

Public Order Bill

COMMONS DISAGREEMENT, REASONS AND AMENDMENTS IN LIEU

[The page and line references are to HL Bill 61, the Bill as first printed for the Lords]

Before Clause 1

LORDS AMENDMENT 1

1 Before Clause 1, insert the following new Clause –

“Meaning of “serious disruption”

- (1) In this Act, “serious disruption” means disruption causing significant harm to persons, organisations or the life of the community, in particular where –
 - (a) it may result in a significant delay to the delivery of a time-sensitive product to consumers of that product, or
 - (b) it may result in a prolonged disruption of access to any essential goods or any essential service, including access to –
 - (i) the supply of money, food, water, energy, or fuel,
 - (ii) a system of communication,
 - (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.
- (2) In subsection (1)(a), “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them.”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 1 but propose Amendment 1A as an amendment in lieu –

1A Page 36, line 15, at end insert the following new Clause –

“Meaning of serious disruption

- (1) For the purposes of this Act, the cases in which individuals or an organisation may suffer serious disruption include, in particular, where the individuals or the organisation –
 - (a) are by way of physical obstruction prevented, or hindered to more than a minor degree, from carrying out –
 - (i) their day-to-day activities (including in particular the making of a journey),
 - (ii) construction or maintenance works, or
 - (iii) activities related to such works,
 - (b) are prevented from making or receiving, or suffer a delay that is more than minor to the making or receiving of, a delivery of a time-sensitive product, or
 - (c) are prevented from accessing, or suffer a disruption that is more than minor to the accessing of, any essential goods or any essential service.
- (2) In this section –
 - (a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them;
 - (b) a reference to accessing essential goods or essential services includes in particular a reference to accessing –
 - (i) the supply of money, food, water, energy or fuel,
 - (ii) a system of communication,
 - (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.”

Clause 11

LORDS AMENDMENT 6

6 Leave out Clause 11

COMMONS REASON

The Commons disagree to Lords Amendment 6 for the following Reason –

6A *Because it is appropriate for the police to be able to exercise the stop and search powers contained in the clause removed by the Lords Amendment.*

Clause 12

LORDS AMENDMENT 7

7 Leave out Clause 12

COMMONS REASON

The Commons disagree to Lords Amendment 7 for the following Reason –

- 7A** *Because the Amendment is consequential on Lords Amendment 6 to which the Commons disagree.*

Clause 13

LORDS AMENDMENT 8

- 8** Leave out Clause 13

COMMONS REASON

The Commons disagree to Lords Amendment 8 for the following Reason –

- 8A** *Because the Amendment is consequential on Lords Amendment 6 to which the Commons disagree.*

Clause 14

LORDS AMENDMENT 9

- 9** Leave out Clause 14

COMMONS REASON

The Commons disagree to Lords Amendment 9 for the following Reason –

- 9A** *Because the Amendment is consequential on Lords Amendment 6 to which the Commons disagree.*

After Clause 18

LORDS AMENDMENT 17

- 17** After Clause 18, insert the following new Clause –

“Protection for journalists and others monitoring protests

A constable may not exercise any police power for the principal purpose of preventing a person from observing or otherwise reporting on a protest or the exercise of police powers in relation to –

- (a) a protest-related offence,
- (b) a protest-related breach of an injunction, or
- (c) activities related to a protest.”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 17 but propose Amendment 17A as an amendment in lieu –

17A Page 19, line 22, at end insert the following new Clause –

“Exercise of police powers in relation to journalists etc

- (1) A constable may not exercise a police power for the sole purpose of preventing a person from observing or reporting on a protest.
- (2) A constable may not exercise a police power for the sole purpose of preventing a person from observing or reporting on the exercise of a police power in relation to –
 - (a) a protest-related offence,
 - (b) a protest-related breach of an injunction, or
 - (c) activities related to a protest.
- (3) This section does not affect the exercise by a constable of a police power for any purpose for which it may be exercised apart from this section.
- (4) In this section –
 - “injunction” means an injunction granted by the High Court, the county court or a youth court;
 - “police power” means a power which is conferred on a constable by or by virtue of an enactment or by a rule of law;
 - “protest-related breach”, in relation to an injunction, means a breach which is directly related to a protest;
 - “protest-related offence” means an offence which is directly related to a protest.”

Clause 20

LORDS AMENDMENT 20

20 Leave out Clause 20

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 20 but propose Amendments 33A and 33B as amendments in lieu.

Clause 21

LORDS AMENDMENT 21

21 Clause 21, page 26, line 5, leave out from “19(5)” to end of line 6

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 21 but propose Amendments 33A and 33B as amendments in lieu.

LORDS AMENDMENT 23

- 23** Clause 21, page 26, line 37, leave out from “of” to end and insert “section 19(6)”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 23 but propose Amendments 33A and 33B as amendments in lieu.

Clause 28

LORDS AMENDMENT 27

- 27** Clause 28, page 31, line 25, leave out paragraph (d)

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 27 but propose Amendments 33A and 33B as amendments in lieu.

LORDS AMENDMENT 28

- 28** Clause 28, page 31, leave out lines 30 to 35

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 28 but propose Amendments 33A and 33B as amendments in lieu.

LORDS AMENDMENT 31

- 31** Clause 28, page 33, line 11, leave out “or a constable within subsection (3)”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 31 but propose Amendments 33A and 33B as amendments in lieu.

Clause 29

LORDS AMENDMENT 32

- 32** Clause 29, page 33, line 25, leave out subsections (2) and (3)

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 32 but propose Amendments 33A and 33B as amendments in lieu.

LORDS AMENDMENT 33

33 Clause 29, page 34, leave out lines 2 and 3

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendment 33 but propose Amendments 33A and 33B as amendments in lieu –

33A Clause 20, page 24, line 19, leave out sub-paragraphs (iii) to (v)

33B Clause 20, page 24, line 31, at end insert –

“(c) P’s conduct in relation to each occasion mentioned in paragraph (a) has not been taken into account when making any previous serious disruption prevention order in respect of P.”

Clause 35

LORDS AMENDMENT 36

36 Clause 35, page 36, line 22, leave out “, 13”

COMMONS REASON

The Commons disagree to Lords Amendment 36 for the following Reason –

36A *Because the Amendment is consequential on Lords Amendment 6 to which the Commons disagree.*

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