any other provision, so far as the provision is applied (by whatever words) by or under that Act.”

**Member's explanatory statement**

This amendment makes provision about the extent of provisions of or made under the Bill which relate to the Armed Forces Act 2006.

---

**Chris Philp**

**Gov 45**

Laura Farris

Clause 78, page 69, line 18, after “sections” insert “(*Testing of persons outside of police detention for presence of controlled drugs*),”

**Member's explanatory statement**

This amendment makes provision to bring NC13 into force on Royal Assent for the purpose of making regulations and issuing codes of practice.

---

**Chris Philp**

**Gov 131**

Laura Farris

Clause 78, page 69, line 18, leave out “, 21 and 34” and insert “and 21”

**Member's explanatory statement**

This amendment and amendment 132 provide for the clauses about serious crime prevention orders to be brought into force by regulations.

---

**Chris Philp**

Gov 46

Laura Farris

Clause 78, page 69, line 18, after “regulations” insert “or issuing codes of practice”

**Member's explanatory statement**

See the statement for amendment 45.

---

**Dame Diana Johnson**

1

Ms Harriet Harman  
 Caroline Nokes  
 Jess Phillips  
 Dr Rupa Huq  
 Christine Jardine

Zarah Sultana  
 Caroline Lucas  
 Stephen Farry  
 Liz Saville Roberts

Bell Ribeiro-Addy  
 Sarah Champion  
 Ben Lake

Daisy Cooper  
 Wendy Chamberlain  
 Hywel Williams

Clause 78, page 69, line 21, at end insert—

“( ) section ([Removal of women from the criminal law related to abortion]).”

**Member's explanatory statement**

This is an amendment conditional on the introduction of NC1. It would bring the new law into force on the day the Act is passed.

---

**Chris Philp**

Gov 148

Laura Farris

Clause 78, page 69, line 24, at end insert—

“(aa) section (*Maximum term of imprisonment for certain offences on summary conviction*);”

**Member's explanatory statement**

This amendment provides that the new clause moved by NC47 comes into force two months after Royal Assent.

---

**Chris Philp**

Gov 132

Laura Farris

Clause 78, page 69, leave out line 28

**Member's explanatory statement**

See the explanatory statement to amendment 131.

---

Chris Philp

Gov NC10

Laura Farris

To move the following Clause—

**“Power to seize bladed articles etc: armed forces**

In the Armed Forces Act 2006, after section 93ZC (inserted by section (*Stolen goods on premises (entry, search and seizure without warrant): armed forces*)) insert—

**“93ZD Power to seize bladed articles etc**

- (1) This section applies where—
  - (a) a service policeman is lawfully on any premises which are searchable by virtue of this Part, or
  - (b) a person subject to service law who is not a service policeman is lawfully on any premises in the exercise of a power of search conferred by virtue of this Part.
- (2) If the service policeman or person subject to service law—
  - (a) finds, on the premises, an article which has a blade or is sharply pointed (a “relevant article”), and
  - (b) has reasonable grounds for suspecting that the relevant article would be likely to be used in connection with unlawful violence (if it were not seized),they may seize the relevant article.
- (3) The following provisions apply where a relevant article is seized under this section.
- (4) The service policeman or person subject to service law who seized the relevant article—
  - (a) must give a record of what was seized to a person who is on the premises, or
  - (b) if there is no person on the premises, must leave a record of what was seized in a prominent place on the premises.
- (5) The record must—
  - (a) describe the relevant article,
  - (b) state that it has been seized under this section,
  - (c) specify the date of seizure,
  - (d) give the reason why the relevant article was seized, and

- (e) specify the name, rank or rate, and the unit, of the service policeman or person subject to service law who seized the relevant article.
- (6) Following seizure of the relevant article, the service policeman or person subject to service law may—
  - (a) retain it, or
  - (b) destroy it or otherwise dispose of it.This is subject to subsections (7) and (12).
- (7) A person (“P”) claiming to be the owner of the relevant article may apply to the commanding officer of the relevant person for a determination that the relevant article should be delivered to P.
- (8) The “relevant person” is the person by virtue of whose occupation of or other connection with the premises, the premises are within subsection (1).
- (9) The commanding officer may make a determination under subsection (7) if it appears to them that—
  - (a) P is the owner of the relevant article, and
  - (b) it would be just to make the determination.
- (10) If the commanding officer does not make a determination under subsection (7), P may appeal to a judge advocate.
- (11) The Secretary of State may by regulations make provision—
  - (a) with respect to the practice and procedure which is to apply in connection with applications for a determination under subsection (7) and appeals under subsection (10);
  - (b) conferring functions on judge advocates in relation to appeals under subsection (10).
- (12) The relevant article may not be destroyed or disposed of—
  - (a) in the period of 6 months beginning with the day on which it is seized, or
  - (b) if an application under subsection (7) is made in that period, until the application (including any appeal) has been finally determined or otherwise disposed of (and then, only if no determination is made that the relevant article should be delivered to P).
- (13) In this section “unlawful violence” includes—
  - (a) unlawful damage to property, and
  - (b) a threat of unlawful violence (including of unlawful damage to property).””

**Member's explanatory statement**

This new clause amends the Armed Forces Act 2006 to make provision equivalent to that made by clause 18 of the Bill.

---

Chris Philp

Gov NC11

Laura Farris

To move the following Clause—

**“Stolen goods on premises (entry, search and seizure without warrant): armed forces**

In the Armed Forces Act 2006, after section 93 insert—

**“93ZA Search for particular stolen goods**

- (1) A service policeman of at least the rank of naval lieutenant, military or marine captain or flight lieutenant may authorise a service policeman to—
  - (a) enter specified premises which are relevant residential premises, and
  - (b) search the specified premises for specified items.
- (2) An officer may give an authorisation under subsection (1) only if satisfied that there are reasonable grounds to believe that—
  - (a) the specified items are stolen goods,
  - (b) the specified items are on the specified premises, and
  - (c) it is likely that the purpose of the search would be frustrated or seriously prejudiced if no search could be carried out before the time mentioned in subsection (3).
- (3) That time is the earliest time by which it would be practicable—
  - (a) for a service policeman to obtain and execute a warrant under section 83 authorising the entry and search of the premises, or
  - (b) in a case where a member of a UK police force could obtain a warrant under section 8 of PACE or any other enactment authorising the entry and search of the premises, for a member of such a force to obtain and execute such a warrant.
- (4) An officer may give an authorisation under subsection (1) orally or in writing.
- (5) As soon as reasonably practicable after giving the authorisation the officer must record in writing—
  - (a) if the authorisation is given orally, the authorisation, and
  - (b) in any case, the officer’s reasons for being satisfied as mentioned in subsection (2).
- (6) The powers conferred by an authorisation under subsection (1) may be exercised only—
  - (a) by a service policeman in uniform,
  - (b) before the end of the 24 hour period beginning with the time the authorisation is given, and



- (c) at a reasonable hour (unless it appears to the service policeman that exercising them at a reasonable hour may frustrate or seriously prejudice the purpose of exercising them).
- (7) The power of search conferred by an authorisation under subsection (1) is exercisable only to the extent that is reasonably required for the purpose of searching the specified premises for the specified items.
- (8) Where the occupier of the specified premises is present at the time the service policeman seeks to enter and search them, the service policeman must—
  - (a) identify themselves to the occupier, and
  - (b) state the purpose for which they are entering and searching the premises.

### **93ZB Seizure on search under section 93ZA**

- (1) This section applies where a service policeman is lawfully on relevant residential premises in exercise of the powers conferred by an authorisation under section 93ZA(1).
- (2) The service policeman may seize anything which is on the specified premises (whether or not it is a specified item) if the service policeman has reasonable grounds to believe—
  - (a) that it is stolen goods, and
  - (b) that it is necessary to seize it in order to prevent it being concealed, lost, damaged altered or destroyed.
- (3) The service policeman may seize anything which is on the specified premises (whether or not it is a specified item) if the service policeman has reasonable grounds to believe—
  - (a) that it is evidence in relation to—
    - (i) an offence under section 42 which the service policeman is investigating, or
    - (ii) any other offence under section 42,as respects which the corresponding offence under the law of England and Wales is theft, and
  - (b) that it is necessary to seize it in order to prevent the evidence being concealed, lost, damaged, altered or destroyed.
- (4) The powers of seizure in subsections (2) and (3) include power to require information which is stored in an electronic form and is accessible from the premises to be produced in a form—
  - (a) in which it can be taken away and which it is visible and legible, or
  - (b) from which it can readily be produced in a visible and legible form.
- (5) As soon as reasonably practicable after exercising a power of seizure conferred by this section, the service policeman must record in writing—
  - (a) the grounds on which the power was exercised, and

- (b) the items seized.

### **93ZC Sections 93ZA and 93ZB: supplementary**

- (1) The powers conferred by sections 93ZA and 93ZB do not include powers to search for or seize—
- (a) items subject to legal privilege,
  - (b) excluded material, or
  - (c) special procedure material.
- (2) In sections 93ZA and 93ZB “specified” means specified in an authorisation under section 93ZA(1).
- (3) Sections 93ZA and 93ZB are to be construed in accordance with section 24 of the Theft Act 1968, reading references in that section to blackmail and fraud as including an offence under section 42 as respects which the corresponding offence under the law of England and Wales is blackmail or fraud.
- (4) In sections 93ZA and 93ZB the following expressions have the meanings given by section 84—
- “excluded material”
- “items subject to legal privilege”
- “relevant residential premises”
- “special procedure material”.””

### **Member's explanatory statement**

This new clause amends the Armed Forces Act 2006 to make provision equivalent to the provision inserted into the Theft Act 1968 by clause 19 of the Bill.

Chris Philp  
Laura Farris

Gov NC12

To move the following Clause—

### **“Powers to compel attendance at sentencing hearing: armed forces**

- (1) The Armed Forces Act 2006 is amended as follows.
- (2) After section 259 insert—

*“Attendance at sentencing hearings*

### **259A Power to order attendance**

- (1) This section applies where—
- (a) an offender has been convicted of a service offence in respect of which a life sentence may, or must, be passed,
  - (b) the offender is kept in service custody awaiting sentencing by the Court Martial, and

- (c) the offender has refused, or there are reasonable grounds to suspect the offender will refuse, to attend court for the sentencing hearing.
- (2) The Court Martial may order the offender to attend court for the sentencing hearing.
- (3) An order under subsection (2) may be made by the Court Martial of its own motion or on the application of the Director of Service Prosecutions.
- (4) Before making an order under subsection (2) in relation to an offender aged under 18, the Court Martial must have regard to the welfare of the offender.
- (5) In this section—
  - “life sentence” means any of the following sentences imposed by virtue of this Act—
    - (a) a sentence of imprisonment for life,
    - (b) a sentence of detention for life during His Majesty’s pleasure, or
    - (c) a sentence of custody for life;
  - “sentencing hearing” means a hearing following conviction that is held for the purposes of sentencing an offender.
- (6) Nothing in this section limits any other power of the Court Martial to order an offender to attend court for a sentencing hearing.

#### **259B Power to order production of offender**

- (1) This section applies where—
  - (a) an offender aged 18 or over is kept in service custody awaiting sentencing by the Court Martial or the Service Civilian Court in respect of a service offence, and
  - (b) the offender has refused, or there are reasonable grounds to suspect the offender will refuse, to attend court for the sentencing hearing.
- (2) The court may order that the offender is produced before the court for the sentencing hearing.
- (3) An order under subsection (2) may be made by the court of its own motion or on the application of the Director of Service Prosecutions.
- (4) A person subject to service law who is authorised for the purposes of this section by the Provost Marshal of the Royal Military Police may use reasonable force, if necessary and proportionate, to give effect to an order under subsection (2).
- (5) In this section “sentencing hearing” has the meaning given by section 259A.

- (6) A person is to be treated as having complied with an order under subsection (2) if they have done all that they reasonably can to secure that the offender is produced before the court for sentencing.
- (7) Nothing in this section affects—
  - (a) any other power of the court to order that an offender is produced before the court for a sentencing hearing;
  - (b) any other power to use force.”
- (3) In section 309 (offences of misbehaviour in court etc)—
  - (a) after subsection (1) insert—
    - “(1A) The Court Martial also has jurisdiction under this section to deal with an offender who fails without reasonable excuse to comply with an order under section 259A(2) (order to attend sentencing hearing).”;
  - (b) in subsection (2)(a) after “days” insert “or, in a case within subsection (1A), 2 years”.”

**Member's explanatory statement**

This new clause amends the Armed Forces Act 2006 to make provision equivalent to the provision inserted into the Sentencing Code by clause 22 of the Bill.

---

Chris Philp

Gov NC13

Laura Farris

To move the following Clause—

**“Testing of persons outside of police detention for presence of controlled drugs**

- (1) The Police and Criminal Evidence Act 1984 is amended as set out in subsections (2) to (5).
- (2) In section 30 (arrest elsewhere than at police station), after subsection (11) insert—
  - “(11A) Nothing in subsection (1A) or in section 30A prevents a constable delaying taking a person to a police station, or releasing the person under section 30A, for such time as is reasonable for the purpose of taking a sample under section 32A.
  - (11B) Where there is any such delay the reasons for the delay must be recorded when the person first arrives at the police station or (as the case may be) is released under section 30A.”

(3) After section 32 (search upon arrest) insert—

**“32A Testing for presence of controlled drugs upon arrest at a place other than a police station**

- (1) An approved constable may take a single non-intimate sample from a person for the purpose of ascertaining whether any specified controlled drug is in the person’s body, if the following conditions are met—
  - (a) the arrest condition,
  - (b) the age condition, and
  - (c) the request condition.
- (2) The arrest condition is that section 30(1A) applies in respect of the person and either—
  - (a) the offence for which the person was arrested is a trigger offence, or
  - (b) a constable of at least the rank of inspector—
    - (i) has reasonable grounds for suspecting that the misuse by the person of a specified controlled drug caused or contributed to the offence for which the person was arrested, and
    - (ii) has authorised the sample to be taken.
- (3) The age condition is that the person is aged 18 or over.
- (4) The request condition is that an approved constable has requested the person to give the sample.
- (5) Before requesting the person to give a sample, an approved constable must—
  - (a) warn the person that if, when so requested, the person fails without good cause to do so the person may be liable to prosecution, and
  - (b) in a case within subsection (2)(b), inform the person of the giving of the authorisation and of the grounds in question.
- (6) A sample may only be taken under this section—
  - (a) at or near the place where an approved constable requested the person to give the sample, and
  - (b) before the person has been taken to a police station or released under section 30(7) or 30A.
- (7) If a sample is taken from a person under this section, an approved constable must give the person a notice in writing which sets out—
  - (a) the offence in respect of which the arrest condition is met;
  - (b) in a case within subsection (2)(b), details of the authorisation and the grounds in question;
  - (c) the date and time when the sample was taken;
  - (d) the location where the sample was taken;
  - (e) whether an analysis of the sample reveals that a specified controlled drug may be present in the person’s body.

- (8) A notice under subsection (7) must be given as soon as reasonably practicable and in any event before the earlier of the person being released or charged with the offence in respect of which the arrest condition is met.
- (9) A person who fails without good cause to give any sample which may be taken from the person under this section commits an offence and is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale (or both).

### **32B Section 32A: supplementary**

- (1) A constable of at least the rank of inspector may give an authorisation under section 32A(2)(b) orally or in writing but, if it is given orally, the constable must confirm it in writing as soon as is practicable.
- (2) If a person from whom a sample is taken under section 32A is taken to a police station, the constable giving the notice under section 32A(7) must secure that a record is made, as part of the person's custody record, of the matters set out in the notice.
- (3) If a person from whom a sample is taken under section 32A is released under section 30(7) or 30A, the constable giving the notice under section 32A(7) must, as soon as is practicable after the notice is given, make a record in writing of the matters set out in the notice.
- (4) Section 32A does not prejudice the generality of section 63.
- (5) In section 32A—
  - “approved constable” means a constable who has been approved for the purposes of section 32A by the chief officer of police of the police force to which the constable belongs (or, where the constable belongs to the British Transport Police Force, by the chief constable of the British Transport Police Force);
  - “non-intimate sample” has the same meaning as in Part 5 (see section 65(1));
  - “specified controlled drug” means a controlled drug (within the meaning of the Misuse of Drugs Act 1971) specified in regulations under section 32C;
  - “trigger offence” means an offence specified in regulations under section 32C.

### **32C Section 32A: regulations**

- (1) The Secretary of State may by regulations for the purposes of section 32A—
  - (a) specify a controlled drug as a “specified controlled drug”;
  - (b) specify an offence as a “trigger offence”.
- (2) Regulations under subsection (1)—

- (a) may make different provision for different purposes or different areas; and
  - (b) may make transitional, transitory or saving provision.
- (3) Regulations under this section are to be made by statutory instrument.
- (4) A statutory instrument containing (whether alone or with other provision) regulations under subsection (1)(b) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) Any other statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section “controlled drug” has the same meaning as in the Misuse of Drugs Act 1971.

### **32D Section 32A: disclosure of obtained information**

Information obtained from a sample taken from a person under section 32A may be disclosed—

- (a) for the purpose of informing any decision about granting bail in criminal proceedings (within the meaning of the Bail Act 1976) to the person;
  - (b) for the purpose of informing any decision about the giving of a diversionary caution under Part 6 of the Police, Crime, Sentencing and Courts Act 2022 to the person;
  - (c) where the person is in police detention or is remanded in or committed to custody by an order of a court or has been granted such bail, for the purpose of informing any decision about the person’s supervision;
  - (d) where the person is convicted of an offence, for the purpose of informing any decision about the appropriate sentence to be passed by a court and any decision about the person’s supervision or release;
  - (e) for the purpose of an assessment which the person is required to attend by virtue of section 9(2) or 10(2) of the Drugs Act 2005;
  - (f) for the purpose of proceedings against the person for an offence under section 12(3) or 14(3) of that Act;
  - (g) for the purpose of ensuring that appropriate advice and treatment is made available to the person.”
- (4) In section 63B, after subsection (5D) insert—
- “(5E) A sample may not be taken from a person under this section if—
- (a) the person is in police detention by virtue of being taken to a police station after being arrested at a place other than a police station, and
  - (b) a sample was taken from the person under section 32A.”

- (5) In section 66(2) (codes of practice), after “section” insert “32A or”.
- (6) In Schedule 1 to the Bail Act 1976 (persons entitled to bail: supplementary provisions), in Part 1 (defendants accused or convicted of imprisonable offences), in paragraph 6B(1)(b)(i), after “under section” insert “32A or”.

**Member's explanatory statement**

The new clause provides for testing of controlled drugs upon arrest at a place other than a police station and makes related changes.

---

**Chris Philp**

**Gov NC14**

Laura Farris

To move the following Clause—

**“Terrorist offenders**

- (1) Schedule (*Notification orders*) amends Part 4 of the Counter-Terrorism Act 2008 (notification requirements) so as to enable courts to make notification orders in respect of persons who have committed certain domestic offences or service offences.
- (2) In section 43B of the Terrorism Act 2000 (terrorist offenders released on licence: arrest without warrant pending recall decision) in subsection (4) after paragraph (d) insert—
  - “(e) a person in respect of whom—
    - (i) a domestic offence notification order (within the meaning of Schedule 4A to the Counter-Terrorism Act 2008), or
    - (ii) a service offence notification order (within the meaning of Schedule 6A to that Act),
 has been made and who is serving a sentence for the offence by virtue of which the order was made.””

**Member's explanatory statement**

This new clause introduces the Schedule moved by NS1 (which provides for orders applying the notification requirements in Part 4 of the Counter-Terrorism Act 2008 to persons who have committed certain domestic offences or service offences) and also extends powers of arrest and search to persons in respect of whom such orders are made.

---

**Chris Philp**

**Gov NC21**

Laura Farris



To move the following Clause—

**“Dispersal powers: removal of senior police officer authorisation**

- (1) Omit section 34 of the Anti-social Behaviour, Crime and Policing Act 2014 (authorisation of constables to use dispersal powers by police officer of at least the rank of inspector).
- (2) In consequence of subsection (1), in section 35 of that Act (directions excluding a person from an area)—
  - (a) in subsection (1)—
    - (i) omit “and an authorisation is in force under section 34”;
    - (ii) for “in the locality specified in the direction” substitute “in a locality”;
  - (b) in subsection (4), omit the second sentence.”

**Member's explanatory statement**

This new clause removes the requirement that a police officer of at least the rank inspector must authorise the use of dispersal powers under section 35 of the Anti-social Behaviour, Crime and Policing Act 2014.

---

**Chris Philp**

Laura Farris

**Gov NC22**

To move the following Clause—

**“Dispersal powers: extension to local authorities**

- (1) The Anti-social Behaviour, Crime and Policing Act 2014 is amended as follows.
- (2) In section 35—
  - (a) in subsections (1), for “a constable in uniform” substitute “an authorised person”;
  - (b) in subsection (2), (3) and (6), for “constable” substitute “authorised person”;
  - (c) after subsection (4), insert—
 

“(4A) Each of the following is an “authorised person”—

    - (a) a constable in uniform;
    - (b) a person authorised for the purposes of this Part by the local authority in whose area the public place mentioned in subsection (1) is situated (“authorised LA officer”).”
  - (d) after subsection (6), insert—
 

“(6A) A direction given by an authorised LA officer under this section is not valid if the officer—

    - (a) is asked by the person to whom the direction is given to show evidence of their authorisation, and
    - (b) fails to do so.”

- (e) in subsection (7), for “the constable” substitute “a constable in uniform in the public place”;
  - (f) for subsection (8) substitute—
    - “(8) Any constable may withdraw or vary a direction given by a constable under this section.
    - (8A) Any authorised LA officer may withdraw or vary a direction given by an authorised LA officer under this section.
    - (8B) A variation under subsection (8) or (8A) must not extend the duration of a direction beyond 48 hours from when it was first given.”;
  - (g) in subsection (11), for ““exclusion period”” to the end substitute “—  
“authorised person” has the meaning given by subsection (4A);  
“exclusion period” has the meaning given by subsection (1)(b);  
“local authority” has the same meaning as in Part 1 (see section 20).”
- (3) In section 36 (restrictions)—
- (a) in subsections (1), (2), (3) and (4), for “A constable” substitute “An authorised person”;
  - (b) in subsection (1), for “constable”, in the second place it appears, substitute “authorised person”;
  - (c) in subsection (5), for “a constable” substitute “an authorised person”.
- (4) In section 38 (record-keeping), in subsections (1) and (2), for “A constable” substitute “An authorised person”.
- (5) In section 41 (guidance), in subsection (1), for “chief officers of police” to the end substitute “—
- (a) chief officers of police about the exercise, by officers under their direction or control, of those officers’ functions under this Part;
  - (b) local authorities about the exercise, by persons authorised under section 35(4A)(b), of those persons’ functions under this Part.””

#### Member's explanatory statement

This new clause confers dispersal powers under Part 3 of the Anti-social Behaviour, Crime and Policing Act 2014 on persons authorised by local authorities for the purposes of the Part.

---

Chris Philp

Laura Farris

Gov NC45

To move the following Clause—

**“Administering etc harmful substances (including by spiking)**

(1) In the Offences Against the Person Act 1861, for sections 23 to 25 substitute—

**“23 Administering etc harmful substance so as to endanger life or inflict grievous bodily harm**

- (1) A person commits an offence if—
  - (a) the person intentionally or recklessly, and unlawfully, administers a harmful substance to another person, and
  - (b) the administration of the harmful substance endangers the other person’s life or inflicts grievous bodily harm on them.
- (2) A person commits an offence if—
  - (a) the person unlawfully causes a harmful substance to be administered to or taken by another person,
  - (b) the administration or taking of the harmful substance endangers the other person’s life or inflicts grievous bodily harm on them, and
  - (c) the person intends that, or is reckless as to whether—
    - (i) the harmful substance is administered to or taken by the other person, and
    - (ii) the administration or taking of the harmful substance will endanger the other person’s life or inflict grievous bodily harm on them.
- (3) In this section “harmful substance” means any poison or other destructive or noxious thing.
- (4) A person who commits an offence under this section is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years or a fine (or both).

**24 Administering etc harmful substance with intent to injure, aggrieve or annoy**

- (1) A person commits an offence if—
  - (a) the person unlawfully administers a harmful substance to, or causes a harmful substance to be administered to or taken by, another person, and
  - (b) the person does so with intent to injure, aggrieve or annoy the other person.
- (2) In this section “harmful substance” has the meaning given by section 23.
- (3) A person who commits an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
- (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).

**25 Alternative verdict on trial of offence under section 23**

A person who is—

- (a) charged with an offence under section 23, and
- (b) found not guilty of that offence,

may be convicted of an offence under section 24 (if it is proved that they committed it)."

- (2) In consequence of the amendment made by subsection (1), in the following provisions for "maliciously administering poison etc" substitute "administering etc harmful substance"—
  - (a) paragraph 8(e) and (f) of Schedule 1 to the Suppression of Terrorism Act 1978;
  - (b) paragraph 5(g) and (h) of Schedule 2A to the Housing Act 1985;
  - (c) paragraph 10 of Schedule 15 to the Criminal Justice Act 2003;
  - (d) paragraph 11 of Schedule 5 to the Sexual Offences Act 2003;
  - (e) in Schedule 2 to the Counter-Terrorism Act 2008, paragraph (b) of the entry relating to offences under the Offences against the Person Act 1861;
  - (f) paragraph 7 of Schedule 4 to the Modern Slavery Act 2015;
  - (g) paragraph 4(c) of Schedule 1 to the Sentencing Act 2020;
  - (h) paragraph 23(f) of Part 2 of Schedule 9 to the Elections Act 2022;
 and in section 72(2)(d) of the Domestic Abuse Act 2021 for "poison" substitute "harmful substance".

**Member's explanatory statement**

This new clause re-casts the offences under sections 23 and 24 of the Offences against the Person Act 1861 (administration etc of harmful substances) and the procedural provision under section 25 of that Act relating to those offences.

Chris Philp

Laura Farris

Gov NC46

To move the following Clause—

**"Sexual activity in presence of child etc**

- (1) The Sexual Offences Act 2003 is amended as follows.
- (2) In section 11(1) (engaging in sexual activity in presence of child), in paragraph (c) for the words from "he engages" to the end (not including the "and" at

the end of the paragraph) substitute "A engages in it when another person (B) is present or is in a place from which A can be observed,".

- (3) In section 18(1) (abuse of position of trust: sexual activity in presence of child), in paragraph (c) for the words from "he engages" to the end substitute "A engages in it when another person (B) is present or is in a place from which A can be observed,".
- (4) In section 32(1) (engaging in sexual activity in presence of person with mental disorder impeding choice), in paragraph (c) for the words from "he engages" to the end substitute "A engages in it when another person (B) is present or is in a place from which A can be observed,".
- (5) In section 36(1) (engaging in sexual activity in presence, procured by inducement, threat or deception, of person with mental disorder)—
  - (a) in paragraph (c) for the words from "he engages" to the end substitute "A engages in it when another person (B) is present or is in a place from which A can be observed,";
  - (b) in paragraph (d) for "paragraph (c)(i)" substitute "paragraph (c)".
- (6) In section 40(1) (care workers: sexual activity in presence of person with mental disorder), in paragraph (c) for the words from "he engages" to the end substitute "A engages in it when another person (B) is present or is in a place from which A can be observed,".

#### Member's explanatory statement

This new clause amends offences of engaging in sexual activity in the presence of a child or person with mental disorder (B) so as to remove the requirement that the person knows or believes that B is aware, or intends that B should be aware, that the person is engaging in it.

---

Chris Philp  
Laura Farris

Gov NC47

To move the following Clause—

#### **"Maximum term of imprisonment for certain offences on summary conviction**

In the following provisions for "6 months" substitute "the general limit in a magistrates' court"—

section 1(6)(a) of the Prevention of Social Housing Fraud Act 2013 (unlawful sub-letting: secure tenancies);

section 2(7)(a) of that Act (unlawful sub-letting: assured tenancies and secure contracts);

section 30(3)(b) of the Modern Slavery Act 2015 (breach of certain orders or requirements);

section 339(2)(a) of the Sentencing Act 2020 (breach of criminal behaviour order);

section 354(4)(a) of that Act (breach of sexual harm prevention order);

section 363(2)(a) of that Act (breach of restraining order)."

**Member's explanatory statement**

This new clause provides that the maximum term of imprisonment for certain offences, on summary conviction, is the general limit in a magistrates' court.

**Dame Diana Johnson****NC1**

Ms Harriet Harman  
Caroline Nokes  
Jess Phillips  
Dr Rupa Huq  
Christine Jardine

Zarah Sultana  
Caroline Lucas  
Ben Lake

Bell Ribeiro-Addy  
Sarah Champion  
Hywel Williams

Daisy Cooper  
Stephen Farry  
Liz Saville Roberts

To move the following Clause—

**“Removal of women from the criminal law related to abortion**

For the purposes of the law related to abortion, including sections 58 and 59 of the Offences Against the Person Act 1861 and the Infant Life (Preservation) Act 1929, no offence is committed by a woman acting in relation to her own pregnancy.”

**Member's explanatory statement**

This new clause would disapply existing criminal law related to the accessing or provision of abortion care from women acting in relation to their own pregnancy at any gestation, ensuring no woman would be liable for a prison sentence as a result of seeking to end her own pregnancy. It would not change any law regarding the provision of abortion services within a healthcare setting, including but not limited to the time limit, the grounds for abortion, or the requirement for two doctors' approval.

**Stella Creasy****NC2**

Dr Dan Poulter  
Caroline Nokes  
Paula Barker  
Bell Ribeiro-Addy  
Sarah Champion

Lloyd Russell-Moyle  
Kim Johnson  
Zarah Sultana  
Liz Saville Roberts  
Yasmin Qureshi

Rachel Hopkins  
Kate Osborne  
Caroline Lucas  
Hywel Williams  
Ian Byrne

Stephen Farry  
Nadia Whittome  
Wendy Chamberlain  
Ben Lake

To move the following Clause—

**“Abortion: Decriminalisation**

- (1) The Secretary of State must by regulations make whatever changes appear to the Secretary of State to be necessary or appropriate for the decriminalisation of abortion, in line with the recommendation in Paragraph 31 of the CEDAW General Recommendation No. 24: Article 12 of the Convention that “*When*

*possible, legislation criminalizing abortion should be amended, in order to withdraw punitive measures imposed on women who undergo abortion”.*

- (2) **Regulations under subsection (1) must—**
- (a) provide for the repeal of sections 58, 59 and 60 of the Offences Against the Person Act 1861,
  - (b) provide that no offence under these regulations or any other legislation is committed by a person complying with the requirements of subsection 1 of the Abortion Act 1967,
  - (c) provide that no offence under these regulations or any other legislation is committed by a person acting in relation to their own pregnancy where they have been coerced into taking that action,
  - (d) provide that no person acting in relation to their own pregnancy may be sentenced to a custodial sentence, and
  - (e) provide for alternative offences in relation to acts of abortion where the woman has not, or is suspected to have not, consented to the abortion.
- (3) The Secretary of State may by regulations make any provision that appears to the Secretary of State to be appropriate in view of subsection (1), or (2).
- (4) If regulations under subsection (1) are not approved by both Houses of Parliament within three months of this Act receiving Royal Assent, then sections 58, 59 and 60 of the Offences Against the Person Act 1861 are repealed.
- (5) A statutory instrument made 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.”

---

**Ms Harriet Harman**

**NC3**

Sarah Champion  
 Dame Maria Miller  
 Dame Margaret Hodge  
 Caroline Nokes  
 Jess Phillips

Dawn Butler  
 Caroline Lucas  
 Cat Smith  
 Debbie Abrahams  
 Mohammad Yasin  
 Ian Lavery  
 Bell Ribeiro-Addy  
 Hywel Williams

Alicia Kearns  
 Mr Ben Bradshaw  
 Charlotte Nichols  
 Paula Barker  
 Mr Rob Roberts  
 Justin Tomlinson  
 Yvonne Fovargue  
 Ben Lake

Wera Hobhouse  
 Dehenna Davison  
 Mrs Flick Drummond  
 Lloyd Russell-Moyle  
 Kim Johnson  
 Derek Twigg  
 Liz Saville Roberts  
 Paul Blomfield

To move the following Clause—

**“Removal of parental responsibility for men convicted of sexual offences against children**

- (1) After section 2 (parental responsibility for children) of the Children Act 1989, insert—

**“2A Prisoners: suspension of parental responsibility**

- (1) This section applies where—
- (a) a person (“A”) has been found guilty of a serious sexual offence involving or relating to a child or children; and
  - (b) A had parental responsibility for a child or children at the time at which the offence was committed.
- (2) A ceases to have parental responsibility for all children, for a time specified by the sentencing court or until an application by A to the family court to reinstate parental responsibility has been approved.””

---

**George Eustice**

**NC4**

Tracey Crouch  
Kelly Tolhurst  
Henry Smith

To move the following Clause—

**“Taking of dog without lawful authority**

- (1) A person commits an offence if, without lawful authority or reasonable excuse, the person takes or detains a dog in England—
- (a) so as to remove it from the lawful control of any person, or
  - (b) so as to keep it from the lawful control of a person who is entitled to have lawful control of it.
- (2) No offence is committed if the person taking or detaining the dog is connected with any of the following—
- (a) any person entitled to have lawful control of it;
  - (b) where it is removed from the lawful control of a person, that person.
- (3) A person who commits an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the maximum summary term for either-way offences or a fine (or both);
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).
- (4) In this section—
- “connected person”: a person is connected with another person if—
- (a) they are married to each other,
  - (b) they are civil partners of each other,



- (c) one is the parent of the other, or
  - (d) they are siblings (whether of the full blood or the half blood);
- “detaining”: references to a person detaining a dog include the person—
- (a) inducing it to remain with the person or anyone else, or
  - (b) causing it to be detained;
- “maximum summary term for either-way offences”, with reference to imprisonment for an offence, means—
- a) if the offence is committed before the time when paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force, 6 months;
  - (b) if the offence is committed after that time, 12 months;
- “taking”: references to a person taking a dog include the person—
- (a) causing or inducing it to accompany the person or anyone else, or
  - (b) causing it to be taken.”

#### Member's explanatory statement

This new clause makes provision for the creation of an offence of taking a dog from the lawful control of another person.

---

Greg Clark

NC5

Tracey Crouch  
Stephen Metcalfe

To move the following Clause—

#### “Sexual interference with a corpse

- (1) The Sexual Offences Act 2003 is amended as follows.
- (2) After section 70, insert—

#### “70A Sexual interference with a corpse

- (1) A person “P” commits an offence if—
  - (a) P intentionally performs an act of physical interference with the body of a dead person, and
  - (b) the physical interference is sexual.
- (2) For the purposes of this section, physical interference may include—
  - (a) P touching the body of a dead person with any part of P’s own body, and
  - (b) P causing any item or substance to make contact with the body of a dead person.
- (3) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for a term not exceeding 10 years.”

**Ms Harriet Harman**

NC6

Dame Margaret Hodge  
 Sir Peter Bottomley  
 Daisy Cooper  
 Ms Karen Buck  
 Tim Loughton

Dawn Butler  
 Mr Ben Bradshaw  
 Marsha De Cordova  
 Christina Rees  
 Graham Stringer  
 Jon Cruddas  
 Zarah Sultana  
 Yasmin Qureshi  
 Yvonne Fovargue

Dame Meg Hillier  
 Siobhain McDonagh  
 Wendy Chamberlain  
 Debbie Abrahams  
 Ian Mearns  
 Mr Jonathan Djanogly  
 Mohammad Yasin  
 Paula Barker

Andy Slaughter  
 Sir Stephen Timms  
 Charlotte Nichols  
 Ms Diane Abbott  
 John Spellar  
 Richard Burgon  
 Mr Virendra Sharma  
 Mr Rob Roberts

To move the following Clause—

**“Automatic dismissal on conviction for a serious criminal offence**

- (1) Section 50 of the Police Act 1996 (Regulations for police forces) is amended in accordance with subsections (2) and (3).
  - (2) After subsection (3) insert “and subject to any regulations made under subsection (3ZA)”.
  - (3) After subsection (3G) insert—
- “(3ZA) Regulations made under this section may provide that upon the conviction of a member of a police force for a certain type of criminal offence, that person shall be dealt with by way of automatic dismissal without the taking of any disciplinary proceedings against that person.”.

**Ms Harriet Harman**

NC7

Dame Margaret Hodge  
 Sir Peter Bottomley  
 Daisy Cooper  
 Ms Karen Buck  
 Tim Loughton

Dawn Butler  
 Mr Ben Bradshaw  
 Marsha De Cordova  
 Christina Rees  
 Graham Stringer  
 Jon Cruddas  
 Zarah Sultana  
 Yasmin Qureshi

Dame Meg Hillier  
 Siobhain McDonagh  
 Wendy Chamberlain  
 Debbie Abrahams  
 Ian Mearns  
 Mr Jonathan Djanogly  
 Mohammad Yasin  
 Paula Barker

Andy Slaughter  
 Sir Stephen Timms  
 Charlotte Nichols  
 Ms Diane Abbott  
 John Spellar  
 Richard Burgon  
 Mr Virendra Sharma  
 Yvonne Fovargue

To move the following Clause—

**“Automatic suspension of officers charged with specified allegations**

- (1) Regulations made by the Secretary of State pursuant to section 50 of the Police Act 1996 may make further provision as set out in this section.

- (2) Where an officer is charged with an indictable-only or an either-way offence, the Regulation 11 of the Police (Conduct) Regulations 2020 and any other relevant legislation shall not initially apply.
- (3) In a case falling within subsection (2), regulations may provide that the appropriate authority must automatically suspend the officer from the office of constable for an initial period of 30 days.
- (4) Where an officer is suspended in circumstances falling under subsection (3), regulations may provide that—
  - (a) the officer remains a police officer for the purpose of the Police (Conduct) Regulations,
  - (b) the suspension must be with pay,
  - (c) at or prior to the expiry of the initial period of suspension, the appropriate authority must make a determination as to whether the suspension conditions in Regulation 11 of the Police (Conduct) Regulations 2020 are satisfied, and
  - (d) upon the making of a determination referred to in paragraph (c) that an officer should remain suspended, Regulation 11 of the Police (Conduct) Regulations shall apply thereafter to that officer."

---

**Ms Harriet Harman**

**NC8**

Dame Margaret Hodge  
 Sir Peter Bottomley  
 Daisy Cooper  
 Ms Karen Buck  
 Tim Loughton

Dawn Butler  
 Mr Ben Bradshaw  
 Marsha De Cordova  
 Christina Rees  
 Graham Stringer  
 Jon Cruddas  
 Zarah Sultana  
 Yasmin Qureshi  
 Yvonne Fovargue

Dame Meg Hillier  
 Siobhain McDonagh  
 Wendy Chamberlain  
 Debbie Abrahams  
 Ian Mearns  
 Mr Jonathan Djanogly  
 Mohammad Yasin  
 Paula Barker

Andy Slaughter  
 Sir Stephen Timms  
 Charlotte Nichols  
 Ms Diane Abbott  
 John Spellar  
 Richard Burgon  
 Mr Virendra Sharma  
 Mr Rob Roberts

To move the following Clause—

**"Automatic dismissal of officers who fail vetting**

- (1) The Police Act 1996 is amended in accordance with subsection (2).
- (2) In section 39A (Codes of practice for chief officers), after subsection (1) insert—
 

"(1A) Without prejudice to subsection (1) and subject to subsection (1B), a code of practice may provide for an officer to be dismissed without notice where—

  - (a) the officer fails vetting, and
  - (b) it is not reasonable to expect that the officer will be capable of being deployed to full duties within a reasonable timeframe.

(1B) Subsection (1A) does not apply where a chief officer concludes that—

- (a) the officer, notwithstanding his vetting failure, is capable of being deployed to a substantial majority of duties appropriate for an officer of his rank; and
- (b) it would be disproportionate to the operational effectiveness of the force for the officer to be dismissed without notice.””

---

**Ms Harriet Harman**

NC9

Dame Margaret Hodge  
 Sir Peter Bottomley  
 Daisy Cooper  
 Ms Karen Buck  
 Tim Loughton

Dawn Butler  
 Mr Ben Bradshaw  
 Marsha De Cordova  
 Christina Rees  
 Graham Stringer  
 Jon Cruddas  
 Zarah Sultana  
 Yasmin Qureshi  
 Yvonne Fovargue

Dame Meg Hillier  
 Siobhain McDonagh  
 Wendy Chamberlain  
 Debbie Abrahams  
 Ian Mearns  
 Mr Jonathan Djanogly  
 Mohammad Yasin  
 Paula Barker

Andy Slaughter  
 Sir Stephen Timms  
 Charlotte Nichols  
 Ms Diane Abbott  
 John Spellar  
 Richard Burgon  
 Mr Virendra Sharma  
 Mr Rob Roberts

To move the following Clause—

**“Duty of officer to hand over personal mobile phone**

- (1) Section 50 of the Police Act 1996 is amended in accordance with subsection (2).
- (2) After subsection (4) insert—
  - “(4A) Regulations under this section may, in connection with the procedures that are established by or under regulations made by virtue of subsection (3), provide that an officer has a duty to hand over to the appropriate authority a personal telecommunications device capable of storing information in any electronic format which can readily be produced in a visible and legible form, belonging to that police officer where there is a request by the appropriate authority in circumstances where the appropriate authority has reasonable grounds to suspect the police officer of behaving in a way that could amount to gross misconduct and in respect of which information stored on the device may be relevant to the suspected misconduct.
  - (4B) Without prejudice to the generality of subsection (4A), regulations may provide for—
    - (a) the form of the request to be made to the police officer concerned and any related information that must be provided by the police officer in releasing the device including, but not limited to, any passcode required to access information stored on the device;

- (b) the time period within which the device must be provided to the appropriate authority and any sanction which may be imposed on the police officer for failing to do so;
  - (c) the provision to the police officer concerned of reasons for the requested possession of a device;
  - (d) the arrangements to be put in place for the protection of confidential, privileged or sensitive information stored on the device which is not relevant to the matter under investigation;
  - (e) the period of time that the device may be retained by the appropriate authority and arrangements for the return of the device when it is no longer required for the purposes of the investigation;
  - (f) the deletion of information obtained from the device and retained by the appropriate authority other than information which is reasonably required to be retained in connection with the matter under investigation; and
  - (g) the making of ancillary and consequential amendments to other regulations as may be considered necessary.
- (4C) In subsections (4A) and (4B) “appropriate authority” has the meaning given in article 2 (interpretation) of the Police (Conduct) Regulations 2020.””

---

Peter Dowd

NC15

To move the following Clause—

**“Intentionally administering a substance with intent to cause harm**

- (1) A person (“P”) commits an offence if P intentionally administers a substance to, or causes a substance to be taken by, another person—
  - (a) without the consent of that other person, and
  - (b) with the intention of causing harm to that other person.
- (2) A person who commits an offence under this section is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years.”

**Member's explanatory statement**

As it stands, spiking is covered by several different offences. This amendment is intended to create a standalone offence of spiking.

---

Peter Dowd

NC16

To move the following Clause—

**“Complicity in joint enterprise cases**

In section 8 (abettors in misdemeanors) of the Accessories and Abettors Act 1861, after “shall” insert “, by making a significant contribution to its commission,”.

**Member's explanatory statement**

This new clause would clarify the definition of ‘joint enterprise’ (or secondary liability), so that an individual must make a “significant contribution” to an offence committed by another to be criminally liable.

---

Peter Dowd

NC17

To move the following Clause—

**“Offence of failing to remain at the scene of a traffic collision**

In section 170 of the Road Traffic Act 1988, after subsection (4) insert—

“(4A) A person guilty of an offence under subsection (4) is liable—

- (a) If a person other than the driver of the vehicle suffered a fatal injury—
  - (i) on conviction on indictment, to imprisonment for a term not exceeding 14 years.
- (b) If a person other than the driver of the vehicle suffered a serious non-fatal injury—
  - (i) on summary conviction, to imprisonment for a term not exceeding 10 years or a fine not exceeding £20,000 or both;
  - (ii) on conviction on indictment, to imprisonment for a term not exceeding 10 years.
- (c) In any other case—
  - (i) on summary conviction, to imprisonment for a term not exceeding 10 years or a fine not exceeding £20,000 or both;
  - (ii) on conviction on indictment, to imprisonment for a term not exceeding 10 years.”

**Member's explanatory statement**

This new clause would expand the existing offence of failing to stop after a road collision to create more serious penalties for failing to stop after collisions which result in death or serious injury.

---

Peter Dowd

NC18

To move the following Clause—

**“Time to report road collision**

In section 170 of the Road Traffic Act 1988, omit subsection (6) and insert—

- (6) In complying with a duty under this section to report an accident or to produce such a certificate of insurance or other evidence, as is mentioned in section 165(2)(a) of this Act, it is an offence for a driver—
- (a) not to do so at a police station or to a constable as soon as is reasonably practicable, and
  - (b) not to do so within two hours of the occurrence of the accident in relation to reporting an accident, or within twenty-four hours of the occurrence of the accident in relation to the production of a certificate of insurance or other evidence.”

**Member's explanatory statement**

This amendment would amend the Road Traffic Act 1988 to reduce the time within which a driver must report a road collision in which they were involved from twenty-four hours to two hours, and make it an offence not to report an accident.

---

Alex Cunningham

NC19

Shabana Mahmood

To move the following Clause—

**“Use of another person’s dwelling place for criminal purposes: cuckooing**

- (1) A person “P” commits an offence if—
- (a) P makes regular use of or takes up residence in a residential building lawfully occupied by another person “R”,
  - (b) P uses the residential building as a base for criminal activities including but not limited to—
    - (i) dealing, storing or taking unlawfully held controlled drugs,
    - (ii) facilitating sex work,
    - (iii) taking up residence without a lawful agreement with R in circumstances where R is under duress or otherwise being coerced or controlled, or
    - (iv) financially abusing R.
- (2) For the purposes of this section—
- (a) “building” includes any structure or part of a structure (including a temporary or moveable structure), and
  - (b) a building is “residential” if it is designed or adapted, before the time of entry, for use as a place to live.
- (3) A person who commits an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
- (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both)."

**Member's explanatory statement**

This new clause would make cuckooing an offence. Cuckooing is where the home of a vulnerable person is taken over by a criminal in order to use it to deal, store or take drugs, facilitate sex work, as a place for them to live, or to financially abuse the occupier.

---

Jess Phillips

NC20

To move the following Clause—

**"Sharing or threatening to share intimate photograph or film: modesty clothing**

- (1) Section 188 of the Online Safety Act 2023 is amended as follows.
- (2) After inserted section 66D(5)(e) insert—
  - "(f) the person not wearing modesty clothing such as a hijab or niqab when they would normally do so."

**Member's explanatory statement**

This new clause would see definition of "intimate image" extended to include specific categories of image that may be considered intimate by particular religious or cultural groups.

---

Jess Phillips

NC23

To move the following Clause—

**"Sexual exploitation of an adult**

- (1) The Sexual Offences Act 2003 is amended as follows.
- (2) Section 52 is amended as follows—
  - (a) in the title for "Causing or inciting prostitution" substitute "Sexual exploitation", and
  - (b) in paragraph (1)(a) for "causes or incites another person to become a prostitute" substitute "sexually exploits another person".
- (3) Section 53 is amended as follows—
  - (a) in the title for "prostitution" substitute "sexual exploitation", and
  - (b) in paragraph (1)(a) for "prostitution" substitute "sexual exploitation".
- (4) Section 54 is amended as follows—
  - (a) in subsection (2) for "sections 51A, 52, 53 and 53A" substitute "section 53A", and
  - (b) at end insert—



- “(4) In sections 52 and 53 “sexual exploitation” means conduct by which a person manipulates, deceives, coerces or controls another person to undertake sexual activity.”.”

**Member's explanatory statement**

This new clause is an amendment to the Sexual Offences Act 2003, specifically in Sections 52 and 53, “replacing prostitution for gain” with “sexual exploitation of an adult”.

---

**Jess Phillips**

**NC24**

To move the following Clause—

**“Human trafficking**

- (1) Section 2 of the Modern Slavery Act 2015 is amended as follows.
- (2) In subsection (1) for “arranges or facilitates the travel of” substitute “recruits, transports, transfers, harbours or receives through force, fraud or deception”.
- (3) In subsection (2) for “travel” substitute “the matters mentioned in subsection (1)”.
- (4) Omit subsections (3) to (5).
- (5) In paragraph (6)(a) for “arranging or facilitating takes” substitute “matters mentioned in subsection (1) take”.
- (6) Omit paragraph (6)(b).
- (7) In paragraph (7)(a) for “arranging or facilitating takes” substitute “matters mentioned in subsection (1) take”.
- (8) In paragraph (7)(b) for the first “the” substitute “any”.

**Member's explanatory statement**

This new clause brings the definition of human trafficking in the Modern Slavery Act 2015 in line with the UN definition, particularly removing the requirement for exploitation to have involved travel.

---

**Jess Phillips**

**NC25**

To move the following Clause—

**“Grooming as an aggravating factor**

After section 72 of the Sentencing Code (supply of psychoactive substance in certain circumstances) insert—

**“(72A) Grooming**

- (1) This section applies where a court is considering the seriousness of an offence which is aggravated by grooming.

- (2) The court—
- (a) must treat the fact that the offence is aggravated by grooming as an aggravating factor, and
  - (b) must state in open court that the offence is so aggravated.”

**Member's explanatory statement**

This new clause ensures grooming is to be seen as an aggravating factor in certain cases where the victim is an adult.

---

Jess Phillips

NC26

To move the following Clause—

**“Loitering and soliciting: repeal**

Section 1 of the Street Offences Act 1959 (loitering or soliciting for purposes of prostitution) is repealed.”

**Member's explanatory statement**

This new clause repeals soliciting and loitering as an offence.

---

Jess Phillips

NC27

To move the following Clause—

**“Aggravating factor relevant to offence of murder: honour based violence and abuse**

- (1) Schedule 21 to the Sentencing Code (determination of minimum term in relation to mandatory life sentence for murder etc) is amended as follows.
- (2) After paragraph 9(g) insert—
  - “(h) the fact that the offender inflicted honour-based violence or abuse on the victim.””

**Member's explanatory statement**

A new clause to instate honour-based abuse as an aggravating factor in murder cases.

---

Jess Phillips

NC28

To move the following Clause—

**“Aggravating factor relevant to offence of murder: strangulation**

- (1) Schedule 21 to the Sentencing Code (determination of minimum term in relation to mandatory life sentence for murder etc) is amended as follows.
- (2) After paragraph 9(g) insert—
  - “(h) the fact that the offender strangled the victim as part of the homicide.””

**Member's explanatory statement**

A new clause to instate strangulation as an aggravating factor in murder cases.

---

Jess Phillips

NC29

To move the following Clause—

**“Infidelity of victim not to be used as part of a defence to murder**

When considering a charge of murder, the court may not take into account as part of the defendant’s defence an allegation that the victim was at any time or in any way, physical or verbal, sexually unfaithful to the defendant.”

**Member's explanatory statement**

This new clause would ensure sexual infidelity can never be used as a defence to murder.

---

Jess Phillips

NC30

To move the following Clause—

**“Power of Secretary of State to disregard convictions or cautions: Loitering or soliciting for purposes of prostitution**

- (1) Section 92 of the Street Offences Act 1959 is amended as follows.
- (2) For subsection (1) substitute—
  - “(1) A person who has been convicted of, or cautioned for, an offence in circumstances where—
    - (a) the conduct constituting the offence was sexual activity between persons of the same sex, or
    - (b) the offence was committed under section 1 of the Street Offences Act 1959, may apply to the Secretary of State for the conviction or caution to become a disregarded conviction or caution.”
- (3) In subsection (2) after first “caution” insert “received in the circumstances set out in subsection (1)(a)”.

**Member's explanatory statement**

A new clause that allows a process allowing the Secretary of State to disregard convictions and cautions received under section 1 of the Street Offences Act 1959.

---

Jess Phillips

NC31

To move the following Clause—

**“Reasonable force in domestic abuse cases**

- (1) Section 76 of the Criminal Justice and Immigration Act 2008 (reasonable force for purposes of self-defence etc.) is amended as follows.

- (2) In subsection (5A) after “In a householder case” insert “or a domestic abuse case”.
- (3) In subsection (6) after “In a case other than a householder case” insert “or a domestic abuse case”.
- (4) After subsection (8F) insert—
  - “(8G) For the purposes of this section “a domestic abuse case” is a case where—
    - (a) the defence concerned is the common law defence of self-defence,
    - (b) D is, or has been, a victim of domestic abuse, and
    - (c) the force concerned is force used by D against the person who has perpetrated the abusive behaviour referred to in paragraph (b).
  - (8H) Subsection (8G)(b) will only be established if the behaviour concerned is, or is part of, a history of conduct which constitutes domestic abuse as defined in sections 1 and 2 of the Domestic Abuse Act 2021, including but not limited to conduct which constitutes the offence of controlling or coercive behaviour in an intimate or family relationship as defined in section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship).”
- (5) In subsection (9) after “householder cases” insert “and domestic abuse cases”.

#### Member's explanatory statement

Statutory defence for victims of domestic abuse who may have been coerced into committing certain crimes or driven to use force against their abuser, as a result of being a victim of domestic abuse.

---

Jess Phillips

NC32

To move the following Clause—

#### **“Defence for victims of domestic abuse who commit an offence**

- (1) A person is not guilty of an offence if—
  - (a) the person is aged 18 or over when the person does the act which constitutes the offence,
  - (b) the person does that act because the person is compelled to do it,
  - (c) the compulsion is attributable to their being a victim of domestic abuse, and
  - (d) a reasonable person in the same situation as the person and having the person’s relevant characteristics would have no realistic alternative to doing that act.
- (2) A person may be compelled to do something by another person or by the person’s circumstances.
- (3) Compulsion is attributable to domestic abuse only if—

- (a) it is, or is part of, conduct which constitutes domestic abuse as defined in sections 1 and 2 of the Domestic Abuse Act 2021, including but not limited to conduct which constitutes the offence of controlling or coercive behaviour in an intimate or family relationship as defined in section 76 of the Serious Crime Act 2015, or
  - (b) it is a direct consequence of a person being, or having been, a victim of such abuse.
- (4) A person is not guilty of an offence if—
- (a) the person is under the age of 18 when the person does the act which constitutes the offence,
  - (b) the person does that act as a direct consequence of the person being, or having been, a victim of domestic abuse as defined at subsection (3)(a) above, and
  - (c) a reasonable person in the same situation as the person and having the person's relevant characteristics would do that act.
- (5) For the purposes of this section "relevant characteristics" means age, sex, any physical or mental illness or disability and any experience of domestic abuse.
- (6) In this section references to an act include an omission.
- (7) Subsections (1) and (4) do not apply to an offence listed in Schedule [Offences to which the defence for victims of domestic abuse who commit an offence does not apply].
- (8) The Secretary of State may by regulations amend Schedule [Offences to which the defence for victims of domestic abuse who commit an offence does not apply].
- (9) The Secretary of State must make arrangements for monitoring of the types of offence for which victims of domestic abuse are prosecuted and use this evidence to inform an annual review of the offences listed in Schedule [Offences to which the defence for victims of domestic abuse who commit an offence does not apply] and any amendment to Schedule [Offences to which the defence for victims of domestic abuse who commit an offence does not apply]."

#### Member's explanatory statement

Statutory defence for victims of domestic abuse who may have been coerced into committing certain crimes as a result of being a victim of domestic abuse.

---

Jess Phillips

NC33

To move the following Clause—

#### **"Police perpetrated domestic abuse as a recordable complaint**

- (1) Schedule 3 of the Police Reform Act 2002 is amended as follows.
- (2) After paragraph 1(2)(b) insert—

- “(c) it is alleged by any person, including any person serving with the police, that a person under his direction and control, whether in the course of their duties or otherwise, has engaged in domestic abuse within the meaning of section 1 of the Domestic Abuse Act 2021 or abuse of position for a sexual purpose,”
- (3) After paragraph 2(6B)(c) insert—
- “(ca) the complaint is one which alleges that a person serving with the police, whether in the course of their duties or otherwise, has engaged in domestic abuse or abuse of position for a sexual purpose; and “domestic abuse” has the meaning set out in section 1 of the Domestic Abuse Act 2021,“.”

**Member's explanatory statement**

This new clause would ensure all allegations of Police Perpetrated Domestic abuse are treated either as a recordable police complaint or as a recordable conduct matter.

---

Jess Phillips

NC34

To move the following Clause—

**“Domestic abuse complainants: police officers and police staff**

- (1) Section 29(4)(a) of the Police Reform Act 2002 is amended as follows.
- (2) After “person whose conduct it was” insert “, save that this paragraph does not apply where the conduct alleged (assuming it to have occurred) falls within the definition of domestic abuse in section 1 of the Domestic Abuse Act 2021 or constitutes abuse of position for a sexual purpose,“.”

**Member's explanatory statement**

This new clause would ensure that police officers and members of police staff have the same right to make a complaint of domestic abuse against a member of their force as do members of the public.

---

Alex Norris

NC35

To move the following Clause—

**“Vetting: duty of chief officers**

- (1) Chief officers must ensure that all persons under their direction and control have valid and current vetting clearance appropriate to their role.
- (2) All persons under the direction and control of a chief officer must be re-vetted—
- (a) within a period of five years from an individual coming under the direction and control of a chief officer; and
  - (b) within a period no longer than every five years thereafter.
- (3) Vetting clearance must not be granted to persons who have received a caution or conviction for serious violent or sexual offences including, but not limited to offences involving—

- (a) domestic abuse,
  - (b) coercive and controlling behaviour,
  - (c) stalking,
  - (d) harassment,
  - (e) sexual assault or abuse,
  - (f) rape, or
  - (g) female genital mutilation.
- (4) A person who does not have valid and current vetting clearance appropriate to their role will be dismissed."

---

Alex Norris

NC36

To move the following Clause—

**"Allegation of violence against women and girls: withdrawal of warrant card**

Where a police officer is the subject of an allegation that the officer has perpetrated violence against a woman or a girl, the officer's warrant card must be withdrawn pending investigation."

**Member's explanatory statement**

This new clause creates a provision requiring the removal of warrant cards from police officers who are under investigation for crimes relating to violence against women and girls.

---

Alex Norris

NC37

To move the following Clause—

**"Remand of juveniles in police detention**

In section 38 of the Police and Criminal Evidence Act 1984—

- (1) Omit sub-section (1)(b) and insert "if he is an arrested juvenile—
- (i) his name or address cannot be ascertained or the custody officer has substantial grounds for doubting whether a name or address furnished by him as his name or address is his real name or address;
  - (ii) in the case of a juvenile arrested for an indictable offence—
    - (A) the custody officer has substantial grounds for believing that the juvenile arrested will fail to appear in court to answer bail;
    - (B) the custody officer has substantial grounds for believing that the detention of the juvenile arrested is necessary to prevent him from interfering with the administration of justice or with the investigation of offences or of a particular offence;
  - (iii) in the case of a juvenile arrested for an offence which is not an indictable offence—

- (A) the juvenile has previously failed to appear in court to answer bail and the custody officer has substantial grounds to believe that the juvenile would fail to appear;
  - (B) the juvenile has been arrested for breach of bail in these proceedings and the custody officer has substantial grounds to believe that the juvenile would fail to appear;
  - (C) the juvenile is arrested for breach of bail and the custody officer has substantial grounds for believing that they would interfere with the administration of justice or with the investigation of offences;
  - (iv) the custody officer has substantial grounds for believing that the detention is necessary to prevent the juvenile committing further indictable offences and to protect the public from death or serious injury, and these risks cannot be safely managed through bail conditions.”
- (2) After sub-section (1), insert—
- “(1A) Before deciding whether to remand a juvenile the custody officer must consider the best interests and welfare of the juvenile.””

**Member's explanatory statement**

This new clause would bring the grounds on which the police can refuse to bail a child post-charge, and remand them in police custody, into closer alignment with the grounds used by the court to refuse bail and remand a child to custody.

---

Alex Norris

NC38

To move the following Clause—

**“Police provision of naloxone**

- (1) The College of Policing must exercise its powers under section 39A of the Police Act 1996 to issue a code of practice about the provision of naloxone and other medications for the treatment of persons suffering drug-related overdoses in police stations.
- (2) The Code must set out—
  - (a) which officers should be provided with such medications and related equipment,
  - (b) in what circumstances such medications should be used, and
  - (c) what guidance should be provided to officers on the use of such medications.
- (3) In drawing up the code of conduct, the College of Policing must consult with such individuals or bodies as it sees fit.”



---

Alex Norris

NC39

To move the following Clause—

**“Requirement for specialist rape and serious sexual offence teams**

- (1) The chief officer of each police force in England and Wales must establish a specialist team for the investigation of rape and serious sexual offences within the relevant force area.
- (2) The chief officer must provide for members of the specialist team to be provided with such training and guidance on the investigation of rape and serious sexual offences as the chief officer sees fit.
- (3) Any chief officer who fails to establish a specialist team must produce and publish a report to the Secretary of State outlining—
  - (a) the reasons for the chief officer’s decision not to establish a specialist team;
  - (b) how rape and serious sexual offences are to be investigated in the absence of a specialist team;
  - (c) what training and guidance is given to officers on the investigation of rape and serious sexual offences.”

---

Alex Cunningham

NC40

Shabana Mahmood

To move the following Clause—

**“Doorstep theft: aggravating factor in theft offence**

- (1) The Sentencing Code 2020 is amended as follows.
- (2) After section 72 (supply of psychoactive substance in certain circumstances) insert—

**“72A Theft from outside a dwelling place**

- (1) This clause applies where the court is considering an offence under section 1 of the Theft Act 1968.
- (2) Where the theft is of an item delivered to, but not yet taken inside, a person’s dwelling place, the court must—
  - (a) treat this fact as an aggravating factor, and
  - (b) state in open court that the offence is so aggravated.””

**Member's explanatory statement**

This new clause defines theft from a doorstep as an aggravating factor for the purposes of sentencing in cases of theft.

---

Alex Norris

NC41

To move the following Clause—

**“Offence of assaulting a retail worker**

- (1) It is an offence for a person to assault, threaten or abuse another person who is a retail worker, and who is engaged, at the time, in retail work.
- (2) The offence under section 1 of threatening or abusing a retail worker—
  - (a) is committed by a person if the person—
    - (i) behaves in a threatening or abusive manner towards the worker, and
    - (ii) intends by the behaviour to cause the worker or any other person fear or alarm or is reckless as to whether the behaviour would cause such fear or alarm.
  - (b) applies to—
    - (i) behaviour of any kind including, in particular, things said or otherwise communicated as well as things done,
    - (ii) behaviour consisting of—
      - (A) a single act, or
      - (B) a course of conduct.
- (3) No offence is committed under subsection (1) unless the person who assaults, threatens or abuses knows or ought to know that the other person is a retail worker and is engaged, at the time, in retail work.
- (4) A person who commits an offence under subsection (1) is liable, on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £10,000 (or both).
- (5) An offence committed under subsection (1) is aggravated if the behaviour constituting the offence occurred because of the enforcement of a statutory age restriction.
- (6) Where, in proceedings for an offence under subsection (1), it is—
  - (a) specified in the complaint that the offence is aggravated by reason of the retail worker enforcing a statutory age restriction, and
  - (b) proved that the offence is so aggravated,the court must—
  - (a) state on conviction that the offence is so aggravated,
  - (b) record the conviction in a way that shows that the offence is so aggravated,
  - (c) take the aggravation into account in determining the appropriate sentence, and
  - (d) state—
    - (i) where the sentence imposed in respect of the offence is different from that which the court would have imposed if the offence were not so aggravated, the extent of and the reasons for that difference, or

- (ii) otherwise, the reasons for there being no such difference.
- (7) Evidence from a single source is sufficient to establish, for the purposes of this section—
- (a) whether a person is a retail worker,
  - (b) whether the person is engaged, at the time, in retail work,
  - (c) whether an offence committed under subsection (1) is aggravated because of the enforcement of a statutory age restriction.
- (8) In this section—
- “retail worker”—
- (a) means a person whose usual place of work is retail premises, or whose usual place of work is not retail premises but who does retail work,
  - (b) includes, in relation to a business that owns or occupies any premises in which the person works, a person who—
    - (i) is an employee of the business,
    - (ii) is an owner of the business, or
    - (iii) works in the premises under arrangements made between the business and another person for the provision of staff,
  - (c) includes a person who delivers goods from retail premises.
- “retail premises” means premises that are used wholly or mainly for the sale or supply of goods, on a retail basis, to members of the public.
- “retail work”—
- (a) in the case of a person whose usual place of work is retail premises, means any work in those retail premises,
  - (b) in the case of a person whose usual place of work is not retail premises, means work in connection with—
    - (i) the sale or supply of goods, on a retail basis, to members of the public, or
    - (ii) the sale or supply of services (including facilities for gambling) in respect of which a statutory age restriction applies,
  - (c) in the case of a person who delivers goods from retail premises, means work in connection with the sale or supply of goods, on a retail basis, to members of the public done during the period beginning when the person arrives at a place where delivery of goods is to be effected and ending when the person leaves that place (whether or not goods have been delivered),
  - (d) is not dependent on a person receiving payment.
- “enforcement”, in relation to a statutory age restriction, includes—
- (a) seeking information as to a person's age,
  - (b) considering information as to a person's age, or
  - (c) refusing to sell or supply goods or services,
- for the purposes of complying with the restriction (and “enforcing” is to be construed accordingly),

“statutory age restriction” means a provision in an enactment making it an offence to sell or supply goods or services to a person under an age specified in that or another enactment.”

---

Alex Norris

NC42

To move the following Clause—

**“Requirement for anti-social behaviour lead**

- (1) The chief officer of each police force in England and Wales must appoint a designated officer for each neighbourhood within the relevant force area to act as the force’s lead on work relating to anti-social behaviour in that neighbourhood area.”

**Member's explanatory statement**

This new clause would require each police force to appoint a designated officer for each neighbourhood area to lead work on anti-social behaviour in that area.

---

Jess Phillips

NC43

To move the following Clause—

**“Domestic abuse: automatic referral to Independent Office for Police Conduct**

- (1) A chief officer of police must ensure that any allegation of domestic abuse made against a person under the chief officer’s direction and control must be referred to the Independent Office for Police Conduct for determination of the mode of investigation.
- (2) If the Independent Office for Police Conduct determines that the investigation must be referred back to the chief officer’s force, then such an investigation must be conducted and concluded.
- (3) The Independent Office for Police Conduct may also refer the complaint to the chief officer of police for a different police force and direct that the complaint be investigated independently by that force.”

---

Carolyn Harris

NC44

To move the following Clause—

**“Offence of enabling or profiting from prostitution**

- (1) A person or body corporate (C) commits an offence if they—
  - (a) facilitate, whether online or offline, or
  - (b) gain financially froma person (A) engaging in sexual activity with another person (B) in exchange for payment or other benefit, or the promise of payment or other benefit, and the conditions in subsection (2) are met.

- (2) The conditions are—
- (a) that C knows or ought to know that A is engaging in, or intends to engage in, sexual activity for payment or other benefit; and
  - (b) that C is not a dependent child of A.
- (3) For the purposes of this section—
- (a) “Sexual activity”—
    - (i) means any acts which a reasonable person would, in all the circumstances but regardless of any person’s purpose, consider to be sexual,
    - (ii) requires A and B to be in each other’s presence,
  - (b) “Facilitates” includes, but is not limited to, causing or allowing to be displayed or published, including digitally, any advertisement in respect of sexual activity involving A.
- (4) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years.”

**Member's explanatory statement**

This new cause would make it an offence to facilitate or profit from the prostitution of another person.

---

Jess Phillips

NC48

To move the following Clause—

**“Duty to investigate suspects diligently**

- (1) The Police (Conduct) Regulations 2020 are amended as follows.
- (2) In Schedule 2 (standards of professional behaviour), under the heading “Duties and Responsibilities”, after “Police officers are diligent in the exercise of their duties and responsibilities.” insert “This includes undertaking diligent searching for, and consideration of, all relevant intelligence related to a suspect.””

**Member's explanatory statement**

This new clause is a change to Police Regulations. It is designed to ensure that officers diligently consider all intelligence on a suspect, including previous convictions or reports related to that person.

---

Gerald Jones

NC49

Bob Seely

★ To move the following Clause—

**“Amendments to the Road Traffic Act 1988**

- (1) The Road Traffic Act 1988 is amended as follows.
- (2) In each of the sections listed below, after “a road or other public place” insert “, or a private place adjacent to a road,”—
  - section 1 (causing death by dangerous driving);
  - section 1A (causing serious injury by dangerous driving);
  - section 2 (dangerous driving);
  - section 2B (causing death by careless, or inconsiderate, driving);
  - section 2C (causing serious injury by careless, or inconsiderate, driving);
  - section 3 (careless, and inconsiderate, driving).”

**Member's explanatory statement**

This new clause would extend the Road Traffic Act 1988 so that a range of driving offences can be committed in private places adjacent to roads as well as on public roads or in public places.

---

Dehenna Davison

NC50

★ To move the following Clause—

**“One-punch manslaughter**

- (1) A person (P) is guilty of an offence where they cause the death of another person (B) as a result of a single punch in the circumstances described in subsection (2).
- (2) The circumstances referred to in subsection (1) are—
  - (a) P administered a single punch to the head or neck of B;
  - (b) there was significant risk that the punch would cause serious physical harm to B;
  - (c) P was or ought to have been aware of the risk mentioned in paragraph (b);
  - (d) P did not administer the punch referred to in paragraph (a) in self-defence; and
  - (e) B’s death was caused by—
    - (i) the impact of the punch, or
    - (ii) further impact or injury resulting from the single punch.
- (3) In this section “serious physical harm” means harm that amounts to death or serious personal injury for the purposes of the Offences against the Person Act 1861.
- (4) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for a minimum of seven years.”

**Member's explanatory statement**

This new clause is intended to create a specific offence of "One Punch Manslaughter", with a minimum sentence of seven years.

---

**Chris Philp**

**Gov NS1**

Laura Farris

To move the following Schedule—

**"SCHEDULE**

*Section (Terrorist offenders)(1)*

**NOTIFICATION ORDERS**

- 1 The Counter-Terrorism Act 2008 is amended as follows.
- 2 (1) Section 40 (overview) is amended as follows.
  - (2) In subsection (2) after paragraph (a) insert—
    - "(aa) orders applying the notification requirements to persons dealt with in the United Kingdom for certain offences to which this Part does not apply (see section 57A and Schedule 4A),".
  - (3) After subsection (3) insert—
    - "(4) Schedule 6A provides for orders applying the notification requirements to persons dealt with for certain service offences to which this Part does not apply."
- 3 In section 57, in the heading for "Notification" substitute "Foreign offence notification".
- 4 After that section insert—
 

**"57A Domestic offence notification orders**

Schedule 4A makes provision for notification orders applying the notification requirements of this Part to persons who have been dealt with for certain offences that are not offences to which this Part applies."
- 5 (1) Section 59 (application to service offences) is amended as follows.
  - (2) The existing provision becomes subsection (1) of that section.
  - (3) After that subsection insert—
    - "(2) Schedule 6A makes provision for notification orders applying the notification requirements of this Part to persons who have been dealt with for certain service offences that are not offences to which this Part applies."
- 6 (1) Section 61 (meaning of "dealt with" for an offence) is amended as follows.
  - (2) In subsection (4)(b)—
    - (a) for "or" substitute ", paragraph 2(6)(b) of Schedule 4A";

- (b) after “Schedule 6” insert “or paragraph 2(6)(b) of Schedule 6A”.
- (3) In subsection (5), at the end of paragraph (a) (before the “and”) insert—
- “(aa) paragraph 2(5) of Schedule 4A or paragraph 2(5) of Schedule 6A (conditions for making domestic or service offence notification order where offence dealt with before commencement),”.
- 7 (1) Schedule 4 is amended as follows.
- (2) In the Schedule heading for “Notification” substitute “Foreign offence notification”.
- (3) For “notification order”, in each place it appears (including in any heading except the Schedule heading), substitute “foreign offence notification order”.
- 8 After Schedule 4 insert—

“SCHEDULE 4A

Section 57A

DOMESTIC OFFENCE NOTIFICATION ORDERS

*Introductory*

- 1 In this Schedule—
- “the appropriate court” means—
- (a) in England and Wales or Northern Ireland, the High Court;
- (b) in Scotland, the Court of Session;
- “authorised person” means the Secretary of State or—
- (a) in England and Wales, a chief officer of police;
- (b) in Scotland, the chief constable of the Police Service of Scotland;
- (c) in Northern Ireland, the chief constable of the Police Service of Northern Ireland;
- “offence”: any reference to an offence is to an offence under the law of England and Wales, Scotland or Northern Ireland (and does not include a service offence).

*Domestic offence notification orders*

- 2 (1) This paragraph applies where an authorised person makes an application to the appropriate court for an order under this paragraph (a “domestic offence notification order”) in respect of a person (“the offender”).
- (2) The court must make a domestic offence notification order in respect of the offender if it is satisfied that the following 4 conditions are met (and must otherwise refuse the application).
- (3) The first condition is that the offender has been dealt with for an offence (“the relevant offence”) that—
- (a) was committed before 29 June 2021,



- (b) is punishable with imprisonment for more than 2 years, and
  - (c) is not an excluded offence.
- (4) "Excluded offence" means—
  - (a) an offence to which this Part applied when the offender was dealt with (see sections 41 and 42),
  - (b) an offence in relation to which section 30 or 31 of this Act or section 69 of the Sentencing Code applied,
  - (c) an offence in relation to which section 31 of this Act would have applied if paragraph (b) of subsection (1) of that section were omitted, or
  - (d) an offence under section 19, 21A or 39 of the Terrorism Act 2000.
- (5) If the offender was dealt with for the relevant offence before the commencement of this Part, sub-paragraph (4) applies as if for paragraph (a) there were substituted—
  - "(a) an offence which, on the commencement of this Part, was within section 41(1) or (2),".
- (6) The second condition is that—
  - (a) the offender has been dealt with for the relevant offence in a way mentioned in section 45 (reading any reference to an offence to which this Part applies as a reference to the relevant offence),
  - (b) the offender was aged 16 or over at the time of being dealt with for the relevant offence, and
  - (c) the offender—
    - (i) is imprisoned or detained in pursuance of the sentence passed or order made in respect of the offence,
    - (ii) would be so imprisoned or detained but for being unlawfully at large, absent without leave, on temporary leave or leave of absence, or on bail pending an appeal, or
    - (iii) is on licence, having served the custodial part of a sentence of imprisonment in respect of the offence.
- (7) The third condition is that the relevant offence has a terrorist connection (see section 93).
- (8) The fourth condition is that the period in respect of which the notification requirements would apply in respect of the relevant offence (see section 53) has not expired.

*Restrictions on applications for domestic offence notification orders*

- 3 (1) A chief officer of police may make an application for a domestic offence notification order in respect of a person only if—
  - (a) the person resides in the chief officer's police area, or

- (b) the chief officer believes that the person is in, or is intending to come to, that area.
- (2) The chief constable of the Police Service of Scotland may make an application for a domestic offence notification order in respect of a person only if—
  - (a) the person resides in Scotland, or
  - (b) the chief constable believes that the person is in, or is intending to come to, Scotland.
- (3) The chief constable of the Police Service of Northern Ireland may make an application for a domestic offence notification order in respect of a person only if—
  - (a) the person resides in Northern Ireland, or
  - (b) the chief constable believes that the person is in, or is intending to come to, Northern Ireland.

*Effect of domestic offence notification order*

- 4 The effect of a domestic offence notification order is that the notification requirements of this Part apply to the offender.

*Modifications of this Part*

- 5 (1) The following modifications apply where a domestic offence notification order is made.
- (2) Section 43(1) does not apply to the offender, as regards the relevant offence.
- (3) Section 47(1) (initial notification) applies as if the reference to the day on which the person is dealt with were a reference to the date of service of the domestic offence notification order.
- (4) For the purposes of section 53 (period for which notification requirements apply), references there to “the offence” are to the relevant offence.
- (5) For the meaning of “the relevant offence”, see paragraph 2(3).”
- 9 After Schedule 6 insert—

“SCHEDULE 6A

Section 59(2)

SERVICE OFFENCE NOTIFICATION ORDERS

*Introductory*

- 1 In this Schedule—
- “the appropriate court” means—
- (a) in England and Wales or Northern Ireland, the High Court;
  - (b) in Scotland, the Court of Session;
- “authorised person” means the Secretary of State or—

- (a) in England and Wales, a chief officer of police;
- (b) in Scotland, the chief constable of the Police Service of Scotland;
- (c) in Northern Ireland, the chief constable of the Police Service of Northern Ireland.

*Service offence notification orders*

- 2 (1) This paragraph applies where an authorised person makes an application to the appropriate court for an order under this paragraph (a “service offence notification order”) in respect of a person (“the offender”).
- (2) The court must make a service offence notification order in respect of the offender if it is satisfied that the following 4 conditions are met (and must otherwise refuse the application).
- (3) The first condition is that the offender has been dealt with for a service offence (“the relevant offence”) that—
- (a) is punishable with imprisonment for more than 2 years,
  - (b) is not an excluded offence, and
  - (c) if a day has been appointed for the commencement of section 1 of the Counter-Terrorism and Sentencing Act 2021 as that section has effect for the purposes of section 69 of the Sentencing Code as applied by section 238 of the Armed Forces Act 2006, is committed before that day.
- (4) In sub-paragraph (3)(b) “excluded offence” means—
- (a) a service offence to which this Part applied when the offender was dealt with (see paragraphs 1 and 2 of Schedule 6),
  - (b) a service offence in relation to which section 32 of this Act or section 69 of the Sentencing Code applied, or
  - (c) a service offence as respects which the corresponding civil offence is an offence under section 19, 21A or 39 of the Terrorism Act 2000.
- (5) If the offender was dealt with for the relevant offence before the commencement of this Part, sub-paragraph (4) applies as if for paragraph (a) there were substituted—
- “(a) a service offence as respects which the corresponding civil offence was on the commencement of this Part within section 41(1) or (2),”.
- (6) The second condition is that—
- (a) the offender has been dealt with for the relevant offence in a way mentioned in paragraph 5 of Schedule 6 (reading any reference to a service offence to which this Part applies as a reference to the relevant offence),
  - (b) the offender was aged 16 or over at the time of being dealt with for the relevant offence, and

- (c) the offender—
  - (i) is imprisoned or detained in pursuance of the sentence passed or order made in respect of the offence,
  - (ii) would be so imprisoned or detained but for being unlawfully at large, absent without leave, on temporary leave or leave of absence, or on bail pending an appeal, or
  - (iii) is on licence, having served the custodial part of a sentence of imprisonment in respect of the offence.
- (7) The third condition is that the relevant offence has a terrorist connection (see section 93).
- (8) The fourth condition is that the period in respect of which the notification requirements would apply in respect of the relevant offence (see paragraph 7 of Schedule 6) has not expired.

*Restrictions on applications for service offence notification orders*

- 3 (1) A chief officer of police may make an application for a service offence notification order in respect of a person only if—
  - (a) the person resides in the chief officer's police area, or
  - (b) the chief officer believes that the person is in, or is intending to come to, that area.
- (2) The chief constable of the Police Service of Scotland may make an application for a service offence notification order in respect of a person only if—
  - (a) the person resides in Scotland, or
  - (b) the chief constable believes that the person is in, or is intending to come to, Scotland.
- (3) The chief constable of the Police Service of Northern Ireland may make an application for a service offence notification order in respect of a person only if—
  - (a) the person resides in Northern Ireland, or
  - (b) the chief constable believes that the person is in, or is intending to come to, Northern Ireland.

*Effect of service offence notification order*

- 4 The effect of a service offence notification order is that the notification requirements of this Part apply to the offender.

*Modifications of this Part*

- 5 (1) The following modifications apply where a service offence notification order is made.

- (2) Section 47(1) (initial notification) applies as if the reference to the day on which the person is dealt with were a reference to the date of service of the service offence notification order.
- (3) Paragraph 3(1) of Schedule 6 does not apply to the offender, as regards the relevant offence.
- (4) For the purposes of paragraph 7 of that Schedule (period for which notification requirements apply), references there to “the service offence” or “the offence” are to the relevant offence.
- (5) For the meaning of “the relevant offence”, see paragraph 2(3).”

#### Member's explanatory statement

The new schedule provides for orders applying the notification requirements in Part 4 of the Counter-Terrorism Act 2008 to persons who have committed certain domestic offences or service offences.

---

Jess Phillips

NS2

To move the following Schedule—

#### “SCHEDULE

OFFENCES TO WHICH THE DEFENCE FOR VICTIMS OF DOMESTIC ABUSE WHO COMMIT AN OFFENCE DOES NOT APPLY

##### *Common Law Offences*

- 1 False imprisonment.
- 2 Kidnapping.
- 3 Manslaughter.
- 4 Murder.
- 5 Perverting the course of justice.
- 6 Piracy.

##### *Offences against the Person Act 1861 (c. 100)*

- 7 An offence under any of the following provisions of the Offences Against the Person Act 1861—
  - section 4 (soliciting murder)
  - section 16 (threats to kill)
  - section 18 (wounding with intent to cause grievous bodily harm)
  - section 20 (malicious wounding)
  - section 21 (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence)

- section 22 (using drugs etc to commit or assist in the committing of an indictable offence)
- section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm)
- section 27 (abandoning children)
- section 28 (causing bodily injury by explosives)
- section 29 (using explosives with intent to do grievous bodily harm)
- section 30 (placing explosives with intent to do bodily injury)
- section 31 (setting spring guns etc with intent to do grievous bodily harm)
- section 32 (endangering safety of railway passengers)
- section 35 (injuring persons by furious driving)
- section 37 (assaulting officer preserving wreck)
- section 38 (assault with intent to resist arrest).

*Explosive Substances Act 1883 (c. 3)*

- 8 An offence under any of the following provisions of the Explosive Substances Act 1883—
- section 2 (causing explosion likely to endanger life or property)
  - section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property)
  - section 4 (making or possession of explosives under suspicious circumstances).

*Infant Life (Preservation) Act 1929 (c. 34)*

- 9 An offence under section 1 of the Infant Life (Preservation) Act 1929 (child destruction).

*Children and Young Persons Act 1933 (c. 12)*

- 10 An offence under section 1 of the Children and Young Persons Act 1933 (cruelty to children).

*Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)*

- 11 An offence under section 2 of the Public Order Act 1936 (control etc of quasi-military organisation).

*Infanticide Act 1938 (c. 36)*

- 12 An offence under section 1 of the Infanticide Act 1938 (infanticide).

*Firearms Act 1968 (c. 27)*

- 13 An offence under any of the following provisions of the Firearms Act 1968—
- section 5 (possession of prohibited firearms)
  - section 16 (possession of firearm with intent to endanger life)
  - section 16A (possession of firearm with intent to cause fear of violence)
  - section 17(1) (use of firearm to resist arrest)
  - section 17(2) (possession of firearm at time of committing or being arrested for specified offence)
  - section 18 (carrying firearm with criminal intent).

*Theft Act 1968 (c. 60)*

- 14 An offence under any of the following provisions of the Theft Act 1968—
- section 8 (robbery or assault with intent to rob)
  - section 9 (burglary), where the offence is committed with intent to inflict grievous bodily harm on a person, or to do unlawful damage to a building or anything in it
  - section 10 (aggravated burglary)
  - section 12A (aggravated vehicle-taking), where the offence involves an accident which causes the death of any person
  - section 21 (blackmail).

*Criminal Damage Act 1971 (c. 48)*

- 15 The following offences under the Criminal Damage Act 1971—
- an offence of arson under section 1
  - an offence under section 1(2) (destroying or damaging property) other than an offence of arson.

*Immigration Act 1971 (c. 77)*

- 16 An offence under section 25 of the Immigration Act 1971 (assisting unlawful immigration to member state).

*Customs and Excise Management Act 1979 (c. 2)*

- 17 An offence under section 170 of the Customs and Excise Management Act 1979 (penalty for fraudulent evasion of duty etc) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (indecent or obscene articles).

*Taking of Hostages Act 1982 (c. 28)*

- 18 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).

*Aviation Security Act 1982 (c. 36)*

- 19 An offence under any of the following provisions of the Aviation Security Act 1982—
- section 1 (hijacking)
  - section 2 (destroying, damaging or endangering safety of aircraft)
  - section 3 (other acts endangering or likely to endanger safety of aircraft)
  - section 4 (offences in relation to certain dangerous articles).

*Mental Health Act 1983 (c. 20)*

- 20 An offence under section 127 of the Mental Health Act 1983 (ill-treatment of patients).

*Child Abduction Act 1984 (c. 37)*

- 21 An offence under any of the following provisions of the Child Abduction Act 1984—
- section 1 (abduction of child by parent etc)
  - section 2 (abduction of child by other persons).

*Public Order Act 1986 (c. 64)*

- 22 An offence under any of the following provisions of the Public Order Act 1986—
- section 1 (riot)
  - section 2 (violent disorder).

*Criminal Justice Act 1988 (c. 33)*

- 23 An offence under section 134 of the Criminal Justice Act 1988 (torture).

*Road Traffic Act 1988 (c. 52)*

- 24 An offence under any of the following provisions of the Road Traffic Act 1988—
- section 1 (causing death by dangerous driving)
  - section 3A (causing death by careless driving when under the influence of drink or drugs).

*Aviation and Maritime Security Act 1990 (c. 31)*

- 25 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
- section 1 (endangering safety at aerodromes)
  - section 9 (hijacking of ships)



- section 10 (seizing or exercising control of fixed platforms)
- section 11 (destroying fixed platforms or endangering their safety)
- section 12 (other acts endangering or likely to endanger safe navigation)
- section 13 (offences involving threats).

*Channel Tunnel (Security) Order 1994 (S.I. 1994/570)*

- 26 An offence under Part 2 of the Channel Tunnel (Security) Order 1994 (SI 1994/570) (offences relating to Channel Tunnel trains and the tunnel system).

*Protection from Harassment Act 1997 (c. 40)*

- 27 An offence under any of the following provisions of the Protection from Harassment Act 1997—
- section 4 (putting people in fear of violence)
  - section 4A (stalking involving fear of violence or serious alarm or distress).

*Crime and Disorder Act 1998 (c. 37)*

- 28 An offence under any of the following provisions of the Crime and Disorder Act 1998 —
- section 29 (racially or religiously aggravated assaults)
  - section 31(1)(a) or (b) (racially or religiously aggravated offences under section 4 or 4A of the Public Order Act 1986).

*Terrorism Act 2000 (c. 11)*

- 29 An offence under any of the following provisions of the Terrorism Act 2000—
- section 54 (weapons training)
  - section 56 (directing terrorist organisation)
  - section 57 (possession of article for terrorist purposes)
  - section 59 (inciting terrorism overseas).

*International Criminal Court Act 2001 (c. 17)*

- 30 An offence under any of the following provisions of the International Criminal Court Act 2001—
- section 51 (genocide, crimes against humanity and war crimes)
  - section 52 (ancillary conduct).

*Anti-terrorism, Crime and Security Act 2001 (c. 24)*

- 31 An offence under any of the following provisions of the Anti-terrorism, Crime and Security Act 2001—

- section 47 (use of nuclear weapons)
- section 50 (assisting or inducing certain weapons-related acts overseas)
- section 113 (use of noxious substance or thing to cause harm or intimidate).

*Female Genital Mutilation Act 2003 (c. 31)*

32 An offence under any of the following provisions of the Female Genital Mutilation Act 2003—

- section 1 (female genital mutilation)
- section 2 (assisting a girl to mutilate her own genitalia)
- section 3 (assisting a non-UK person to mutilate overseas a girl's genitalia).

*Sexual Offences Act 2003 (c. 42)*

33 An offence under any of the following provisions of the Sexual Offences Act 2003—

- section 1 (rape)
- section 2 (assault by penetration)
- section 3 (sexual assault)
- section 4 (causing person to engage in sexual activity without consent)
- section 5 (rape of child under 13)
- section 6 (assault of child under 13 by penetration)
- section 7 (sexual assault of child under 13)
- section 8 (causing or inciting child under 13 to engage in sexual activity)
- section 9 (sexual activity with a child)
- section 10 (causing or inciting a child to engage in sexual activity)
- section 13 (child sex offences committed by children or young persons)
- section 14 (arranging or facilitating commission of child sex offence)
- section 15 (meeting a child following sexual grooming)
- section 16 (abuse of position of trust: sexual activity with a child)
- section 17 (abuse of position of trust: causing or inciting a child to engage in sexual activity)
- section 18 (abuse of position of trust: sexual activity in presence of child)
- section 19 (abuse of position of trust: causing a child to watch a sexual act)
- section 25 (sexual activity with a child family member)
- section 26 (inciting a child family member to engage in sexual activity)

- section 30 (sexual activity with a person with a mental disorder impeding choice)
- section 31 (causing or inciting a person with a mental disorder impeding choice to engage in sexual activity)
- section 32 (engaging in sexual activity in the presence of a person with a mental disorder impeding choice)
- section 33 (causing a person with a mental disorder impeding choice to watch a sexual act)
- section 34 (inducement, threat or deception to procure sexual activity with a person with a mental disorder)
- section 35 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception)
- section 36 (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder)
- section 37 (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception)
- section 38 (care workers: sexual activity with a person with a mental disorder)
- section 39 (care workers: causing or inciting sexual activity)
- section 40 (care workers: sexual activity in the presence of a person with a mental disorder)
- section 41 (care workers: causing a person with a mental disorder to watch a sexual act)
- section 47 (paying for sexual services of a child)
- section 48 (causing or inciting child prostitution or pornography)
- section 49 (controlling a child prostitute or a child involved in pornography)
- section 50 (arranging or facilitating child prostitution or pornography)
- section 61 (administering a substance with intent)
- section 62 (committing offence with intent to commit sexual offence)
- section 63 (trespass with intent to commit sexual offence)
- section 64 (sex with an adult relative: penetration)
- section 65 (sex with an adult relative: consenting to penetration)
- section 66 (exposure)
- section 67 (voyeurism)
- section 70 (sexual penetration of a corpse).

*Domestic Violence, Crime and Victims Act 2004 (c. 28)*

- 34 An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing a child or vulnerable adult to die or suffer serious physical harm).

*Terrorism Act 2006 (c. 11)*

- 35 An offence under any of the following provisions of the Terrorism Act 2006—
- section 5 (preparation of terrorist acts)
  - section 6 (training for terrorism)
  - section 9 (making or possession of radioactive device or material)
  - section 10 (use of radioactive device or material for terrorist purposes)
  - section 11 (terrorist threats relating to radioactive devices etc).

*Modern Slavery Act 2015 (c. 30)*

- 36 An offence under any of the following provisions of the Modern Slavery Act 2015—
- section 1 (slavery, servitude and forced or compulsory labour)
  - section 2 (human trafficking).

*Ancillary offences*

- 37 (1) An offence of attempting or conspiring to commit an offence listed in this Schedule.
- (2) An offence committed by aiding, abetting, counselling or procuring an offence listed in this Schedule.
- (3) An offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) where the offence (or one of the offences) which the person in question intends or believes would be committed is an offence listed in this Schedule.”

## Order of the House

[28 November 2023]

That the following provisions shall apply to the Criminal Justice 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 30 January 2024.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

#### **Proceedings on 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.

---

## Order of the Committee

[12 December 2023]

That—

1. the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 12 December) meet—
  - (a) at 2.00 pm on Tuesday 12 December;
  - (b) at 11.30 am and 2.00 pm on Thursday 14 December;
  - (c) at 11.30 am and 2.00 pm on Thursday 11 January;
  - (d) at 9.25 am and 2.00 pm on Tuesday 16 January;
  - (e) at 11.30 am and 2.00 pm on Thursday 18 January;
  - (f) at 9.25 am and 2.00 pm on Tuesday 23 January;
  - (g) at 11.30 am and 2.00 pm on Thursday 25 January;
  - (h) at 9.25 am and 2.00 pm on Tuesday 30 January;

## 2. the Committee shall hear oral evidence in accordance with the following Table:

Date	Time	Witness
Tuesday 12 December	Until no later than 9.55 am	National Police Chiefs' Council
Tuesday 12 December	Until no later than 10.40 am	National Crime Agency; Crown Prosecution Service
Tuesday 12 December	Until no later than 11.25 am	Victims Commissioner for England and Wales; Domestic Abuse Commissioner for England and Wales
Tuesday 12 December	Until no later than 2.45 pm	Resolve; Crest Advisory
Tuesday 12 December	Until no later than 3.30 pm	College of Policing; HM Chief Inspector of Constabulary and HM Chief Inspector of Fire and Rescue Services
Tuesday 12 December	Until no later than 3.50 pm	Dame Vera Baird DBE KC
Tuesday 12 December	Until no later than 4.10 pm	Independent Reviewer of Terrorism Legislation
Tuesday 12 December	Until no later than 4.30 pm	Law Commission of England and Wales
Thursday 14 December	Until no later than 11.55 am	Police Superintendents' Association of England and Wales
Thursday 14 December	Until no later than 12.40 pm	Local Government Association; Association of Police and Crime Commissioners
Thursday 14 December	Until no later than 1 pm	Prison Officers Association
Thursday 14 December	Until no later than 2.20 pm	Kennedy Talbot KC
Thursday 14 December	Until no later than 3.05 pm	Union of Shop, Distributive and Allied Workers; Co-operative Group Limited; British Retail Consortium
Thursday 14 December	Until no later than 3.25 pm	Clare Wade KC

3. proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 7, Schedule 1, Clauses 8 to 13, Schedule 2, Clauses 14 to 20, Schedule 3, Clauses 21 to 32, Schedule 4, Clause 33, Schedule 5, Clauses 34 to 68, Schedule 6, Clause 69, Schedule 7, Clauses 70 and 71, Schedule 8, Clauses 72 to 79, new Clauses, new Schedules, remaining proceedings on the Bill;
4. the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00pm on Tuesday 30 January.