
Report Stage: Friday 24 May 2024

Criminal Justice Bill, As Amended (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 Any withdrawn amendments are listed at the end of the document.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.

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

SECOND DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO THE POLICE, POLICING AND POLICE POWERS, THE PREVENTION, DETECTION AND REPORTING OF OFFENCES, MANAGEMENT OF OFFENDERS, PROCEEDS OF CRIME AND PROPERTY CONNECTED WITH CRIMINAL BEHAVIOUR, SERIOUS CRIME PREVENTION ORDERS, BEGGING, ROUGH SLEEPING, ANTI SOCIAL BEHAVIOUR, CRIME AND DISORDER STRATEGIES, PUBLIC ORDER, RETAIL CRIME OR CONVERSION PRACTICES, OTHER THAN NEW CLAUSES AND NEW SCHEDULES RELATING TO ABORTION; AMENDMENTS TO CLAUSES 18 TO 27, CLAUSES 37 TO 89 AND SCHEDULES 3 TO 9, OTHER THAN AMENDMENTS RELATING TO ABORTION

Secretary James Cleverly
Secretary Alex Chalk

Gov NC64

To move the following Clause—

“Cautions given to persons having limited leave to enter or remain in UK

- (1) In section 22(3G) of the Criminal Justice Act 2003 (conditional cautions: meaning of “relevant foreign offender”) before paragraph (a) insert—
 - “(za) an offender who has limited leave to enter or remain in the United Kingdom (within the meaning of the Immigration Act 1971),”.

- (2) In section 103(4) of the Police, Crime, Sentencing and Courts Act 2022 (diversionary cautions: meaning of “relevant foreign offender”) before paragraph (a) insert—

“(za) an offender who has limited leave to enter or remain in the United Kingdom (within the meaning of the Immigration Act 1971),”.

Member's explanatory statement

This new clause provides that persons with limited leave to enter or remain in the United Kingdom are “relevant foreign offenders” for the purposes of powers to give a conditional caution, or to impose a condition when giving a diversionary caution. Accordingly, conditions may be imposed relating to the departure of the person from the United Kingdom and to ensuring they do not return for a period of time.

Secretary James Cleverly

Gov NC65

Secretary Alex Chalk

To move the following Clause—

“Duty to report child sex offences

- (1) A person aged 18 or over must make a notification under this section if, while engaging in a relevant activity in England, the person is given reason to suspect that a child sex offence may have been committed (at any time).
- (2) A notification under this section—
 - (a) is to be made to a relevant chief officer of police or a relevant local authority director (or both);
 - (b) must identify each person believed by the person making the notification to be involved in the suspected offence and explain why the notification is made;
 - (c) must be made as soon as reasonably practicable;
 - (d) may be made orally or in writing.
- (3) If the person making the notification believes that no relevant child resides in England and Wales, subsection (2)(a) applies as if it referred to a relevant chief officer of police only.
- (4) The duty under subsection (1) does not apply to a person—
 - (a) if the person reasonably believes that another person has previously made, or will imminently make, a notification under this section in connection with the suspected offence;
 - (b) for such time as the person reasonably believes another person who engages in a relevant activity in England has made or will make a notification under this section on their behalf;
 - (c) for such time as the person reasonably believes that it is not in the best interests of each relevant child to make a notification under this section.
- (5) The duty under subsection (1) is also subject to—

section (*Exception for certain consensual sexual activity among children*) (exception for certain consensual activity among children);

section (*Exception relating to commission of offence under section 14 of the Sexual Offences Act 2003 by a child in certain circumstances*) (exception relating to commission of offence under section 14 of the Sexual Offences Act 2003 by a child in certain circumstances);

section (*Exception in respect of certain disclosures by children*) (exception in respect of certain disclosures by children).

- (6) A disclosure made in a notification under this section does not breach—
- (a) any obligation of confidence owed by the person making the disclosure, or
 - (b) any other restriction on the disclosure of information.

- (7) In this section—

“child” means a person aged under 18;

“child sex offence” means an offence specified in Part 1 of Schedule (*Duty to report child sex offences: child sex offences and further relevant activities*);

“involved in the suspected offence”: references to a person involved in a suspected offence include, where the suspected offence is under section 1(1)(b), (c) or (d) of the Protection of Children Act 1978 (taking etc indecent photograph of child) or section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of child), any person shown in a photograph or pseudo-photograph concerned (other than an imaginary person);

“local authority” has the same meaning as in the Children Act 2004 (see section 65);

“relevant activity” means—

- (a) a regulated activity relating to children within the meaning of Part 1 of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006, or
- (b) an activity specified in Part 2 of Schedule (*Duty to report child sex offences: child sex offences and further relevant activities*);

“relevant chief officer of police” means—

- (a) if a person involved in the suspected offence resides in England and Wales, the chief officer of police for the area in which the person resides, or
- (b) if the person making the notification—
 - (i) does not know where any person involved in the suspected offence resides, or
 - (ii) believes that each person involved in the suspected offence resides outside England and Wales,such chief officer of police for an area in England and Wales as the person making the notification considers appropriate;

“relevant child” means a child involved in the suspected offence who is not the suspected offender;

“relevant local authority director” means—

- (a) if a relevant child resides in England, the director of children's services of the local authority in whose area the child resides,
- (b) if a relevant child resides in Wales, the director of social services of the local authority in whose area the child resides, or
- (c) if the person making the notification does not know where any relevant child resides, such director of children's services or director of social services as the person making the notification considers appropriate.

Here “director of children’s services” has the meaning given by section 18 of the Children Act 2004 and “director of social services” has the meaning given by section 144 of the Social Services and Well-being (Wales) Act 2014.”

Member's explanatory statement

This new clause imposes a duty on persons engaging in a relevant activity in England to make a notification to the police or to a local authority if, in the course of that activity, the person is given reason to suspect that a child sex offence may have been committed.

Secretary James Cleverly

Gov NC66

Secretary Alex Chalk

To move the following Clause—

“Reasons to suspect child sex offence may have been committed

- (1) For the purposes of section (*Duty to report child sex offences*), a person (P) is given reason to suspect that a child sex offence may have been committed in each of the following 4 cases (and no others).
- 5 (2) The first case is where P witnesses conduct constituting a child sex offence.
- (3) The second case is where a child communicates to P something which would cause a reasonable person who engages in the same relevant activity as P to suspect that a child sex offence may have been committed.
- 10 (4) The third case is where another person (A) communicates to P something which would cause a reasonable person who engages in the same relevant activity as P to suspect that A may have committed a child sex offence.
- 15 (5) The fourth case is where P sees an image or video recording, or hears an audio recording, which would cause a reasonable person who engages in the same relevant activity as P to suspect that a child sex offence may have been committed.
- (6) “Child”, “child sex offence” and “relevant activity” have the same meaning in this section as in section (*Duty to report child sex offences*).”

Member's explanatory statement

This new clause provides for when a person is given reason to suspect that a child sex offence has been committed for the purposes of NC65.

As an Amendment to Secretary James Cleverly's proposed New Clause (Reasons to suspect child sex offence may have been committed) (NC66):—

Sarah Champion (a)

Line 4, leave out "4" and insert "5"

As an Amendment to Secretary James Cleverly's proposed New Clause (Reasons to suspect child sex offence may have been committed) (NC66):—

Sarah Champion (b)

Line 15, at end insert—

"(5A) The fifth case is where P observes changes in a child's behaviour, school attendance or demeanour, or is informed of such changes, which would cause a reasonable person who engages in the same relevant activity as P to suspect that a child sex offence may have been committed."

Secretary James Cleverly Gov NC67
Secretary Alex Chalk

To move the following Clause—

"Exception for certain consensual sexual activity among children

- (1) The duty under section (*Duty to report child sex offences*) does not apply to a person if the following 4 conditions are met.
- (2) The first condition is that the child sex offence that the person is given reason to suspect may have been committed ("the suspected offence") is—
 - (a) an offence under section 13 of the Sexual Offences Act 2003 (child sex offences committed by children or young persons), or
 - (b) an offence under section 1(1)(a), (b) or (c) of the Protection of Children Act 1978 or section 160 of the Criminal Justice Act 1988, relating to an indecent photograph of a child.
- (3) The second condition is that the person reasonably believes that—
 - (a) each person involved in the suspected offence was a child aged 13 or over, and

- (b) where the suspected offence is under a provision mentioned in subsection (2)(b), the person shown in the indecent photograph concerned is a child aged 13 or over.
- (4) The third condition is that the person is satisfied that—
- (a) each person involved in the suspected offence (other than the suspected offender) consented to the conduct constituting the suspected offence, and
 - (b) where the suspected offence is under section 1(1)(b) or (c) of the Protection of Children Act 1978 or section 160 of the Criminal Justice Act 1988, the person shown in the indecent photograph concerned consented to—
 - (i) its taking, and
 - (ii) the conduct constituting suspected offence.
- (5) The fourth condition is that the person is satisfied that it would not be appropriate in the circumstances to make a notification under section (*Duty to report child sex offences*), having regard (among other things) to the risk of harm to each person mentioned in subsection (3)(a) and (if relevant) (b).
- (6) For the purposes of the third condition, a person consents if the person agrees by choice, and has the freedom and capacity to make that choice.
- (7) In this section—
- “child” and “child sex offence” have the same meaning as in section (*Duty to report child sex offences*);
- “indecent photograph” has the same meaning as in the Protection of Children Act 1978 (see section 7 of that Act);”

Member's explanatory statement

This new clause provides for an exception to the duty imposed by NC65 in respect of certain consensual sexual activity among children.

Secretary James Cleverly

Gov NC68

Secretary Alex Chalk

To move the following Clause—

“Exception relating to commission of offence under section 14 of the Sexual Offences Act 2003 by a child in certain circumstances

- (1) The duty under section (*Duty to report child sex offences*) does not apply to a person if the following 4 conditions are met.
- (2) The first condition is that the child sex offence that the person is given reason to suspect may have been committed (“the suspected offence”) is an offence under section 14 of the Sexual Offences Act 2003 (arranging or facilitating child sex offence).
- (3) The second condition is that the person reasonably believes that—

- (a) each person involved in the suspected offence was a child aged 13 or over, and
 - (b) each person who (as regards the suspected offence) the suspected offender intended to be, or believed would be, involved in the offence mentioned in section 14(1)(b) of the Sexual Offences Act 2003 (“the arranged or facilitated offence”) was a child aged 13 or over.
- (4) The third condition is that the person is satisfied that—
- (a) each person (if any) involved in the suspected offence (other than the suspected offender) consented to the conduct constituting it, and
 - (b) the suspected offender reasonably believed that each person who the suspected offender intended to be, or believed would be, involved in the arranged or facilitated offence would consent to the conduct constituting it.
- (5) The fourth condition is that the person is satisfied that it would not be appropriate in the circumstances to make a notification under section (*Duty to report child sex offences*), having regard (among other things) to the risk of harm to each person—
- (a) involved in the suspected offence, or
 - (b) who the suspected offender intended to be, or believed would be, involved in the arranged or facilitated offence.
- (6) For the purposes of the third condition, a child consents if the child agrees by choice, and has the freedom and capacity to make that choice.
- (7) “Child” and “child sex offence” have the same meaning in this section as in section (*Duty to report child sex offences*).”

Member's explanatory statement

This new clause provides for an exception to the duty imposed by NC65 in respect of children arranging or facilitating child sex offence in certain circumstances.

Secretary James Cleverly

Gov NC69

Secretary Alex Chalk

To move the following Clause—

“Exception in respect of certain disclosures by children

- (1) The duty under section (*Duty to report child sex offences*) does not apply to a person (P) where—
- (a) P is given reason to suspect that another person (A) may have committed a child sex offence by a communication by A within section (*Reasons to suspect child sex offence may have been committed*)(4), and
 - (b) P reasonably believes that—
 - (i) A is a child, and
 - (ii) each other person involved in the suspect offence is a child aged 13 or over.

- (2) “Child”, “child sex offence” and “involved in the suspected offence” have the same meaning in this section as in section (*Duty to report child sex offences*).”

Member's explanatory statement

This new clause provides for an exception to the duty imposed by NC65 in respect of certain disclosures by children.

Secretary James Cleverly

Gov NC70

Secretary Alex Chalk

To move the following Clause—

“Offence of preventing or deterring a person from complying with duty to report child sex offences

- (1) A person commits an offence if they—
- (a) know that a person is under a duty under section (*Duty to report child sex offences*), and
 - (b) engage in any conduct with the intention of preventing or deterring that person from complying with that duty.
- (2) It is a defence for a person charged with an offence under this section to show that the conduct that they engaged in consisted of making representations about the timing of a notification under section (*Duty to report child sex offences*) in light of the best interests of any person who they reasonably believe to be a relevant child.
- (3) A person is taken to show the fact mentioned in subsection (2) if—
- (a) sufficient evidence of the fact is adduced to raise an issue with respect to it, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (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 7 years or a fine (or both).
- (5) In this section, “relevant child” has the same meaning as in section (*Duty to report child sex offences*).
- (6) This section applies to persons in the service of the Crown.”

Member's explanatory statement

This new clause provides for a new offence of preventing or deterring a person from complying with duty imposed by NC65.

Secretary James Cleverly

Gov NC71

Secretary Alex Chalk

To move the following Clause—

“Duty to report child sex offences: modifications for constables

- (1) A constable who is under a duty under section (*Duty to report child sex offences*) is to be treated as having complied with the duty if the constable records, in accordance with applicable policy and procedure, the matters that gave the constable reason to suspect that a child sex offence may have been committed (for the purposes of section (*Duty to report child sex offences*)).
- (2) In the application of sections (*Duty to report child sex offences*)(4), (*Exception for certain consensual sexual activity among children*)(5) and (*Exception relating to commission of offence under section 14 of the Sexual Offences Act 2003 by a child in certain circumstances*)(5) in respect of a constable, the references in those provisions to the making of a notification under section (*Duty to report child sex offences*) include references to the making of a record under subsection (1) of this section.
- (3) In this section—
 - “applicable policy and procedure” means the policy and procedure relating to the recording of criminal offences of the police force of which the constable mentioned in subsection (1) is a member;
 - “child sex offence” has the same meaning as in section (*Duty to report child sex offences*);
 - “police force” includes—
 - (a) the British Transport Police Force, and
 - (b) the Ministry of Defence police.”

Member's explanatory statement

This new clause modifies the duty imposed by NC65 where it applies to a constable.

Secretary James Cleverly

Gov NC72

Secretary Alex Chalk

To move the following Clause—

“Duty to report child sex offences: power to amend

The Secretary of State may by regulations amend—

- (a) section (*Duty to report child sex offences*) so as to—
 - (i) change the person or persons to whom a notification under section (*Duty to report child sex offences*) is to be made;
 - (ii) provide that a notification under that section must (in any event) be made within a particular period;

- (b) this Act so as to add or change an exception to the duty under section (*Duty to report child sex offences*);
- (c) Schedule (*Duty to report child sex offences: child sex offences and further relevant activities*) so as—
 - (i) add an offence to, remove an offence from, or otherwise change the offences specified in Part 1 of that Schedule;
 - (ii) add an activity to, remove an activity from or otherwise change the activities specified in Part 2 of that Schedule.”

Member's explanatory statement

This new clause confers a power to make regulations to make certain amendments relating to the duty imposed by NC65.

Secretary James Cleverly

Gov NC73

Secretary Alex Chalk

To move the following Clause—

“Guidance about disclosure of information by police for purpose of preventing sex offending

- (1) The Secretary of State may from time to time—
 - (a) issue guidance to chief officers of police about disclosing police information, for the purpose of preventing the commission of relevant sexual offences;
 - (b) revise or withdraw any guidance issued under this section.
- (2) A chief officer of police must have regard to any guidance issued under this section.
- (3) Before issuing or revising guidance under this section, the Secretary of State must consult—
 - (a) the National Police Chiefs' Council, and
 - (b) such other persons as the Secretary of State considers appropriate.
- (4) Subsection (3) does not apply to a revision of guidance if the Secretary of State considers that the revision is insubstantial.
- (5) The Secretary of State must publish—
 - (a) any guidance issued under this section, and
 - (b) any revision of that guidance.
- (6) In this section—
 - “chief officer of police” means—
 - (a) in relation to the British Transport Police Force, the Chief Constable of that Force;
 - (b) in relation to any other police force, the chief officer of police of that force;
 - “police force” means—

- (a) a police force maintained by a local policing body, or
 - (b) the British Transport Police Force;
- “police information” means information held by a police force;
- “relevant sexual offence” means an offence listed in Schedule 3 to the Sexual Offences Act 2003.
- (7) In construing the reference in subsection (6) to an offence listed in Schedule 3 to the Sexual Offences Act 2003, disregard any condition subject to which an offence is so listed that relates to—
- (a) the way in which the defendant is dealt with in respect of the offence or a relevant finding (as defined by section 132(9) of that Act), or
 - (b) the age of any person.”

Member's explanatory statement

This new clause confers a power on the Secretary of State to issue guidance to chief officers of police about the disclosure, for the purpose of preventing sex offending, of information held by a police force.

Secretary James Cleverly

Gov NC74

Secretary Alex Chalk

To move the following Clause—

“Conditions for notification of Director of Public Prosecutions of investigation report

- (1) In paragraph 23 of Schedule 3 to the Police Reform Act 2002 (action by the Director General of the IOPC in response to an investigation report under paragraph 22 of that Schedule)—
- (a) for sub-paragraph (2A) substitute—
 - “(2A) The first condition is that the report indicates that there is sufficient evidence to provide a realistic prospect of conviction of a criminal offence against a person (if any) to whose conduct the investigation related.”;
 - (b) after paragraph (2B) insert—
 - “(2C) For the purpose of sub-paragraph (2B)(a), the circumstances where the Director General may form the opinion that it is not appropriate for the matters dealt with in the report to be considered by the Director of Public Prosecutions include circumstances where, in the opinion of the Director General, it is not in the public interest for the matters dealt with in the report to be considered by the Director of Public Prosecutions.
 - (2D) In determining whether the conditions set out in sub-paragraphs (2A) and (2B) are satisfied in respect of the report, the Director General must have regard to the Code for Crown Prosecutors issued under section 10 of the Prosecution

of Offences Act 1985 (insofar as the Director General considers it to be relevant).”

- (2) In paragraph 24 of that Schedule (action by appropriate authority in response to an investigation report under paragraph 22 of that Schedule)—
 - (a) for sub-paragraph (2A) substitute—

“(2A) The first condition is that the report indicates that there is sufficient evidence to provide a realistic prospect of conviction of a criminal offence against a person (if any) to whose conduct the investigation related.”;
 - (b) after sub-paragraph (2B) insert—

“(2C) For the purpose of sub-paragraph (2B)(a), the circumstances where the appropriate authority may form the opinion that it is not appropriate for the matters dealt with in the report to be considered by the Director of Public Prosecutions include circumstances where, in the opinion of the appropriate authority, it is not in the public interest for the matters dealt with in the report to be considered by the Director of Public Prosecutions.

(2D) In determining whether the conditions set out in sub-paragraphs (2A) and (2B) are satisfied in respect of the report, the appropriate authority must have regard to the Code for Crown Prosecutors issued under section 10 of the Prosecution of Offences Act 1985 (insofar as the appropriate authority considers it to be relevant).”
- (3) In paragraph 25 of that Schedule (reviews with respect to an investigation)—
 - (a) in sub-paragraph (4F), for “a criminal offence may have been committed by” substitute “there is sufficient evidence to provide a realistic prospect of conviction of a criminal offence against”;
 - (b) after sub-paragraph (4F), insert—

“(4FA) For the purposes of sub-paragraph (4F)(a), the circumstances where the relevant review body may form the opinion that it is not appropriate for the matters dealt with in the report to be considered by the Director of Public Prosecutions include circumstances where, in the opinion of the relevant review body, it is not in the public interest for the matters dealt with in the report to be considered by the Director of Public Prosecutions.

(4FB) In making a determination under sub-paragraph (4F), the relevant review body must have regard to the Code for Crown Prosecutors issued under section 10 of the Prosecution of Offences Act 1985 (insofar as the relevant review body considers it to be relevant).”
- (4) The amendments made by this section do not apply in respect of an investigation relating to a matter (or a report on, or a review relating to, such an investigation) if, before the day on which this section comes into force—
 - (a) a complaint was made in respect of the matter, or

- (b) the matter came to the attention of the appropriate authority or the Director General.

Here, “the appropriate authority” and “the Director General” have the meaning given by section 29 of the Police Reform Act 2002.”

Member's explanatory statement

This new Clause amends the conditions applicable to the Director General of the Independent Office for Police Conduct, an appropriate authority or the relevant review body notifying a report on an investigation to the Director of Public Prosecutions.

Secretary James Cleverly

Gov NC75

Secretary Alex Chalk

To move the following Clause—

“Accelerated investigation procedure in respect of criminal conduct

- (1) In paragraph 20 of Schedule 3 to the Police Reform Act 2002 (restrictions on proceedings pending the conclusion of an investigation), in sub-paragraph (1), before paragraph (a) insert—

“(za) a determination under paragraph 20ZA has been made in respect of the investigation,”.

- (2) After paragraph 20 of that Schedule, insert—

“Accelerated procedure in special cases: criminal conduct

20ZA(1) At any time before the completion of an investigation of a complaint or recordable conduct matter by the appropriate authority on its own behalf, the appropriate authority may make a determination that the conditions in sub-paragraphs (3) and (4) are satisfied in respect of the investigation.

- (2) At any time before the completion of an investigation of a complaint or recordable conduct matter by—

- (a) the appropriate authority under the direction of the Director General, or
(b) the Director General,

the Director General may make a determination that the conditions in sub-paragraphs (3) and (4) are satisfied in respect of the investigation.

- (3) The first condition is that the investigation indicates that there is sufficient evidence to provide a realistic prospect of conviction of a criminal offence against a person (if any) to whose conduct the investigation relates.

- (4) The second condition is that—

- (a) the circumstances are such that, in the opinion of the appropriate authority (if sub-paragraph (1) applies) or the Director General (if sub-paragraph (2) applies), it is appropriate

- for the matters which are the subject of the investigation to be considered by the Director of Public Prosecutions, or
- (b) any matters dealt with by the investigation fall within a prescribed category of matters.
- (5) For the purposes of sub-paragraph (4)(a), the circumstances where the appropriate authority or the Director General may form the opinion that it is not appropriate for the matters which are the subject of the investigation to be considered by the Director of Public Prosecutions include circumstances where, in the opinion of the appropriate authority or (as the case may be) Director General, it is not in the public interest for the matters which are the subject of the investigation to be considered by the Director of Public Prosecutions.
- (6) In determining whether the conditions in sub-paragraphs (3) and (4) are satisfied in respect of an investigation, the appropriate authority or the Director General must have regard to the Code for Crown Prosecutors issued under section 10 of the Prosecution of Offences Act 1985 (insofar as the appropriate authority or (as the case may be) Director General considers it relevant).
- (7) If the appropriate authority or the Director General makes a determination under sub-paragraph (1) or (2) that the conditions in sub-paragraphs (3) and (4) are satisfied in respect of an investigation, they must give notice of their determination to—
- (a) the person to whose conduct the investigation relates,
 - (b) where the investigation is of a complaint, the complainant and every person entitled to be kept properly informed in relation to the complaint under section 21,
 - (c) where the investigation is of a recordable conduct matter, every person entitled to be kept properly informed in relation that matter under section 21, and
 - (d) where the determination is made by the Director General, the appropriate authority."
- (3) For the italic heading before paragraph 20A of that Schedule substitute "*Accelerated procedure in special cases: gross misconduct*".
- (4) The amendments made by this section do not apply in respect of an investigation relating to a matter if, before the day on which this section comes into force—
- (a) a complaint was made in respect of the matter, or
 - (b) the matter came to the attention of the appropriate authority or the Director General.

Here, "the appropriate authority" and "the Director General" have the meaning given by section 29 of the Police Reform Act 2002."

Member's explanatory statement

This new Clause provides for an exception to the restriction on criminal or disciplinary proceedings pending the conclusion of an investigation of a complaint against the police etc, under an accelerated procedure where the investigation indicates criminal conduct.

Secretary James Cleverly

Gov NC76

Secretary Alex Chalk

To move the following Clause—

“Duty of IOPC Director General to give victims right to request review

After paragraph 23 of Schedule 3 to the Police Reform Act 2002 insert—

“23A(1) This paragraph applies where—

- (a) the Director General proposes to make a determination under paragraph 23(2)(b) that one or both of the conditions set out in paragraph 23(2A) and (2B) are not satisfied in respect of a report, and
- (b) during the course of the investigation to which the report relates, a person (if any) to whose conduct the report relates was informed that the investigation was being treated as concerning conduct in respect of which the person may be prosecuted for a criminal offence.

(2) The Director General must—

- (a) take such steps as the Director General considers reasonable to give to every relevant victim (or a person acting on such a victim’s behalf) the opportunity to request, within the relevant period, that the Director General reviews their proposed determination, and
- (b) if such a request is made within the relevant period, so review their proposed determination before making a determination under paragraph 23(2)(b).

(3) In this paragraph—

“the relevant period” means the period that the Director General considers to give a relevant victim a reasonable opportunity to request that the Director General reviews their proposed determination;

“relevant victim” means a person—

- (a) who the Director General treats as a victim in relation to an alleged criminal offence constituted by conduct—
 - (i) of the person mentioned in sub-paragraph (1)(b), and
 - (ii) to which the report relates, and
- (b) to whom the Director General considers it appropriate to give the opportunity mentioned in sub-paragraph (2)(a).”

Member's explanatory statement

This new Clause imposes a duty on the Director General of the Independent Office for Police Conduct to review, on the request of a victim, a proposed decision not to refer a report on an investigation to the Director of Public Prosecutions.

Secretary James Cleverly

Gov NC77

Secretary Alex Chalk

To move the following Clause—

“Complaints about police and crime commissioners etc

- (1) Schedule 7 to the Police Reform and Social Responsibility Act 2011 (police and crime commissioners etc: regulations about complaints and conduct) is amended as follows.
- (2) In paragraph 3—
 - (a) in sub-paragraph (2)(b)—
 - (i) before “must” insert “subject to paragraph 4A,”;
 - (ii) for “police and crime panels” substitute “an independent person”;
 - (b) after sub-paragraph (2) insert—

“(2A) Regulations may make provision about the meaning of “independent person”.”;
 - (c) in sub-paragraph (3), for “police and crime panels” substitute “an independent person”;
 - (d) in sub-paragraph (4)—
 - (i) in paragraph (a), for “police and crime panels are” substitute “an independent person is”;
 - (ii) in the words after paragraph (b), for “police and crime panels” substitute “an independent person”.
- (3) In paragraph 4(2)—
 - (a) before “Regulations” insert “Subject to paragraph 4A,”;
 - (b) for “Part 3 of the Local Government Act 2000” substitute “Chapter 7 of Part 1 of the Localism Act 2011”.
- (4) After paragraph 4 insert—

“4A Regulations must provide for qualifying complaints in relation to which paragraph 3 or 4 applies—

 - (a) not to be dealt with, or
 - (b) to cease to be dealt with,

where the person to whom the complaint relates has ceased, or ceases, to hold the office.”
- (5) In the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (S.I. 2012/62), in regulation 29(2), for the words from “Part 3” to the end substitute “Chapter 7 of Part 1 of the Localism Act 2011 as if it was an allegation within the meaning given by section 28(9) of that Act.””

Member's explanatory statement

This new Clause provides for non-serious complaints against certain office-holders to be heard by an independent person instead of a police and crime panel, and for such complaints not to be dealt

with where the office-holder has left office. It also corrects out of date references to the Local Government Act 2000.

Secretary James Cleverly

Gov NC78

Secretary Alex Chalk

To move the following Clause—

“Sex offenders: notification of name change

In the Sexual Offences Act 2003 after section 83 insert—

“83A Notification requirements: name changes (England and Wales)

- 5 (1) A relevant offender must notify a new name to the police—
- (a) no less than 7 days before using it, or
 - (b) if that is not reasonably practicable, but it is reasonably practicable for the offender to notify the name to the police before using it, as far in advance of their using it as is reasonably practicable.
- 10 (2) Where it is not reasonably practicable for the offender to notify a new name to the police before using it, the offender must notify the name to the police within the period of 3 days beginning with their using it.
- (3) A notification under subsection (1) must specify the date on which the offender expects to use the name.
- 15 (4) Subsection (5) applies where—
- (a) a notification is given under subsection (1), and
 - (b) the name to which it relates is used more than 2 days before the date specified in the notification.
- 20 (5) Where this subsection applies the relevant offender must notify the name to the police within the period of 3 days beginning with their using the name.
- (6) Subsection (7) applies where—
- (a) a notification is given under subsection (1), and
 - (b) the name to which it relates has not been used by the end of the period of 3 days beginning with the date specified in the notification.
- 25 (7) Where this subsection applies—
- (a) subsections (1) and (2) apply as if the notification had not been given, and
 - (b) the relevant offender must, within the period of 6 days beginning with the date specified, notify to the police that the name was not used by the end of the period mentioned in subsection (6)(b).
- 30

- 35 (8) Section 83(6) applies to the determination of the period of 3 days mentioned in subsections (2) and (5) and the period of 6 days mentioned in subsection (7), as it applies to the determination of the period in section 83(1).
- (9) A notification under subsection (1), (2) or (5) must include the information set out in section 83(5).
- 40 (10) In this section, a name is “new” unless it has been notified to the police under section 83(1), this section, section 84, or section 2 of the Sex Offenders Act 1997.””

Member's explanatory statement

This new Clause requires sex offenders to notify any new name to the police 7 days before using it (rather than 3 days after using it as at present).

As an Amendment to Secretary James Cleverly's proposed New Clause (Sex offenders: notification of name change) (NC78):—

Sarah Champion

(a)

Leave out lines 6 to 12

Secretary James Cleverly
Secretary Alex Chalk

Gov NC79

To move the following Clause—

“Sex offenders: notification of absence from sole or main residence

In the Sexual Offences Act 2003 after section 85 insert—

“85ZA Notification requirements: absence from notified residence (England and Wales)

- (1) This section applies to a relevant offender at any time if the last home address notified by the offender under section 83(1), 83A, 84(1) or 85(1) was an address in England or Wales such as is mentioned in section 83(7)(a) (sole or main residence).
- (2) If the relevant offender intends to be absent from that home address for a period of more than 5 days (“the relevant period”), the relevant offender must, not less than 12 hours before leaving that home address, notify to the police the information set out in subsection (3).
- (3) The information is—
 - (a) the date on which the relevant offender will leave that home address;
 - (b) such details as the relevant offender holds about—

- (i) their travel arrangements during the relevant period;
 - (ii) their accommodation arrangements during that period;
 - (iii) their date of return to that home address.
- (4) In this section—
 - “accommodation arrangements” include, in particular, the address of any accommodation at which the relevant offender will spend the night during the relevant period and the nature of that accommodation.
 - “travel arrangements” include, in particular, details of the means of transport to be used and the dates of travel.
- (5) Where—
 - (a) a relevant offender has given a notification under subsection (2), and
 - (b) at any time not less than 12 hours before the offender leaves their home address, the information notified becomes inaccurate or incomplete,the relevant offender must give a further notification under subsection (2).
- (6) Where a relevant offender—
 - (a) has notified a date of return to their home address, but
 - (b) returns to their home address on a date other than that notified,the relevant offender must notify the date of their actual return to the police within 3 days of their actual return.
- (7) Nothing in this section requires an offender to notify any information which falls to be notified in accordance with a requirement imposed by regulations under section 86.
- (8) The Secretary of State may by regulations amend subsection (2) so as to change the duration of the relevant period, provided that the relevant period is at least 5 days.””

Member's explanatory statement

This new Clause requires sex offenders to notify the police if they intend to be absent from their home address for 5 days or more. The notification must usually be given at least 12 hours in advance.

Secretary James Cleverly
Secretary Alex Chalk

Gov NC80

To move the following Clause—

“Child sex offenders: requirement to notify if entering premises where children present

In the Sexual Offences Act 2003 after section 86 insert—

“86A Notification requirements: persons required to notify if entering premises at which children present (England and Wales)

- (1) A relevant offender is subject to the requirements in section 86B if—
 - (a) the offender’s local police area is in England or Wales, and
 - (b) condition A or B is met.
- (2) Condition A is that the offender is a child sex offender within the meaning given by section 327B(4) of the Criminal Justice Act 2003.
- (3) Condition B is that the appropriate chief officer of police has given the offender a notice stating that the offender is subject to the requirements in section 86B and that notice has not been cancelled.
- (4) The chief officer may give a notice under subsection (3) only if satisfied that it is necessary to do so for the purpose of protecting children generally, or particular children, from sexual harm from the offender.
- (5) A notice under subsection (3) must indicate that an appeal may be made under section 86D against the decision to give the notice.
- (6) A notice under subsection (3) is treated as being cancelled at such time as the offender’s local police area is no longer in England or Wales.
- (7) For the purposes of this section and sections 86B to 86D—
 - (a) the “appropriate chief officer of police” means, in relation to a relevant offender, the chief officer of police for the offender’s local police area;
 - (b) “section 86A notice” means a notice given to a relevant offender under subsection (3);
 - (c) “section 86B relevant offender” means a relevant offender who is subject to the requirements in that section.

86B Notification requirements: entering premises at which children are present

- (1) A section 86B relevant offender must notify the required information to the police—
 - (a) no less than 12 hours before entering qualifying premises at which children are present, or
 - (b) if that is not reasonably practicable, but it is reasonably practicable for the offender to notify the required information to the police before entering such premises, as far in advance of their entering such premises as is reasonably practicable.
- (2) Where it is not reasonably practicable for a section 86B relevant offender to notify the required information to the police before entering

qualifying premises at which children are present, the offender must notify that information to the police within the period of 3 days beginning with their entering such premises.

- (3) In subsections (1) and (2) “the required information” means—
 - (a) the address of the premises to which the notification relates, and
 - (b) such other information as the Secretary of State may specify in regulations.
- (4) A notification under subsection (1) must also specify the date on which the offender is to enter the premises.
- (5) The Secretary of State may by regulations provide for circumstances in which an offender who has given a notification under subsection (1) or (2) is not required to give a further notification in relation to the same premises or children.
- (6) Subsection (7) applies where—
 - (a) a notification is given under subsection (1), and
 - (b) the offender has not entered the premises by the end of the date specified in the notification.
- (7) Where this subsection applies—
 - (a) subsections (1) and (2) apply as if the notification had not been given, and
 - (b) the relevant offender must, within the period of 6 days beginning with the date specified in the notification, notify to the police that the offender did not enter the premises on that date.
- (8) Section 83(6) applies to the determination of the period of 3 days mentioned in subsection (2) and the period of 6 days mentioned in subsection (7)(b), as it applies to the determination of the period mentioned in section 83(1).
- (9) In this section “qualifying premises” means premises of a kind specified in regulations made by the Secretary of State.

86C Periodic reviews of section 86A notices

- (1) This section applies to a section 86B relevant offender who has been given a section 86A notice which has not been cancelled.
- (2) In this section the “review date” means—
 - (a) the end of the period of 12 months beginning with the date on which the notice was given to the offender, and
 - (b) the end of each successive period of 12 months.
- (3) The offender may, within the period of one month ending with each review date, make representations to the appropriate chief officer of police about the notice.

- (4) The chief officer must, before the start of the period mentioned in subsection (3), notify the offender of their right to make representations under that subsection.
- (5) As soon as reasonably practicable after each review date, the appropriate chief officer of police must—
 - (a) consider any representations made under subsection (3) about the notice,
 - (b) decide whether to cancel the notice, and
 - (c) give notice of the decision (a “decision notice”) to the offender.
- (6) The chief officer may cancel the section 86A notice only if no longer satisfied as mentioned in section 86A(4).
- (7) If the chief officer decides that the section 86A notice should not be cancelled, the decision notice must contain a statement of reasons for the decision and indicate that an appeal may be made against the decision under section 86D.

86D Appeals in relation to section 86A notices

- (1) A section 86B relevant offender may appeal to a magistrates’ court against a decision of a chief officer of police—
 - (a) to give the offender a section 86A notice;
 - (b) not to cancel a section 86A notice which has been given to the offender (see section 86C).
- (2) An appeal under this section may be made by complaint to a magistrates’ court within the period of 21 days beginning with—
 - (a) in the case of an appeal under subsection (1)(a), the day on which the section 86A notice is given to the offender;
 - (b) in the case of an appeal under subsection (1)(b), the day on which notice of the decision is given to the offender.
- (3) A section 86B relevant offender may appeal under this section to any magistrates’ court in a local justice area which includes any part of the police area for which the chief officer is the appropriate chief officer of police.
- (4) On an appeal under subsection (1)(a) the court may confirm or cancel the notice which is subject of the appeal.
- (5) On an appeal under subsection (1)(b) the court may—
 - (a) confirm the decision, or
 - (b) remit the decision to the appropriate chief officer of police for reconsideration with such directions (if any) as the court considers appropriate.””

Member's explanatory statement

This new Clause requires certain sex offenders to notify the police before entering certain premises at which children are present. The notification must usually be given at least 12 hours in advance.

Secretary James Cleverly

Gov NC81

Secretary Alex Chalk

To move the following Clause—

“Sex offenders: method of notification

In the Sexual Offences Act 2003 after section 87 insert—

“87A Alternative method of notification (England and Wales)

- (1) A person (“P”) may give a notification under section 83A, 84, 85(1), 85ZA or 86B virtually if—
 - (a) conditions 1 to 3 are met, and
 - (b) any further conditions specified by the Secretary of State in regulations are met.
- (2) Condition 1 is that—
 - (a) a senior police officer has given P a notice authorising P to give notifications under section 83A, 84, 85(1), 85ZA or 86B virtually, and
 - (b) the notice has not been cancelled.
- (3) A senior police officer may give P a notice under subsection (2)(a) only if satisfied that it is not necessary, for the purpose of protecting the public or any particular members of the public from sexual harm, for P to give those notifications in accordance with section 87.
- (4) The senior police officer—
 - (a) may, by giving P a further notice, cancel the notice under subsection (2)(a), and
 - (b) must do so if no longer satisfied as mentioned in subsection (3).
- (5) “Senior police officer” means a police officer of at least the rank of inspector who is authorised to give notices under this section by the chief officer of police for P’s local police area.
- (6) Condition 2 is that the notification does not relate to a matter specified by the Secretary of State in regulations.
- (7) Condition 3 is that the notification is given to a person authorised to receive virtual notifications by the chief officer of police for P’s local police area.
- (8) A notification is given virtually if it is given by a means which enables P and the person receiving the notification to see and hear each other without being together in the same place.
- (9) The conditions which may be specified in regulations under subsection (1)(b) include further conditions about the means of giving the notification.

- (10) A notification given in accordance with this section must be acknowledged in writing, in such form as the Secretary of State may direct.
- (11) Where P gives a notification in accordance with this section P must, if requested to do so by the person to whom it is given, attend at a relevant police station and allow a relevant person to—
- (a) take P's fingerprints,
 - (b) photograph any part of P, or
 - (c) do both of those things.
- (12) In subsection (11)—
- (a) "relevant police station" means a police station at which P may give a notification in accordance with section 87(1), and
 - (b) "relevant person" means a person at that police station to whom P may give such a notification.
- (13) Nothing in this section prevents P giving a notification in accordance with section 87(1)."

Member's explanatory statement

This new Clause empowers the police to authorise sex offenders to give notifications under Part 2 of the Sexual Offences Act 2003, other than initial notifications, virtually rather than in person at a police station.

Secretary James Cleverly
Secretary Alex Chalk

Gov NC82

To move the following Clause—

"Sex offenders: review of indefinite notification requirements

- (1) The Sexual Offences Act 2003 is amended as follows.
- (2) In section 91A (review of indefinite notification requirements: qualifying relevant offender) after subsection (1) insert—

"(1A) The relevant chief officer of police may, without an application for review having been made, consider whether a qualifying relevant offender should remain subject to the indefinite notification requirements (referred to in this Part as an "own motion review")."

- (3) After section 91E insert—

"91EA Review of indefinite notification requirements: own motion review

- (1) The relevant chief officer of police may begin an own motion review on, or at any time after, the qualifying date.
- (2) The "qualifying date" has the same meaning in this section as in section 91B.

- (3) The relevant chief officer of police begins an own motion review by notifying the qualifying relevant offender that they are considering whether the qualifying relevant offender should remain subject to the indefinite notification requirements.
- (4) The notification must inform the qualifying relevant offender of their right to make representations under subsection (5).
- (5) The qualifying relevant offender may make representations to the relevant chief officer of police within 35 days of receipt of the notification.
- (6) The relevant chief officer of police may within 7 days of beginning an own motion review notify a responsible body that they are beginning an own motion review.
- (7) If the responsible body holds information which it considers to be relevant to the review, it must give the information to the relevant chief officer of police within 28 days of receipt of the notification.

91EB Review of indefinite notification requirements: determination of own motion review

- (1) On an own motion review the relevant chief officer of police must, within 6 weeks of the date mentioned in subsection (2)—
 - (a) determine whether the qualifying relevant offender should remain subject to the indefinite notification requirements, and
 - (b) give notice of the determination to the qualifying relevant offender.
- (2) The date is the latest date on which the qualifying relevant offender may make representations under section 91EA(5).
- (3) The relevant chief officer of police may determine that the qualifying relevant offender should not remain subject to the indefinite notification requirements only if satisfied that it is not necessary, for the purpose of protecting the public or any particular members of the public from sexual harm, for the qualifying relevant offender to remain subject to the indefinite notification requirements.
- (4) If the relevant chief officer of police determines that the qualifying relevant offender should not remain subject to the indefinite notification requirements, the qualifying relevant offender ceases to be subject to the indefinite notification requirements on the date of receipt of the notice of determination.
- (5) If the relevant chief officer of police determines that the qualifying relevant offender should remain subject to the indefinite notification requirements, the notice of determination must—
 - (a) contain a statement of reasons for the determination, and
 - (b) inform the qualifying relevant offender that they may appeal the determination in accordance with section 91ED.

- (6) The Secretary of State may by regulations amend the period in subsection (1).

91EC Review of indefinite notification requirements: factors applying to determination under section 91EB

In determining an own motion review under section 91EB, the relevant chief officer of police must—

- (a) have regard to the representations (if any) made by the qualifying relevant offender,
- (b) have regard to the information (if any) received from a responsible body,
- (c) consider the risk of sexual harm posed by the qualifying relevant offender and the effect of a continuation of the indefinite notification requirements on the offender, and
- (d) take into account the matters listed in section 91D(2).

91ED Review of indefinite notification requirements: appeals against determinations under section 91EB

- (1) A qualifying relevant offender may appeal against a determination of the relevant chief officer of police under section 91EB(5).
- (2) An appeal under this section may be made by complaint to a magistrates' court within the period of 21 days beginning with the day of receipt of the notice of determination.
- (3) A qualifying relevant offender may appeal under this section to any magistrates' court in a local justice area which includes any part of the police area for which the chief officer is the relevant chief officer of police.
- (4) If the court makes an order that a qualifying relevant offender should not remain subject to the indefinite notification requirements, the qualifying relevant offender ceases to be subject to the indefinite notification requirements on the date of the order."

- (4) After section 91F insert—

"91G Discharge from indefinite notification requirements in Scotland or Northern Ireland

A relevant offender who is discharged from the notification requirements of this Part under—

- (a) sections 88A to 88H (discharge from indefinite notification requirements in Scotland), or
- (b) Schedule 3A (discharge from indefinite notification requirements in Northern Ireland),

is, by virtue of the discharge, also discharged from the notification requirements of this Part as they apply in England and Wales.""

Member's explanatory statement

This new Clause allows the police to review whether a sex offender who is subject to the notification requirements indefinitely should be discharged from the requirements, without an application. It also ensures that a discharge from the requirements in Scotland or Northern Ireland has effect in England and Wales.

Secretary James Cleverly

Gov NC83

Secretary Alex Chalk

To move the following Clause—

“Sex offenders: restriction on applying for replacement identity documents in new name

(1) In the Sexual Offences Act 2003 after section 93 insert—

“Applications for certain identity documents in new name (England and Wales)

93A Offenders requiring authorisation before applying for certain identity documents in new name

- (1) A relevant offender is subject to the restriction in section 93B(1) if—
- (a) the offender’s local police area is in England or Wales, and
 - (b) the appropriate chief officer of police has given the offender a notice stating that the offender is subject to that restriction and the notice has not been cancelled.
- (2) The chief officer may give a notice under subsection (1)(b) only if satisfied that it is necessary to do so for the purpose of—
- (a) protecting the public or any particular members of the public from sexual harm from the offender, or
 - (b) protecting children or vulnerable adults generally, or any particular children or vulnerable adults, from sexual harm from the offender outside the United Kingdom.
- (3) A notice under subsection (1)(b) must indicate that an appeal may be made under section 93F against the decision to give the notice.
- (4) A notice under subsection (1)(b) is treated as being cancelled at such time as the offender’s local police area is no longer in England or Wales.
- (5) For the purposes of this section and sections 93B to 93H—
- (a) the “appropriate chief officer of police” means, in relation to a relevant offender, the chief officer of police for the offender’s local police area;
 - (b) “section 93A notice” means a notice given to a relevant offender under subsection (1)(b);
 - (c) “section 93B relevant offender” means a relevant offender who is subject to the restriction in section 93B(1).

93B Requirement for authorisation before applying for certain identity documents in new name

- 35 (1) A section 93B relevant offender who holds, or has held, an identity document of a particular type must not apply for an identity document of that type to be issued to the offender in a new name unless authorised to do so under section 93C.
- 40 (2) For the purposes of subsection (1) an offender's name is "new", in relation to an identity document of a particular type, if the identity document of that type most recently issued to the offender was not in that name.
- (3) A person who fails, without reasonable excuse, to comply with subsection (1) commits an offence.
- 45 (4) A person who commits an offence under subsection (3) 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).
- 50 (5) For the purposes of this section and section 93C—
(a) "identity document" means a document falling within subsection (6);
(b) an identity document is of the same type as another identity document if both documents fall within the same paragraph of subsection (6).
- 55 (6) A document falls within this subsection if it is—
(a) an immigration document (with in the meaning given by section 7(2) of the Identity Documents Act 2010);
(b) a United Kingdom passport (within the meaning of the Immigration Act 1971);
60 (c) a licence to drive a motor vehicle granted under Part 3 of the Road Traffic 1988.
- (7) The Secretary of State may by regulations amend subsection (6) so as to add to the list of documents falling within that subsection.

93C Authorisation to apply for certain identity documents in new name

- 65 (1) A section 93B relevant offender who holds, or has held, an identity document of a particular type may apply to the appropriate chief officer of police for authorisation to apply for an identity document of that type to be issued to the offender in a new name.
- 70 (2) The application must—
(a) be in writing,
(b) specify the type of identity document that is being applied for and the name in which it is to be issued, and

- (c) include such other information, or be accompanied by such documents, as the Secretary of State may specify in regulations.
- 75 (3) The chief officer must, within four weeks of receiving the application—
- (a) decide whether to grant or refuse authorisation, and
 - (b) give notice of the decision (a “decision notice”) to the applicant.
- (4) In deciding whether to grant or refuse authorisation, the chief officer must have regard to any guidance issued by the Secretary of State under
- 80 section 93G.
- (5) The chief officer may grant authorisation only if satisfied that—
- (a) any conditions specified in regulations made by the Secretary of State for the purposes of this section are met, and
 - (b) it is not necessary to refuse authorisation for the purpose of—
- 85 (i) protecting the public or any particular members of the public from sexual harm from the offender, or
- (ii) protecting children or vulnerable adults generally, or any particular children or vulnerable adults, from sexual harm from the offender outside the United Kingdom.
- 90 (6) If the chief officer refuses authorisation—
- (a) the decision notice must contain a statement of reasons for the decision and indicate that an appeal may be made under section 93F against the decision, and
 - (b) a further application under subsection (1) may not be made in
- 95 relation to an identity document of the same type before the end of the period of one year beginning with the date on which the decision notice is given.
- (7) An authorisation under this section—
- (a) may be cancelled by the chief officer giving further notice to
- 100 the person so authorised;
- (b) is treated as having been cancelled at the end of the period of one year beginning with the date on which the decision notice is given to that person.
- (8) The chief officer may cancel an authorisation only if no longer satisfied
- 105 as mentioned in subsection (5).

93D Young offenders: parental notices

- (1) Where a section 93B relevant offender is under 18, the appropriate chief officer of police may give written notice (a “parental notice”) to a person with parental responsibility for the offender (their “parent”).
- 110 (2) If a parental notice has been given to the offender’s parent and it has not expired, sections 93B(1) and 93C(1) have effect as if after “particular type” (in both places) there were inserted “, or a person with parental responsibility for such an offender who has been given a notice under section 93D,”.

- 115 (3) A parental notice expires when the offender reaches the age of 18.

93E Periodic reviews of section 93A notices

- 120 (1) As soon as reasonably practicable after each review date, the appropriate chief officer of police must review a section 93A notice with a view to determining whether it should be cancelled.
- 125 (2) The “review date”, in relation to a section 93A notice, is—
- (a) the end of the period of 12 months beginning with the date on which the notice is given, and
 - (b) the end of each successive period of 12 months.
- (3) In carrying out their review, the chief officer must consider any representations made during the consultation period by the offender to whom the notice was given.
- (4) Before the start of the consultation period, the chief officer must notify the offender of their right to make representations during that period.
- 130 (5) In subsections (3) and (4) the “consultation period” means the period of one month ending with the review date.
- (6) After completing their review, the chief officer must—
- (a) decide whether to cancel the section 93A notice, and
 - (b) give notice of the decision (a “decision notice”) to the offender.
- 135 (7) The chief officer may cancel the section 93A notice only if no longer satisfied as mentioned in section 93A(2).
- (8) If the chief officer of police decides that the section 93A notice should not be cancelled, the decision notice must contain a statement of reasons for the decision and indicate that an appeal may be made under section 93F against the decision.

140 93F Appeals

- (1) A person (“P”) may appeal to a magistrates’ court against a decision of a chief officer of police—
- 145 (a) to give P a section 93A notice;
 - (b) to refuse P authorisation under section 93C;
 - (c) to cancel an authorisation granted to P under that section (see section 93C(7)(a));
 - (d) to give P a notice under section 93D;
 - (e) not to cancel a section 93A notice which has been given to P (see section 93E).
- 150 (2) An appeal under this section may be made by complaint to a magistrates’ court within the period of 21 days beginning with—
- (a) in the case of an appeal under subsection (1)(a) or (d), the day on which the notice is given to P;

- 155 (b) in the case of an appeal under subsection (1)(b), (c) or (e), the day on which notice of the decision is given to P.
- (3) A person may appeal under this section to any magistrates' court in a local justice area which includes any part of the police area for which the chief officer is the appropriate chief officer of police.
- 160 (4) On an appeal under subsection (1)(a) or (d), the court may confirm or cancel the notice which is the subject of the appeal.
- (5) On an appeal under subsection (1)(b), (c) or (e), the court may—
- (a) confirm the decision, or
- (b) remit the decision to the appropriate chief officer of police for reconsideration with such directions (if any) as the court considers
- 165 appropriate.

93G Guidance

- (1) The Secretary of State must issue guidance to chief officers of police in relation to the determination by them of applications under section 93C.
- 170 (2) The Secretary of State may, from time to time, revise the guidance issued under subsection (1).
- (3) The Secretary of State must arrange for any guidance issued or revised under this section to be published in such manner as the Secretary of State thinks appropriate."
- 175 (2) In the Sexual Offences Act 2003 after section 93G (inserted by subsection (1)) insert—

"93H Restriction on granting replacement driving licences in new name

- (1) The Secretary of State may by regulations make provision to prevent a person from being granted a driving licence (a "replacement licence")
- 180 if—
- (a) the person holds, or has held, a driving licence,
- (b) the name to be specified in the replacement licence ("the new name") is different to the name specified in the driving licence most recently granted to the person, and
- 185 (c) it appears to the Secretary of State, on the basis of information provided by the appropriate chief officer of police, that the person is a section 93B relevant offender who was not authorised to apply for a driving licence in the new name.
- (2) The regulations may, in particular, include provision for authorising or
- 190 requiring—
- (a) the appropriate chief officer of police to disclose specified information to the Secretary of State, and
- (b) the Secretary of State to disclose specified information to the appropriate chief officer of police,

- 195 where the disclosure falls within subsection (3).
- (3) A disclosure falls within this subsection if it is made—
- (a) for the purposes of enabling the Secretary of State or the appropriate chief officer of police to carry out their functions under or by virtue of the regulations;
- 200 (b) in connection with the detection or investigation of an offence under section 93B(3).
- (4) The regulations may, in particular, make provision about how the appropriate chief officer of police or Secretary of State may or must use information disclosed to them by virtue of subsection (2).
- 205 (5) The regulations may not authorise or require the disclosure or other processing of information if the disclosure or other processing would contravene the data protection legislation (but in determining whether the disclosure or other processing would do so, take into account any duty imposed or power conferred by the regulations).
- 210 (6) The regulations may include provision amending Part 3 of the Road Traffic Act 1988.
- (7) In this section—
- “the data protection legislation” and “processing” have the same meanings as in the Data Protection Act 2018 (see section 3 of that Act);
- 215 “driving licence” means a licence to drive a motor vehicle granted under Part 3 of the Road Traffic 1988;
- “specified” means specified in regulations under this section.””

Member's explanatory statement

This new Clause empowers the police to prohibit a sex offender from changing their name on identity documents without authorisation from the police. It also empowers the Secretary of State to make regulations to prevent the granting of driving licences to offenders subject to the prohibition, without the necessary authorisation.

As an Amendment to Secretary James Cleverly's proposed New Clause (Sex offenders: restriction on applying for replacement identity documents in new name) (NC83):—

Sarah Champion

(a)

Line 89, at end insert—

“(c) there is no perceived risk of the offender using the new name for subterfuge.”

Secretary James Cleverly

Gov NC84

Secretary Alex Chalk

To move the following Clause—

“Sex offenders: power of entry and search

- (1) Section 96B of the Sexual Offences Act 2003 (power of entry and search of relevant offender's home address) is amended as follows.
- (2) In subsection (1), for “a senior” substitute “an appropriate”.
- (3) In subsection (10)—
 - (a) before the definition of “the relevant force” insert—
 - ““appropriate police officer”, in relation to an application for a warrant under subsection (1), means—
 - (a) in England and Wales, a constable authorised to make the application by a constable of the rank of inspector or above;
 - (b) in Northern Ireland, a constable of the rank of superintendent or above;”;
 - (b) omit the definition of “senior police officer”.

Member's explanatory statement

Applications for warrants to search a sex offender’s home address must currently be made by a superintendent. This new Clause provides that in England and Wales applications may be made by a constable on the authorisation of an inspector.

Secretary James Cleverly

Gov NC85

Secretary Alex Chalk

To move the following Clause—

“Sex offenders notification requirements: minor and consequential amendments

Schedule (Sex offenders notification requirements: minor and consequential amendments) makes provision consequential on sections (Sex offenders: notification of name changes) to (Sex offenders: powers of entry and search).”

Member's explanatory statement

This new Clause introduces Schedule (*Sex offenders notification requirements: minor and consequential amendments*), which makes provision consequential on new Clauses NC78 to NC84 and other minor amendments.

Secretary James Cleverly

Gov NC96

Secretary Alex Chalk

To move the following Clause—

“Concealing identity at protests: offence

- (1) A person commits an offence if that person is—

- (a) in a public place that is in a locality designated under section (*Concealing identity at protests: designating localities and giving notice*), and
 - (b) wearing or otherwise using an item wholly or mainly for the purpose of concealing their identity or another person's identity.
- (2) Where the conduct described in subsection (1) takes place during the initial period specified under section (*Concealing identity at protests: designating localities and giving notice*)(1), a person commits the offence under this section only if section (*Concealing identity at protests: designating localities and giving notice*)(2) has been complied with in relation to the designation.
- (3) Where the conduct described in subsection (1) takes place during a further period directed under section (*Concealing identity at protests: designating localities and giving notice*)(3), a person commits the offence under this section only if section (*Concealing identity at protests: designating localities and giving notice*)(4) has been complied with in relation to the designation.
- (4) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding one month or a fine not exceeding level 3 on the standard scale (or both).
- (5) In subsection (1) and section (*Concealing identity at protests: designating localities and giving notice*)(6) "public place" has the same meaning as in Part 2 of the Public Order Act 1986 (see section 16 of that Act)."

Member's explanatory statement

This new clause prohibits wearing or otherwise using an item for the purpose of concealing identity in a locality designated by the police under NC97.

Secretary James Cleverly

Gov NC97

Secretary Alex Chalk

To move the following Clause—

"Concealing identity at protests: designating localities and giving notice

- (1) A constable whose rank is at least that of inspector may designate a locality in England or Wales that is in their police area for a specified period not exceeding 24 hours if they reasonably believe that—
- (a) a public assembly, or public procession, which constitutes a protest may take place or is taking place in the locality,
 - (b) the protest is likely to involve or has involved the commission of offences, and
 - (c) it is expedient, in order to prevent or control the commission of offences, to designate the locality under this section.
- (2) A constable who designates a locality under this section must ensure that all reasonable steps are taken (by the constable or another person) to notify the public of—
- (a) the fact that the designation has been made,

- (b) the nature of the offence created by section (*Concealing identity at protests: offence*),
 - (c) the locality to which the designation applies, and
 - (d) the period during which the designation will be in force.
- (3) A constable whose rank is at least that of superintendent may direct that a designation under this section is to continue in force for a further 24 hours if it appears expedient to do so, having regard to offences which—
 - (a) have been committed in connection with the protest in respect of which the designation was made, or
 - (b) are reasonably suspected to have been so committed.
- (4) A constable who directs that a designation under this section is to continue in force must ensure that all reasonable steps are taken (by the constable or another person) to notify the public of—
 - (a) the fact that the designation will continue in force, and
 - (b) the matters set out in paragraphs (b), (c) and (d) of subsection (2).
- (5) The reference to a “police area” in subsection (1), so far as it relates to a designation of a locality by—
 - (a) a member of the British Transport Police Force, has effect as if that reference were a reference to a place within section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003;
 - (b) a member of the Ministry of Defence Police, has effect as if that reference were a reference to a place to which section 2(2) of the Ministry of Defence Police Act 1987 applies.
- (6) In this section—
 - “public assembly” means—
 - (a) a public assembly within the meaning of Part 2 of the Public Order Act 1986, or
 - (b) an assembly of two or more persons in a public place within section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003;
 - “public procession” has the same meaning as in Part 2 of the Public Order Act 1986.
- (7) This section does not limit any other power of a constable; and, in particular, it does not affect when an authorisation under section 60AA of the Criminal Justice and Public Order Act 1994 (powers to require removal of disguises) may be given.”

Member's explanatory statement

This new clause sets out the circumstances in which the police may designate a locality and cause the new prohibition on wearing or otherwise using an item to conceal identity to apply. It also requires the police to notify the public about such designations.

To move the following Clause—

“Concealing identity at protests: procedure

- (1) A constable—
 - (a) whose rank is that of inspector, and
 - (b) who designates a locality under section (*Concealing identity at protests: designating localities and giving notice*),
 must ensure that a constable whose rank is at least that of superintendent is informed (by the inspector or another person) of the designation as soon as reasonably practicable.
- (2) A designation under section (*Concealing identity at protests: designating localities and giving notice*)—
 - (a) must be in writing and signed by the constable who made it, and
 - (b) must specify—
 - (i) the grounds on which it is made,
 - (ii) the locality to which it applies, and
 - (iii) the period during which it will be in force.
- (3) Where it is not reasonably practicable for a designation under section (*Concealing identity at protests: designating localities and giving notice*) to be made in writing, an oral designation may be made instead provided—
 - (a) the constable making it states the matters which would otherwise have to be specified under subsection (2), and
 - (b) the designation is recorded in writing as soon as reasonably practicable.
- (4) A direction under section (*Concealing identity at protests: designating localities and giving notice*)(3) must be given in writing or, where that is not reasonably practicable, recorded in writing as soon as reasonably practicable.”

Member's explanatory statement

This new clause makes procedural provision related to the designation of localities under NC97.

Secretary James Cleverly

Gov NC99

Secretary Alex Chalk

To move the following Clause—

“Possession of pyrotechnic articles at protests

- (1) A person commits an offence if they have a pyrotechnic article in their possession at any time when they are taking part in—
 - (a) a public procession which constitutes a protest,
 - (b) a public assembly which constitutes a protest, or
 - (c) a one-person protest.

- (2) It is a defence for a person charged with an offence under subsection (1) to show that they had a reasonable excuse for having the pyrotechnic article in their possession at the material time.
- (3) In particular, it is a defence for a person charged with an offence under subsection (1) to show that they had the pyrotechnic article in their possession at the material time for use in connection with work.
- (4) But the fact that the person had the pyrotechnic article in their possession at the material time as part of, or in furtherance of, the protest does not constitute a reasonable excuse.
- (5) A person is taken to have shown the fact mentioned in subsection (2) or (3) if—
 - (a) sufficient evidence of the fact is adduced to raise an issue with respect to it, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (6) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (7) In this section—
 - “one-person protest” has the same meaning as in section 14ZA of the Public Order Act 1986 (see subsection (4) of that section);
 - “public assembly” means—
 - (a) a public assembly within the meaning of Part 2 of the Public Order Act 1986 (see section 16 of that Act), or
 - (b) an assembly of two or more persons in a public place within section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003;
 - “public place” and “public procession” have the same meaning as in Part 2 of the Public Order Act 1986 (see section 16 of that Act);
 - “pyrotechnic article” means an article that contains explosive substances, or an explosive mixture of substances, designed to produce heat, light, sound, gas or smoke, or a combination of such effects, through self-sustained exothermic chemical reactions, other than—
 - (a) a match, or
 - (b) an article specified, or of a description specified, in regulations made by the Secretary of State.”

Member's explanatory statement

This New Clause makes it an offence for a person to have a pyrotechnic article in their possession when taking part in a public procession or public assembly which constitutes a protest, or a one-person protest.

To move the following Clause—

“War memorials

- (1) A person who climbs on a specified war memorial commits an offence.
- (2) It is a defence for a person charged with an offence under this section to prove that they—
 - (a) had a good reason for climbing on the specified war memorial,
 - (b) were the owner or occupier of the specified war memorial, or
 - (c) had the consent of the owner or occupier of the specified war memorial, or other lawful authority, to climb on it.
- (3) The fact that a person climbed on a specified war memorial as part of, or in furtherance of, a protest does not constitute a good reason for the purposes subsection (2)(a).
- (4) In this section, “specified war memorial” means—
 - (a) a war memorial specified in Part 1 of Schedule (*Specified war memorials*), or
 - (b) a part of a war memorial specified in Part 2 of Schedule (*Specified war memorials*).
- (5) The Secretary of State may by regulations amend Schedule (*Specified war memorials*).
- (6) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 3 on the standard scale (or both).”

Member's explanatory statement

This new Clause makes it an offence for a person to climb on a specified war memorial.

Secretary James Cleverly

Gov NC101

Secretary Alex Chalk

To move the following Clause—

“Causing serious disruption to road transport infrastructure

After section 8 of the Public Order Act 2023 (key national infrastructure) insert—

“8A Causing serious disruption to road transport infrastructure

- (1) A person commits an offence if—
 - (a) they do an act which causes, or is capable of causing, serious disruption to—
 - (i) two or more individuals, or
 - (ii) an organisation,

in their use or operation of road transport infrastructure, and

- (b) they intend that act to have a consequence mentioned in paragraph (a).
- (2) It is a defence for a person charged with an offence under subsection (1) to prove that—
 - (a) they had a reasonable excuse for the act mentioned in paragraph (a) of that subsection, or
 - (b) the act mentioned in paragraph (a) of that subsection was done wholly or mainly in contemplation or furtherance of a trade dispute.
- (3) The fact that the act mentioned in paragraph (a) of subsection (1) is done as part of, or in furtherance of, a protest does not constitute a reasonable excuse for the purposes of subsection (2)(a).
- (4) A person who commits an offence under subsection (1) is liable on summary conviction to imprisonment for a term not exceeding the maximum term for summary offences or a fine (or both).
- (5) In this section—
 - “the maximum term for summary offences” has the meaning given by section 6(4);
 - “road transport infrastructure” has the meaning given by section 8(2);
 - “trade dispute” has the meaning given by section 7(10).”

Member's explanatory statement

This new Clause creates a new offence of creating serious disruption to road transport infrastructure.

Secretary James Cleverly

Gov NC102

Secretary Alex Chalk

To move the following Clause—

“Damage, disruption etc in course of protest: exclusion of defence of lawful or reasonable excuse

- (1) In section 1 of the Criminal Damage Act 1971 (offence of destroying or damaging property) after subsection (2) insert—
 - “(2A) For the purposes of this section, the fact that the person destroys or damages the property as part of, or in furtherance of, a protest does not constitute a lawful excuse. This subsection does not apply in respect of minor damage to property belonging to a public authority.”
- (2) In section 137 of the Highways Act 1980 (offence of wilfully obstructing highway) after subsection (1) insert—
 - “(1ZA) Where the obstruction causes or is capable of causing serious disruption to two or more individuals or to an organisation, the fact that the

obstruction occurs as part of, or in furtherance of, a protest does not constitute a lawful excuse.

- (1ZB) Section 34 of the Public Order Act 2023 (meaning of serious disruption) applies for the purposes of subsection (1ZA)."
- (3) In section 143 of the Police Reform and Social Responsibility Act 2011 (prohibited activities in part of Parliament Square etc) after subsection (8) insert—
- “(9) The fact that the prohibited activity in question is done as part of, or in furtherance of, a protest does not constitute a reasonable excuse.”
- (4) In section 78 of the Police, Crime, Sentencing and Courts Act 2022 (intentionally or recklessly causing public nuisance) after subsection (3) insert—
- “(3A) The fact that the act is done, or the omission is made, as part of, or in furtherance of, a protest does not constitute a reasonable excuse.”
- (5) In section 1 of the Public Order Act 2023 (offence of locking on) after subsection (2) insert—
- “(2A) The fact that the act is done as part of, or in furtherance of, a protest does not constitute a reasonable excuse.”
- (6) In section 3 of that Act (offence of causing serious disruption by tunnelling)—
- (a) after subsection (2) insert—
- “(2A) The fact that the person creates or participates in the creation of the tunnel as part of, or in furtherance of, a protest does not constitute a reasonable excuse (but this is subject to subsection (3)).”;
- (b) in subsection (3)—
- (i) omit “Without prejudice to the generality of subsection (2),”;
- (ii) for “that subsection” substitute “subsection (2)”.
- (7) In section 4 of that Act (offence of causing serious disruption by presence in tunnel)—
- (a) after subsection (2) insert—
- “(2A) The fact that the person is present in the tunnel as part of, or in furtherance of, a protest does not constitute a reasonable excuse (but this is subject to subsection (3)).”;
- (b) in subsection (3)—
- (i) omit “Without prejudice to the generality of subsection (2),”;
- (ii) for “that subsection” substitute “subsection (2)”.
- (8) In section 6 of that Act (obstruction etc of major transport works) after subsection (2) insert—
- “(2A) The fact that the act mentioned in paragraph (a) or (b) of subsection (1) is done as part of, or in furtherance of, a protest does not constitute a reasonable excuse for the purposes of subsection (2)(a).”

- (9) In section 7 of that Act (interference with use or operation of key national infrastructure) after subsection (2) insert—

“(2A) The fact that the act mentioned in paragraph (a) of subsection (1) is done as part of, or in furtherance of, a protest does not constitute a reasonable excuse for the purposes of subsection (2)(a).”

Member's explanatory statement

This new clause provides that, for certain offences, the fact that an act was done, or omission made, in connection with a protest does not constitute a lawful or reasonable excuse.

Secretary James Cleverly

Gov NC107

Secretary Alex Chalk

To move the following Clause—

“Assault of retail worker

- (1) A person who assaults a retail worker at work commits an offence.
- (2) “A retail worker at work” means a person who is working in or about retail premises for or on behalf of the owner or occupier of the retail premises (or as the owner or occupier of the retail premises).
- (3) In subsection (2)—
 - “retail premises” means—
 - (a) premises used wholly or mainly for the purposes of the sale of anything by retail, or
 - (b) premises used mainly for the purposes of the wholesale of anything, if the premises are also used for the purposes of the sale of anything by retail,
 and here “premises” include a stall or vehicle;

“working” includes doing unpaid work.
- (4) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding the maximum term for summary offences or to a fine (or both).
- (5) In subsection (4), “the maximum term for summary offences” means—
 - (a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales) comes into force, 6 months;
 - (b) if the offence is committed after that time, 51 weeks.
- (6) In section 40 of the Criminal Justice Act 1988 (power to join in indictment count for common assault etc), in subsection (3) after paragraph (ac) insert—
 - “(ad) an offence under section (*Assault of retail worker*) of the Criminal Justice Act 2024 (assault of retail worker);”.

Member's explanatory statement

This new clause creates a new offence of assaulting a retail worker at work.

Secretary James Cleverly

Gov NC108

Secretary Alex Chalk

To move the following Clause—

“Requirements in certain sentences imposed for third or subsequent shoplifting offence

- (1) The Sentencing Code is amended as follows.
- (2) In section 208 (community order: exercise of power to impose particular requirements), in subsections (3) and (6) after “subsection (10)” insert “and sections 208A”.
- (3) After that section insert—

“208A Community order: requirements for third or subsequent shoplifting offence

- (1) This section applies where—
 - (a) a person is convicted of adult shoplifting (“the index offence”),
 - (b) when the index offence was committed, the offender had on at least two previous occasions been sentenced in respect of adult shoplifting or an equivalent Scottish or Northern Ireland offence, and
 - (c) the court makes a community order in respect of the index offence.
- (2) The community order must, subject to subsection (3), include at least one of the following requirements—
 - (a) a curfew requirement;
 - (b) an exclusion requirement;
 - (c) an electronic whereabouts monitoring requirement.
- (3) Subsection (2) does not apply if—
 - (a) the court is of the opinion that there are exceptional circumstances which—
 - (i) relate to any of the offences or the offender, and
 - (ii) justify the court not including any requirement of a kind mentioned in subsection (2), or
 - (b) neither of the following requirements could be included in the order—
 - (i) an electronic compliance monitoring requirement for securing compliance with a proposed curfew requirement or proposed exclusion requirement;
 - (ii) an electronic whereabouts monitoring requirement.

- (4) In subsection (1)(b), the reference to an occasion on which an offender was sentenced in respect of adult shoplifting does not include an occasion if—
- (a) each conviction for adult shoplifting for which the offender was dealt with on that occasion has been quashed, or
 - (b) the offender was re-sentenced for adult shoplifting (and was not otherwise dealt with for adult shoplifting) on that occasion.
- (5) In this section—
- “adult shoplifting” means an offence under section 1 of the Theft Act 1968 committed by a person aged 18 or over in circumstances where—
- (a) the stolen goods were being offered for sale in a shop or any other premises, stall, vehicle or place from which a trade or business was carried on, and
 - (b) at the time of the offence, the offender was, or was purporting to be, a customer or potential customer of the person offering the goods for sale;
- “equivalent Scottish or Northern Ireland offence” means—
- (a) in Scotland, theft committed by a person aged 18 or over in the circumstances mentioned in paragraphs (a) and (b) of the definition of “adult shoplifting”, or
 - (b) in Northern Ireland, an offence under section 1 of the Theft Act (Northern Ireland) 1969 committed by a person aged 18 or over in those circumstances.
- (6) Nothing in subsection (2) enables a requirement to be included in a community order if it could not otherwise be so included.
- (7) Where—
- (a) in a case to which this section applies, a court makes a community order which includes a requirement of a kind mentioned in subsection (2),
 - (b) a previous conviction of the offender is subsequently set aside on appeal, and
 - (c) without the previous conviction this section would not have applied,
- notice of appeal against the sentence may be given at any time within 28 days from the day on which the previous conviction was set aside (despite anything in section 18 of the Criminal Appeal Act 1968).”
- (4) After section 292 insert—
- “292A Suspended sentence order: community requirements for third or subsequent shoplifting offence**
- (1) This section applies where—
- (a) a person is convicted of adult shoplifting (“the index offence”),
 - (b) when the index offence was committed, the offender had on at least two previous occasions been sentenced in respect of adult

- shoplifting or an equivalent Scottish or Northern Ireland offence, and
- (c) the court makes a suspended sentence order in respect of the index offence.
- (2) The suspended sentence order must, subject to subsection (3), impose at least one of the following requirements—
- (a) a curfew requirement;
- (b) an exclusion requirement;
- (c) an electronic whereabouts monitoring requirement.
- (3) Subsection (2) does not apply if—
- (a) the court is of the opinion that there are exceptional circumstances which—
- (i) relate to any of the offences or the offender, and
- (ii) justify the court not imposing on the offender any requirement of a kind mentioned in subsection (2), or
- (b) neither of the following requirements could be imposed on the offender—
- (i) an electronic compliance monitoring requirement for securing compliance with a proposed curfew requirement or proposed exclusion requirement;
- (ii) an electronic whereabouts monitoring requirement.
- (4) Section 208A(4) (occasions to be disregarded) applies for the purposes of subsection (1)(b).
- (5) In this section “adult shoplifting” and “equivalent Scottish or Northern Ireland offence” have the meaning given by section 208A.
- (6) Nothing in subsection (2) enables a requirement to be imposed by a suspended sentence order if it could not otherwise be so imposed.
- (7) Where—
- (a) in a case to which this section applies, a court makes a suspended sentence order which imposes a requirement of a kind mentioned in subsection (2),
- (b) a previous conviction of the offender is subsequently set aside on appeal, and
- (c) without the previous conviction this section would not have applied,
- notice of appeal against the sentence may be given at any time within 28 days from the day on which the previous conviction was set aside (despite anything in section 18 of the Criminal Appeal Act 1968).”

Member's explanatory statement

This new clause imposes a duty (subject to certain exceptions) to impose a curfew requirement, an exclusion requirement or an electronic whereabouts monitoring requirement on certain persons convicted of shoplifting, where the offender is given a community sentence or suspended sentence order.

Secretary James Cleverly

Gov NC109

Secretary Alex Chalk

To move the following Clause—

“Requirements in certain sentences imposed for third assault of retail worker offence

- (1) The Sentencing Code is amended as follows.
- (2) In section 208 (community order: exercise of power to impose particular requirements), in subsections (3) and (6) after “and sections 208B” (inserted by section (*Requirements in certain sentences imposed for third shoplifting offence*) of this Act) insert “and 208B”.
- (3) After sections 208B insert—

“208B Community order: requirements for third or subsequent assault of retail worker offence

- (1) This section applies where—
 - (a) a person is convicted of an offence under section (*Assault of retail worker*) of the Criminal Justice Act 2024 (assault of retail worker) (“the index offence”),
 - (b) when the index offence was committed, the offender had on at least two previous occasions been sentenced in respect of an offence under section (*Assault of retail worker*) of the Criminal Justice Act 2024 committed when the offender was aged 18 or over, and
 - (c) the court makes a community order in respect of the index offence.
- (2) The community order must, subject to subsection (3), include at least one of the following requirements—
 - (a) a curfew requirement;
 - (b) an exclusion requirement;
 - (c) an electronic whereabouts monitoring requirement.
- (3) Subsection (2) does not apply if—
 - (a) the court is of the opinion that there are exceptional circumstances which—
 - (i) relate to any of the offences or the offender, and
 - (ii) justify the court not including any requirement of a kind mentioned in subsection (2), or
 - (b) neither of the following requirements could be included in the order—
 - (i) an electronic compliance monitoring requirement for securing compliance with a proposed curfew requirement or proposed exclusion requirement;
 - (ii) an electronic whereabouts monitoring requirement.

- (4) Nothing in subsection (2) enables a requirement to be included in a community order if it could not otherwise be so included.”
- (4) After section 292A (inserted by section (*Requirements in certain sentences imposed for third shoplifting offence*) of this Act) insert—

“292B Suspended sentence order: community requirements for third or subsequent assault of retail worker offence

- (1) This section applies where—
- (a) a person is convicted of an offence under section (*Assault of retail worker*) of the Criminal Justice Act 2024 (assault of retail worker) (“the index offence”),
 - (b) when the index offence was committed, the offender had on at least two previous occasions been sentenced in respect of an offence under section (*Assault of retail worker*) of the Criminal Justice Act 2024 committed when the offender was aged 18 or over, and
 - (c) the court makes a suspended sentence order in respect of the index offence.
- (2) The suspended sentence order must, subject to subsection (3), impose at least one of the following requirements—
- (a) a curfew requirement;
 - (b) an exclusion requirement;
 - (c) an electronic whereabouts monitoring requirement.
- (3) Subsection (2) does not apply if—
- (a) the court is of the opinion that there are exceptional circumstances which—
 - (i) relate to any of the offences or the offender, and
 - (ii) justify the court not imposing on the offender any requirement of a kind mentioned in subsection (2), or
 - (b) neither of the following requirements could be imposed on the offender—
 - (i) an electronic compliance monitoring requirement for securing compliance with a proposed curfew requirement or proposed exclusion requirement;
 - (ii) an electronic whereabouts monitoring requirement.
- (4) Nothing in subsection (2) enables a requirement to be imposed by a suspended sentence order if it could not otherwise be so imposed.””

Member's explanatory statement

This new clause imposes a duty (subject to certain exceptions) to impose a curfew requirement, an exclusion requirement or an electronic whereabouts monitoring requirement on certain persons convicted of an offence under NC107, where the offender is given a community sentence or suspended sentence order.

Secretary James Cleverly

Gov NC110

Secretary Alex Chalk

To move the following Clause—

“Criminal behaviour orders: assault of retail worker

- (1) After section 331 of the Sentencing Code (power to make criminal behaviour order) insert—

“331A Duty to make order: assault of retail worker

- (1) This section applies where—
- (a) section 331 applies,
 - (b) the offence mentioned in subsection (1)(a) of that section is under section (*Assault of retail worker*) of the Criminal Justice Act 2024 (assault of retail worker),
 - (c) the offender is aged 18 or over at the time the prosecution makes the application mentioned in subsection (1)(b) of that section, and
 - (d) the court does not impose a custodial sentence or make a youth rehabilitation order, a community order, or a suspended sentence order in respect of—
 - (i) the offence,
 - (ii) any other offence of which the offender is convicted by or before it, or
 - (iii) any other offence for which it deals with the offender.
- (2) Section 331 applies as if for subsections (2) and (3) of that section there were substituted—
- “(2) Subject to subsection (3), the court must, in addition to dealing with the offender for the offence, make a criminal behaviour order against the offender.
- (3) Subsection (2) does not apply if—
- (a) the court is of the opinion that there are exceptional circumstances which—
 - (i) relate to the offence or the offender, and
 - (ii) justify not making a criminal behaviour order, or
 - (b) the court makes an order for absolute discharge under section 79 in respect of the offence.”

(3) Section 332 applies as if for subsection (1) of that section there were substituted—

“(1) For the purpose of forming an opinion as to whether there are exceptional circumstances as mentioned in subsection (3)(a) of section 331 (as modified by subsection (2) of section 331A), the court may consider evidence led by the prosecution and evidence led by the offender.””

Member's explanatory statement

This new clause imposes a duty on the court to make a criminal behaviour order where a person has been convicted of an offence under NC107 and the prosecution has made an application to the court for a criminal behaviour order to be made, unless the court is of the opinion that there are exceptional circumstances which relate to the offence or the offender which justify not making an order.

Secretary James Cleverly
Secretary Alex Chalk

Gov NC111

To move the following Clause—

“Guidance

- (1) The Secretary of State—
 - (a) must issue guidance about the exercise of nuisance rough sleeping functions;
 - (b) may from time to time revise the guidance.
- (2) The guidance must in particular contain guidance about the provision, before an authorised person exercises a nuisance rough sleeping function in respect of a person, of support services information to the person.
- (3) “Support services information” means information about support services available to persons who are sleeping rough (or who would or might otherwise sleep rough).
- (4) An authorised person must have regard to guidance issued under this section when exercising a nuisance rough sleeping function.
- (5) The Secretary of State must—
 - (a) publish guidance (including any revised guidance) issued under this section, and
 - (b) lay before Parliament a copy of guidance (including any revised guidance) issued under this section.
- (6) In this section—
 - “authorised person” has the meaning given by section 59;
 - “nuisance rough sleeping function” means a function of an authorised person under any of sections 59 to 69.”

Member's explanatory statement

This new clause (expected to be added after Clause 69) imposes a duty to issue guidance about the exercise of nuisance rough sleeping functions, and requires authorised persons to have regard to the guidance.

Secretary James Cleverly
Secretary Alex Chalk

Gov NC112

To move the following Clause—

“Commencement of repeal of Vagrancy Act 1824

- (1) Section 208 of the Police, Crime, Sentencing and Courts Act 2022 (commencement) is amended as follows.
- (2) In subsection (1) for “and (5)” substitute “to (5A)”.
- (3) After subsection (5) insert—
 - “(5A) Section 81 (repeal of Vagrancy Act 1824 etc) comes into force when sections 46 to 72 of the Criminal Justice Act 2024 come into force.”

Member's explanatory statement

This new clause provides that section 81 of the Police, Crime, Sentencing and Courts Act 2022 (which repeals the Vagrancy Act 1824, and makes amendments consequential on that repeal) comes into force at the same time as the coming into force of Clauses 46 to 72.

Ms Harriet Harman

NC3

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
 Olivia Blake

Dame Meg Hillier
 Dame Siobhain McDonagh
 Wendy Chamberlain
 Debbie Abrahams
 Ian Mearns
 Mr Jonathan Djanogly
 Mohammad Yasin
 Dame Diana Johnson
 Stella Creasy

Andy Slaughter
 Sir Stephen Timms
 Charlotte Nichols
 Ms Diane Abbott
 John Spellar
 Richard Burgon
 Mr Virendra Sharma
 Paula Barker
 Beth Winter

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

NC4

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
 Olivia Blake

Dame Meg Hillier
 Dame Siobhain McDonagh
 Wendy Chamberlain
 Debbie Abrahams
 Ian Mearns
 Mr Jonathan Djanogly
 Mohammad Yasin
 Dame Diana Johnson
 Stella Creasy

Andy Slaughter
 Sir Stephen Timms
 Charlotte Nichols
 Ms Diane Abbott
 John Spellar
 Richard Burgon
 Mr Virendra Sharma
 Paula Barker
 Beth Winter

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**NC5**

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
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 Olivia Blake

Dame Meg Hillier
 Dame Siobhain McDonagh
 Wendy Chamberlain
 Debbie Abrahams
 Ian Mearns
 Mr Jonathan Djanogly
 Mohammad Yasin
 Dame Diana Johnson
 Stella Creasy

Andy Slaughter
 Sir Stephen Timms
 Charlotte Nichols
 Ms Diane Abbott
 John Spellar
 Richard Burgon
 Mr Virendra Sharma
 Paula Barker
 Beth Winter

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

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
 Olivia Blake

Dame Meg Hillier
 Dame Siobhain McDonagh
 Wendy Chamberlain
 Debbie Abrahams
 Ian Mearns
 Mr Jonathan Djanogly
 Mohammad Yasin
 Dame Diana Johnson
 Stella Creasy

Andy Slaughter
 Sir Stephen Timms
 Charlotte Nichols
 Ms Diane Abbott
 John Spellar
 Richard Burgon
 Mr Virendra Sharma
 Paula Barker
 Beth Winter

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.””

Bob Blackman

NC10

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Derek Thomas
Ben Lake
Mrs Natalie Elphicke
Helen Morgan
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Jo Gideon
Caroline Nokes
Nadia Whittome
Debbie Abrahams
Charlotte Nichols
Lloyd Russell-Moyle
Caroline Lucas
Liz Saville Roberts
Bell Ribeiro-Addy
Dame Caroline Dinenage
Sir David Davis
Peter Dowd
Apsana Begum
Sarah Owen
Olivia Blake

Stephen Hammond
Kim Johnson
Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Hywel Williams
Sir Robert Neill
Stella Creasy
Sir Robert Buckland
Jess Phillips
Rebecca Long Bailey
Margaret Greenwood

To move the following Clause—

“Implementation of section 81 of the Police, Crime, Sentencing and Courts Act 2022

The Secretary of State must by regulations appoint a day no later than two months following Royal Assent to this Act for the coming into force of section 81 of the Police, Crime, Sentencing and Courts Act 2022.”

Member's explanatory statement

This new clause would introduce a commencement provision for the repeal of the Vagrancy Act 1824.

Bob Blackman

NC11

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Derek Thomas
Ben Lake
Mrs Natalie Elphicke
Sir David Davis
Peter Dowd
Apsana Begum
Sarah Owen
Olivia Blake

Jo Gideon
Caroline Nokes
Nadia Whittome
Debbie Abrahams
Charlotte Nichols
Lloyd Russell-Moyle
Caroline Lucas
Liz Saville Roberts
Bell Ribeiro-Addy
Dame Caroline Dinenege
Sir Robert Buckland
Jess Phillips
Rebecca Long Bailey
Margaret Greenwood

Stephen Hammond
Kim Johnson
Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Hywel Williams
Sir Robert Neill
Stella Creasy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

To move the following Clause—

“Use of anti-social behaviour powers in respect of begging and sleeping rough

- (1) The Secretary of State must, within two months of Royal Assent to this Act, issue guidance to local authorities and police forces regarding the use of powers relating to anti-social behaviour in—
 - (a) this Act; and
 - (b) the Anti-social Behaviour, Crime and Policing Act 2014.
- (2) Guidance issued under subsection (1) must state that—
 - (a) the following principles are to be applied in the exercise of powers under the Acts referred to in subsection (1)—
 - (i) begging or sleeping rough does not in itself amount to action causing harassment, alarm or distress (in the absence of other factors);
 - (ii) begging or sleeping rough does not in itself amount to unreasonable conduct (in the absence of other factors);
 - (iii) policing and other enforcement action should balance protection of the community with sensitivity to the problems that cause people to engage in begging or sleeping rough; and
 - (iv) the powers contained in the Acts referred to in subsection (1) should not in general be used in relation to people sleeping rough, and should be used in relation to people begging only where no other approach is reasonably available;
 - (b) a constable or other person exercising functions under the Acts referred to in subsection (1), or considering whether to exercise such functions, in connection with a person who has been, or may have been, involved in begging or sleeping rough, must consider whether the person could be referred to public authorities, or charitable or other persons, for

help in addressing the problems that cause them to be involved in begging or sleeping rough.

- (3) Local authorities and police forces must—
 - (a) have regard to the guidance issued under subsection (1); and
 - (b) take reasonable steps to provide education and training to their employees and officers designed to ensure consistent and effective application of the principles outlined in subsection (2).
- (4) Before issuing or revising guidance under subsection (1) the Secretary of State must consult—
 - (a) representatives of police forces;
 - (b) representatives of local authorities; and
 - (c) persons representing the interests of homeless persons.
- (5) For the purposes of this section—

“begging” means asking for gifts on streets or in other public places (for which purpose it is immaterial whether gifts are of money or in kind, whether they are expressed as gifts or as loans, or whether a person asks expressly or impliedly), by displaying receptacles for donations or otherwise, but does not include soliciting donations to a registered charity with the express written authority of that charity or accepting voluntary gifts offered by any person without prior request;

“registered charity” means a charity registered under section 30 of the Charities Act 2011, or exempted or excepted from registration under or by virtue of that section; and

“sleeping rough” means sleeping (or making preparations to sleep, or possessing bedding or other equipment for the purpose of sleeping) on streets or in other public places, or in places or structures not designed for human habitation.”

Member's explanatory statement

This new clause would require the Government to issue guidance on the use of powers relating to anti-social behaviour under this Act and the Anti-social Behaviour, Crime and Policing Act 2014.

Alex Norris

NC17

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

NC20

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

NC21

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

NC22

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 Norris

NC23

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.
- (2) Any chief officer who fails to establish an anti-social behaviour lead officer for each neighbourhood must produce and publish a report to the Secretary of State outlining—
 - (a) the reasons for the chief officer’s decision not to establish an anti-social behaviour lead officer for each neighbourhood;
 - (b) how anti-social behaviour offences are to be investigated in the absence of lead officers;
 - (c) what training and guidance is given to officers on the investigation of anti-social behaviour offences.”

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.

Carolyn Harris

NC27

To move the following Clause—

“Referral to diversion programmes

Any person issued with—

- (a) a nuisance begging direction (under section 46);
- (b) a nuisance begging prevention notice (under section 47);
- (c) a nuisance begging prevention order (under section 51);
- (d) a nuisance rough sleeping direction (under section 59);
- (e) a nuisance rough sleeping prevention notice (under section 60); or
- (f) a nuisance rough sleeping prevention order (under section 64)

must be provided by the serving authority with information on available pre-court diversion programmes relevant to the person’s needs.”

Jess Phillips

NC51

Apsana Begum
Olivia Blake

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

Amendment to ensure all allegations of Police Perpetrated Domestic abuse are treated either as a recordable police complaint or as a recordable conduct matter.

Jess Phillips

NC52

Apsana Begum
Olivia Blake

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

To ensure police staff have the same right to make a complaint of domestic abuse against a member of their force as public.

Jess Phillips

NC53

Apsana Begum
Olivia Blake

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.”

Jess Phillips

NC54

Apsana Begum

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.

Alex Norris

NC63

To move the following Clause—

“Low-value shoplifting

In the Anti-Social Behaviour, Crime and Policing Act 2014, leave out section 176 (low-value shoplifting).”

Alex Norris

NC105

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.”

Mary Robinson

NC113

To move the following Clause—

“Whistleblowing: serious crime

- (1) Whistleblowing is defined for the purposes of this section as any disclosure of information suggesting that, in the reasonable opinion of the whistleblower, a serious crime—
 - (a) has occurred,
 - (b) is occurring, or
 - (c) is likely to occur.
- (2) The Secretary of State must, within twelve months of the date of Royal Assent to this Act, set up an office to receive reports of whistleblowing as defined in subsection (1) to be known as the Office for Whistleblowers.
- (3) The Office for Whistleblowers must—
 - (a) protect whistleblowers from detriment resulting from their whistleblowing,
 - (b) ensure that disclosures by whistleblowers are investigated, and

- (c) escalate information and evidence of wrongdoing outside of its remit to another appropriate authority.
- (4) The objectives of the Office for Whistleblowers are—
 - (a) to encourage and support whistleblowers to make whistleblowing reports,
 - (b) to provide an independent, confidential and safe environment for making and receiving whistleblowing information,
 - (c) to provide information and advice on whistleblowing, and
 - (d) to act on evidence of detriment to the whistleblower in line with guidance set out by the Secretary of State in regulations.
- (5) The Office for Whistleblowers must report annually to Parliament on the exercise of its duties, objectives and functions.
- (6) The Secretary of State must, within twelve months of the date of Royal Assent to this Act, set up an office to receive reports of whistleblowing as defined in subsection (1) to be known as the Office for Whistleblowers.
- (7) The Office for Whistleblowers must—
 - (a) protect whistleblowers from detriment resulting from their whistleblowing,
 - (b) ensure that disclosures by whistleblowers are investigated, and
 - (c) escalate information and evidence of wrongdoing outside of its remit to another appropriate authority.
- (8) The objectives of the Office for Whistleblowers are—
 - (a) to encourage and support whistleblowers to make whistleblowing reports,
 - (b) to provide an independent, confidential and safe environment for making and receiving whistleblowing information,
 - (c) to provide information and advice on whistleblowing, and
 - (d) to act on evidence of detriment to the whistleblower in line with guidance set out by the Secretary of State in regulations.
- (9) The Office for Whistleblowers must report annually to Parliament on the exercise of its duties, objectives and functions.”

Mary Robinson

NC114

To move the following Clause—

“Convictions based on whistleblowing evidence: reporting

- (1) The Secretary of State must, within 12 months of the date of Royal Assent to this Act and annually thereafter, produce a report on the number of criminal convictions secured in the previous 12 months on the basis, in whole or in part, of the evidence of whistleblowers.
- (2) The annual report mentioned in subsection (1) must set out an updated strategy for encouraging whistleblowers to give evidence in the future.”

Sir Robert Buckland

NC116

To move the following Clause—

“Remand of juveniles in police detention

- (1) Within six months of the date of Royal Assent to this Act, the Secretary of State must bring forward regulations to align the requirements for remanding juveniles in police detention with the requirements for remanding juveniles in court custody.
- (2) Regulations made under this section must be approved by resolution of each House of Parliament.”

Alicia Kearns

NC117

Lloyd Russell-Moyle

To move the following Clause—

“Conversion practices: prohibition

- (1) A person (“P”) commits an offence if they—
 - (a) offer, administer, or take payment for conversion practices,
 - (b) offer, provide, or take payment for materials to be used in the conducting of conversion practices,
 - (c) advertise, or take payment for advertising, conversion practices, or
 - (d) assist or encourage another person to undertake any of the actions listed in this subsection.
- (2) For the purposes of this section—

“conversion practices” means any conduct or activities carried out with the predetermined intent to change, replace, or negate an individual’s actual or presumed sexual orientation or transgender identity (or lack thereof),

“presumed” has the same meaning as in the Sentencing Act 2020,

“sexual orientation” has the same meaning as in the Sentencing Act 2020,

“transgender identity” has the same meaning as in the Sentencing Act 2020.
- (3) An offence is committed under subsection (1) only where the activity referred to in subsection (1) is—
 - (a) carried out in England and Wales; or
 - (b) done in relation to a person located in England and Wales.
- (4) A person who commits an offence under this section is liable on an either way conviction to a fine not exceeding level 5 on the standard scale.
- (5) No proceeding may be brought for an offence under this section except by or with the consent of the Director of Public Prosecutions.
- (6) No offence is committed—

- (a) where a person expresses—
 - (i) a religious or other belief, provided that it is not directed to an individual as part of a conversion practice,
 - (ii) to another person their disapproval of, or acceptance of, that person’s sexual orientation or transgender identity or lack thereof;
- (b) by a person exercising parental responsibility for a child in England and Wales in accordance with the Children Act 1989;
- (c) by a health practitioner taking an action in the course of providing a health service, provided that—
 - (i) the health practitioner is a member of a body overseen or accredited by Professional Standards Authority for Health and Social Care and complies with their regulatory and professional standards, and
 - (ii) the health practitioner did not commence the health service with the predetermined intention of changing, replacing, or negating an individual’s actual or presumed sexual orientation or transgender identity (or lack thereof);
- (d) by a person providing assistance to another individual who is undergoing a regulated course of medical treatment or therapy; or
- (e) by a person who, other than as part of a conversion practice, facilitates or offers support to a person who is—
 - (i) exploring or questioning their sexual orientation or transgender identity or lack thereof, or
 - (ii) seeking to develop coping skills in relation to their sexual orientation or transgender identity or lack thereof.”

Secretary James Cleverly

Gov NS2

Secretary Alex Chalk

To move the following Schedule—

“SCHEDULE

Section (Duty to report child sex offences)

DUTY TO REPORT CHILD SEX OFFENCES: CHILD SEX OFFENCES AND FURTHER RELEVANT ACTIVITIES

PART 1

CHILD SEX OFFENCES

- 1 An offence under any of—
 - (a) section 1 of the Protection of Children Act 1978 (taking etc indecent photograph of child);
 - (b) section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of child);
 - (c) the following provisions of the Sexual Offences Act 2003—

- (i) sections 5 to 8 (rape and other offences against children under 13);
 - (ii) sections 9 to 15A (other child sex offences);
 - (iii) sections 16 to 19 (abuse of position of trust);
 - (iv) sections 25 and 26 (familial child sex offences);
 - (v) sections 47 to 50 (sexual exploitation of children);
 - (d) section 62 of the Coroners and Justice Act 2009 (possession of prohibited image of child).
- 2 An offence under any of the following provisions of the Sexual Offences Act 2003 where the victim, or intended victim, was aged under 18—
- (a) sections 1 to 4 (rape, assault and causing sexual activity without consent);
 - (b) sections 30 to 41 (sexual offences relating to persons with mental disorder);
 - (c) sections 57 to 59A (trafficking);
 - (d) sections 61 to 63 (preparatory offences);
 - (e) sections 66 to 67A (exposure and voyeurism).
- 3 An inchoate offence (within the meaning given by section 398 of the Sentencing Code) in relation to an offence referred to in paragraph 1 or 2.
- 4 An offence under the law of Scotland, Northern Ireland or any country or territory outside the United Kingdom which would be an offence referred to in a preceding provision of this Part of this Schedule if the conduct constituting the offence occurred in England and Wales.

PART 2

FURTHER RELEVANT ACTIVITIES

- 5 Engaging in the provision of a service to a child under, or pursuant to anything done under—
- (a) any of sections 8 to 10 of the Employment and Training Act 1973, or
 - (b) section 68, 70(1)(b) or 74 of the Education and Skills Act 2008,
- if that involves looking after the child on an individual basis.
- 6 Activities of a person in the exercise of functions of a local authority under section 20 or 21 of the Children Act 1989, if the person has regular unsupervised contact with the child concerned in the course of those activities.
- 7 Activities of a person relating to them reporting to the court under section 7 of the Children Act 1989 on matters relating to the welfare of a child, if the person has regular unsupervised contact with the child in the course of those activities.
- 8 Activities of a person in connection with a placement under section 22C(5) of the Children Act 1989, if the person looks after the child concerned on an individual basis in the course of those activities.

- 9 Activities of a person in connection with providing a child with, or maintaining a child in, suitable accommodation under section 23B(8)(b) of the Children Act 1989, if the person looks after the child on an individual basis in the course of those activities.
- 10 Acting as a personal advisor for a child under section 23B(2) of, or paragraph 19C of Schedule 2 to, the Children Act 1989, if that involves looking after the child on an individual basis when so acting.
- 11 Activities of a person in connection with the provision of accommodation for a child by a voluntary organisation under section 59 of the Children Act 1989, if the person looks after the child concerned on an individual basis in the course of those activities.
- 12 Activities of a person in the exercise of functions conferred by virtue of a care order, supervision order or education supervision order, if the person looks after the child concerned on an individual basis in the course of those activities.
- 13 Activities of a person so far as acting as—
- (a) an officer appointed for a child under section 41(1) of the Children Act 1989,
 - (b) a guardian of a child appointed under rule 6 or rule 18 of the Adoption Rules 1984 (S.I. 1984/265),
 - (c) a guardian ad litem of a child appointed under rule 9.5 of the Family Proceedings Rules 1991 (S. I. 1991/1247), or
 - (d) a guardian of a child appointed under rule 59 of the Family Procedure (Adoption) Rules 2005 (S.I. 2005/2795) or rule 16.3(1)(ii) or rule 16.4 of the Family Procedure Rules 2010 (S.I. 2010/2955),
- if the person has regular unsupervised contact with the child in the course of those activities.
- 14 Activities of a person pursuant to requirements imposed on a child—
- (a) by or under an enactment on the child's release from detention for a criminal offence, or
 - (b) by a court order made in criminal proceedings,
- if the person looks after the child on an individual basis in the course of those activities.
- 15 Activities of a constable of a relevant police force carried out in connection with their holding of that office.
- 16 For the purposes of this Part of this Schedule, a person (A) looks after another person (B) on an individual basis if—
- (a) A is regularly involved in caring for, training or supervising B, and
 - (b) in the course of A's involvement, A has regular unsupervised contact with B.
- 17 In this Part of this Schedule—
- "care order" has the same meaning as in the Children Act 1989;
 - "child" has the same meaning as in section (*Duty to report child sex offences*);

“education supervision order” has the meaning given by section 36 of the Children Act 1989;

“regular unsupervised contact” means regular unsupervised contact that is face to face or by any other means;

“relevant police force” means—

- (a) a police force maintained for a police area in England;
- (b) the British Transport Police Force;
- (c) the Ministry of Defence police.

“supervision order” has the meaning given by section 31(11) of the Children Act 1989.”

Member's explanatory statement

This new Schedule specifies child sex offences and further relevant activities for the purposes of NC65.

Secretary James Cleverly

Gov NS3

Secretary Alex Chalk

To move the following Schedule—

“SCHEDULE

SEX OFFENDERS NOTIFICATION REQUIREMENTS: MINOR AND CONSEQUENTIAL AMENDMENTS

- 1 The Sexual Offences Act 2003 is amended as follows.
- 2 (1) Section 84 (notification requirements: changes) is amended as follows.
 - (2) In subsection (1)—
 - (a) omit paragraph (a);
 - (b) before paragraph (b) insert—
 - “(aa) their using a name which has not been notified to the police under section 83(1), section 83A, this subsection, or section 2 of the Sex Offenders Act 1997;”;
 - (c) in the words after paragraph (d) omit “that name,”.
 - (3) In subsection (2), omit “the name is used,”.
- 3 In section 85 (periodic notification)—
 - (a) in subsection (1), after “under section” insert “83A or”;
 - (b) in subsection (2)(b), after “83(1)” insert “, 83A”;
 - (c) in subsection (6), as inserted by section 142(9) of the Criminal Justice and Immigration Act 2008, after “83(1)” insert “, 83A”.
- 4 In the heading to section 85A (notification requirements: absence from notified address), at the end insert “(Northern Ireland)”.
- 5 (1) Section 87 (method of notification and related matters) is amended as follows—

- (2) In subsection (1)—
 - (a) for “84(1) or 85(1)” substitute “83A, 84, 85(1), 85ZA or 86B”;
 - (b) after paragraph (b) insert “(subject to section 87A)”.
 - (3) In subsection (2A), for “84(1) or 85(1)” substitute “83A, 84, 85(1), 85ZA or 86B”.
 - (4) In subsection (4), for “84(1) or 85(1)” substitute “83A, 84, 85(1), 85ZA or 86B in accordance with this section”.
- 6 In section 88 (interpretation of section 87)—
- (a) in the heading, for “Section 87” substitute “Sections 87 and 87A”;
 - (b) in subsection (1) for “section 87” substitute “sections 87 and 87A”.
- 7 In section 88I(2) (discharge from indefinite notification requirements in England and Wales or Northern Ireland has effect in Scotland) for the words from “legislation which” to the end substitute—
- “(a) sections 91A to 91F (discharge from indefinite notification requirements in England and Wales);
 - (b) Schedule 3A (discharge from indefinite notification requirements in Northern Ireland).”
- 8 (1) Section 91 (offences relating to notification) is amended as follows—
- (2) In subsection (1)—
 - (a) in paragraph (a)—
 - (i) after “83(1)” insert “83A(1), (2), (5) or (7)(b),”;
 - (ii) after “85(1),” insert “85ZA(2) or (6), 86B(1), (2) or (7)(b),”;
 - (iii) after “87(4)” insert “, 87A(11)”;
 - (b) in paragraph (b)—
 - (i) after “83(1),” insert “83A(1), (2) or (5),”;
 - (ii) for “or 85(1),” substitute “, 85(1), 85ZA(2) or (6) or 86B(1) or (2)”.
 - (3) For subsection (2) substitute—
 - “(2) 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).”.
 - (4) In subsection (3), for “84(1) or 85(1)” substitute “83A(1), (2) or (5), 84(1), 85(1), 85ZA(2) or (6) or 86B(1) or (2)”.
- 9 (1) Section 91A (review of indefinite notification requirements: qualifying relevant offender) is amended as follows.
- (2) In subsection (2) after “review” insert “or the relevant chief officer of police begins an own motion review”.
 - (3) In subsections (4) and (5), after “under section” insert “83A,”.

- (4) In subsection (7) after “review” insert “or the relevant chief officer of police begins an own motion review”.
- 10 (1) Section 91B (review of indefinite notification requirements: application for review and qualifying dates) is amended as follows.
- (2) In subsection (3)—
- (i) for “makes” substitute “last made”;
 - (ii) after “91C” insert “or 91EB”.
- (3) In subsection (4), after “91C” insert “or 91EB”.
- (4) In subsection (6)—
- (i) for “applies” substitute “applied when the relevant chief officer of police last made a determination under section 91C or 91EB”;
 - (ii) after “period” insert “then”.
- (5) In subsection (10), after “83,” insert “83A,”.
- 11 In section 91E, in the heading, at the end insert “against determinations under section 91C”.
- 12 In section 91F (guidance), at the end of subsection (1) insert “or own motion reviews”.
- 13 In section 94 (Part 2: supply of information to Secretary of State etc. for verification), in subsection (1)—
- (a) in the words before paragraph (a), omit “notified to the police under”;
 - (b) for paragraph (a) substitute—
 - “(a) notified to the police under section 83, 83A, 84, 85, 85ZA or 86B,”;
 - (c) after paragraph (a) insert—
 - “(aa) notified to the police in accordance with a requirement imposed by regulations under section 86,”;
 - (d) in paragraph (b) before “section” insert “notified to the police under”;
 - (e) after paragraph (b) insert “, or
 - (c) provided in, or in a document accompanying, an application to the police under section 93C(1).”
- 14 In section 122F (sexual risk orders and interim sexual risk orders: notification requirements), after subsection (4) insert—
- “(5) Section 87A (alternative method of notification) applies for the purposes of a notification under subsection (3) as it applies for the purposes of the notifications mentioned in section 87A(1) and (2).”
- 15 In section 133(1) (interpretation of Part 2) after the definition of “order for conditional discharge” insert—
- ““own motion review” has the meaning given by section 91A(1A);”.

- 16 In section 138 of the Sexual Offences Act 2003 (orders and regulations), in subsection (2)—
- (a) after “86,” insert “section 86B(5) or (9),”;
 - (b) after “section 86B(5) or (9),” (inserted by paragraph (a)) insert “section 93B(7), section 93C(5)(a),”;
 - (c) after “section 93C(5)(a),” (inserted by paragraph (b)) insert “section 93H,”.
- 17 In paragraph 8(2) of Schedule 3A (discharge from indefinite notification requirements in England and Wales or Scotland has effect in Northern Ireland) for the words from “legislation which” to the end substitute—
- “(a) sections 91A to 91F (discharge from indefinite notification requirements in England and Wales);
 - (b) sections 88A to 88H (discharge from indefinite notification requirements in Scotland).”

Member's explanatory statement

This new Schedule makes provision consequential on new Clauses NC78 to NC84.

Secretary James Cleverly

Gov NS5

Secretary Alex Chalk

To move the following Schedule—

“SCHEDULE

Section (War memorials)

SPECIFIED WAR MEMORIALS

PART 1

WAR MEMORIALS

- 1 Arcade of Former Archbishops Palace, York (including the walls and railings under the arches of the Arcade).
- 2 Arch of Remembrance, Leicester.
- 3 Cenotaph, Whitehall, London.
- 4 Charles Church, Plymouth (being the entire derelict structure of that church).
- 5 Chatham Naval War Memorial.
- 6 Edith Cavell Memorial, St Martin’s Place, London.
- 7 Eleanor Cross, Sledmere.
- 8 Hall of Memory, Centenary Square, Birmingham.
- 9 Guards Memorial, Horse Guards Parade, London.
- 10 Liverpool Cenotaph.
- 11 Merchant Navy Memorial, Tower Hill, London.

- 12 Plymouth Naval War Memorial.
- 13 Port Sunlight War Memorial.
- 14 Portsmouth Naval War Memorial.
- 15 Preston War Memorial.
- 16 The Response, Newcastle upon Tyne.
- 17 Rochdale Cenotaph.
- 18 Royal Artillery Memorial, Hyde Park Corner, London.
- 19 Southampton Cenotaph.
- 20 Spalding War Memorial.
- 21 Statue of Captain Albert Ball, Nottingham Castle Gardens, Nottingham.
- 22 Town and County War Memorial, Northampton.
- 23 Wagoners' Memorial, Sledmere.
- 24 Ely War Memorial (and the wall in which it is situated, extending east from the Almonry to the west end of No. 2 Fore Hill).

PART 2

PARTS OF WAR MEMORIALS

- 25 The external walls and roof of Alcester Town Hall, and any fixtures attached to any of those walls or that roof."

Member's explanatory statement

This new Schedule specifies war memorials for the purposes of the offence under new Clause NC100.

Sir David Davis

64

Philip Davies
Richard Fuller
Greg Smith
Julian Sturdy
Kevin Foster

Henry Smith
Chloe Smith
Caroline Lucas
Chris Green
Sammy Wilson
Priti Patel
Adam Holloway
Liz Saville Roberts

Sir Jacob Rees-Mogg
Sir Desmond Swayne
Gordon Henderson
Wera Hobhouse
Danny Kruger
Damian Green
Dame Andrea Jenkyns
Adam Afriyie

Stephen McPartland
Ian Paisley
Andrew Rosindell
Sally-Ann Hart
Sir Liam Fox
Holly Mumby-Croft
Apsana Begum

Secretary James Cleverly

Gov 71

Secretary Alex Chalk

Clause 24, page 26, line 6, leave out “police officer of at least the rank of inspector” and insert “constable whose rank is at least that of inspector (a “senior officer”)”

Member's explanatory statement

This is a drafting change.

Sir David Davis

65

Philip Davies
Richard Fuller
Greg Smith
Julian Sturdy
Kevin Foster

Henry Smith
Chloe Smith
Caroline Lucas
Chris Green
Sammy Wilson
Priti Patel
Adam Holloway
Liz Saville Roberts

Sir Jacob Rees-Mogg
Sir Desmond Swayne
Gordon Henderson
Wera Hobhouse
Danny Kruger
Damian Green
Dame Andrea Jenkyns
Adam Afriyie

Stephen McPartland
Ian Paisley
Andrew Rosindell
Sally-Ann Hart
Sir Liam Fox
Holly Mumby-Croft
Apsana Begum

Page 28, line 11, leave out Clause 25

Alex Norris

31

Clause 27, page 33, line 22, at end insert—

“(4) The Secretary of State must lay an annual report before Parliament providing information on the use of the powers introduced by this section.”

Member's explanatory statement

This amendment would require the Secretary of State to publish a report on the police’s use of the new powers giving them access to driver license records.

Secretary James Cleverly

Gov 113

Secretary Alex Chalk

Clause 40, page 43, line 33, at end insert—

“(1A) In Schedule 4 to the Proceeds of Crime Act 2002 (criminal lifestyle offences: Scotland), after paragraph 9F insert—

“Offences relating to things used in serious crime or vehicle theft

9G (1) An offence under section 1 of the Criminal Justice Act 2024 (articles for use in serious crime).

(2) An offence under section 3 of the Criminal Justice Act 2024 (electronic devices for use in vehicle theft).”

Member's explanatory statement

This amendment adds the offences created by clauses 1 and 3 of the Bill to the offences listed in Schedule 4 to the Proceeds of Crime Act 2002 (criminal lifestyle offences: Scotland).

Secretary James Cleverly

Gov 72

Secretary Alex Chalk

Clause 44, page 51, line 31, at end insert—

“15ZA Court to specify authority to whom notifications are to be given

(1) A serious crime prevention order must specify a person listed in subsection (2) to whom any notifications under sections 15A to 15E are to be given.

(2) Those persons are—

(a) in the case of an order made in England and Wales, a person listed in section 8(1)(a);

(b) in the case of an order made in Northern Ireland, a person listed in section 8(1C)(a).

(3) In this Part, references to a “specified authority” are to a person specified under subsection (1).”

Member's explanatory statement

This amendment inserts a requirement that a serious crime prevention order specify an authority to whom notifications under new sections 15A to 15E are to be given.

Secretary James Cleverly

Gov 73

Secretary Alex Chalk

Clause 44, page 51, line 32, leave out “notifying police” and insert “notification”

Member's explanatory statement

This amendment omits the reference to notifying the police from the heading of new section 15A. It is consequential on the amendments to section 15A which provide that notifications are to be made to a specified authority.

Secretary James Cleverly

Gov 74

Secretary Alex Chalk

Clause 44, page 51, line 39, leave out “police” and insert “specified authority”

Member's explanatory statement

This amendment recognises that authorities other than the police may be responsible for monitoring compliance with a serious crime prevention order.

Secretary James Cleverly

Gov 75

Secretary Alex Chalk

Clause 44, page 51, line 39, after “body” insert “in relation to the body’s compliance with the order”

Member's explanatory statement

This amendment clarifies that the individual is to be authorised to communicate with the specified authority about the body’s compliance with the order.

Secretary James Cleverly

Gov 76

Secretary Alex Chalk

Clause 44, page 51, line 40, leave out “police” and insert “specified authority”

Member's explanatory statement

This amendment provides for notifications under new section 15A(1) to be provided to the specified authority.

Secretary James Cleverly

Gov 77

Secretary Alex Chalk

Clause 44, page 52, line 15, leave out “notifying police” and insert “notification”

Member's explanatory statement

This amendment omits the reference to notifying the police from the heading of new section 15B. It is consequential on the amendments to new section 15A which provide that notifications are to be made to a specified authority.

Secretary James Cleverly

Gov 78

Secretary Alex Chalk

Clause 44, page 52, line 16, leave out “police” and insert “specified authority”

Member's explanatory statement

This amendment is consequential on the amendments to new sections 15A and 15B which provide that notifications are to be made to a specified authority.

Secretary James Cleverly

Gov 79

Secretary Alex Chalk

Clause 44, page 52, line 17, leave out "police" and insert "authority"

Member's explanatory statement

This amendment and amendment 80 provide that, where a relevant body has notified a specified authority of the name of a point of contact, the body may notify that authority of the name of a replacement point of contact.

Secretary James Cleverly

Gov 80

Secretary Alex Chalk

Clause 44, page 52, line 19, leave out "police" and insert "authority"

Member's explanatory statement

See the explanatory statement to amendment 79.

Secretary James Cleverly

Gov 81

Secretary Alex Chalk

Clause 44, page 52, line 22, leave out "police" and insert "authority"

Member's explanatory statement

This amendment is consequential on the amendments to new sections 15A and 15B which provide for notifications to be made to a specified authority.

Secretary James Cleverly

Gov 82

Secretary Alex Chalk

Clause 44, page 52, line 26, leave out "police" and insert "authority"

Member's explanatory statement

This amendment and amendment 83 provide for a relevant body to notify the specified authority of a replacement point of contact in circumstances where the initial point of contact is no longer able to act in that capacity.

Secretary James Cleverly

Gov 83

Secretary Alex Chalk

Clause 44, page 52, line 27, leave out “police” and insert “authority”

Member's explanatory statement

See the explanatory statement to amendment 82.

Secretary James Cleverly

Gov 84

Secretary Alex Chalk

Clause 44, page 53, leave out lines 1 to 10

Member's explanatory statement

This amendment omits new section 15C, which provided an exception to the notification requirements in sections 15A and 15B in cases where a relevant body is subject to an earlier serious crime prevention order.

Secretary James Cleverly

Gov 85

Secretary Alex Chalk

Clause 44, page 53, line 16, leave out “police” and insert “specified authority”

Member's explanatory statement

This amendment provides for notifications under new section 15D to be made to the specified authority.

Secretary James Cleverly

Gov 86

Secretary Alex Chalk

Clause 44, page 54, line 29, leave out “police” and insert “specified authority”

Member's explanatory statement

This amendment is consequential on the amendment to new section 15D(1).

Secretary James Cleverly

Gov 87

Secretary Alex Chalk

Clause 44, page 54, line 43, leave out “police” and insert “specified authority”

Member's explanatory statement

This amendment is consequential on the amendment to new section 15D(1).

Secretary James Cleverly

Gov 88

Secretary Alex Chalk

Clause 44, page 55, line 9, leave out "police" and insert "specified authority"

Member's explanatory statement

This amendment provides for notifications under new section 15E(1) to be made to the specified authority.

Secretary James Cleverly

Gov 89

Secretary Alex Chalk

Clause 44, page 55, line 16, leave out "police" and insert "specified authority"

Member's explanatory statement

This amendment is consequential on the amendment to new section 15E(1).

Secretary James Cleverly

Gov 90

Secretary Alex Chalk

Clause 44, page 55, line 30, leave out "police" and insert "specified authority"

Member's explanatory statement

This amendment is consequential on the amendment to new section 15E(1).

Secretary James Cleverly

Gov 91

Secretary Alex Chalk

Clause 44, page 56, leave out lines 2 to 5 and insert—

"(1) A requirement to notify information under section 15D or 15E to a specified authority does not apply to a person by virtue of a serious crime prevention order whilst the person is required to notify that information to that authority by virtue of an earlier serious crime prevention order."

Member's explanatory statement

This amendment restricts the breadth of the exemption in section 15F to cases where an individual is subject to multiple serious crime prevention orders and where the specified authority in relation to each order is the same authority.

Secretary James Cleverly

Gov 92

Secretary Alex Chalk

Clause 44, page 56, leave out lines 10 to 17 and insert—

- “(1) Where a person gives a notification to a specified authority under section 15D or 15E the person must, if requested to do so by a constable, allow the constable to do any of the following things for the purpose of verifying the person’s identity—
- (a) take the person’s fingerprints;
 - (b) photograph, or otherwise produce an image of, the person or any part of the person.
- (2) A constable may not exercise the power under subsection (1) unless—
- (a) the specified authority is a chief officer of police, or
 - (b) the constable is requested to do so by the specified authority.”

Member's explanatory statement

This amendment provides that the power in new section 15G to take fingerprints or photographs may only be exercised by a constable, and may not be exercised by a constable unless the specified authority is a chief officer of police (as defined in new subsection (7)) or the constable is requested to do so by the specified authority.

Secretary James Cleverly

Gov 93

Secretary Alex Chalk

Clause 44, page 56, line 37, at end insert—

- “(7) In this section “chief officer of police”—
- (a) in relation to England and Wales, means—
 - (i) the chief officer of police of a police force in England and Wales,
 - (ii) the Chief Constable of the British Transport Police Force, or
 - (iii) the Chief Constable of the Ministry of Defence Police;
 - (b) in relation to Northern Ireland, means—
 - (i) the Chief Constable of the Police Service of Northern Ireland, or
 - (ii) the Chief Constable of the Ministry of Defence Police.”

Member's explanatory statement

This amendment defines “chief officer of police” for the purposes of new subsection (2).

Secretary James Cleverly

Gov 94

Secretary Alex Chalk

Clause 44, page 57, line 15, at end insert—

“(4A) In section 43 (index of defined expressions), in the appropriate place insert—
“specified authority section 15ZA(3)””

Member's explanatory statement

This amendment adds “specified authority” to the index of defined expressions in section 43.

Bob Blackman

2

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
Sir Robert Neill
Peter Dowd
Apsana Begum
Margaret Greenwood

Jo Gideon
Caroline Nokes
Nadia Whittome
Debbie Abrahams
Charlotte Nichols
Lloyd Russell-Moyle
Caroline Lucas
Derek Thomas
Ben Lake
Dame Caroline Dinenage
Jess Phillips
Rebecca Long Bailey
Rachael Maskell

Stephen Hammond
Kim Johnson
Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 59, line 3, leave out Clause 46

Carolyn Harris

42

Clause 46, page 59, line 21, leave out from “writing” to the end of line 22

Carolyn Harris

43

Clause 46, page 59, line 29, leave out subsections (8) and (9)

Bob Blackman

3

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
Sir Robert Neill
Peter Dowd
Apsana Begum
Margaret Greenwood

Jo Gideon
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Nadia Whittome
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Caroline Lucas
Derek Thomas
Ben Lake
Dame Caroline Dinenege
Jess Phillips
Rebecca Long Bailey
Rachael Maskell

Stephen Hammond
Kim Johnson
Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 59, line 34, leave out Clause 47

Carolyn Harris

44

Clause 47, page 60, line 16, leave out paragraph (b)

Carolyn Harris

45

Clause 47, page 60, line 22, leave out subsections (7) and (8)

Bob Blackman

4

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
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Hywel Williams
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Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 60, line 28, leave out Clause 48

Bob Blackman

5

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
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Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 61, line 2, leave out Clause 49

Bob Blackman

6

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
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Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 61, line 27, leave out Clause 50

Carolyn Harris

46

Clause 50, page 62, line 12, leave out paragraph (b)

Bob Blackman

7

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
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Ian Byrne
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Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Apsana Begum
Margaret Greenwood

Page 62, line 15, leave out Clause 51

Carolyn Harris

47

Clause 51, page 62, line 36, leave out subsection (4)

Bob Blackman

8

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
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Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 63, line 1, leave out Clause 52

Bob Blackman

9

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
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Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 64, line 5, leave out Clause 53

Carolyn Harris

48

Clause 53, page 64, line 23, leave out "5 years" and insert "6 months"

Bob Blackman

10

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
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Rachael Maskell

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Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 65, line 1, leave out Clause 54

Bob Blackman

11

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
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Hywel Williams
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Rachael Maskell

Stephen Hammond
Kim Johnson
Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 65, line 32, leave out Clause 55

Bob Blackman

12

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
Sir Robert Neill
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Apsana Begum
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Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 66, line 17, leave out Clause 56

Bob Blackman

13

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
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Stephen Hammond
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Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 66, line 23, leave out Clause 57

Bob Blackman

14

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
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Apsana Begum
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Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Olivia Blake

Page 67, line 26, leave out Clause 58

Bob Blackman

15

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Charlotte Nichols
Lloyd Russell-Moyle
Sir Iain Duncan Smith
Liz Saville Roberts
Sir Robert Neill
Peter Dowd
Bell Ribeiro-Addy
Mrs Sharon Hodgson
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Dame Caroline Dinenage
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Nadia Whittome
Alex Sobel
Caroline Lucas
Derek Thomas
Ben Lake
Will Quince
Beth Winter
Rebecca Long Bailey
Margaret Greenwood

Page 67, line 37, leave out Clause 59

Carolyn Harris

49

Clause 59, page 68, line 24, leave out paragraph (d)

Secretary James Cleverly

Gov 165

Secretary Alex Chalk

Clause 59, page 68, line 24, leave out “it is an offence to fail to comply with the direction” and insert “failure to comply with the direction may lead to the giving of a nuisance rough sleeping prevention notice or the making of a nuisance rough sleeping prevention order”

Member's explanatory statement

This amendment and amendments 166, 167, 168, 170, 171 and 172 make changes to the consequences of a person failing to comply with a nuisance rough sleeping direction, as well as amendments consequential on those changes.

Secretary James Cleverly

Gov 166

Secretary Alex Chalk

Clause 59, page 68, line 29, at end insert—

““nuisance rough sleeping prevention notice”: see section 60;
“nuisance rough sleeping prevention order”: see section 64;”

Member's explanatory statement

See the explanatory statement for amendment 165.

Secretary James Cleverly**Gov 167**Secretary Alex Chalk
Carolyn Harris

Clause 59, page 68, line 31, leave out subsections (8) and (9)

Member's explanatory statement

See the explanatory statement for amendment 165.

Bob Blackman**16**Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine SaxbyJohn Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
Sir Robert Neill
Peter Dowd
Apsana Begum
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Olivia BlakeJo Gideon
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Jess Phillips
Rebecca Long Bailey
Margaret GreenwoodStephen Hammond
Kim Johnson
Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 68, line 36, leave out Clause 60

Secretary James Cleverly**Gov 168**

Secretary Alex Chalk

Clause 60, page 68, line 40, after "or" insert—

“(ii) P contravened a nuisance rough sleeping direction,”

Member's explanatory statement

See the explanatory statement for amendment 165.

Secretary James Cleverly**Gov 169**

Secretary Alex Chalk

Clause 60, page 69, line 3, at end insert—

- “(c) the authorised person had intended to give P a nuisance rough sleeping direction but did not do so because—
- (i) P failed to give their name, date of birth or address (if any) on being requested to do so by the authorised person, or
 - (ii) the authorised person reasonably believed that P gave a false or inaccurate name, date of birth or address in response to a request by the authorised person for P to give their name, date of birth or address.”

Member's explanatory statement

This amendment adds the circumstances set out in the amendment to the circumstances in which an authorised person may give a person a nuisance rough sleeping prevention notice.

Secretary James Cleverly

Gov 170

Secretary Alex Chalk

Clause 60, page 69, line 16, leave out “(1)(a)” and insert “(1)(a)(i)”

Member's explanatory statement

See the explanatory statement for amendment 165.

Secretary James Cleverly

Gov 171

Secretary Alex Chalk

Clause 60, page 69, line 18, at end insert—

- “(ba) if the notice is given under subsection (1)(a)(ii)—
- (i) include a copy of the nuisance rough sleeping direction mentioned in subsection (1)(a)(ii), and
 - (ii) contain a brief description of the contravention,”

Member's explanatory statement

See the explanatory statement for amendment 165.

Secretary James Cleverly

Gov 173

Secretary Alex Chalk

Clause 60, page 69, line 24, at end insert—

- “(ca) if the notice is given under subsection (1)(c), record the authorised person’s intention to give a nuisance rough sleeping direction and the reason that the authorised person did not do so,”

Member's explanatory statement

This amendment is consequential on amendment 169.

Carolyn Harris

51

Clause 60, page 69, line 29, leave out paragraph (b)

Secretary James Cleverly

Gov 172

Secretary Alex Chalk

Clause 60, page 69, line 32, at end insert—

““contravention” includes a failure to comply and “contravened” is to be interpreted accordingly;”

Member's explanatory statement

See the explanatory statement for amendment 165.

Carolyn Harris

52

Clause 60, page 69, line 39, leave out subsections (8) and (9)

Bob Blackman

17

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
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Apsana Begum
Sarah Owen
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Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 70, line 4, leave out Clause 61

Bob Blackman

18

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
Sir Robert Neill
Peter Dowd
Apsana Begum
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Stephen Hammond
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Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 70, line 20, leave out Clause 62

Bob Blackman

19

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
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Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 71, line 15, leave out Clause 63

Carolyn Harris

53

Clause 63, page 71, line 38, leave out paragraph (b)

Bob Blackman

20

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
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Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 72, line 1, leave out Clause 64

Carolyn Harris

54

Clause 64, page 72, line 23, leave out subsection (4)

Bob Blackman

21

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
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Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 72, line 27, leave out Clause 65

Bob Blackman

22

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
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Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 73, line 30, leave out Clause 66

Carolyn Harris

55

Clause 66, page 74, line 9, leave out "5 years" and insert "6 months"

Bob Blackman

23

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
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Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 74, line 16, leave out Clause 67

Bob Blackman

24

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
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Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 75, line 9, leave out Clause 68

Bob Blackman

25

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
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Richard Burgon
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Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 75, line 32, leave out Clause 69

Secretary James Cleverly

Gov 174

Secretary Alex Chalk

Clause 69, page 76, line 1, leave out paragraph (a) and insert—

“(a) uses a place to sleep rough or has made preparations in the place to sleep rough there, and”

Member's explanatory statement

This amendment and amendments 176, 175 and 177 make changes relating to the nuisance rough sleeping conditions.

Secretary James Cleverly

Gov 175

Secretary Alex Chalk

Clause 69, page 76, line 6, leave out paragraph (a) and insert—

“(a) a group of persons including P uses a place to sleep rough or has made preparations in the place to sleep rough there, and”

Member's explanatory statement

See the explanatory statement for amendment 174.

Secretary James Cleverly

Gov 176

Secretary Alex Chalk

Clause 69, page 76, line 12, leave out “or does something capable of causing”

Member's explanatory statement

See the explanatory statement for amendment 174.

Secretary James Cleverly

Gov 177

Secretary Alex Chalk

Clause 69, page 76, line 22, leave out “smells,”

Member's explanatory statement

See the explanatory statement for amendment 174.

Bob Blackman

26

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
Sir Robert Neill
Peter Dowd
Apsana Begum
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Richard Burgon
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Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 77, line 2, leave out Clause 71

Secretary James Cleverly

Gov 178

Secretary Alex Chalk

Clause 71, page 77, line 11, leave out paragraph (c)

Member's explanatory statement

This amendment removes the power of an authorised person to require a person's details if the authorised person intends to give the person a nuisance rough sleeping direction.

Bob Blackman

27

Nickie Aiken
Tracey Crouch
Layla Moran
Paula Barker
Selaine Saxby

John Penrose
Damian Green
Mick Whitley
Mary Kelly Foy
Kate Hollern
Alex Sobel
Ian Byrne
Carolyn Harris
Hywel Williams
Sir Robert Neill
Peter Dowd
Apsana Begum
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Caroline Lucas
Derek Thomas
Ben Lake
Dame Caroline Dinanage
Jess Phillips
Rebecca Long Bailey
Margaret Greenwood

Stephen Hammond
Kim Johnson
Sarah Champion
Rachel Hopkins
Grahame Morris
Richard Burgon
Sir Iain Duncan Smith
Liz Saville Roberts
Bell Ribeiro-Addy
Will Quince
Beth Winter
Mrs Sharon Hodgson
Rachael Maskell

Page 77, line 30, leave out Clause 72

Alex Norris

29

Clause 83, page 87, line 15, 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.

Alex Norris

30

Clause 83, page 87, line 15, 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

66

Apsana Begum

Clause 83, page 87, line 24, 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

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

Jess Phillips

67

Clause 83, page 87, line 36, 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

68

Clause 84, page 88, line 22, 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.

Secretary James Cleverly

Gov 95

Secretary Alex Chalk

Clause 86, page 91, line 4, after "8" insert ", (*Duty to report child sex offences: power to amend*),"

Member's explanatory statement

This amendment results in the power to make regulations under new clause 72 being subject to the affirmative procedure.

Secretary James Cleverly

Gov 161

Secretary Alex Chalk

Clause 86, page 91, line 4, after "8" insert ", (*Cuckooing*)"

Member's explanatory statement

This amendment makes a statutory instrument containing regulations under new Clause NC94 subject to the draft affirmative procedure.

Secretary James Cleverly

Gov 162

Secretary Alex Chalk

Clause 86, page 91, line 4, after "8" insert ", (*War memorials*)"

Member's explanatory statement

This amendment makes a statutory instrument containing regulations under new Clause NC100(5) subject to the draft affirmative procedure.

Secretary James Cleverly

Gov 163

Secretary Alex Chalk

Clause 86, page 91, line 4, after "8" insert ", (*Report on duty to make prohibited steps order and power to repeal*)"

Member's explanatory statement

This amendment makes a statutory instrument containing regulations under new Clause NC104 subject to the draft affirmative procedure.

Secretary James Cleverly

Gov 107

Secretary Alex Chalk

Clause 87, page 91, line 25, at end insert—

"(fa) section (*Sex offenders: restriction on applying for replacement identity documents in new name*)(1);"

Member's explanatory statement

This amendment provides that new Clause NC83(1) has UK extent.

Secretary James Cleverly

Gov 108

Secretary Alex Chalk

Clause 87, page 91, line 33, leave out "Section 10(3) extends" and insert "Sections 10(3) and section (*Sex offenders: restriction on applying for replacement identity documents in new name*)(2) extend"

Member's explanatory statement

This amendment provides that NC83(2) extends to England and Wales and Scotland.

Secretary James Cleverly

Gov 154

Secretary Alex Chalk

Clause 87, page 91, line 34, leave out "and 12" and insert ", 12 and 13(1)"

Member's explanatory statement

See the statement for amendment 142.

Secretary James Cleverly

Gov 155

Secretary Alex Chalk

Clause 87, page 91, line 34, after "12" insert "and (*Reviews of sentencing: time limits*)"

Member's explanatory statement

This amendment provides that NC89 extends to (ie forms part of the law of) England and Wales and Northern Ireland. The substantive change made by the new clause applies only in England and Wales.

Secretary James Cleverly

Gov 156

Secretary Alex Chalk

Clause 87, page 91, line 34, at end insert—

"(4A) Section (*Length of terrorism sentence with fixed licence period: Northern Ireland*) extends to Northern Ireland only."

Member's explanatory statement

This amendment provides that NC88 extends to Northern Ireland only.

Secretary James Cleverly

Gov 109

Secretary Alex Chalk

Clause 87, page 91, line 35, leave out first "or" and insert ", (*Sex offenders: powers of entry and search*),"

Member's explanatory statement

This amends the list of provisions which have the same extent as the provisions they are amending, to add the new Clause inserted by amendment NC84.

Secretary James Cleverly

Gov 114

Secretary Alex Chalk

Clause 87, page 91, line 35, leave out "40(2)" and insert "40(1A) or (2)"

Member's explanatory statement

This amendment to the extent clause is consequential on amendment 113.

Secretary James Cleverly

Gov 110

Secretary Alex Chalk

Clause 87, page 91, line 35, after "Schedule" insert "*(Sex offenders notification requirements: minor and consequential amendments)* or"

Member's explanatory statement

This amends the list of provisions which have the same extent as the provisions they are amending, to add the new Schedule inserted by amendment NS3.

Secretary James Cleverly

Gov 111

Secretary Alex Chalk

Clause 87, page 91, line 36, at end insert "(subject to subsection (5A))"

Member's explanatory statement

This amendment is consequential on amendment 112.

Secretary James Cleverly

Gov 112

Secretary Alex Chalk

Clause 87, page 91, line 36, at end insert—

“(5A) In Schedule (*Sex offenders notification requirements: minor and consequential amendments*)—

- (a) paragraph 2(2)(b) extends to Scotland and Northern Ireland;
- (b) paragraphs 2(2)(c) and (3), 5, 6, 8, 14, 15 and 16(a) extend to England and Wales;
- (c) paragraph 16(b) extends to England and Wales, Scotland and Northern Ireland;
- (d) paragraph 16(c) extends to England and Wales and Scotland.”

Member's explanatory statement

This amendment deals with the extent of certain amendments made by the new Schedule inserted by NS3.

Secretary James Cleverly

Gov 179

Secretary Alex Chalk

Clause 88, page 92, line 11, after “(3)” insert “and (3A)”

Member's explanatory statement

This amendment is consequential on amendment 180.

Secretary James Cleverly

Gov 96

Secretary Alex Chalk

Clause 88, page 92, line 11, after “(3)” insert “and (3B)”

Member's explanatory statement

This amendment is consequential on amendment 98.

Secretary James Cleverly

Gov 157

Secretary Alex Chalk

Clause 88, page 92, line 11, after “(3)” insert “and (7)”

Member's explanatory statement

This amendment is consequential on amendment 159.

Secretary James Cleverly

Gov 97

Secretary Alex Chalk

Clause 88, page 92, line 17, at end insert—

“(ba) in section (*Complaints about police and crime commissioners etc*), subsections (3)(b) and (5);”

Member's explanatory statement

This amendment provides for certain provisions of the new clause inserted by amendment NC77, which correct out of date references to the Local Government Act 2000, to come into force on Royal Assent.

Secretary James Cleverly

Gov 70

Secretary Alex Chalk
Greg Clark
Dame Tracey Crouch

Clause 88, page 92, line 22, leave out paragraphs (a) and (b) and insert—

“(a) sections (*Sexual activity with a corpse*), 16 and 17;”

Member's explanatory statement

This amendment provides that the NC62 comes into force two months after Royal Assent.

Secretary James Cleverly

Gov 158

Secretary Alex Chalk

Clause 88, page 92, line 24, after “31” insert “and (*Length of terrorism sentence with fixed licence period: Northern Ireland*)”

Member's explanatory statement

This amendment provides that NC88 comes into force two months after Royal Assent.

Secretary James Cleverly

Gov 180

Secretary Alex Chalk

Clause 88, page 92, line 27, at end insert—

“(3A) Sections 46 to 72 and (*Guidance*) and (*Commencement of repeal of Vagrancy Act 1824*) come into force at the end of the period of three months beginning with the day on which this Act is passed.”

Member's explanatory statement

This amendment provides for Clauses 46 to 72 and NC111 and NC112 to come into force 3 months after Royal Assent.

Secretary James Cleverly

Gov 98

Secretary Alex Chalk

Clause 88, page 92, line 27, at end insert—

“(3B) Section (*Cautions given to persons having limited leave to enter or remain in UK*)(2) comes into force on the coming into force of section 103 of the Police, Crime, Sentencing and Courts Act 2022.”

Member's explanatory statement

This amendment provides that the amendment made by subsection (2) of new clause 64 comes into force when the provision it amends comes into force.

Secretary James Cleverly

Gov 159

Secretary Alex Chalk

Clause 88, page 92, line 32, at end insert—

- “(7) So far as extending to Northern Ireland—
- (a) sections 11 and 12 come into force on such day as the Department of Health in Northern Ireland may by order appoint;
 - (b) section 13 comes into force on such day as the Department of Justice in Northern Ireland may by order appoint.
- (8) An order under subsection (7) may make—
- (a) transitional or saving provision;
 - (b) different provision for different purposes.
- (9) The power to make an order under subsection (7) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).”

Member's explanatory statement

This amendment provides for clauses 11 and 12 to be commenced by the Department of Health in Northern Ireland and clause 13 to be commenced by the Department of Justice in Northern Ireland, so far as those clauses extend to Northern Ireland, and for those Departments to be able to make transitional or saving provision.

Secretary James Cleverly

Gov 164

Secretary Alex Chalk

Schedule 3, page 114, line 19, leave out from “section” to end of line 20 and insert “104 of the Courts Reform (Scotland) Act 2014 (asp 18), to be made by Act of Sederunt.”

Member's explanatory statement

This amendment provides that in Scotland rules of court under paragraph 10(1) of Schedule 3 are to be made by Act of Sederunt rather than Act of Adjournal.

Secretary James Cleverly

Gov 99

Secretary Alex Chalk

Schedule 3, page 115, line 11, leave out “executive”

Member's explanatory statement

This amendment changes the definition of “senior officer”, in relation to the Gambling Commission, from an executive director to a director.

Secretary James Cleverly

Gov 115

Secretary Alex Chalk

Schedule 5, page 125, line 28, at end insert—

“Cases in which defendant has a criminal lifestyle

3A (1) Section 75 of the Proceeds of Crime Act 2002 (criminal lifestyle) is amended as follows.

(2) In subsection (3)—

(a) after “benefited”, in the first place it occurs, insert “, or intended to benefit,”;

(b) in paragraph (a)—

(i) for “three”, in both places it occurs, substitute “two”;

(ii) after “benefited” insert “or intended to benefit”;

(c) in paragraph (b), after “benefited” insert “or intended to benefit”.

(3) The amendments made by sub-paragraph (2)(a), (b)(ii) and (c) do not apply in relation to conduct that took place wholly or partly before the date on which those provisions come into force.”

Member's explanatory statement

This amendment changes the test for when an offence constitutes conduct forming part of a course of criminal activity, by reducing the number of other offences of which the defendant must be convicted and including offences from which the defendant intended to benefit.

Secretary James Cleverly

Gov 116

Secretary Alex Chalk

Schedule 5, page 130, line 14, at end insert—

“(1A) In subsection (2), at the beginning insert “Except where subsection (3A) or (3B) applies,.””

Member's explanatory statement

This amendment is consequential on amendment 117.

Secretary James Cleverly

Gov 117

Secretary Alex Chalk

Schedule 5, page 130, leave out lines 16 to 25 and insert—

- “(3A) Where the person no longer holds the property obtained because it has been sold, the value of the property at the material time is the greater of the following—
- (a) the proceeds of the sale, adjusted to take account of later changes in the value of money;
 - (b) the value (immediately before the sale) of the property, adjusted to take account of later changes in the value of money.
- (3B) Where the person no longer holds the property obtained because it has been destroyed by virtue of a court order under section 51(2)(e) or section 67AA (orders for destruction of cryptoassets), the value of the property at the material time is the market value of the property as set out in the court order, adjusted to take account of later changes in the value of money.
- (3C) For the purposes of subsection (3A)(a), if the proceeds of the sale are in a currency other than sterling, they must be taken to be the sterling equivalent calculated in accordance with the rate of exchange prevailing at the end of the day of the sale.”

Member's explanatory statement

This amendment sets out how property obtained from criminal conduct is to be valued for the purposes of calculating the defendant's benefit where the property has been sold or, in the case of cryptoassets, destroyed by virtue of a court order.

Secretary James Cleverly

Gov 118

Secretary Alex Chalk

Schedule 5, page 130, line 26, leave out second “(a) and”

Member's explanatory statement

This amendment is consequential on amendment 117.

Secretary James Cleverly

Gov 119

Secretary Alex Chalk

Schedule 5, page 134, line 23, leave out sub-paragraph (2) and insert—

“(2) After section 21 insert—

“21A Order made: reconsideration of benefit on decrease in value and sale etc

- (1) This section applies if—
 - (a) a court has made a confiscation order,
 - (b) there is relevant property,
 - (c) an application to proceed under this section is made to the Crown Court by—
 - (i) the prosecutor,
 - (ii) a receiver appointed under section 50, or
 - (iii) the designated officer for a magistrates’ court, and
 - (d) the applicant believes that if the court were to make a new calculation of the defendant's benefit and in doing so applied section 21(3) to (6), the amount found would not exceed the amount that would be found if the court were to make a new calculation of the defendant’s benefit under subsection (4).
- (2) For the purposes of this section, property is “relevant property” if the property was obtained by the defendant as a result of or in connection with the conduct concerned and—
 - (a) it was held by the defendant when the relevant amount was calculated, but
 - (b) it is no longer held by the defendant because it has been—
 - (i) sold, or
 - (ii) destroyed by virtue of a court order under section 51(2)(e) or section 67AA (orders for the destruction of cryptoassets).
- (3) In a case where this section applies, the court must determine whether A is less than B, where—

“A” is the total of the values of all relevant property as decided in accordance with section 80(3A) or (3B) (as appropriate), and

“B” is the total of the values at which that property was taken into account when the relevant amount was calculated, adjusted to take account of changes in the value of money since it was calculated.
- (4) If A is less than B, the court must make a new calculation of the defendant’s benefit by—
 - (a) adjusting the relevant amount to take account of changes in the value of money since it was calculated, and
 - (b) deducting from that adjusted amount the amount by which A is less than B.
- (5) Subsection (6) applies where—
 - (a) the court makes a new calculation of the defendant’s benefit under subsection (4), and

- (b) the court determines that C is less than D, where—
 - “C” is the amount that, if it was adjusted to take account of changes in the value of money since the amount required to be paid was last determined, would give the amount found under the new calculation of the defendant’s benefit, and
 - “D” is the amount required to be paid under the order.
- (6) The court must vary the order by substituting C for the amount required to be paid.
- (7) The variation of the order under subsection (6) does not—
 - (a) affect the defendant’s liability to pay any interest which was payable under section 12 for a period before the variation of the order but which had not been paid at the time of the variation, or
 - (b) give rise to any obligation to refund any amount already paid by the defendant under the order.
- (8) The relevant amount is—
 - (a) the amount found as the defendant’s benefit for the purposes of the confiscation order, or
 - (b) if one or more new calculations of the defendant’s benefit have been made under section 21 or this section, the amount found on the occasion of the last such calculation.”

Member's explanatory statement

This new section allows for reconsideration of the defendant’s benefit where criminally obtained property is sold or, if cryptoassets, destroyed under court order and the total value ascribed to such property following its sale or destruction is lower than the value at which it was previously taken into account.

Secretary James Cleverly

Gov 120

Secretary Alex Chalk

Schedule 5, page 136, line 17, after “made” insert “(reading references to the making of the order as references to the varying of the order and references to the day on which the order is made as references to the day on which the order is varied)”

Member's explanatory statement

This amendment clarifies how the application of section 11 of the Proceeds of Crime Act 2002 (time for payment) works in a case where the order is varied under section 21 of that Act (reconsideration of benefit).

Secretary James Cleverly

Gov 121

Secretary Alex Chalk

Schedule 5, page 136, line 17, at end insert—

“(11B) Where section 12 applies in relation to a confiscation order that has been varied under this section, the reference in section 12(3)(c) to the day on which the order was made is to be read as a reference to the day on which the order was varied.”

Member's explanatory statement

This amendment clarifies how section 12 of the Proceeds of Crime Act 2002 (interest on unpaid sums) works in a case where the order is varied under section 21 of that Act (reconsideration of benefit) and the court allows time for payment.

Secretary James Cleverly

Gov 122

Secretary Alex Chalk

Schedule 5, page 136, line 19, leave out from “for” to end of line 20 and insert ““if this section has not applied previously;” substitute “or””

Member's explanatory statement

This amendment is consequential on amendment 119.

Secretary James Cleverly

Gov 123

Secretary Alex Chalk

Schedule 5, page 136, line 21, leave out sub-paragraph (ii) and insert—

“(ii) for paragraph (b) substitute—

“(b) if one or more new calculations of the defendant’s benefit have been made under this section or section 21A, the amount found on the occasion of the last such calculation.””

Member's explanatory statement

This amendment is consequential on amendment 119.

Secretary James Cleverly

Gov 124

Secretary Alex Chalk

Schedule 5, page 136, line 24, leave out paragraphs (a) to (c)

Member's explanatory statement

This amendment is consequential on amendment 119.

Secretary James Cleverly

Gov 125

Secretary Alex Chalk

Schedule 5, page 136, line 42, after “made” insert “(reading references to the making of the order as references to the varying of the order and references to the day on which the order is made as references to the day on which the order is varied)”

Member's explanatory statement

This amendment clarifies how the application of section 11 of the Proceeds of Crime Act 2002 (time for payment) works in a case where the order is varied under section 22 of that Act (reconsideration of available amount).

Secretary James Cleverly

Gov 126

Secretary Alex Chalk

Schedule 5, page 136, line 42, at end insert—

“(7B) Where section 12 applies in relation to a confiscation order that has been varied under this section, the reference in section 12(3)(c) to the day on which the order was made is to be read as a reference to the day on which the order was varied.”

Member's explanatory statement

This amendment clarifies how section 12 of the Proceeds of Crime Act 2002 (interest on unpaid sums) works in a case where the order is varied under section 22 of that Act (reconsideration of available amount) and the court allows time for payment.

Secretary James Cleverly

Gov 127

Secretary Alex Chalk

Schedule 5, page 136, line 43, leave out paragraph (e)

Member's explanatory statement

This amendment is consequential on amendment 119.

Secretary James Cleverly

Gov 128

Secretary Alex Chalk

Schedule 5, page 137, line 2, leave out “22A(4)” and insert “21A,”

Member's explanatory statement

This amendment is consequential on amendment 119.

Secretary James Cleverly

Gov 129

Secretary Alex Chalk

Schedule 5, page 138, line 16, leave out “22, 22A” and insert “21A, 22”

Member's explanatory statement

This amendment is consequential on amendment 119.

Secretary James Cleverly

Gov 130

Secretary Alex Chalk

Schedule 5, page 138, line 29, at end insert—

- “(7A) Where the court revokes the provisional discharge of a confiscation order under this section—
- (a) the order is, from the time of the revocation, no longer to be treated as satisfied, and
 - (b) accordingly—
 - (i) from that time the proceedings against the defendant are to be treated as not having been concluded (see section 85(5)(a)), and
 - (ii) any interest which was payable under section 12 for a period before the provisional discharge of the order but which had not been paid at the time of the provisional discharge becomes payable.
- (7B) Where the court revokes the provisional discharge of an order under subsection (5), section 11 applies in relation to any part of the amount ordered to be paid under the order that had not been paid when the order was provisionally discharged as it applies in relation to the full amount ordered to be paid under a confiscation order when it is made (reading references to the making of the order as references to the revocation of the provisional discharge of the order and references to the day on which the order is made as references to the day on which the provisional discharge of the order is revoked).
- (7C) Where section 12 applies in relation to a confiscation order following the revocation of a provisional discharge of the order under subsection (5), the reference in section 12(3)(c) to the day on which the order was made is to be read as a reference to the day on which the provisional discharge of the order was revoked.”

Member's explanatory statement

This amendment clarifies the effect of the revocation of the provisional discharge of a confiscation order, in particular that, from the time of the revocation, the order is no longer treated as satisfied and proceedings are treated as not having been concluded.

Secretary James Cleverly

Gov 131

Secretary Alex Chalk

Schedule 5, page 139, line 3, leave out "22, 22A" and insert "21A, 22"

Member's explanatory statement

This amendment is consequential on amendment 119.

Secretary James Cleverly

Gov 132

Secretary Alex Chalk

Schedule 5, page 143, line 41, leave out from beginning to end of line 12 on page 144 and insert—

- "(1) The Secretary of State may by regulations make provision for or in connection with the collection, in cases where the Crown Court is the enforcing court in relation to a confiscation order, of any unpaid amount and enforcement of the order.
- (2) The provision that may be made under subsection (1) includes the conferral of functions on the Crown Court which correspond to functions that are, by virtue of section 35C, exercisable by a magistrates' court for the purposes of the collection of any unpaid amount and enforcement of the order.
- (3) Regulations under this section may—
- (a) apply an enactment (with or without modifications);
 - (b) modify an enactment in its application;
 - (c) amend or repeal an enactment (including an enactment within this Act)."

Member's explanatory statement

This amendment confers a power to make regulations about the enforcement of confiscation orders in cases where the Crown Court is the enforcing court in relation to the order.

Secretary James Cleverly

Gov 133

Secretary Alex Chalk

Schedule 5, page 144, line 16, leave out "35D(3)," and insert "35D,"

Member's explanatory statement

This amendment is consequential on amendment 132.

Secretary James Cleverly

Gov 134

Secretary Alex Chalk

Schedule 5, page 144, line 18, leave out “35D(3),” and insert “35D,”

Member's explanatory statement

This amendment is consequential on amendment 132.

Secretary James Cleverly

Gov 135

Secretary Alex Chalk

Schedule 5, page 145, line 18, at end insert—

“(3A) On the failure of the defendant to appear before a magistrates’ court in answer to a summons issued by virtue of Schedule 5 to the Courts Act 2003 in a case where the enforcing court is the Crown Court, the magistrates’ court may issue a warrant to arrest the defendant and bring them before the magistrates’ court.(See section 83(2) of the Magistrates’ Courts Act 1980 for equivalent provision in a case where a magistrates’ court is the enforcing court.)”

Member's explanatory statement

This amendment ensures that if a fines officer issues a summons requiring the defendant to appear before a magistrates’ court, the magistrates’ court may (even if not the enforcing court) issue a warrant to arrest the defendant should they fail to appear before the court as required by the summons.

Secretary James Cleverly

Gov 136

Secretary Alex Chalk

Schedule 5, page 146, line 22, leave out “into court” and insert “to the designated officer for—

- (i) the magistrates’ court specified in the order under subsection (5), or
- (ii) if there is no such specification, the magistrates’ court by which the person mentioned in subsection (5)(a) was sent to the Crown Court for trial under section 51 or 51A of the Crime and Disorder Act 1998”

Member's explanatory statement

This amendment specifies the designated officer to whom payments must be made under section 67(5) of the Proceeds of Crime Act 2002 (order that money held in a financial institution be paid on account of amount payable under confiscation order) where the Crown Court enforces a confiscation order.

Secretary James Cleverly

Gov 137

Secretary Alex Chalk

Schedule 5, page 147, line 2, leave out “into court” and insert “to the designated officer for—

- (i) the magistrates’ court specified in the order under subsection (3), or
- (ii) if there is no such specification, the magistrates’ court by which the person mentioned in subsection (2)(a) was sent to the Crown Court for trial under section 51 or 51A of the Crime and Disorder Act 1998”

Member's explanatory statement

This amendment specifies the designated officer to whom payments must be made under section 67ZA(3) of the Proceeds of Crime Act 2002 (order that cryptoasset service provider pay proceeds of realisation of cryptoassets on account of amount payable under confiscation order) where the Crown Court enforces a confiscation order.

Secretary James Cleverly

Gov 138

Secretary Alex Chalk

Schedule 5, page 147, line 11, at end insert—

- “(b) at the end insert “(and see also the definition of “appropriate designated officer” in section 67D(6))”.”

Member's explanatory statement

The amendment is consequential on amendment 139.

Secretary James Cleverly

Gov 139

Secretary Alex Chalk

Schedule 5, page 147, line 16, leave out from “67D” to end of line 27 and insert “(6) (proceeds of realisation), in the definition of “appropriate designated officer”, for the words from “the designated officer” to the end substitute “—

- (a) in a case where the enforcing court is a magistrates’ court, the designated officer for the court;
- (b) in a case where the enforcing court is the Crown Court, the designated officer for—
 - (i) the magistrates’ court specified in the order under section 67A(3), or
 - (ii) if there is no such specification, the magistrates’ court by which the person mentioned in section 67A(3)(a) was sent to the Crown Court for trial under section 51 or 51A of the Crime and Disorder Act 1998.””

Member's explanatory statement

This amendment specifies the designated officer to whom the proceeds of the realisation of property must be paid under section 67D(2)(c) of the Proceeds of Crime Act 2002 (proceeds of realisation of seized personal property).

Secretary James Cleverly

Gov 140

Secretary Alex Chalk

Schedule 5, page 148, line 26, leave out sub-paragraph (4)

Member's explanatory statement

This amendment removes some unnecessary modifications of the provisions about collection orders in their application to confiscation orders.

Secretary James Cleverly

Gov 141

Secretary Alex Chalk

Schedule 5, page 162, line 40, at end insert—

"PART 11

CONSEQUENTIAL AND RELATED AMENDMENTS

Proceeds of Crime Act 2002 (c. 29)

- 33 The Proceeds of Crime Act 2002 is amended as follows.
- 34 In section 21 (order made: reconsideration of benefit), in subsection (8)(b), for "section 9" substitute "sections 9 and 9A".
- 35 In section 22 (order made: reconsideration of available amount), in subsection (3), for "section 9" substitute "sections 9 and 9A".
- 36 In section 23 (inadequacy of available amount: variation of order), in subsection (2), for "section 9" substitute "sections 9 and 9A".
- 37 In section 25A (recovery from estate of deceased defendant impractical: discharge of order)—
- (a) in subsection (1)(c), at the beginning insert "in a case where the enforcing court is a magistrates' court,";
 - (b) in subsection (2), for "court", the first time it appears, substitute "Crown Court".
- 38 (1) Section 39 (reconsideration etc: variation of prison term) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), after "21," insert "21A,";
 - (b) in paragraph (b), for "35(2A)" substitute "35A(3)";

- (c) in paragraph (c), for "129(3) of the Sentencing Code" substitute "35A(2)".
- (3) In subsections (2) and (4), for "129(3) of the Sentencing Code" substitute "35A(2)".
- (4) In subsection (5)—
- (a) for "35(2A)" substitute "35A(3)";
 - (b) for "129(3) of that Code" substitute "35A(2)".
- 39 In section 44A (detention of property pending appeal), in subsections (1)(b) and (2)(b), for "43(3)(b)" substitute "67J(3)(b)".
- 40 In section 46 (hearsay evidence), in subsection (3)(c), for "43 or 44" substitute "67J".
- 41 In section 54 (enforcement receivers), in subsection (7), for the words from "the one" to the end substitute"—
- (a) in a case where the enforcing court is a magistrates' court, the designated officer for the court;
 - (b) in a case where the enforcing court is the Crown Court, the designated officer for—
 - (i) the magistrates' court specified in the order made under section 50(2), or
 - (ii) if there is no such specification, the magistrates' court by which the defendant was sent to the Crown Court for trial under section 51 or 51A of the Crime and Disorder Act 1998."
- 42 In section 63 (discharge and variation), in subsection (3)(a), after "section 40" insert "or 47B".
- 43 In section 68 (applications and appeals), in subsection (1)(b), for "43, 44, 65 or 66" substitute "67J or 67K".
- 44 In section 69 (powers of court and receiver etc), in subsection (1)(a), for "and sections 62 to 67D" substitute ", sections 62 to 67D and sections 67J to 67L".
- 45 In section 85 (proceedings), in subsection (6)—
- (a) in paragraph (a), for "31(2)" substitute "67E(2)";
 - (b) in paragraph (b), for "31(2)" substitute "67E(2)";
 - (c) in paragraph (c)—
 - (i) for "31(2)" substitute "67E(2)";
 - (ii) for "33" substitute "67E(6)";
 - (d) in paragraph (d)—
 - (i) for "31(2)" substitute "67E(2)";
 - (ii) for "33" substitute "67E(6)";
 - (e) in paragraph (e)—
 - (i) for "31(2)" substitute "67E(2)";
 - (ii) for "33" substitute "67E(6)";
 - (f) in paragraph (f), for "31(2)" substitute "67E(2)";
 - (g) in paragraph (g), for "33" substitute "67E(6)".

- 46 In section 89 (procedure on appeal to the Court of Appeal), in subsection (4)—
- (a) in the opening words, after “subject to” insert “section 46A (costs of proceedings in relation to restraint orders) and”;
 - (b) in paragraph (za), for “31(4)” substitute “67G(1)”;
 - (c) in paragraph (a), for “43(1) or (2)” substitute “67J(1) or (2)”;
 - (d) in paragraph (b), for “65” substitute “67K(1) to (3)”.

Courts Act 2003 (c. 39)

- 47 In the Courts Act 2003, in Schedule 8 (minor and consequential amendments), omit paragraph 406.

Constitutional Reform Act 2005 (c. 4)

- 48 In the Constitutional Reform Act 2005, in Schedule 9 (amendments relating to jurisdiction of the Supreme Court), omit paragraph 77(2) and (3).

Serious Crime Act 2007 (c. 27)

- 49 In the Serious Crime Act 2007, in Schedule 8 (abolition of Assets Recovery Agency and its Director)—
- (a) omit paragraph 4;
 - (b) omit paragraphs 16 and 17;
 - (c) omit paragraph 19;
 - (d) omit paragraph 32.

Prevention of Social Housing Fraud Act 2013 (c. 3)

- 50 In the Prevention of Social Housing Fraud Act 2013, in the Schedule (consequential amendments)—
- (a) omit paragraphs 15 and 16;
 - (b) omit paragraph 17(3);
 - (c) omit paragraph 18(3);
 - (d) omit paragraphs 19 to 21.

Crime and Courts Act 2013 (c. 22)

- 51 Omit sections 46 and 47 of the Crime and Courts Act 2013 (restraint orders and legal aid).

Serious Crime Act 2015 (c. 9)

- 52 The Serious Crime Act 2015 is amended as follows.
- 53 Omit section 3 (appeals in relation to confiscation orders).
- 54 In section 6 (confiscation and victim surcharge orders), omit subsections (4) and (5).
- 55 In section 10 (default sentences), omit subsection (1).

- 56 In Schedule 4 (minor and consequential amendments)—
- (a) omit paragraphs 21 and 22;
 - (b) omit paragraph 23(3);
 - (c) omit paragraph 24(3);
 - (d) omit paragraphs 25 to 30.

Modern Slavery Act 2015 (c. 30)

- 57 In the Modern Slavery Act 2015, in Schedule 5 (minor and consequential amendments), omit paragraphs 16 to 19.

Criminal Finances Act 2017 (c. 22)

- 58 In section 32 of the Criminal Finances Act 2017 (reconsideration of discharged orders), omit subsections (2) and (3).

Sentencing Act 2020 (c. 17)

- 59 The Sentencing Act 2020 is amended as follows.
- 60 In section 42 (court's duty to order payment of surcharge), in subsection (2)(b), for the words from "15" to the end substitute "15A of the Proceeds of Crime Act 2002 (effect on duty in subsection (1) where court sentences before confiscation proceedings)".
- 61 In section 46 (criminal courts charge duty), in subsection (1), omit the words from "But" to the end.
- 62 In section 125 (exercise of court's powers to impose fine and fix amount), in subsection (6)(b), for the words from "15" to the end substitute "15A (where court sentences before confiscation proceedings)".
- 63 In section 135 (making a compensation order), in subsection (6)(b), for the words from "15" to the end substitute "15A (where court sentences before confiscation proceedings)".
- 64 In section 155 (exercise of power to make a deprivation order), in subsection (3)(b), for the words from "15" to the end substitute "15A (where court sentences before confiscation proceedings)".
- 65 (1) Schedule 22 (prospective amendments of the Sentencing Code and related legislation) is amended as follows.
- (2) After Part 7 insert—

"PART 7A

AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON PROSPECTIVE ABOLITION OF
DETENTION IN DEFAULT OF PAYMENT OF FINES ETC

Proceeds of Crime Act 2002 (c. 29)

- 100A(1) The Proceeds of Crime Act 2002 is amended as follows.
- (2) In section 35A (default term of imprisonment or detention)—

- (a) in subsection (2), for paragraphs (a) and (b) substitute “of imprisonment”;
 - (b) in subsection (4), in the opening words, omit “, or detained,”;
 - (c) in subsection (5)(a), omit “or detention”;
 - (d) in the heading, omit “or detention”.
- (3) In section 35C (enforcement by magistrates’ court), in subsection (4), omit the words from “, or detention” to “Act 2000,.”
- (3) In Part 8 (amendments of other Acts consequential on prospective change to age limit for imprisonment) at the end insert—
- “Proceeds of Crime Act 2002 (c. 29)*
- 103 In section 35A of the Proceeds of Crime Act 2002 (default term of imprisonment or detention), in subsection (4)(c), omit “, custody for life or detention in a young offender institution”.
- 66 In Schedule 24 (consequential amendments)—
- (a) omit paragraphs 183 and 184;
 - (b) omit paragraph 185(3);
 - (c) omit paragraph 186(3);
 - (d) omit paragraphs 187 and 188;
 - (e) omit paragraphs 190 to 192.”

Member's explanatory statement

This amendment inserts a new Part into Schedule 5 (confiscation orders) which makes amendments of the Proceeds of Crime Act 2002 and other Acts that are consequential on, or otherwise related to, the amendments of the Proceeds of Crime Act 2002 made by Parts 1 to 10 of Schedule 5.

Secretary James Cleverly

Gov 100

Secretary Alex Chalk

Schedule 6, page 163, line 8, leave out “which represent” and insert “of an amount determined by reference to”

Member's explanatory statement

This amendment and amendment 101 adjust the wording used to describe amounts transferred under the suspended accounts scheme.

Secretary James Cleverly

Gov 101

Secretary Alex Chalk

Schedule 6, page 164, line 16, leave out “representing” and insert “of an amount determined by reference to”

Member's explanatory statement

See amendment 100.

Secretary James Cleverly**Gov 102**

Secretary Alex Chalk

Schedule 6, page 164, line 24, leave out paragraph (c)

Member's explanatory statement

This amendment, together with amendment 103, converts a duty to make regulations providing for the scheme administrator to compensate financial institutions for claims in respect of transferred funds, to a power.

Secretary James Cleverly**Gov 103**

Secretary Alex Chalk

Schedule 6, page 164, line 29, after "provision" insert—

- "(a) for the scheme administrator to compensate the transferring financial institution, to such extent as may be provided by the regulations, for payments made by the institution pursuant to the rights of customers and third parties in respect of the suspended account after the transfer;
- (b)"

Member's explanatory statement

This amendment, together with amendment 102, converts a duty to make regulations providing for the scheme administrator to compensate financial institutions for claims in respect of transferred funds, to a power.

Secretary James Cleverly**Gov 104**

Secretary Alex Chalk

Schedule 6, page 164, line 36, leave out paragraph (a)

Member's explanatory statement

This amendment is consequential on amendments 102 and 103.

Secretary James Cleverly**Gov 105**

Secretary Alex Chalk

Schedule 6, page 164, line 40, at end insert—

“(1A) If the regulations make provision under paragraph 5(2), they must make provision for the scheme administrator to manage the transferred funds in such a way as to enable it to meet whatever claims for compensation it is prudent to anticipate.”

Member's explanatory statement

This amendment is consequential on amendments 102 and 103.

Secretary James Cleverly

Gov 106

Secretary Alex Chalk

Schedule 6, page 165, line 2, after “(1)” insert “and, if the regulations make provision under sub-paragraph (1A), that provision”

Member's explanatory statement

This amendment is consequential on amendment 105.

*NEW CLAUSES AND NEW SCHEDULES RELATING TO ABORTION;
AMENDMENTS RELATING TO ABORTION; REMAINING PROCEEDINGS ON
CONSIDERATION*

Dame Diana Johnson

NC1

Stephen Farry

Caroline Lucas

Wendy Chamberlain

Caroline Nokes

Sarah Champion

Christine Jardine

Paula Barker

Ben Lake

Kim Johnson

Mrs Sharon Hodgson

Valerie Vaz

Richard Burgon

Dr Rupa Huq

Matthew Pennycook

Ian Byrne

John McDonnell

Dame Siobhain McDonagh

Clive Efford

Beth Winter

Barry Gardiner

Zarah Sultana

Dehenna Davison

Jess Phillips

Liz Saville Roberts

Charlotte Nichols

Tracey Crouch

Dr Dan Poulter

Rachel Hopkins

Matt Warman

Rosie Duffield

Nadia Whittome

Carolyn Harris

Lilian Greenwood

Paul Blomfield

Christina Rees

Ms Diane Abbott

Andy Slaughter

Ms Harriet Harman

Daisy Cooper

Hywel Williams

Mick Whitley

Bell Ribeiro-Addy

Dame Margaret Beckett

Dame Caroline Dinéage

Lloyd Russell-Moyle

Olivia Blake

Jeremy Corbyn

Yvonne Fovargue

Debbie Abrahams

Dame Margaret Hodge

Julie Elliott

Apsana Begum

To move the following Clause—

“Removal of women from the criminal law related to abortion

For the purposes of 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 procurement 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.

Caroline Ansell

NC15

Sally-Ann Hart
Rachael Maskell
Ms Marie Rimmer
Robin Millar
Bob Blackman

Mary Robinson
Miriam Cates
Eddie Hughes
Mrs Flick Drummond
Maggie Throup
Derek Thomas
Mr Philip Hollobone
Sir John Hayes
Andrew Bridgen
John Stevenson
Mark Pritchard
Rachel Maclean
Andrew Rosindell
Daniel Kawczynski
Sir Iain Duncan Smith
Dr Thérèse Coffey

Sir Desmond Swayne
Chris Green
Fiona Bruce
Sir Edward Leigh
Sir Jacob Rees-Mogg
Sir Gary Streeter
James Gray
Greg Smith
Mrs Natalie Elphicke
Sir Liam Fox
Sammy Wilson
Rob Butler
Graham Stringer
Carol Monaghan
Jim Shannon

Nick Fletcher
Andrew Lewer
Marco Longhi
Martin Vickers
Steve Double
Philip Davies
Andrew Selous
Angus Brendan MacNeil
Justin Tomlinson
Sir Robert Goodwill
Alun Cairns
Danny Kruger
Damian Green
George Galloway
Tim Farron

To move the following Clause—

“Abortion: gestation limits

- (1) In section 1(2) of the Infant Life (Preservation) Act 1929, for “twenty-eight” substitute “twenty-two”.
- (2) In section 1(1)(a) of The Abortion Act 1967, for “twenty-fourth” substitute “twenty-second”.

Member's explanatory statement

This new clause would reduce the upper limit for abortion in most cases from 24 to 22 weeks.

Stella Creasy

NC40

Dr Dan Poulter
 Sarah Owen
 Charlotte Nichols
 Bell Ribeiro-Addy
 Lloyd Russell-Moyle

Liz Saville Roberts
 Ian Byrne
 Kate Osborne
 Claire Hanna

Wera Hobhouse
 Ms Diane Abbott
 Wendy Chamberlain
 Olivia Blake

Paula Barker
 Kim Johnson
 Rachel Hopkins

To move the following Clause—

“Abortion: Punitive Measures

- (1) No offence is committed under any of the provisions mentioned in subsection (3) by—
 - (a) a woman acting in relation to her own pregnancy, or
 - (b) a registered medical professional acting with the explicit consent of a pregnant woman in relation to her own pregnancy,
 where that pregnancy has not exceeded 24 weeks.
- (2) No custodial sentence may be imposed under any of the provisions mentioned in subsection (3) in relation to a woman acting in relation to her own pregnancy.
- (3) For the purposes of this section, the relevant provisions are—
 - (a) sections 58, 59, and 60 of the Offences Against the Person Act 1861, and
 - (b) the Infant Life (Preservation) Act 1929.
- (4) No proceedings for an offence under any of the provisions mentioned in subsection (3) may be instituted against a woman acting in relation to her own pregnancy or a medical professional who acted in good faith and with honest belief that the woman they assisted gave them a genuine account except by or with the consent of the Director of Public Prosecutions, who must personally exercise any function of giving consent.
- (5) In the event of making regulations or issuing guidance consequential to subsection (1), the Secretary of State must have regard to the need to withdraw punitive measures imposed on women who undergo abortion.”

Member's explanatory statement

This new clause would decriminalise abortion up to 24 weeks, avoiding the need for some of the requirements of the Abortion Act. It would ensure that late term abortions outside the Abortion Act do not result in custodial sentences, and that future regulations have regard to the recommendations of the Convention on the Elimination of Discrimination Against Women.

Sir Liam Fox

NC41

Mrs Theresa May
 Dame Meg Hillier
 Christine Jardine
 Ian Paisley
 George Galloway

Ms Marie Rimmer
 Tim Farron
 Nadhim Zahawi
 Nickie Aiken
 Bob Blackman
 Alun Cairns
 Vicky Ford
 Kevin Foster
 Chris Green
 Mr Philip Hollobone
 Royston Smith
 Tim Loughton
 Mark Pritchard
 Greg Smith
 Martin Vickers
 Adam Holloway
 Sir Charles Walker
 Dr James Davies
 Sir Simon Clarke
 Wera Hobhouse
 Iain Stewart
 Lee Anderson
 Douglas Chapman
 Chris Grayling

Sir Iain Duncan Smith
 Mrs Flick Drummond
 Sammy Wilson
 Dame Harriett Baldwin
 Fiona Bruce
 Stephen Crabb
 Jo Gideon
 Mark Garnier
 Damian Green
 Jane Hunt
 Danny Kruger
 Angus Brendan MacNeil
 Andrew Selous
 John Stevenson
 Sir Jeremy Wright
 Andrew Rosindell
 Shailesh Vara
 Sir Edward Leigh
 Sir David Davis
 Sir Oliver Heald
 Sir Jacob Rees-Mogg
 Paul Girvan
 Daniel Kawczynski
 Sir Julian Lewis

Carol Monaghan
 Rachael Maskell
 Sir Robert Buckland
 Adam Afriyie
 Rob Butler
 Steve Double
 Nick Fletcher
 James Gray
 Sir John Hayes
 Simon Jupp
 Marco Longhi
 John Penrose
 Mark Menzies
 Sir Desmond Swayne
 Simon Fell
 Alicia Kearns
 Maggie Throup
 Craig Whittaker
 Graham Stringer
 Mary Robinson
 Matt Hancock
 Mary Kelly Foy
 Dame Andrea Jenkyns

To move the following Clause—

“Upper gestational limit on abortion where the foetus has Down syndrome

In section 1 (Medical termination of pregnancy) of the Abortion Act 1967, at the end of subsection (1)(d) insert “provided that, where that risk arises from a foetus having Down syndrome, and the foetus having Down syndrome is the sole reason why that risk arises, the pregnancy has not exceeded the gestational limit identified in sub-subsection (a).”

Member's explanatory statement

This new clause would mean that terminations would not be allowed beyond 24 weeks where any risk is purely on the grounds of a diagnosis of Down syndrome.

Stella Creasy

NC56

To move the following Clause—

“Abortion: Conscientious Objection

For the purposes of section 4(1) of the Abortion Act 1967, "any treatment authorised by this Act" is to be read as including any treatment permitted by

virtue of subsection 1(a) of section [*Abortion Punitive Measures*] of the Criminal Justice Act 2024.”

Member's explanatory statement

This new clause is consequential on NC40.

Mrs Flick Drummond

NC115

Dr Thérèse Coffey

Rachael Maskell

Tim Farron

Maggie Throup

Sir Iain Duncan Smith

Damian Green

Dame Andrea Jenkyns

Fiona Bruce

Robin Millar

Sally-Ann Hart

George Galloway

Bob Blackman

Neil O'Brien

Sir John Hayes

Marco Longhi

Karl McCartney

Alexander Stafford

Mr Richard Bacon

Nick Fletcher

Angus Brendan MacNeil

Paul Girvan

Ms Marie Rimmer

Miriam Cates

Lee Anderson

Steve Double

Andrew Lewer

Sir Julian Lewis

Sir Edward Leigh

Chris Green

Sammy Wilson

Tom Hunt

Daniel Kawczynski

Alun Cairns

Sir Robert Goodwill

Greg Smith

Simon Jupp

Dr Caroline Johnson

Sir Jacob Rees-Mogg

Caroline Ansell

Sir Desmond Swayne

Danny Kruger

Martin Vickers

Jim Shannon

Andrew Rosindell

Sir Simon Clarke

Derek Thomas

Sir Philip Davies

Eddie Hughes

Mr Philip Hollobone

Mary Robinson

Mrs Heather Wheeler

To move the following Clause—

“Abortion: requirement for in-person consultation

In section 1(3D) of the Abortion Act 1967, omit “, by telephone or by electronic means”.”

Member's explanatory statement

This new clause would mean that a pregnant woman would need to have an in-person consultation before lawfully being prescribed medicine for the termination of a pregnancy.

Daniel Kawczynski

NC118

☆ To move the following Clause—

“Abortion: gestation limits (No. 2)

In section 1(1)(a) of the Abortion Act 1967, for “twenty-fourth” substitute “eighteenth”.”

Member's explanatory statement

This new clause would reduce the upper limit for abortion in most cases from 24 to 18 weeks.

Dame Diana Johnson

1

Stephen Farry
 Caroline Lucas
 Wendy Chamberlain
 Caroline Nokes
 Sarah Champion

Christine Jardine
 Paula Barker
 Kim Johnson
 Mrs Sharon Hodgson
 Valerie Vaz
 Richard Burgon
 Nadia Whittome
 Yvonne Fovargue
 Debbie Abrahams
 Dame Margaret Hodge
 Zarah Sultana

Dehenna Davison
 Jess Phillips
 Charlotte Nichols
 Tracey Crouch
 Dr Dan Poulter
 Rachel Hopkins
 John McDonnell
 Dame Siobhain McDonagh
 Clive Efford
 Beth Winter
 Andy Slaughter

Ms Harriet Harman
 Daisy Cooper
 Mick Whitley
 Bell Ribeiro-Addy
 Dame Margaret Beckett
 Dame Caroline Dinenage
 Carolyn Harris
 Lilian Greenwood
 Paul Blomfield
 Apsana Begum

Clause 88, page 92, line 19, at end insert—

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

Member's explanatory statement

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

Caroline Ansell

28

Sally-Ann Hart
 Rachael Maskell
 Ms Marie Rimmer
 Robin Millar
 Bob Blackman

Mary Robinson
 Miriam Cates
 Eddie Hughes
 Mrs Flick Drummond
 Maggie Throup
 Derek Thomas
 Mr Philip Hollobone

Sir Desmond Swayne
 Chris Green
 Fiona Bruce
 Sir Edward Leigh
 Sir Jacob Rees-Mogg
 Sir Gary Streeter
 James Gray

Nick Fletcher
 Andrew Lewer
 Marco Longhi
 Martin Vickers
 Steve Double
 Philip Davies
 Beth Winter

Clause 88, page 92, line 27, at end insert—

“(g) section [*Abortion: gestation limits*].”

Member's explanatory statement

This amendment is linked to NC15.

Stella Creasy

63

Dr Dan Poulter
Sarah Owen
Charlotte Nichols
Bell Ribeiro-Addy
Lloyd Russell-Moyle
Wendy Chamberlain

Clause 88, page 92, line 27, at end insert—

“(g) section [*Abortion: Punitive Measures*]”

Member's explanatory statement

This amendment is consequential on NC40.

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 House

[15 May 2024]

That the Order of 28 November 2023 (Criminal Justice Bill: Programme) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.
2. Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.
3. Proceedings on Consideration—
 - (a) shall be taken on each of those days in the order shown in the first column of the following Table, and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings

Time for conclusion of proceedings

First day

New clauses and new Schedules, other than new clauses and new Schedules to be taken on the second day; amendments to clauses 1 to 17, clauses 28 to 36 and Schedules 1 and 2, other than amendments relating to abortion.

6 hours after the commencement of proceedings on the Motion for this Order

Second day

New clauses and new Schedules relating to the police, policing and police powers, the prevention, detection and reporting of offences, management of offenders, proceeds of crime and property connected with criminal behaviour, serious crime prevention orders, begging, rough sleeping, anti-social behaviour, crime and disorder strategies, public order, retail crime or conversion practices, other than new clauses and new Schedules relating to abortion; amendments to clauses 18 to 27, clauses 37 to 89 and Schedules 3 to 9, other than amendments relating to abortion.

3 hours after the commencement of proceedings on Consideration on the second day

New clauses and new Schedules relating to abortion; amendments relating to abortion; remaining proceedings on Consideration.

6 hours after the commencement of proceedings on Consideration on the second day

Withdrawn Amendments

The following amendments were withdrawn on 14 March 2024:

NC14

The following amendments were withdrawn on 18 March 2024:

NC13

The following amendments were withdrawn on 20 March 2024:

NC31

The following amendments were withdrawn on 26 March 2024:

NC30

The following amendments were withdrawn on 22 April 2024:

NC34

The following amendments were withdrawn on 23 April 2024:

NC37

The following amendments were withdrawn on 7 May 2024:

NC42

The following amendments were withdrawn on 10 May 2024:

NC58

The following amendments were withdrawn on 14 May 2024:

50 (duplicate)

The following amendments were withdrawn on 20 May 2024:

NC90