
Committee Stage: Wednesday 29 November 2023

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 Any withdrawn amendments are listed at the end of the document.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

★ New amendments.

New Amendments: 1, NC1 and NC2

Dame Diana Johnson

1

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

Zarah Sultana

Bell Ribeiro-Addy

★ 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.

Dame Diana Johnson

NC1

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

Zarah Sultana

Bell Ribeiro-Addy

★ 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

Rachel Hopkins
Kate Osborne

Stephen Farry
Nadia Whittome

★ 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.”

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.—(Scott Mann.)