

Domestic Abuse Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

Tabled up to and including

26 February 2021

[Sheets HL Bill 171(a) to (f)]

Clause 1

BARONESS MEYER
LORD MACKAY OF CLASHFERN
BARONESS ALTMANN
THE EARL OF LYTTON

Page 2, line 12, at end insert “, such as a parent’s behaviour deliberately designed to damage the relationship between a child of the parent and the other parent.”

Clause 2

BARONESS CAMPBELL OF SURBITON
BARONESS GREY-THOMPSON
BARONESS WILCOX OF NEWPORT
LORD SHINKWIN

Page 2, line 29, at end insert –

“() one is a carer for the other who is a disabled person.”

Member’s explanatory statement

This amendment and the amendments at page 2, lines 34 and 37, in the name of Baroness Campbell of Surbiton, would bring the relationship between a disabled person and their carer within the definition of "personally connected".

Page 2, line 34, at end insert –

““carer” means an adult who provides care, whether paid or unpaid;”

Member’s explanatory statement

See the explanatory statement for the amendment at page 2, line 29 in the name of Baroness Campbell of Surbiton.

Page 2, line 37, at end insert –

““disabled person” means a person who has a disability within the meaning of section 6 of the Equality Act 2010 (disability);”

Member’s explanatory statement

See the explanatory statement for the amendment in the name of Baroness Campbell of Surbiton at page 2, line 29.

Clause 8

BARONESS LISTER OF BURTERSETT
BARONESS MEACHER
BARONESS HODGSON OF ABINGER
BARONESS BURT OF SOLIHULL

Page 5, line 29, at end insert –

- “(7) Within one year of the passing of this Act, the Commissioner must publish a report under this section, which –
- (a) investigates the impact of Universal Credit single household payments on victims of domestic abuse; and
 - (b) investigates and presents alternative options for the payment of Universal Credit single household payments that protect victims of domestic abuse.”

Member’s explanatory statement

This amendment would place a legal duty on the Domestic Abuse Commissioner to investigate the payment of Universal Credit separately to members of a couple and to lay a report to Parliament.

Clause 55

BARONESS FINLAY OF LLANDAFF
LORD BROOKE OF ALVERTHORPE
BARONESS BURT OF SOLIHULL
LORD RIBEIRO

Page 35, line 30, at end insert “including, where necessary, alcohol and mental health support,”

After Clause 58

LORD HUNT OF KINGS HEATH

Insert the following new Clause –

“Application of this Part to community services

- (1) The Secretary of State may by regulations make provision to extend the scope of the functions of local authorities under this Part, and the definition of “domestic abuse support”, to provision of community services, and to remove the restriction to victims or children of victims who reside in relevant accommodation.

After Clause 58 - continued

- (2) In this section “community services” means services provided in people’s own homes, community clinics, community centres, schools and GP surgeries, and includes NHS community health services, public health services, adult social care, pharmacies, hospices, nursing homes, home care agencies, voluntary sector services and carers.”

After Clause 68

BARONESS KENNEDY OF THE SHAWES
THE LORD BISHOP OF GLOUCESTER

Insert the following new Clause –

“Reasonable force in domestic abuse cases

- (1) Section 76 of the Criminal Justice and Immigration Act 2008 (reasonable force for purposes of self-defence etc.) is amended as follows.
- (2) In subsection (5A) after “In a householder case” insert “or a domestic abuse case”.
- (3) In subsection (6) after “In a case other than a householder case” insert “or a domestic abuse case”.
- (4) After subsection (8F) insert –
- “(8G) For the purposes of this section “a domestic abuse case” is a case where –
- (a) the defence concerned is the common law defence of self-defence,
 - (b) D is, or has been, a victim of domestic abuse, and
 - (c) the force concerned is force used by D against the person who has perpetrated the abusive behaviour referred to in paragraph (b).
- (8H) Subsection (8G)(b) will only be established if the behaviour concerned is, or is part of, a history of conduct which constitutes domestic abuse as defined in sections 1 and 2 of the Domestic Abuse Act 2021, including but not limited to conduct which constitutes the offence of controlling or coercive behaviour in an intimate or family relationship as defined in section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship).”
- (5) In subsection (9) after “householder cases” insert “and domestic abuse cases”.”

Member’s explanatory statement

This Clause seeks to clarify the degree of force which is reasonable under the common law of self-defence where the defendant is a survivor of domestic abuse alleged to have used force against their abuser.

BARONESS KENNEDY OF THE SHAWES
LORD RANDALL OF UXBRIDGE

Insert the following new Clause –

“Defence for victims of domestic abuse who commit an offence

- (1) A person is not guilty of an offence if –

After Clause 68 - continued

- (a) the person is aged 18 or over when the person does the act which constitutes the offence,
 - (b) the person does that act because the person is compelled to do it,
 - (c) the compulsion is attributable to their being a victim of domestic abuse, and
 - (d) a reasonable person in the same situation as the person and having the person's relevant characteristics would have no realistic alternative to doing that act.
- (2) A person may be compelled to do something by another person or by the person's circumstances.
- (3) Compulsion is attributable to domestic abuse only if—
- (a) it is, or is part of, conduct which constitutes domestic abuse as defined in sections 1 and 2 of this Act, including but not limited to conduct which constitutes the offence of controlling or coercive behaviour in an intimate or family relationship as defined in section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship), or
 - (b) it is a direct consequence of a person being, or having been, a victim of such abuse.
- (4) A person is not guilty of an offence if—
- (a) the person is under the age of 18 when the person does the act which constitutes the offence,
 - (b) the person does that act as a direct consequence of the person being, or having been, a victim of domestic abuse as defined at subsection (3)(a) above, and
 - (c) a reasonable person in the same situation as the person and having the person's relevant characteristics would do that act.
- (5) For the purposes of this section "relevant characteristics" means age, sex, any physical or mental illness or disability and any experience of domestic abuse.
- (6) In this section references to an act include an omission.
- (7) Subsections (1) and (4) do not apply to an offence listed in Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*).
- (8) The Secretary of State may by regulations amend Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*).
- (9) The Secretary of State must make arrangements for monitoring of the types of offence for which victims of domestic abuse are prosecuted and use this evidence to inform an annual review of the offences listed in Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*) and any amendment to Schedule (*Offences to which the defence for victims of domestic abuse who commit an offence does not apply*)."

Member's explanatory statement

This new Clause would provide a statutory defence for survivors of domestic abuse, in some circumstances, who commit an offence. It is closely modelled on section 45 of the Modern Slavery Act 2015.

After Clause 72

BARONESS CAMPBELL OF SURBITON
 BARONESS GREY-THOMPSON
 LORD SHINKWIN
 LORD HUNT OF KINGS HEATH

Insert the following new Clause—

“Controlling or coercive behaviour: disabled people and their carers

- (1) Section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship) is amended as follows.
- (2) In subsection (2), after paragraph (b) insert—
 - “(c) A is a carer for B who is a disabled person.”
- (3) After subsection (2), insert—
 - “(2A) In subsection (2)—
 - “carer” means an adult who provides care, whether paid or unpaid;
 - “disabled person” means a person who has a disability within the meaning of section 6 of the Equality Act 2010 (disability).”

Member’s explanatory statement

This new Clause would bring the relationship between a disabled person and their carer within the definition of "personally connected" in section 76 of the Serious Crime Act 2015 in line with the amendments to the definition in Clause 2 in the name of Baroness Campbell of Surbiton, so that controlling or coercive behaviour by carers is covered by the section 76 offence.

BARONESS MEACHER
 BARONESS WILCOX OF NEWPORT
 BARONESS HAMWEE
 THE LORD BISHOP OF LONDON

Insert the following new Clause—

“Victims of domestic abuse: data-sharing for immigration purposes

- (1) The Secretary of State must make arrangements to ensure that personal data of a victim of domestic abuse in the United Kingdom that is processed for the purpose of that person requesting or receiving support or assistance related to domestic abuse is not used for any immigration control purpose.
- (2) The Secretary of State must make arrangements to ensure that the personal data of a witness to domestic abuse in the United Kingdom that is processed for the purpose of that person giving information or evidence to assist the investigation or prosecution of that abuse, or to assist the victim of that abuse in any legal proceedings, is not used for any immigration control purpose.
- (3) Paragraph 4 of Schedule 2 to the Data Protection Act 2018 shall not apply to the personal data to which subsection (1) or (2) applies.
- (4) For the purposes of this section, the Secretary of State must issue guidance to—
 - (a) persons from whom support or assistance may be requested or received by a victim of domestic abuse in the United Kingdom;

After Clause 72 - continued

- (b) persons exercising any function of the Secretary of State in relation to immigration, asylum or nationality; and
 - (c) persons exercising any function conferred by or by virtue of the Immigration Acts on an immigration officer.
- (5) For the purposes of this section –
- “immigration control purpose” means any purpose of the functions to which subsection (4)(b) and (c) refers;
 - “support or assistance” includes the provision of accommodation, banking services, education, employment, financial or social assistance, healthcare and policing services; and any function of a court or prosecuting authority;
 - “victim” includes any dependent of a person, at whom the domestic abuse is directed, where that dependent is affected by that abuse.”

Member’s explanatory statement

This new Clause would require the Secretary of State to make arrangements to ensure that the personal data of migrant survivors of domestic abuse that is given or used for the purpose of their seeking or receiving support and assistance is not used for immigration control purposes.

BARONESS LISTER OF BURTERSETT
BARONESS BURT OF SOLIHULL

Insert the following new Clause –

“Duty to assess impact of social security reforms on victims of domestic abuse

- (1) When developing social security reform policies, the relevant government department must assess the impact of such policies on individuals who are, or are likely to become, victims of domestic abuse within the meaning of section 1 of this Act, and promote their wellbeing through those policies.
- (2) For the purposes of subsection (1) “wellbeing”, relates to any of the following –
 - (a) physical and mental health and emotional wellbeing;
 - (b) protection from abuse and neglect;
 - (c) control over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);
 - (d) participation in work, education, training or recreation;
 - (e) social and economic wellbeing; and
 - (f) suitability of living accommodation.
- (3) In exercising the duty under subsection (1), the appropriate authority must have regard to the following matters in particular –
 - (a) the importance of individuals who are, or are likely to become, victims of domestic abuse being able to escape abusive relationships;
 - (b) the importance of individuals who are, or are likely to become, victims of domestic abuse being able to become economically independent of the perpetrator(s) of abuse; and

After Clause 72 - continued

- (c) the importance of individuals who are or are likely to become victims of domestic abuse being able to rebuild their lives.”

Member’s explanatory statement

This new Clause would place a duty on the relevant government department to assess the impact of any social security reforms on the victims or potential victims of domestic abuse.

Insert the following new Clause –

“Social security: exemption from repaying benefit advances

- (1) The Social Security (Payments on Account of Benefit) Regulations 2013 are amended as follows.
- (2) In regulation 7 (definition of financial need), after paragraph (3) insert –
 - “(4) It shall be presumed for the purposes of this regulation that A is in financial need where A –
 - (a) is or has recently been a victim of domestic abuse; and
 - (b) provides evidence of the domestic abuse in one or more of the forms set out in regulation 33(2) of the Civil Legal Aid (Procedure) Regulations 2012.
 - (5) A has recently been a victim of domestic abuse if a period of 12 months has not expired since the domestic abuse was inflicted or threatened.
 - (6) For the purposes of this regulation –
 - (a) “domestic abuse” has the meaning set out in section 1 of the Domestic Abuse Act 2021;
 - (b) “victim of domestic abuse” means a person on or against whom domestic abuse is inflicted or threatened.”
- (3) In regulation 10 (bringing payments on account of benefit into account), after sub-paragraph (b) insert –
 - “(2) In the case of a payment on account of benefit made to a person who can provide evidence of being or having recently been a victim of domestic abuse, paragraph (1) shall not apply.
 - (3) A person has recently been a victim of domestic abuse if a period of 12 months has not expired since the domestic abuse was inflicted or threatened.
 - (4) For the purposes of this regulation –
 - “domestic abuse” has the meaning set out in section 1 of the Domestic Abuse Act 2021;
 - “victim of domestic abuse” means a person on or against whom domestic abuse is inflicted or threatened.
 - (5) For the purposes of this regulation, evidence of being or having recently been a victim of domestic abuse must be provided in one or more of the forms set out in regulation 33(2) of the Civil Legal Aid (Procedure) Regulations 2012.””

After Clause 72 - continued

THE LORD BISHOP OF GLOUCESTER
LORD ROSSER
BARONESS HAMWEE

Insert the following new Clause—

“Victims of domestic abuse: leave to remain and the destitution domestic violence concession (DDVC)

- (1) The Secretary of State must, within three months of this Act being passed, lay before Parliament a statement of changes in rules made under section 3(2) of the Immigration Act 1971 (“the immigration rules”) to make provision for leave to remain to be granted to any person subject to immigration control who is a victim of domestic abuse in the United Kingdom.
- (2) The statement laid under subsection (1) must—
 - (a) set out rules for the granting of indefinite leave to remain to any person subject to immigration control who is a victim of domestic abuse in the United Kingdom; and
 - (b) provide for those rules to be commenced no later than one month after the laying of the statement.
- (3) The Secretary of State must make provision for granting limited leave to remain for a period of no less than six months to any person eligible to make an application under the immigration rules for the purposes of subsection (2); such leave must include no condition under section 3(1)(c)(i), (ia), (ii) or (v) of the Immigration Act 1971.
- (4) The Secretary of State must make provision for extending limited leave to remain granted in accordance with subsection (3) to ensure that leave continues throughout the period during which an application made under the immigration rules for the purposes of subsection (2) remains pending.
- (5) Where subsection (6) applies, notwithstanding any statutory or other provision, no services shall be withheld from a victim of domestic abuse solely by reason of that person not having leave to remain or having leave to remain subject to a condition under section 3(1)(c) of the Immigration Act 1971.
- (6) This subsection applies where a provider of services is satisfied that the victim of domestic abuse is eligible to make an application to which subsection (3) refers.
- (7) The Secretary of State must, for the purposes of subsection (5), issue guidance to providers of services about the assessment of eligibility to make an application to which subsection (3) refers.
- (8) In this section—
 - (a) an application is pending during the period—
 - (i) beginning when it is made,
 - (ii) ending when it is finally decided, withdrawn or abandoned;
 - (b) an application is not finally decided while an application for review or appeal could be made within the period permitted for either or while any such review or appeal remains pending (meaning that review or appeal has not been finally decided, withdrawn or abandoned);

After Clause 72 - continued

“person subject to immigration control” means a person in the United Kingdom who does not have the right of abode;

“provider of services” includes both public and private bodies;

“services” includes accommodation, education, employment, financial assistance, healthcare and any service provided exclusively or particularly to survivors of domestic abuse.”

Member’s explanatory statement

This would make provision in the immigration rules for the granting of indefinite leave to remain to migrant survivors of domestic abuse. It would provide for limited leave to remain, and access to services, for a survivor who is eligible to apply for indefinite leave to remain.

LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

“Evidence of domestic abuse for the purposes of legal aid: restriction of fees

- (1) Where an appropriate health professional has examined a person in the course of providing services under a general medical services contract, the appropriate health professional may not impose a fee upon that person for providing a letter or report for the purposes of paragraph 11 or 12 of Schedule 1 to the Civil Legal Aid (Procedure) Regulations 2012 (S.I. 2012/3098) (supporting documents: domestic violence).
- (2) In this section, “general medical services contract” has the meaning given by section 84 of the National Health Service Act 2006.”

Member’s explanatory statement

This amendment aims to prevent GPs who have a contract with the NHS from charging victims of domestic abuse for letters confirming their injuries so that they can seek access to legal aid and other services.

LORD BEST
THE LORD BISHOP OF MANCHESTER
BARONESS LISTER OF BURTERSETT

Insert the following new Clause –

“Benefit cap: domestic abuse

- (1) Section 96 of the Welfare Reform Act 2012 (benefit cap) is amended in accordance with subsection (2).
- (2) After subsection (9) insert –
 - “(9A) Regulations made under subsection (4)(c) must provide for an exception where –
 - (a) the behaviour of a person (“A”) towards another person (“B”) constitutes domestic abuse within the meaning of section 1 of the Domestic Abuse Act 2021,
 - (b) A and B are personally connected within the meaning of section 2 of that Act,
 - (c) B claims a welfare benefit as a single person, and

After Clause 72 - continued

- (d) B's claim for benefit as a single person was necessitated by A's behaviour towards them, regardless of whether B had been part of a joint claim with A or not.
- (9B) Regulations under subsection (9A) must provide for exceptions as follows—
- (a) where B would fall within the grace period at regulation 82(1)(b) and (2) of the Universal Credit Regulations 2013 (S.I. 2013/376), for a period of at least 3 months from the end of that grace period; or
 - (b) where B would not fall within the grace period at regulation 82(1)(b) and (2) of the Universal Credit Regulations 2013 (S.I. 2013/376), for a period of at least 12 months beginning with the day on which B first received a welfare benefit which included a housing costs element within the award of universal credit, or housing benefit not falling within regulations 75F and 75H of the Housing Benefit Regulations 2006 (S.I. 2006/213).
- (9C) Regulations made under subsections (9A) and (9B) must provide that, where B falls within paragraphs 3(h) and 3A(4) of Schedule 1 to the Universal Credit Regulations 2013 (S.I. 2013/376), the grace period at regulation 82(1)(b) and (2) or the exception at subsection (9B) above commences on the day on which B ceases to fall within those paragraphs.””

Member's explanatory statement

This amendment provides for the benefit cap to be disapplied for 12 months for a person (B) making a new universal credit claim in her own name where she has separated from a partner (A) who has subjected her to domestic abuse.

Clause 73

BARONESS LISTER OF BURTERSETT
THE LORD BISHOP OF GLOUCESTER

Page 58, line 32, 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 RAMSBOTHAM
BARONESS FINLAY OF LLANDAFF
BARONESS WHITAKER
LORD SHINKWIN

Page 58, line 32, at end insert—

- “() Any guidance under this section must include information on—
- (a) the links between—

Clause 73 - continued

- (i) domestic abuse, and
- (ii) speech, language and communication needs;
- (b) the impact of witnessing domestic abuse on children’s speech, language and communication;
- (c) the services available to support people with speech, language and communication needs who are experiencing domestic abuse and their children, including how support provided by local authorities can be made inclusive and accessible to people with speech, language and communication needs.”

Member’s explanatory statement

This amendment would require that the guidance the Secretary of State issues under the Bill, including to local authorities, includes information on the links between domestic abuse and speech, language and communication needs, the impact of witnessing domestic abuse on children’s speech, language and communication, and the services available to support people with those needs, and their children.

Clause 78

LORD BEST
THE LORD BISHOP OF MANCHESTER
BARONESS LISTER OF BURTERSETT

Page 61, line 4, after “sections” insert “(Benefit cap: domestic abuse) and”

Member’s explanatory statement

This amendment is consequential to the new Clause in the name of Lord Best with the title "Benefit cap: domestic abuse".

After Schedule 2

BARONESS KENNEDY OF THE SHAWS
THE LORD BISHOP OF GLOUCESTER

Insert the following new Schedule—

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

Common law offences

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

Offences against the Person Act 1861

- 7 An offence under any of the following provisions of the Offences Against the Person Act 1861—

After Schedule 2 - continued

- (a) section 4 (soliciting murder);
- (b) section 16 (threats to kill);
- (c) section 18 (wounding with intent to cause grievous bodily harm);
- (d) section 20 (malicious wounding);
- (e) section 21 (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence);
- (f) section 22 (using drugs etc to commit or assist in the committing of an indictable offence);
- (g) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);
- (h) section 27 (abandoning children);
- (i) section 28 (causing bodily injury by explosives);
- (j) section 29 (using explosives with intent to do grievous bodily harm);
- (k) section 30 (placing explosives with intent to do bodily injury);
- (l) section 31 (setting spring guns etc with intent to do grievous bodily harm);
- (m) section 32 (endangering safety of railway passengers);
- (n) section 35 (injuring persons by furious driving);
- (o) section 37 (assaulting officer preserving wreck);
- (p) section 38 (assault with intent to resist arrest).

Explosive Substances Act 1883

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

Infant Life (Preservation) Act 1929

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

Children and Young Persons Act 1933

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

Public Order Act 1936

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

Infanticide Act 1938

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

Firearms Act 1968

- 13 An offence under any of the following provisions of the Firearms Act 1968—
- (a) section 5 (possession of prohibited firearms);

After Schedule 2 - continued

- (b) section 16 (possession of firearm with intent to endanger life);
- (c) section 16A (possession of firearm with intent to cause fear of violence);
- (d) section 17(1) (use of firearm to resist arrest);
- (e) section 17(2) (possession of firearm at time of committing or being arrested for specified offence);
- (f) section 18 (carrying firearm with criminal intent).

Theft Act 1968

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

Criminal Damage Act 1971

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

Immigration Act 1971

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

Customs and Excise Management Act 1979

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

Taking of Hostages Act 1982

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

Aviation Security Act 1982

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

Mental Health Act 1983

After Schedule 2 - continued

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

Child Abduction Act 1984

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

Public Order Act 1986

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

Criminal Justice Act 1988

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

Road Traffic Act 1988

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

Aviation and Maritime Security Act 1990

- 25 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—
- (a) section 1 (endangering safety at aerodromes);
 - (b) section 9 (hijacking of ships);
 - (c) section 10 (seizing or exercising control of fixed platforms);
 - (d) section 11 (destroying fixed platforms or endangering their safety);
 - (e) section 12 (other acts endangering or likely to endanger safe navigation);
 - (f) section 13 (offences involving threats).

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

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

Protection from Harassment Act 1997

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

Crime and Disorder Act 1998

After Schedule 2 - continued

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

Terrorism Act 2000

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

International Criminal Court Act 2001

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

Anti-terrorism, Crime and Security Act 2001

- 31 An offence under any of the following provisions of the Anti-terrorism, Crime and Security Act 2001 –
- (a) section 47 (use of nuclear weapons);
 - (b) section 50 (assisting or inducing certain weapons-related acts overseas);
 - (c) section 113 (use of noxious substance or thing to cause harm or intimidate).

Female Genital Mutilation Act 2003

- 32 An offence under any of the following provisions of the Female Genital Mutilation Act 2003 –
- (a) section 1 (female genital mutilation);
 - (b) section 2 (assisting a girl to mutilate her own genitalia);
 - (c) section 3 (assisting a non-UK person to mutilate overseas a girl's genitalia).

Sexual Offences Act 2003

- 33 An offence under any of the following provisions of the Sexual Offences Act 2003 –
- (a) section 1 (rape);
 - (b) section 2 (assault by penetration);
 - (c) section 3 (sexual assault);
 - (d) section 4 (causing person to engage in sexual activity without consent);
 - (e) section 5 (rape of child under 13);
 - (f) section 6 (assault of child under 13 by penetration);
 - (g) section 7 (sexual assault of child under 13);
 - (h) section 8 (causing or inciting child under 13 to engage in sexual activity);

After Schedule 2 - continued

- (i) section 9 (sexual activity with a child);
- (j) section 10 (causing or inciting a child to engage in sexual activity);
- (k) section 13 (child sex offences committed by children or young persons);
- (l) section 14 (arranging or facilitating commission of child sex offence);
- (m) section 15 (meeting a child following sexual grooming);
- (n) section 16 (abuse of position of trust: sexual activity with a child);
- (o) section 17 (abuse of position of trust: causing or inciting a child to engage in sexual activity);
- (p) section 18 (abuse of position of trust: sexual activity in presence of child);
- (q) section 19 (abuse of position of trust: causing a child to watch a sexual act);
- (r) section 25 (sexual activity with a child family member);
- (s) section 26 (inciting a child family member to engage in sexual activity);
- (t) section 30 (sexual activity with a person with a mental disorder impeding choice);
- (u) section 31 (causing or inciting a person with a mental disorder impeding choice to engage in sexual activity);
- (v) section 32 (engaging in sexual activity in the presence of a person with a mental disorder impeding choice);
- (w) section 33 (causing a person with a mental disorder impeding choice to watch a sexual act);
- (x) section 34 (inducement, threat or deception to procure sexual activity with a person with a mental disorder);
- (y) section 35 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception);
- (z) section 36 (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder);
- (aa) section 37 (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception);
- (ab) section 38 (care workers: sexual activity with a person with a mental disorder);
- (ac) section 39 (care workers: causing or inciting sexual activity);
- (ad) section 40 (care workers: sexual activity in the presence of a person with a mental disorder);
- (ae) section 41 (care workers: causing a person with a mental disorder to watch a sexual act);
- (af) section 47 (paying for sexual services of a child);
- (ag) section 48 (causing or inciting child prostitution or pornography);
- (ah) section 49 (controlling a child prostitute or a child involved in pornography);
- (ai) section 50 (arranging or facilitating child prostitution or pornography);
- (aj) section 61 (administering a substance with intent);
- (ak) section 62 (committing offence with intent to commit sexual offence);

After Schedule 2 - continued

- (al) section 63 (trespass with intent to commit sexual offence);
- (am) section 64 (sex with an adult relative: penetration);
- (an) section 65 (sex with an adult relative: consenting to penetration);
- (ao) section 66 (exposure);
- (ap) section 67 (voyeurism);
- (aq) section 70 (sexual penetration of a corpse).

Domestic Violence, Crime and Victims Act 2004

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

Terrorism Act 2006

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

Modern Slavery Act 2015

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

Ancillary offences

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