

# Domestic Abuse Bill

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REVISED  
SIXTH  
MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

*The amendments have been marshalled in accordance with the Instruction of 20th January 2021, as follows –*

Clauses 1 to 38	Schedule 2
Schedule 1	Clauses 69 to 80
Clauses 39 to 68	Title

*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**After Clause 72**

BARONESS BURT OF SOLIHULL  
LORD YOUNG OF COOKHAM  
BARONESS DEECH  
LORD KENNEDY OF SOUTHWARK

**163**

Insert the following new Clause –

**“Transfer of joint tenancies and survivors of domestic abuse**

- (1) This section applies where there are two or more joint tenants under a secure or assured tenancy and the landlord is a local housing authority or a private registered provider of social housing.
- (2) If one joint tenant (“A”) has experienced domestic abuse from another joint tenant (“B”) then A may apply to the county court for an order that B is removed as a joint tenant.
- (3) For the purposes of subsection (2) it is sufficient that the domestic abuse was directed at A or to anyone who might reasonably be expected to reside with A.
- (4) On such an application, the court must take the following approach –
  - (a) the court must be satisfied that the tenancy is affordable for A, or will be so within a reasonable period of time;
  - (b) if the court is so satisfied, then –

**After Clause 72 - continued**

- (i) if B has been convicted of an offence related to domestic abuse against A or anyone who might reasonably be expected to reside with A, the court must make an order under this section;
  - (ii) if B has been given a domestic abuse protection notice under section 20, or a domestic abuse protection order has been made against B under section 26, or B is currently subject to an injunction or restraining order in relation to A, or a person who might be reasonably expected to reside with A, the court may make an order under this section;
  - (iii) if the application does not fall within sub-paragraph (i) or (ii), then the court may make such an order if it thinks it fit to do so;
- (c) for the purposes of subsection (4)(b)(ii), the court must adopt the following approach—
- (i) if B does not oppose the making of such an order, then the court must make it;
  - (ii) if B does oppose the making of such an order then it is for B to satisfy the court that, as at the date of the hearing, there are exceptional circumstances which mean that the only way to do justice between A and B is for the order to be refused.
- (5) Where A has made such an application to the court, any notice to quit served by B shall be of no effect until determination of A’s application or any subsequent appeal.
- (6) Notwithstanding any rule of common law to the contrary, the effect of an order under this section is that the tenancy continues for all purposes as if B had never been a joint tenant.
- (7) For the purposes of this section, an offence related to domestic abuse includes, as against A or anyone who might be reasonably expected to reside with A, an offence of violence, threats of violence, criminal damage to property, rape, other offences of sexual violence or harassment, coercive control, breach of injunction, breach of restraining order, or breach of domestic abuse protection order.
- (8) In section 88(2) of the Housing Act 1985, after “section 17(1) of the Matrimonial and Family Proceedings Act 1984 (property adjustment orders after overseas divorce, &c.)” insert “, or section (*Transfer of joint tenancies and survivors of domestic abuse*) of the Domestic Abuse Act 2021,”.
- (9) In section 91(3)(b) of the Housing Act 1985, after sub-paragraph (iv), insert—  
“(v) section (*Transfer of joint tenancies and survivors of domestic abuse*) of the Domestic Abuse Act 2021;”.
- (10) In section 99B(2)(e) of the Housing Act 1985 (persons qualifying for compensation for improvements), after sub-paragraph (iv) insert—  
“(v) section (*Transfer of joint tenancies and survivors of domestic abuse*) of the Domestic Abuse Act 2021;”.

*After Clause 72 - continued*

BARONESS ROYALL OF BLAISDON  
 BARONESS JONES OF MOULSECOOMB  
 BARONESS BRINTON  
 LORD HUNT OF KINGS HEATH

164 Insert the following new Clause—

**“Monitoring of serial and serious harm domestic abuse and stalking perpetrators under multi-agency public protection arrangements**

- (1) The Criminal Justice Act 2003 is amended as follows.
- (2) In section 325 (arrangements for assessing etc risk posed by certain offenders)—
  - (a) in subsection (1), after ““relevant sexual or violent offender” has the meaning given by section 327” insert—
 

““relevant domestic abuse or stalking perpetrator” has the meaning given in section 327ZA;”;
  - (b) in subsection (2)(a), after “offenders” insert—
 

“(aa) relevant domestic abuse or stalking perpetrators,”.
- (3) After section 327 (section 325: interpretation) insert—

**“327ZA Section 325: interpretation of relevant domestic abuse or stalking perpetrator**

- (1) For the purposes of section 325, a person (“P”) is a “relevant domestic abuse or stalking perpetrator” if P has been convicted of a specified offence and meets either the condition in subsection (2)(a) or the condition in subsection (2)(b).
- (2) For the purposes of subsection (1), the conditions are—
  - (a) P is a relevant serial offender, or
  - (b) a risk of serious harm assessment has identified P as presenting a high or very high risk of serious harm.
- (3) An offence is a “specified offence” for the purposes of this section if it is a specified domestic abuse offence or a specified stalking offence.
- (4) In this section—
 

“relevant serial offender” means a person convicted on more than one occasion for the same specified offence, or a person convicted of more than one specified offence;

“specified domestic abuse offence” means an offence where it is alleged that the behaviour of the accused amounted to domestic abuse within the meaning of section 1 of the Domestic Abuse Act 2021;

“specified stalking offence” means an offence contrary to section 2A or section 4A of the Protection from Harassment Act 1997.
- (5) Within six months of the commencement of this section, a Minister of the Crown must lay a report before both Houses of Parliament reviewing the interpretation of the term “relevant domestic abuse or stalking perpetrator” for the purposes of section 325.

**After Clause 72 - continued**

- (6) A report under subsection (5) must give specific consideration to arrangements for assessing and managing the risks of domestic abuse or stalking posed by perpetrators convicted of offences other than a specified offence.
- (7) Subject to a report under subsection (5) being laid before both Houses of Parliament, a Minister of the Crown may by regulations amend this section.””

**Member’s explanatory statement**

*This new Clause amends the Criminal Justice Act 2003, which provides for the establishment of Multi-Agency Public Protection Arrangements (“MAPPA”), to make arrangements for serial domestic abuse or stalking perpetrators to be registered on VISOR (the Violent and Sex Offender Register) and be subjected to supervision, monitoring and management through MAPPA.*

BARONESS GREENGROSS  
LORD HUNT OF KINGS HEATH  
LORD RANDALL OF UXBRIDGE  
BARONESS MEACHER

165 Insert the following new Clause –

**“Duty to report suspected abuse**

A local authority must ensure that, where any of its employees suspects in the course of carrying out a financial assessment for adult social care that a person is the victim of domestic abuse, the employee reports the suspected abuse to a relevant social worker or the police.”

166 Insert the following new Clause –

**“Social workers: powers of entry**

- (1) A magistrate’s court may make an order permitting a registered social worker to enter premises specified in the order by force for the purposes of identifying and supporting victims of domestic abuse on an application made to it in accordance with this section.
- (2) A registered social worker may make an application if the social worker –
- (a) has reason to believe that any of the occupants of the premises are at risk of being victims of domestic abuse, and
  - (b) has been refused entry by any of the occupants of the premises.”

BARONESS BERTIN  
BARONESS BURT OF SOLIHULL  
LORD KENNEDY OF SOUTHWARK  
LORD STRASBURGER

167 Insert the following new Clause –

**“Strategic plan for perpetrators of domestic abuse**

Within one year of the passing of this Act, the Secretary of State must lay before Parliament a comprehensive prevention and perpetrator strategy for domestic abuse for the purposes of –

**After Clause 72 - continued**

- (a) improving the identification and assessment of perpetrators,
- (b) increasing the number of rehabilitation programmes, and
- (c) increasing specialist work to tackle abusive attitudes and behaviour.”

***Member’s explanatory statement***

*This amendment would require the Government to provide a comprehensive perpetrator strategy for domestic abuse, within one year of the Act being passed.*

BARONESS ALTMANN  
BARONESS DEECH  
LORD MENDELSON  
LORD PALMER OF CHILDS HILL

168 Insert the following new Clause—

**“Controlling or coercive behaviour: parties to a Jewish religious marriage**

In section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship), after subsection (5) insert—

“(5A) For the purposes of subsection (2)(a), if A and B remain parties to a Jewish religious marriage (notwithstanding the dissolution of any civil marriage) they are regarded as being connected in an intimate personal relationship.””

***Member’s explanatory statement***

*This proposal ensures that partners in a Jewish religious marriage which has not been dissolved can be considered under the definition of an “intimate personal relationship” within the Serious Crime Act 2015, whether or not they continue to be married under civil law or live together.*

169 Insert the following new Clause—

**“Controlling or coercive behaviour unreasonably preventing dissolution of a religious Jewish marriage**

Any guidance issued by the Secretary of State with the intention of defining “controlling or coercive” behaviour for the purposes of section 1 of this Act, or section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship), must recognise as “controlling or coercive” any behaviour whereby a person unreasonably prevents the dissolution of a Jewish religious marriage to which they are a party and where the other party to the Jewish religious marriage wishes to bring about that dissolution.”

170 Insert the following new Clause—

**“Unreasonably preventing dissolution of a religious Jewish marriage**

(1) If a person (“A”) unreasonably prevents a religious Jewish marriage being dissolved, this must be regarded as a significant factor to be taken into account when any determination is being made as to whether—

- (a) the behaviour of A towards the person to whom A is married under Jewish law (“B”) is domestic abuse;

**After Clause 72 - continued**

- (b) an offence has been committed by A under section 76 (controlling or coercive behaviour in an intimate or family relationship) or section 76A (offences under section 76 committed outside the United Kingdom) of the Serious Crime Act 2015;
  - (c) a court should make a domestic abuse protection order under section 26 or 29 of this Act; or
  - (d) domestic abuse support should be provided under section 55 of this Act.
- (2) “Unreasonably preventing a religious Jewish marriage being dissolved” may include behaviour whereby A unreasonably imposes conditions, including as a condition that the get be provided on terms that are substantially less favourable than those ordered by a court.”

***Member’s explanatory statement***

*This new Clause ensures the specific issue of prevention of dissolution of Jewish religious marriage with a ‘get’ falls under the Bill and is considered “domestic abuse” and is subject to domestic abuse protections and support, and threatening to impede the dissolution of the marriage to improve civil divorce terms is classified as “unreasonable”. It also provides protection through the courts by being able to obtain a Domestic Abuse Protection Order in such cases.*

LORD PONSONBY OF SHULBREDE  
BARONESS GREY-THOMPSON

171 Insert the following new Clause –

**“Repeal of provisions about defence for controlling or coercive behaviour offence**

In section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship), leave out subsections (8) to (10).”

***Member’s explanatory statement***

*This new Clause seeks to repeal the ‘carers’ defence’ for the offence of controlling or coercive behaviour in intimate or family relationships.*

BARONESS STROUD  
BARONESS ARMSTRONG OF HILL TOP  
BARONESS WATKINS OF TAVISTOCK  
LORD MACKAY OF CLASHFERN

172 Insert the following new Clause –

**“Babies affected by domestic abuse**

The Secretary of State must make provision for publicly-funded trauma-informed and attachment-focussed therapeutic work to be made available to all parents of children aged under two years old where those children are victims of or otherwise affected by domestic abuse.”

**After Clause 72 - continued**

BARONESS GALE

173 Insert the following new Clause—

**“Duty of the Secretary of State to take account of matters relating to gender**

It is a duty of the Secretary of State in performing functions under this Act to take account of the evidence that domestic abuse affects women disproportionately and is a subset of violence against women and girls.”

***Member’s explanatory statement***

*This new Clause establishes the gendered nature of domestic abuse in statute.*

BARONESS BURT OF SOLIHULL

174 Insert the following new Clause—

**“Code of practice: employer’s duty of care**

- (1) In this section—
  - (a) “worker” means an individual who has entered into or works under a contract of employment or any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual; and
  - (b) “employer” means the person to whom the worker undertakes to perform the work or services in question.
- (2) The Secretary of State must issue a code of practice (a “code”) containing provision designed to ensure that persons affected by domestic abuse who are workers receive appropriate care and support from their employer in relation to their work.
- (3) A code may include provision requiring an employer to make reasonable adjustments for the purpose of ensuring that persons affected by domestic abuse are not, by reason of being so affected, placed at a substantial disadvantage in relation to their work in comparison with persons who are not so affected.
- (4) The Secretary of State may revoke or amend a code.
- (5) Before issuing, revoking or amending a code the Secretary of State must—
  - (a) issue proposals, and
  - (b) consult the Commissioner and such other persons as the Secretary of State thinks appropriate.
- (6) Failure to comply with a provision of a code does not of itself make a person liable to civil or criminal proceedings; but a code shall be—
  - (a) admissible in evidence in criminal or civil proceedings, and
  - (b) taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant, including (in particular) any case in which a question arises as to whether an employer is in breach of a duty of care owed to a worker.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to issue a code of practice containing provision designed to ensure that persons affected by domestic abuse who are workers receive appropriate care and support from their employer.*

175

Insert the following new Clause—

**“School admissions code: duty of Secretary of State**

- (1) The Secretary of State must, within six months after this section comes into force, secure that the school admissions code issued for England under section 84 of the Schools Standards and Framework Act 1998 (“1998 Act”) contains such provision as the Secretary of State considers necessary to achieve the objective set out in subsection (5).
- (2) The Secretary of State must secure that the Commissioner is consulted about any proposed provision under subsection (1).
- (3) The Welsh Ministers must, within six months after this section comes into force, secure that the Welsh Government school admissions code issued under section 84 of the 1998 Act contains such provision as the Welsh Ministers consider necessary to achieve the objective set out in subsection (5).
- (4) The Welsh Ministers must secure that the Commissioner is consulted about any proposed provision under subsection (3).
- (5) The objective is that—
  - (a) oversubscription criteria for admission to any school to which the school admissions code applies give the same priority to children falling within subsection (6) as to looked-after children (within the meaning of section 22(1) of the Children Act 1989), and
  - (b) the Code contains appropriate guidance about admission of children who have moved home to avoid domestic abuse or who are otherwise affected by domestic abuse.
- (6) A child falls within this subsection if the child—
  - (a) is in the care of, or provided with accommodation by, a body exercising a function which, if the body were a local authority, would be a social services function of the kind mentioned in section 22(1)(b) of the Children Act 1989, or
  - (b) has moved home as a result of being affected by domestic abuse.”

***Member's explanatory statement***

*This amendment would extend the duty on local authorities to provide school places for “looked after children” to children who are forced to change schools as a result of domestic abuse.*

LORD POLAK  
THE LORD BISHOP OF DERBY  
LORD ROSSER  
LORD RUSSELL OF LIVERPOOL

176 Insert the following new Clause—

**“Provision of sufficient specialist domestic abuse services**

- (1) Each relevant public authority must in exercising its functions take all reasonable steps to secure the provision within each of its areas of sufficient specialist domestic abuse services to meet the needs of relevant persons within that area.
- (2) Each relevant public authority must co-operate with another relevant public authority insofar as it is necessary for it to do so in order to secure the provision of—
  - (a) sufficient specialist domestic abuse services within each of its areas to meet the needs of relevant persons within that area; and
  - (b) sufficient specialist domestic abuse services within each of that other relevant public authority’s areas to meet the needs of relevant persons within that area.
- (3) For the purposes of this section, specialist domestic abuse services are only sufficient to meet the needs of relevant persons within the area of a relevant public authority if they are sufficient to meet the particular needs of any group of such relevant persons who share a particular status that arise by reason of the fact that those persons share that status.
- (4) When performing its duties under this section, a relevant public authority must have regard to—
  - (a) any guidance issued by the Secretary of State under subsection (6), and
  - (b) any strategy published under section 55(1) which relates to any of its areas.
- (5) The duties imposed by this section are without prejudice to the duties imposed by section 55.
- (6) The Secretary of State may issue guidance to relevant public authorities on their duties under this section.
- (7) Guidance issued by the Secretary of State under subsection (6) may, in particular, give guidance on—
  - (a) what constitutes sufficient specialist domestic abuse services, and
  - (b) what constitutes reasonable steps to secure the provision of sufficient specialist domestic abuse services.
- (8) The Secretary of State may make regulations providing for the resolution of any disputes that might arise between relevant public authorities in relation to the performance of their duties under this section.
- (9) The Secretary of State may by regulation amend this section as follows—
  - (a) to add a public authority as a relevant public authority for the purposes of this section,
  - (b) to remove a public authority added by virtue of paragraph (a),
  - (c) to vary any description of a public authority.

**After Clause 72 - continued**

- (10) Regulations under subsection (9) may not contain a provision adding a devolved Welsh authority as a relevant public authority for the purposes of this section.
- (11) In this section—
- “devolved Welsh authority” has the meaning given by section 157A of the Government of Wales Act 2006 (“devolved Welsh authority”);
- “local authority area” means the area of a district council in England, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
- “needs” means such needs of a relevant person that arise by reason of the fact that the person is a relevant person;
- “perpetrator of domestic abuse” means a person who is or has been abusive towards another person;
- “relevant person” means—
- (a) a victim or a person who is at risk of domestic abuse,
  - (b) a perpetrator of domestic abuse,
  - (c) a child aged under 16 who, if he or she were aged 16 or over, would be a victim of domestic abuse,
  - (d) a child aged under 16 who, if he or she were aged 16 or over, would be a perpetrator of domestic abuse, regardless of status;
- “relevant public authority” means—
- (a) an English local authority within the meaning of section 15(7),
  - (b) a local policing body within the meaning of section 101(1) of the Police Act 1996,
  - (c) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
- “specialist domestic abuse services” means services designed to meet the needs of relevant persons, and may include (but are not limited to)—
- (a) protective measures and action taken to protect persons against domestic abuse,
  - (b) residential accommodation, including refuge services and other relevant accommodation and support as defined in section 54(2) and including communal accommodation within the meaning of paragraph 3(5) of Schedule 23 to the Equality Act 2010,
  - (c) counselling and psychological support,
  - (d) advice and advocacy support in relation to welfare benefits, debt, and access to financial support,
  - (e) perpetrator programmes,
  - (f) legal services,
  - (g) helplines,
  - (h) services designed to meet the particular needs of victims of sexual violence,
  - (i) services designed to meet the particular needs of a group of relevant persons who share a particular status;
- “status” means a status within the meaning of Article 4(3) of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and any combination of such statuses.

**After Clause 72 - continued**

a reference to the “areas” of a relevant public authority means—

- (a) in the case of a district council in England, a London borough council, the Common Council of the City of London and the Council of the Isles of Scilly, that council’s local authority area;
- (b) in relation to a police and crime commissioner for a police area in England, each local authority area that falls wholly or partly within that police area;
- (c) in relation to the Mayor’s Office for Policing and Crime, each local authority area that falls wholly or partly within the metropolitan police district;
- (d) in relation to a clinical commissioning group established under section 14D of the National Health Service Act 2006, each local authority area that falls wholly or partly within the area specified in that clinical commissioning group’s constitution.”

**Member’s explanatory statement**

*This new Clause requires local authorities, police and crime commissioners and clinical commissioning groups to take reasonable steps to ensure sufficient provision of specialist domestic abuse support services in their local areas, in both the community and in refuges. This must include sufficient provision, where need arises, of services for children and young people, survivors with protected characteristics and migrant survivors, as well as perpetrator programmes.*

LORD POLAK

LORD ROSSER

LORD RUSSELL OF LIVERPOOL

177

Insert the following new Clause—

**“Duty on police and crime commissioners to co-operate in relation to local strategies under the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015**

- (1) This section applies where a relevant body requests that a relevant police and crime commissioner co-operate with the relevant body for the purpose of facilitating the discharge by the relevant body of any of its relevant functions.
- (2) The relevant police and crime commissioner must take all reasonable steps to comply with the request.
- (3) In this section—
  - “relevant body” means:
    - (a) a “local authority” within the meaning of section 24(1) of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015; or
    - (b) a “Local Health Board” within the meaning of section 24(1) of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015;

“relevant functions” means the functions of a relevant body under sections 5 to 8 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 in so far as those functions relate to “domestic abuse” within the meaning of section 24 of that Act;

**After Clause 72 - continued**

“relevant police and crime commissioner” means a police and crime commissioner for a police area listed in Schedule 1 to the Police Act 1996 that is located wholly or partly in Wales.”

***Member’s explanatory statement***

*This Clause will require police and crime commissioners in Wales to take reasonable steps to comply with co-operation requests from local authorities or health boards in Wales with respect to preparation and implementation of local strategies prepared under the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (VAWDASV Act). This aims to ensure co-operation in Wales of the key bodies with responsibility for domestic abuse support service provision.*

BARONESS BENJAMIN  
LORD ALTON OF LIVERPOOL  
LORD MCCOLL OF DULWICH  
BARONESS HEALY OF PRIMROSE HILL

177A Insert the following new Clause –

**“Impact of online pornography on domestic abuse**

- (1) Within three months of the day on which this Act is passed, the Secretary of State must commission a person appointed by the Secretary of State to investigate the impact of access to online pornography by children on domestic abuse.
- (2) Within three months of their appointment, the appointed person must publish a report on the investigation which may include recommendations for the Secretary of State.
- (3) As part of the investigation, the appointed person must consider the extent to which the implementation of Part 3 of the Digital Economy Act 2017 (online pornography) would prevent domestic abuse, and may make recommendations to the Secretary of State accordingly.
- (4) Within three months of receiving the report, the Secretary of State must publish a response to the recommendations of the appointed person.
- (5) If the appointed person recommends that Part 3 of the Digital Economy Act 2017 should be commenced, the Secretary of State must appoint a day for the coming into force of that Part under section 118(6) of the Act within the timeframe recommended by the appointed person.”

***Member’s explanatory statement***

*This amendment would require an investigation into any link between online pornography and domestic abuse with a view to implementing recommendations to bring into effect the age verification regime in the Digital Economy Act 2017 as a means of preventing domestic abuse.*

## LORD HUNT OF KINGS HEATH

**177B** Insert the following new Clause—

**“Domestic Abuse National Perpetrator Strategy**

Within two years of the passing of this Act, the Secretary of State must prepare and publish a Domestic Abuse National Perpetrator Strategy for England and Wales.”

*Member’s explanatory statement*

*The amendment probes government intentions to establish a strategy to review perpetrator behaviour and best-practice perpetrator interventions available across England and Wales.*

**Clause 73**

## BARONESS WILLIAMS OF TRAFFORD

**178** Page 57, line 44, leave out “in England and Wales” and insert “—

(i) in England, and

(ii) so far as not relating to Welsh devolved matters, in Wales.”

*Member’s explanatory statement*

*This amendment and the Minister’s amendment at page 58, line 28 would ensure that guidance issued by the Secretary of State under clause 73(1)(b) about matters relating to domestic abuse in Wales does not relate to matters that are devolved in relation to Wales.*

## BARONESS STROUD

## BARONESS ARMSTRONG OF HILL TOP

## LORD MACKAY OF CLASHFERN

**179** Page 58, line 5, at end insert “and in particular on babies who were in utero at the time of the abuse, and on babies and young children aged under two years old”

## BARONESS MEACHER

## BARONESS FEATHERSTONE

## BARONESS BUTLER-SLOSS

**180** Page 58, line 5, at end insert—

“(c) ensuring the provision of services to every primary school—

(i) to identify and treat children who are identified as unusually aggressive or manipulative, and

(ii) to involve parents in the treatment wherever possible;

(d) ensuring the provision of compulsory relationship and sex education and preparation for marriage classes in the final two years at school of every student.”

## BARONESS FINLAY OF LLANDAFF

## BARONESS WATKINS OF TAVISTOCK

## LORD HUNT OF KINGS HEATH

**181** Page 58, line 5, at end insert—

“(c) the relationship between domestic abuse and substance use.”

**Member's explanatory statement**

*This amendment would ensure that guidance issued by the Secretary of State must cover the link between domestic abuse and substance use.*

LORD KENNEDY OF SOUTHWARK  
LORD HUNT OF KINGS HEATH

182 Page 58, line 5, at end insert –

“(c) the support employers should provide to victims of domestic abuse, including through the provision of paid leave.”

**Member's explanatory statement**

*This amendment would ensure that employers are provided with guidance about the support they should provide to victims of domestic abuse, including provision of paid leave.*

LORD FARMER

183 Page 58, line 5, at end insert –

“(c) typologies of domestic abuse and the intentions and objectives underlying different types.”

**Member's explanatory statement**

*This amendment would require the Government to provide information on the evidence-based differences between the motivational drivers of different types of abuse.*

BARONESS BURT OF SOLIHULL  
BARONESS MASSEY OF DARWEN  
BARONESS BENNETT OF MANOR CASTLE

184 Page 58, line 5, at end insert –

“(2A) The Secretary of State must issue separate statutory guidance on domestic abuse that also constitutes teenage relationship abuse and such guidance must address how to ensure there are –

- (a) sufficient levels of local authority service provision for both victims and perpetrators of such abuse,
- (b) child safeguarding referral pathways for both victims and perpetrators of such abuse.

(2B) The guidance in subsection (2A) must be published within three months of the passing of this Act, and must be reviewed twice in each year.

(2C) For the purposes of subsection (2A), “teenage relationship abuse” is defined as any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse, which can encompass, but is not limited to, psychological, physical, sexual, economic and emotional abuse, including through the use of technology, between those aged 18 or under who are, or have been, in a romantic relationship regardless of gender or sexual orientation.”

**Member's explanatory statement**

*This amendment would place a duty on the Secretary of State to publish separate statutory guidance on teenage relationship abuse. The statutory guidance would not just cover victims of teenage domestic abuse but extend to those who perpetrate abuse within their own teenage relationships.*

BARONESS LISTER OF BURTERSETT  
BARONESS HODGSON OF ABINGER  
THE LORD BISHOP OF GLOUCESTER

- 185 Page 58, line 8, at end insert “and any strategy to end violence against women and girls adopted by a Minister of the Crown.”

***Member’s explanatory statement***

*This amendment ensures that statutory guidance issued alongside the Domestic Abuse Bill takes into account any violence against women and girls (VAWG) strategy adopted by the Government, so that efforts to prevent and address domestic abuse are linked to integrated and coordinated responses to tackle VAWG.*

LORD PADDICK  
BARONESS FEATHERSTONE

- 186 Page 58, line 8, at end insert “, that one third are male, and that some are in same sex relationships”

***Member’s explanatory statement***

*This amendment seeks to ensure that guidance meets the needs of male victims and those in same sex relationships.*

LORD RAMSBOTHAM  
BARONESS ANDREWS  
BARONESS FINLAY OF LLANDAFF  
LORD SHINKWIN

- 187 Page 58, line 8, at end insert –
- “( ) Any guidance issued under this section must include information on –
- (a) the links between –
    - (i) domestic abuse, and
    - (ii) speech, language and communication needs;
  - (b) the impact of witnessing domestic abuse on children’s speech, language and communication needs.”

BARONESS WILLIAMS OF TRAFFORD

- 188 Page 58, line 28, at end insert –
- “( ) For the purposes of this section something relates to Welsh devolved matters so far as it relates to –
- (a) any matter provision about which would be within the legislative competence of Senedd Cymru if it were contained in an Act of Senedd Cymru, or
  - (b) (so far as it is not within paragraph (a)), any matter functions with respect to which are exercisable by the Welsh Ministers, the First Minister for Wales, the Counsel General to the Welsh Government or the Senedd Commission.”

***Member’s explanatory statement***

*See the explanatory statement for the Minister’s amendment at page 57, line 44.*

**Clause 76**

BARONESS HAMWEE  
BARONESS BURT OF SOLIHULL

189 Page 59, line 38, after “under” insert “section 15(4)(b) or”

***Member’s explanatory statement***

*This amendment would require regulations removing a specified authority under section 15 to be done using the affirmative resolution procedure.*

**Clause 78**

BARONESS LISTER OF BURTERSETT  
LORD BEST  
BARONESS PRIMAROLO  
BARONESS CHAKRABARTI

190 Page 60, line 16, after “sections” insert “(Benefit cap: domestic abuse), and”

***Member’s explanatory statement***

*This amendment is consequential to the new Clause in the name of Baroness Lister of Burtersett “Benefit cap: domestic abuse”.*

**Clause 79**

LORD MARKS OF HENLEY-ON-THAMES

191 Page 61, line 14, at end insert –

- “( ) Regulations under this section bringing section 69 permanently into force may not be made unless –
- (a) the Secretary of State has laid before Parliament a report evaluating –
    - (i) the application and effect of the polygraph condition under the Offender Management Act 2007, and
    - (ii) the results of any pilot of the application of the polygraph condition under section 69, as provided for by subsections (7) and (8), and
  - (b) both Houses of Parliament have debated the report and agreed a resolution that the Secretary of State may make regulations in accordance with this section.”

***Member’s explanatory statement***

*This amendment would require that the polygraph condition be piloted and the results of such pilot considered by Parliament before Clause 69 could be implemented on a permanent basis.*

# Domestic Abuse Bill

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REVISED  
SIXTH  
MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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*8 February 2021*

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