

Covert Human Intelligence Sources (Criminal Conduct) Bill

[Page and line numbers refer to HL Bill 144(*Corrected*) published on 17 November 2020]

AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

LORD HENDY
LORD HAIN

Page 2, line 27, leave out paragraphs (b) and (c) and insert—

“(b) for the purposes of preventing or detecting serious crime.

(5A) In subsection (5), “serious crime” means a crime triable only on indictment.”

Member’s explanatory statement

The amendment is intended to constrain the use of criminal conduct authorisations by precluding their use for the purpose of preventing or deterring minor criminal activities, non-serious disorder, or non-criminal damage to economic interests.

BARONESS JONES OF MOULSECOOMB

Page 2, line 27, leave out “or of preventing disorder”

Member’s explanatory statement

This is a probing amendment to understand why preventing and detecting crime would not be sufficient on its own.

BARONESS MCINTOSH OF PICKERING

Page 3, line 2, at end insert—

“() Where criminal conduct authorisations under subsection (1) are granted in relation to covert human intelligence sources under the age of 18, the provisions of the United Nations Convention on the Rights of the Child apply.”

LORD HODGSON OF ASTLEY ABBOTTS

Page 3, leave out lines 10 to 16

Member’s explanatory statement

This amendment is tabled to discuss the extent to which the operation of criminal conduct authorisations can be amended by regulation.

Clause 2

BARONESS MCINTOSH OF PICKERING

Page 4, leave out line 20

Page 4, leave out line 22

Baroness McIntosh of Pickering gives notice of her intention to oppose the Question that Clause 2 stand part of the Bill.

Schedule 1

LORD HODGSON OF ASTLEY ABBOTTS

Page 7, leave out lines 43 to 49

Member's explanatory statement

This amendment is tabled to discuss the extent to which the operation of criminal conduct authorisations can be amended by regulation.

Clause 6

BARONESS JONES OF MOULSECOOMB

Page 5, line 25, at end insert—

- “() Regulations may not be made under this section until—
- (a) the Undercover Policing Inquiry has published its final report, and
 - (b) the Secretary of State has laid before both Houses of Parliament a paper detailing actions that will be taken in response to the Inquiry's report with regard to criminal conduct authorisations in relation to covert human intelligence sources.”

Member's explanatory statement

This is a probing amendment to find out how the Government intends to respond to the Undercover Policing Inquiry.

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