

# Public Order Bill

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## MARSHALLED LIST OF MOTIONS

### TO BE MOVED ON CONSIDERATION OF COMMONS AMENDMENTS AND REASONS

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

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## MOTION A

### LORDS AMENDMENT 1

#### Before Clause 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 –

5 (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,

10 (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.

15 (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.”

**A** Lord Sharpe of Epsom to move, That this House do not insist on its Amendment 1 and do agree with the Commons in their Amendment 1A in lieu.

**A1** Lord Coaker to move, as an amendment to Motion A, at end insert “and do propose the following amendments to Amendment 1A –

**1B** In subsection (1)(a), leave out “more than a minor” and insert “a significant”

**1C** In subsection (1)(b), leave out “delay that is more than minor” and insert “significant delay”

**1D** In subsection (1)(c), leave out “disruption that is more than minor” and insert “significant disruption”

## MOTION B

### LORDS AMENDMENTS 6 TO 9 AND 36

#### Clause 11

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

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

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

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.*

### Clause 35

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.*

**B Lord Sharpe of Epsom to move, That this House do not insist on its Amendments 6, 7, 8, 9 and 36 to which the Commons have disagreed for their Reasons 6A, 7A, 8A, 9A and 36A.**

**B1★ Lord Paddick to move, as an amendment to Motion B, leave out from “House” to end and insert “do insist on its Amendments 6, 7, 8, 9 and 36.”**

**B2 Lord Coaker to move, as an amendment to Motion B, at end insert “and do propose the following amendments to the words so restored to the Bill –**

6B Clause 11, page 12, line 17, leave out “inspector” and insert “chief superintendent”

6C Clause 11, page 12, line 25, leave out subsection (ii)

6D Clause 11, page 13, line 8, leave out “24” and insert “12”

6E Clause 11, page 14, line 3, at end insert –

“(12) The chief superintendent must take reasonable steps to inform the public when the powers conferred by this section are in active use.””

### MOTION C

#### LORDS AMENDMENT 17

#### After Clause 18

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.”

**C** Lord Sharpe of Epsom to move, That this House do not insist on its Amendment 17 and do agree with the Commons in their Amendment 17A in lieu.

## MOTION D

LORDS AMENDMENTS 20, 21, 23, 27, 28 AND 31 TO 33

**Clause 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**

- 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.*

- 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**

- 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.*

- 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.*

- 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**

- 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.*

**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.”

**D** Lord Sharpe of Epsom to move, That this House do not insist on its Amendments 20, 21, 23, 27, 28, 31, 32 and 33 and do agree with the Commons in their Amendments 33A and 33B in lieu.

**D1** Lord Ponsonby of Shulbrede to move, as an amendment to Motion D, at end insert “and do propose the following additional amendment to the words so restored to the Bill –

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

“(d) P’s conduct was frivolous or vexatious, beyond a genuine expression of their right to protest.””

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*13 March 2023*

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