



Home Office

Rt Hon Chris Philp MP
Minister of State for Crime, Policing
and Fire

Laura Farris MP
Minister for Victims
and
Safeguarding

2 Marsham Street
London SW1P 4DF

www.gov.uk/home-office

By email only:

Sir Graham Brady
Hannah Bardell
Dame Angela Eagle
Mrs Pauline Latham
Co-Chairs
Public Bill Committee, Criminal Justice Bill
House of Commons

9 January 2024

Dear Sir Graham, Hannah, Dame Angela and Pauline,

**CRIMINAL JUSTICE BILL: GOVERNMENT AMENDMENTS FOR
COMMITTEE**

We are writing to provide members of the Public Bill Committee with details of a second tranche of Government amendments we have tabled today for Committee stage.

The amendments cover the following issues.

Serious Crime Prevention Orders (SCPOs) (amendments to clauses 34 to 37 and 78)

Clauses 34 to 37 contain measures to strengthen the operation of SCPOs, including extending the list of law enforcement agencies who can apply to the High Court for an order, making express provision to enable the courts to attach an electronic monitoring requirement to an order and specifying a standard list of information which an individual who is subject to an order must notify to the police. There is a single UK-wide legislative framework for SCPOs in Part 1 of the Serious Crime Act 2007, but the provisions in the Bill on introduction apply to England and Wales only. Following discussions with the Northern Ireland Department of Justice these amendments apply these provisions, with the necessary modifications, to Northern Ireland.

In addition, amendments to clause 36 (inserting new section 15D(2)(da) into the 2007 Act) make an addition to the standard list of information which an

individual subject to a SCPO must notify to the police. The standard list provided for in the Bill already include individuals' usernames/display names for social media. This amendment additionally specifies individuals' usernames/display names for online games which allow the sharing of content between users. Monitoring the activity associated with the usernames on these platforms allows law enforcement agencies to inform their wider risk picture around the person, who they are associating with, and whether any breaches of the SCPO are being committed.

Nuisance begging and nuisance rough sleeping (amendments to clauses 43, 45, 56 and 58)

The Bill provides for two civil preventative orders to tackle nuisance begging and nuisance rough sleeping. These technical amendments provide that applications for these orders are to be made "by complaint" (thereby engaging a magistrates' court's civil jurisdiction and procedure as provided for in Part II of the Magistrates' Court Act 1980). The amendments further provide for such orders to take effect from the beginning of the day after the day on which an order is made so that the order has effect for whole days. Finally, the amendments provide that, where applicable, an order is to take effect following a person's release from custody rather than from the date an order is made.

Anti-Social Behaviour (new clauses "*Dispersal powers: removal of senior officer authorisation*" and "*Dispersal powers: extension to local authorities*")

The Bill includes a number of measures to strengthen the powers of the police and others to tackle anti-social behaviour. These two new clauses make two further changes to the dispersal powers provided for in Part 3 of the Anti-social Behaviour, Crime and Policing Act 2014 as follows:

- a. **Extending the power to issue a dispersal order to local authorities.**
A dispersal order can currently be issued by police officers in uniform to require a person committing or likely to commit anti-social behaviour, crime, or disorder to leave an area for up to 48 hours (clause 66 extends this to 72 hours). The 2014 Act currently provides that dispersal orders can only be issued by police officers. Some of the responses to our consultation last year identified this as a gap, noting that other relevant agencies being able to use this power would help to free up police resources to tackle other forms of anti-social behaviour and crime. New clause "*Dispersal powers: extension to local authorities*" therefore also enables authorised local authority officers to issue dispersal orders.
- b. **Removal of the requirement for Inspector or above authorisation for the exercise of dispersal powers.** Currently, dispersal orders require written inspector authorisation before the direction can be issued. Removing the requirement will increase the speed with which dispersal orders can be issued, giving officers greater flexibility to tackle ASB; new clause "*Dispersal powers: removal of senior officer authorisation*" makes this change.

These new clauses apply to England and Wales.

We attach a supplementary ECHR memorandum.

We are copying this letter and enclosures to all members of the Public Bill Committee and to Harriet Harman (Chair, Joint Committee on Human Rights).

Yours sincerely,



Rt Hon Chris Philp MP



Laura Farris MP