

Public Order Bill

AMENDMENTS TO BE MOVED ON REPORT

Clause 1

LORD HOPE OF CRAIGHEAD

Clause 1, page 1, line 15, at end insert –

“(1A) For the purposes of subsection (1)(b) the act will result in serious disruption if it prevents or hinders the exercise by the individuals or the organisation of the right to do things or to go to places as they wish.”

Member's explanatory statement

This amendment seeks to provide a definition of “serious disruption” for the offence described in Clause 1.

LORD HOPE OF CRAIGHEAD

Clause 1, page 1, line 18, at end insert –

“(2A) The fact that the person did the act mentioned in paragraph (a) of subsection (1) as part of or in furtherance of a protest on a matter of public interest does not constitute a reasonable excuse for doing that act.”

Member's explanatory statement

This amendment seeks to limit the scope of the reasonable excuse defence, as the ingredients of the offence themselves ensure that its interference with a protester's Convention rights is proportionate.

Clause 3

LORD HOPE OF CRAIGHEAD

Clause 3, page 2, line 33, at end insert –

“(1A) For the purposes of subsection (1)(b) the creation or existence of the tunnel results in serious disruption if it prevents or hinders any construction or maintenance works or other activities that are being, or are to be, performed or carried on by the individuals or the organisation on the ground above the tunnel or in its vicinity.”

Member's explanatory statement

This amendment seeks to provide a definition of “serious disruption” that is appropriate to the offence described in Clause 3.

LORD HOPE OF CRAIGHEAD

Clause 3, page 2, line 36, at end insert –

“(2A) The fact that the person did the act mentioned in paragraph (a) of subsection (1) as part of or in furtherance of a protest on a matter of public interest does not constitute a reasonable excuse for doing that act.”

Member's explanatory statement

This amendment seeks to limit the scope of the reasonable excuse defence, as the ingredients of the offence themselves ensure that its interference with a protester’s Convention rights is proportionate.

LORD HOPE OF CRAIGHEAD

Clause 3, page 2, line 37, leave out “Without prejudice to the generality of subsection (2),”

Member's explanatory statement

This amendment is consequential on introduction of the new subsection (2A) in this Clause in the name of Lord Hope of Craighead.

Clause 4

LORD HOPE OF CRAIGHEAD

Clause 4, page 3, line 37, at end insert –

“(1A) For the purposes of subsection (1)(b) the person’s presence in the tunnel results in serious disruption if it prevents or hinders any construction or maintenance works or other activities that are being, or are to be, performed or carried on by the individuals or the organisation above the tunnel or in its vicinity.”

Member's explanatory statement

This amendment seeks to provide a definition of “serious disruption” that is appropriate to the offence described in Clause 4.

LORD HOPE OF CRAIGHEAD

Clause 4, page 3, line 40, leave out “Without prejudice to the generality of subsection (2),”

Member's explanatory statement

This amendment is consequential on introduction of the new subsection (2A) in this Clause in the name of Lord Hope of Craighead.

Clause 6

LORD HOPE OF CRAIGHEAD

Clause 6, page 5, line 20, at end insert –

“(2A) The fact that the person did the act mentioned in paragraph (a) or (b) of subsection (1) as part of or in furtherance of a protest on a matter of public interest does not constitute a reasonable excuse for doing that act.”

Member's explanatory statement

This amendment seeks to limit the scope of the reasonable excuse defence, as the ingredients of the offence themselves ensure that its interference with a protester's Convention rights is proportionate.

Clause 7

LORD HOPE OF CRAIGHEAD

Clause 7, page 7, line 16, at end insert –

“(2A) The fact that the person did the act mentioned in paragraph (a) of subsection (1) as part of or in furtherance of a protest on a matter of public interest does not constitute a reasonable excuse for doing that act.”

Member's explanatory statement

This amendment seeks to limit the scope of the reasonable excuse defence, as the ingredients of the offence themselves ensure that its interference with a protester's Convention rights is proportionate.

Clause 10

LORD PADDICK

Leave out Clause 10

Clause 11LORD COAKER
LORD PADDICK

Leave out Clause 11

Clause 19LORD PONSONBY OF SHULBREDE
LORD PADDICK

Leave out Clause 19

Clause 20

LORD PONSONBY OF SHULBREDE
LORD PADDICK

Leave out Clause 20

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