

Crime and Policing Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including
24 October 2025*

The amendments are listed in accordance with the following Instruction –

Clauses 1 and 2	Clauses 97 to 117
Schedule 1	Schedule 11
Clauses 3 to 5	Clauses 118 to 122
Schedule 2	Schedule 12
Clause 6	Clauses 123 to 127
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Clauses 7 to 18	Clauses 128 to 136
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Clauses 66 to 72	Clauses 165 to 186
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[Amendments marked ★ are new or have been altered]

Clause 1

LORD CLEMENT-JONES
BARONESS DOOCEY
BARONESS FOX OF BUCKLEY

Clause 1, page 1, line 6, at beginning insert “Subject to a review of existing anti-social behaviour powers under the Anti-social Behaviour Act 2014 being conducted and completed by an independent person appointed by the Secretary of State within six months of this Act receiving Royal Assent,”

Member's explanatory statement

This amendment requires the Government to review current anti-social behaviour powers within six months of the Bill becoming law, before the new measures proposed in the Bill take effect.

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 1, page 2, line 2, leave out “or threatens to engage in”

Member's explanatory statement

This amendment is intended to probe how respect orders will be granted in practice when considering whether a person might, in future, engage in anti-social behaviour.

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 1, page 2, line 4, leave out “just and convenient” and insert “necessary and proportionate”

Member's explanatory statement

This amendment amends the test for imposing a respect order to require the court to be satisfied that it is necessary and proportionate to make the order for the purpose of preventing the respondent from engaging in anti-social behaviour.

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 1, page 2, line 19, leave out from “effect” to end of line 20 and insert “, which must not exceed two years.

- (4A) At the end of the period for which a respect order has effect, the relevant authority may make an application to the court for a further respect order against the respondent.”

Member's explanatory statement

This amendment specifies the length of time that a respect order may be in effect. At the end of this period the relevant authority may apply for a further respect order.

LORD CLEMENT-JONES
BARONESS DOOCEY
BARONESS FOX OF BUCKLEY

Clause 1, page 9, line 35, at end insert –

- “(4) Prior to issuing any guidance under this section, the Secretary of State must conduct a full public consultation exercise.”

Member's explanatory statement

This amendment requires the Secretary of State to carry out a full public consultation prior to issuing any guidance relating to those who are entitled to apply for respect orders.

Clause 6

LORD RUSSELL OF LIVERPOOL

Clause 6, page 12, line 18, at end insert –

“(1A) In section 104 (review of response to complaints about anti-social behaviour), after subsection (1) insert –

“(1A) Where a person has made at least three qualifying complaints about the anti-social behaviour and irrespective of whether the person applies for an ASB case review, the police must undertake an impact assessment which determines whether –

(a) the alleged behaviour exceeds the threshold of criminality, irrespective of whether the police intend to pursue criminal charges, and

(b) the level of harm inflicted on the person is low, medium, or high.

(1B) Following an impact assessment under subsection (1A), where the threshold for criminality has been met or exceeded and the level of harm is assessed as medium or high, the police must refer the person to local victim support services, pursuant to the Victim Code of Practice.””

Member's explanatory statement

This amendment requires police officers to undertake an anti-social behaviour impact assessment when a victim meets the trigger point for an Anti-Social Behaviour Case Review, so that those who are assessed as having experienced medium to high levels of harm can receive appropriate support.

LORD RUSSELL OF LIVERPOOL

Clause 6, page 12, line 18, at end insert –

“(1A) Section 104 (review of response to complaints about anti-social behaviour) is amended as follows.

(1B) In subsection (2)(b) after “published” insert “in their entirety”.

(1C) After subsection (2) insert –

“(2A) The relevant bodies in each local area have a duty to promote awareness of the case review and review procedures.

(2B) The relevant bodies in each local area have a duty to publish the provision for victims dissatisfied with how the local bodies have dealt with or carried out the case review as per Schedule 4, Part 1(3).”

- (1D) In subsection (3)(b) after “area” insert “, and
 - (c) specify the threshold for the case review including any timeframes and additional requirements which apply to that threshold.”
- (1E) In subsection (4)(b) for “at least three (or, if a different number is specified in the review procedures, at least that number of) qualifying complaints have been made about the anti-social behaviour to which the application relates, the relevant bodies must decide that the threshold for a review is met” substitute “at least three qualifying complaints have been made about the anti-social behaviour to which the application relates, the relevant bodies must decide that the threshold for a review is met”.
- (1F) In subsection (5) for “may” substitute “must”.
- (1G) In subsection (5) for “is framed by reference to any of these matters” substitute “is framed by reference to these matters”.
- (1H) In subsection (5)(c) for “the adequacy of the response to that behaviour” substitute “the vulnerability of the victim(s)”.
- (1J) In subsection (6) after “decision” insert “, and, where the threshold is not met, they must –
 - (a) provide that information in writing, and
 - (b) with reference to review procedures specify the reason(s) for their determination that the threshold is not met”.

Member's explanatory statement

This amendment, and another in the name of Lord Russell of Liverpool, seeks to establish a statutory threshold for convening an Anti-Social Behaviour Case Review, that considers the victims vulnerability and removes discretion for authorities to apply additional caveats.

LORD RUSSELL OF LIVERPOOL

Clause 6, page 12, line 18, at end insert –

- “(1A) In section 104 (review of response to complaints about anti-social behaviour), after subsection (6) insert –
 - “(6A) Where the threshold for an ASB case review has been met the relevant bodies must –
 - (a) invite the applicant to attend, in person or virtually, or if they so decide, to submit a written statement or be represented at the case review to explain the impact of the anti-social behaviour to the relevant bodies undertaking the review; and
 - (b) appoint an independent chair of the review who must be either –
 - (i) an elected representative of a local authority who has had no previous involvement in the matters under consideration,
 - (ii) a Police Officer of Inspector rank or above who has not been previously involved in the case, or

- (iii) a nominee of the local policing body (OPCC) who is not an employee of the relevant bodies undertaking the review, and must satisfy themselves that a person appointed pursuant to this subsection has sufficient current and working knowledge of ASB statutory provisions, practice and policy.””

Member's explanatory statement

This amendment seeks to give victims who meet the statutory threshold for an Anti-Social Behaviour Case Review the right to attend or be represented at the Review to explain the impact the behaviour is having on them. The amendment also requires the Review to be chaired by an independent person who has not been involved in the case to date. It sets out the criteria for appointing such a person.

LORD RUSSELL OF LIVERPOOL

Clause 6, page 12, line 23, at end insert –

- “(2A) In section 104 (review of response to complaints about anti-social behaviour), after subsection (9)(b) insert –
 - “(ba) in relation to each case counted for the purposes of subsection (b), and with reference to review procedures, the specific reason(s) the threshold was not met;”.”

Member's explanatory statement

This amendment requires authorities to publish the reasons for determining that the threshold for an Anti-Social Behaviour Case Review has not been met, with reference to the review procedures. This would increase transparency and help identify any additional caveats being applied, ensuring accountability in decision-making.

LORD RUSSELL OF LIVERPOOL

Clause 6, page 12, line 23, at end insert –

- “(2A) Section 104 (review of response to complaints about anti-social behaviour) is amended as follows.
- (2B) For subsection (11) substitute –
 - “(11) A complaint about anti-social behaviour is a qualifying complaint if –
 - (a) the complaint is about anti-social behaviour, that is behaviour that has subjectively caused that individual harassment, alarm or distress as per section 105,
 - (b) relevant bodies should assume that where a complaint has been made, the behaviour alleged has caused the complainant harassment, alarm or distress,
 - (c) the complaint is made within the period of one month (or, if a different period of no less than one month is specified in the review procedures, that period) beginning with the date on which the behaviour is alleged to have occurred. This timeframe is to apply to each complaint of anti –social behaviour, and

- (d) the application for the ASB case review is made within the period of six months (or, if a different period of no less than six months is specified in the review procedures, that period) beginning with the date on which the complaint is made.
- (11A) For the purposes of the threshold in subsection (4) where three or more complaints of anti-social behaviour are made—
 - (a) the period of no less than six months in subsection (11(d)) begins with the date on which the most recent complaint was made, and
 - (b) all complaints must have been made within the preceding twelve months of the date of the application for the case review.”
- (2C) In subsection (12) omit “The procedures may, in particular, include provision for this purpose which is framed by reference to whether different complaints relate to different aspects of particular anti-social behaviour (including different incidents comprised in particular anti-social behaviour).”
- (2D) After subsection (12), insert—
 - “(12A) For the purpose in subsection (12) the procedures must, in particular, include provision for this purpose which stipulates that relevant bodies must not disqualify a complaint for the following reasons—
 - (a) the complaint is subject to ongoing investigation, or
 - (b) one or more of the relevant bodies have taken or are taking action to address the anti-social behaviour, or
 - (c) one or more of the relevant bodies have discharged their obligation to the complainant.
 - (12B) For the purpose in subsection (12) the procedures must, in particular, include provision for this purpose which is framed by reference to these matters—
 - (a) the persistence of the anti-social behaviour about which the original complaint was made,
 - (b) the harm caused, or the potential for harm to be caused, by that behaviour, and
 - (c) the vulnerability of the victim(s).””

Member's explanatory statement

This amendment, and another in the name of Lord Russell of Liverpool, seeks to establish a statutory threshold for convening an Anti-Social Behaviour Case Review, that considers the victims vulnerability and removes discretion for authorities to apply additional caveats.

Clause 36

LORD CLEMENT-JONES

Clause 36, page 55, line 13, at end insert—

- “(1A) Regulations made under subsection (1) must include provision requiring that any reportable sale must be notified to the person specified in the

regulations in real time, or as soon as is reasonably practicable, and in any event no later than the delivery of the bladed articles or the end of the day on which the seller became aware that the sale constituted a reportable sale.”

Member's explanatory statement

This amendment requires regulations to ensure that reportable sales are made as soon as possible.

Clause 40

LORD HAMPTON

Clause 40, page 59, line 38, leave out paragraph (b)

Member's explanatory statement

This amendment would remove the requirement that for an offence of child criminal exploitation to be committed, the perpetrator did not reasonably believe that the child was aged 18 or over.

After Clause 59

LORD RANDALL OF UXBRIDGE

After Clause 59, insert the following new Clause—

“Meaning of exploitation: modern slavery

- (1) Section 3 of the Modern Slavery Act 2015 (meaning of exploitation) is amended as follows.
- (2) After subsection (6) insert—
 - “(7) Something is done to or in respect of the person—
 - (a) which involves the commission of an offence under the following sections of the Crime and Policing Act 2025—
 - (i) section 40 (child criminal exploitation), or
 - (ii) section 56 (controlling another’s home for criminal purposes);
 - (b) which constitutes the use of any of the relevant means mentioned in subsection (8) with the intention of causing the person to commit an offence under the law of England and Wales, Scotland or Northern Ireland, and the person is an adult.
- (8) For the purposes of subsection (7), the relevant means are—
 - (a) the threat or use of force or other coercive behaviour;
 - (b) abduction, kidnap or false imprisonment;
 - (c) fraud or other deception;
 - (d) the abuse of power or a position of vulnerability;
 - (e) the giving of payments or other benefits to achieve the consent of a person who has control over the person.”.”

Clause 63

BARONESS KIDRON

★ Clause 63, page 81, line 34, at end insert—

“46D Child sexual abuse image-generation risk assessment

- (1) A provider of an online service, including but not limited to a generative AI large language model, must risk assess the likelihood of their service being used to create or facilitate the creation of a CSA image or images as defined by section 46A.
- (2) If a risk is identified in a CSA risk assessment—
 - (a) where the provider is regulated by the Online Safety Act 2023, a provider must report the risk and agree to steps to reduce, mitigate and manage the risks with OFCOM;
 - (b) where the provider is not regulated by the Online Safety Act 2023, a provider must agree to steps to reduce, mitigate and manage the risks of their online service being used to create or facilitate the creation of CSA images with the National Crime Agency.
- (3) Where a provider regulated by the Online Safety Act 2023 fails to agree to or implement steps to reduce, mitigate and manage the risks with OFCOM (see subsection (2)(a)), they can be subjected to OFCOM’s enforcement powers set out in Part 7, Chapter 6 (enforcement powers) of that Act.
- (4) Where a provider not regulated by the Online Safety Act 2023 fails to agree to or implement steps to reduce, mitigate and manage the risks with the National Crime Agency (see subsection (2)(b)), they commit an offence.
- (5) A provider that commits an offence under this section is liable to be issued with a penalty notice by the National Crime Agency.
- (6) In this section a “penalty notice” means a notice requiring its recipient to pay a penalty of an amount not exceeding whichever is the greater of—
 - (a) £18 million, or
 - (b) 10% of a provider’s qualifying worldwide revenue for the most recent complete accounting period.
- (7) A penalty notice may be reissued where a provider continues to commit an offence under this section.”

Member's explanatory statement

This amendment is intended to ensure that services that do not fall into scope of Clause 63 as currently drafted still assess and mitigate the risk of their services being used as an AI child sexual abuse generator.

After Clause 79

BARONESS FEATHERSTONE

After Clause 79, insert the following new Clause –

“Training for those under a mandatory reporting duty

- (1) Any person who falls under the duty, as outlined in section 72(1), must be trained to an appropriate standard required to carry out their responsibilities under the duty.
- (2) Such training shall be deemed appropriate only if it includes, but is not limited to, the following components –
 - (a) the recognised signs and indicators of child sexual abuse,
 - (b) what it means to suspect a child sexual offence may have been committed under the duty, as outlined in section 74, including –
 - (i) understanding the different ways children may disclose abuse, and
 - (ii) the barriers to children disclosing abuse,
 - (c) how to respond to and support a child who they have been given reason to suspect is the victim of a child sexual offence, as per the cases in section 74,
 - (d) how to make notifications, as referenced in section 72(2),
 - (e) how to judge whether making a notification would pose a risk to the life or safety of a relevant child, as referenced in section 72(5), and
 - (f) how to understand, identify and apply the exemptions for consensual peer on peer activity, as laid out in sections 75, 76 and 77.”

Member's explanatory statement

This amendment ensures that those falling under the mandatory reporting duty for child sexual abuse are provided with appropriate training to equip them to fulfil these obligations.

Clause 82

LORD FAULKS

Lord Faulks gives notice of his intention to oppose the Question that Clause 82 stand part of the Bill.

Schedule 9

BARONESS OWEN OF ALDERLEY EDGE

Schedule 9, page 274, line 12, at end insert—

“66ABA Taking or recording intimate photographs or film: time limit for prosecution

- (1) Notwithstanding section 127(1) of the Magistrates’ Court Act 1980 (limitation of time), a magistrates’ court may try an information or written charge relating to an offence under section 66AA if the information is laid or the charge is issued—
 - (a) before the end of the period of 3 years beginning with the day on which the offence was committed, and
 - (b) before the end of the period of 6 months beginning with the day on which evidence which the prosecutor thinks is sufficient to justify a prosecution comes to the prosecutor’s knowledge.
- (2) A certificate signed by or on behalf of a prosecutor stating the date on which evidence described in subsection (1)(b) came to the prosecutor’s knowledge is conclusive evidence of that fact.”

BARONESS OWEN OF ALDERLEY EDGE

Schedule 9, page 274, line 37, at end insert—

“66ACA Installing etc. equipment to enable taking or recording of intimate photograph or film: time limit for prosecution

- (1) Notwithstanding section 127(1) of the Magistrates’ Courts Act 1980 (limitation of time), a magistrates’ court may try an information or written charge relating to an offence under section 66AC if the information is laid or the charge is issued—
 - (a) before the end of the period of 3 years beginning with the day on which the offence was committed, and
 - (b) before the end of the period of 6 months beginning with the day on which evidence which the prosecutor thinks is sufficient to justify a prosecution comes to the prosecutor’s knowledge.
- (2) A certificate signed by or on behalf of a prosecutor stating the date on which evidence described in subsection (1)(b) came to the prosecutor’s knowledge is conclusive evidence of that fact.”

BARONESS OWEN OF ALDERLEY EDGE

Schedule 9, page 275, line 3, at end insert—

“3A After section 66B insert—

“66BA Sharing or threatening to share intimate photograph or film: time limit for prosecution

- (1) Notwithstanding section 127(1) of the Magistrates’ Courts Act 1980 (limitation of time), a magistrates’ court may try an information or written charge relating to an offence under section 66B if the information is laid or the charge is issued—
 - (a) before the end of the period of three years beginning with the day on which the offence was committed, and
 - (b) before the end of the period of six months beginning with the day on which evidence which the prosecutor thinks is sufficient to justify a prosecution comes to the prosecutor’s knowledge.
- (2) A certificate signed by or on behalf of a prosecutor stating the date on which evidence described in subsection (1)(b) came to the prosecutor’s knowledge is conclusive evidence of that fact.””

After Clause 86

BARONESS GOUDIE

After Clause 86, insert the following new Clause—

“Prohibition of pimping

- (1) A person commits an offence if—
 - (a) the person (C) assists, facilitates, controls, or incites, by any means, another person (B) to engage in sexual activity with another person (A) in exchange for payment or other benefit, anywhere in the world, and
 - (b) the circumstances are that—
 - (i) the person (C) knows or ought to know that the other person (B) is engaging in sexual activity for payment and the person (C) assists, facilitates, controls, or incites the other person (B) to engage in sexual activity with another person (A), or
 - (ii) the person (C) causes or allows to be displayed or published, including digitally, any advertisement in respect of activity prohibited by subsections (1)(a) or (1)(b)(i).
- (2) A person (C) commits an offence under subsection (1) regardless of whether they secure personal financial gain, or personally benefits in any way, from facilitating person (B) engaging in sexual activity with person (A) in exchange for payment or other benefit.
- (3) A person (D) commits an offence under subsection (1) if they knowingly secure financial gain, or benefits in any way, from person (B) engaging in sexual activity

with person (A) in exchange for payment or other benefit, anywhere in the world, regardless of whether person (D) facilitated the exchange between persons B and A.

- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding ten years.
- (5) In considering the seriousness of an offence committed under subsection (1)(b)(ii), the court must treat the following as aggravating factors—
 - (a) the annual financial turnover of the digital or physical platform (the platform) used to facilitate and or advertise activity prohibited in subsection (1)(a) and (1)(b)(i);
 - (b) the number of prostitution related offences, under subsection (1), facilitated by the platform in question;
 - (c) whether the platform has facilitated trafficking for sexual exploitation.
- (6) A person who is a UK national commits an offence under this section regardless of where the offence takes place.
- (7) A person who is not a UK national commits an offence under this section if any part of the offence takes place in the UK.
- (8) The Secretary of State must, within six months of the day on which this Act is passed, make regulations to appoint a public body (the designated body) to monitor and enforce compliance by online platforms with this section.
- (9) Regulations made under subsection (8) may provide the designated body with the powers, contained in section 144 of the Online Safety Act 2023, to apply to the court for a Service Restriction Order.
- (10) The designated body must, within six months of it being appointed under regulations made by subsection (8), lay before Parliament a report outlining its plan for monitoring compliance with, and enforcement of, the provisions of this section of the Act.
- (11) The designated body must lay before Parliament an annual report outlining its progress in ensuring compliance with the provisions of this Act, including information on enforcement activity relating to these provisions.”

Member's explanatory statement

This new clause would make it a criminal offence to enable or profit from the prostitution of another person, including by operating a website hosting adverts for prostitution.

BARONESS GOUDIE

After Clause 86, insert the following new Clause –

“Paying for sex acts

- (1) A person (A) who gives, offers, or promises payment to a person (B) to engage in sexual activity with person (A) is guilty of an offence.
- (2) A person (A) who gives, offers, or promises payment to a person (B) to engage in sexual activity with any other person (C) is guilty of an offence.
- (3) For the purpose of subsections (1) and (2) –
 - (a) a “payment” includes money, a benefit, or any other consideration;
 - (b) an activity is sexual if a reasonable person would consider that –
 - (i) whatever its circumstances or any person’s purpose in relation to it, it is because of its nature sexual, or
 - (ii) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual;
 - (c) no offence is committed by a person (A) unless the sexual activity with the other person (B) involves –
 - (i) the person (A or C) being in the other person (B)’s presence and physical contact between the person (A or C) and the other person (B), or
 - (ii) the person (B) touching themselves for the sexual gratification of the other person (A or C);
 - (d) it is immaterial whether the payment is given, offered, or promised by a person (A) engaging in the sexual activity, or a third party.
- (4) A person guilty of an offence under subsections (1) or (2) is liable –
 - (a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both), and a requirement to complete an offender behaviour programme at the offender’s expense;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding ten years or a fine not exceeding the statutory maximum (or both).
- (5) A person who is not a UK national commits an offence under subsections (1) or (2) if any part of the offence takes place in the UK.”

Member’s explanatory statement

This new clause makes it an offence to pay for, or attempt to, pay for sex either for themselves or on behalf of others.

BARONESS GOUDIE

After Clause 86, insert the following new Clause —

“Abolition of offence of loitering or soliciting for the purposes of prostitution

- (1) The Street Offences Act 1959 is amended as follows.
- (2) Omit Sections 1, 1A and 2.”

Member's explanatory statement

This new clause ends sanctions against victims of commercial sexual exploitation by repealing the offence of “Loitering or soliciting for purposes of prostitution” and relevant related parts of the Street Offences Act 1959.

BARONESS GOUDIE

After Clause 86, insert the following new Clause —

“Power of Secretary of State to disregard convictions or cautions

- (1) The Protection of Freedoms Act 2012 is amended as follows.
- (2) In section 92(1) after “same sex” insert “, or for an offence committed under Section 1 of the Street Offences Act 1959,”.
- (3) In section 92(2) after “met” insert “, or, for a conviction or caution for an offence committed under Section 1 of the Street Offences Act 1959, B alone is met”.”

Member's explanatory statement

This new clause would disregard historical cautions or convictions against victims of commercial sexual exploitation for loitering or soliciting for the purpose of prostitution.

Clause 87

LORD CLEMENT-JONES

Clause 87, page 100, line 34, at end insert —

- “(aa) if the name change is by deed poll, seven days prior to submitting an application for change of name (if that day is earlier than the day specified in paragraph (a)), or”

Member's explanatory statement

This amendment clarifies that if a person is changing their name by deed poll, they must notify a new name to the police prior to submitting the application.

After Clause 100

BARONESS DOOCEY
BARONESS BRINTON

After Clause 100, insert the following new Clause –

“Offence of stalking: review

- (1) Within six months of this Act receiving Royal Assent, the Secretary of State must establish a review into the effectiveness of sections 2A and 4A of the Protection from Harassment Act 1997.
- (2) The review established under subsection (1) must complete its work within nine months of its establishment.
- (3) Within a month of the review submitting its final report, the Secretary of State must lay a copy of the report before both Houses of Parliament and the Government must make time in both Houses for a debate on a substantive motion relating to the report.”

Member's explanatory statement

This new clause would require the Government to establish a review into the effectiveness of the stalking provisions of the Protection from Harassment Act 1997, specifies the review's timeframe, and requires the Government to make time available in both Houses of Parliament for a substantive debate on the review's report.

BARONESS DOOCEY
BARONESS BRINTON

After Clause 100, insert the following new Clause –

“Stalking awareness guidelines: review

- (1) Within six months of this Act receiving Royal Assent, the Secretary of State must establish a review into the effectiveness and adequacy of stalking awareness guidance provided by public bodies in England and Wales.
- (2) The terms of reference for this review should include examining whether stalking awareness guidance should form part of the national curriculum in England.
- (3) Within a month of the review submitting its final report, the Secretary of State must lay a copy of the report before both Houses of Parliament and make time available in both Houses for a debate on a substantive motion relating to the report.”

Member's explanatory statement

This new clause would require the Government to establish a review into the effectiveness of the stalking awareness guidance provided by public bodies, specifies that the review should examine making stalking awareness guidance mandatory under the national curriculum, and provides for a substantive debate in Parliament on the review's report.

Clause 101

BARONESS OWEN OF ALDERLEY EDGE

Clause 101, page 131, line 29, at end insert “either”

BARONESS OWEN OF ALDERLEY EDGE
BARONESS COFFEY

Clause 101, page 131, line 31, at end insert, “or

- (c) the person does so being reckless as to whether another person will be injured, aggrieved or annoyed.”

After Clause 103

LORD CLEMENT-JONES

After Clause 103, insert the following new Clause –

“Consultation on guidance for serious self-harm offences

- (1) The Secretary of State must issue guidance regarding the application of sections 102 and 103 (encouraging or assisting serious self-harm).
- (2) Before issuing or revising any guidance under subsection (1), the Secretary of State must consult extensively with the following persons and organisations –
 - (a) representatives of self-harm support charities and organisations;
 - (b) mental health professionals, including those providing trauma-informed care and support;
 - (c) legal experts, including prosecutors and defence practitioners, regarding the application of the specific intent requirement;
 - (d) such other persons as the Secretary of State considers appropriate.
- (3) The guidance issued under this section must –
 - (a) clearly differentiate between conduct falling within the criminal offence under section 102 (which requires specific intention to encourage or assist serious self-harm) and legitimate, supportive, or therapeutic activity;
 - (b) include instruction for law enforcement and relevant agencies on identifying and engaging with vulnerable individuals in a trauma-informed manner.
- (4) The Secretary of State must lay before both Houses of Parliament a copy of any guidance issued or revised under this section.”

Member's explanatory statement

This amendment requires the Secretary of State to issue guidance on the serious self-harm sections of this Bill.

Clause 106

BARONESS MCINTOSH OF PICKERING

Clause 106, page 138, line 10, leave out “Imprisonment for life” and insert “14 years”

BARONESS MCINTOSH OF PICKERING

Baroness McIntosh of Pickering gives notice of her intention to oppose the Question that Clause 106 stand part of the Bill.

After Clause 106

BARONESS MCINTOSH OF PICKERING

After Clause 106, insert the following new Clause —

“Review: misuse of electric scooters

- (1) The Secretary of State must undertake a review of the misuse of electric scooters, including but not limited to —
 - (a) the likely impact of dangerous use of electric scooters on the safety of drivers and pedestrians on public roads,
 - (b) the ways in which privately-owned electric scooters may pose different risks to other road users in comparison to rental electric scooters, and
 - (c) an assessment of whether it would be appropriate to legalise the use of privately-owned electric scooters in public spaces in order to regulate their safe use.
- (2) In preparing the review under subsection (1), the Secretary of State must consult such persons as they think appropriate.
- (3) The review under subsection (1) must be laid before Parliament within 12 months of the passing of this Act.”

BARONESS MCINTOSH OF PICKERING

After Clause 106, insert the following new Clause —

“Annual report: cycling offences

- (1) The Secretary of State must publish an annual report on the number of people charged with offences related to dangerous, careless or inconsiderate cycling in the previous 12 months.
- (2) “Cycling” in subsection (1) has the same meaning as “a cycle” in section 32A of the Road Traffic Act 1988.
- (3) The report under subsection (1) must set out the proportion of offences which went on to be heard in court.

- (4) The report under subsection (1) must be published within 18 months of the day on which Section 106 is commenced, and annually thereafter.
- (5) The report under subsection (1) must be laid before Parliament.”

After Clause 109

LORD MARKS OF HENLEY-ON-THAMES

After Clause 109 Insert the following new Clause –

“Controlling or coercive behaviour by persons providing psychotherapy or counselling services

- (1) A person (“A”) commits an offence if –
 - (a) A is a person providing or purporting to provide psychotherapy or counselling services to another person (“B”),
 - (b) A repeatedly or continuously engages in behaviour towards B that is controlling or coercive,
 - (c) the behaviour has a serious effect on B, and
 - (d) A knows or ought to know that the behaviour will or may have a serious effect on B.
- (2) A’s behaviour has a “serious effect” on B if –
 - (a) it causes B to fear, on at least two occasions, that violence will be used against B, or
 - (b) it causes B psychological harm which has a substantial adverse effect on B’s usual day-to-day activities.
- (3) For the purposes of subsection (1)(d) A “ought to know” that which a reasonable person in possession of the same information would know.
- (4) In proceedings for an offence under this section it is a defence for A to show that –
 - (a) in engaging in the behaviour in question, A believed that he or she was acting in B’s best interests, and
 - (b) the behaviour was in all the circumstances reasonable.
- (5) A is to be taken to have shown the facts mentioned in subsection (4) if –
 - (a) sufficient evidence of the facts is adduced to raise an issue with respect to them, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (6) The defence in subsection (4) is not available to A in relation to behaviour that causes B to fear that violence will be used against B.
- (7) A person guilty of an offence under this section is liable –
 - (a) on conviction on indictment, to imprisonment for a term not exceeding five years, or a fine, or both;
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or a fine, or both.”

Member's explanatory statement

This amendment creates an offence of controlling or coercive behaviour by providing psychotherapy or counselling services.

BARONESS SMITH OF LLANFAES

★

After Clause 109, insert the following new Clause —

“Duty to prevent illegal violence and harassment in the workplace

- (1) Section 2 of the Health and Safety at Work etc. Act 1974 (general duties of employers to their employees) is amended as follows.
- (2) After subsection (2)(e) insert —
 - “(f) the adoption of proactive and preventative measures to protect all persons working in their workplace from illegal violence and harassment, including —
 - (i) gender-based violence;
 - (ii) sexual harassment;
 - (iii) illegal psychological and emotional abuse;
 - (iv) physical and sexual abuse;
 - (v) stalking and illegal harassment, including online illegal harassment;
 - (vi) threats of illegal violence.”.
- (3) After subsection (3) insert —
 - “(3A) It shall be the duty of every employer to prepare, and as often as may be appropriate revise, an assessment to identify potential risks of illegal violence and harassment in the workplace and implement policies and procedures to eliminate these risks so far as is reasonably practicable.
 - (3B) It shall be the duty of every employer to provide training to all employees on recognising and preventing illegal violence and harassment in the workplace, with a focus on gender-responsive approaches.
 - (3C) In subsection (3B) a “gender-responsive approach” means taking into account the various needs, interests, and experiences of people of different gender identities, including women and girls, when designing and implementing policies and procedures.
 - (3D) In this section, “persons working in the workplace” includes —
 - (a) employees,
 - (b) full-time, part-time, and temporary workers, and
 - (c) interns and apprentices.
 - (3E) In subsection (2)(f) and subsections (3A) and (3B), a reference to the workplace includes remote and hybrid work environments.”.

BARONESS SMITH OF LLANFAES

★ After Clause 109, insert the following new Clause –

“Expanded duties of the Health and Safety Executive

In the Health and Safety at Work etc. Act 1974, after section 11 (functions of the Executive) insert –

“11ZA Duties of the Executive: health and safety framework on illegal violence and harassment

- (1) It shall be the duty of the Executive to develop, publish and as often as may be appropriate revise a health and safety framework on illegal violence and harassment in the workplace.
- (2) This framework shall include specific provisions relating to –
 - (a) the prevention of gender-based illegal violence and harassment of those in the workplace including the prevention of physical, emotional, and psychological abuse, and
 - (b) the use of monitoring and enforcement mechanisms to ensure compliance with the duty of the employer in relation to illegal violence and harassment (see section 2(2)(f)).
- (3) The Executive shall work with other relevant bodies, including the Equality and Human Rights Commission and law enforcement agencies, to develop and revise this framework.

11ZB Duties of the Executive: guidance for employers

The Executive shall, in consultation with such other persons as it considers to be relevant, issue guidance for employers about the protection of those facing illegal violence and harassment on the basis of gender in the workplace by –

- (a) implementing workplace policies to prevent illegal violence and harassment,
- (b) establishing confidential reporting mechanisms to allow victims to report incidents of illegality,
- (c) reporting and addressing incidents of illegal violence and harassment, and
- (d) supporting victims of illegal violence and harassment, including making accommodations in the workplace to support such victims.””

After Clause 111

BARONESS DOOCEY
LORD CLEMENT-JONES

After Clause 111 insert the following new Clause –

“Prevention of resale of stolen GPS products

- (1) The Equipment Theft (Prevention) Act 2023 is amended as follows.
- (2) In Section 1(2)(b), after “commercial activities” insert, “including GPS equipment”.

Member's explanatory statement

This new clause extends the Equipment Theft Act 2023 to specifically include the theft of GPS equipment.

After Clause 117

LORD CLEMENT-JONES

After Clause 117, insert the following new Clause –

“Digital Identity Theft

- (1) A person commits an offence of digital identity theft if –
 - (a) the person obtains, or attempts to obtain, personal or sensitive information relating to an individual, including but not limited to passwords, identification numbers, credit card numbers, national insurance numbers, biometric data, or other unique digital identifiers, and
 - (b) the person intends to use this personal or sensitive information to impersonate that individual, or to enable another person to impersonate that individual, with the purpose of carrying out any transaction, activity, or communication in their name without their consent or lawful authority.
- (2) For the purposes of subsection (1) –
 - (a) “personal or sensitive information” refers to any data, whether digital, physical, or otherwise, that can be used to identify, authenticate, or impersonate an individual;
 - (b) “obtains” includes acquiring, accessing, collecting, or otherwise coming into possession of such information.
- (3) A person guilty of an offence under this section is liable –
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or to a fine, or both;
 - (b) on conviction on indictment in England and Wales, to imprisonment for a term not exceeding five years or to a fine, or both.”

Member's explanatory statement

This amendment creates an offence of digital identity theft.

LORD CLEMENT-JONES
LORD HOLMES OF RICHMOND

After Clause 117, insert the following new Clause –

“Defences to charges under the Computer Misuse Act 1990

- (1) The Computer Misuse Act 1990 is amended as follows.
- (2) In section 1, after subsection (2) insert –
 - “(2A) It is a defence to a charge under subsection (1) to prove that –
 - (a) the person’s actions were necessary for the detection or prevention of crime, or
 - (b) the person’s actions were justified as being in the public interest.”
- (3) In section 3, after subsection (5) insert –
 - “(5A) It is a defence to a charge under subsection (1) to prove that –
 - (a) the person’s actions were necessary for the detection or prevention of crime, or
 - (b) the person’s actions were justified as being in the public interest.”

Member's explanatory statement

This amendment creates defences to charges under the Computer Misuse Act 1990.

LORD HOLMES OF RICHMOND

After Clause 117, insert the following new Clause –

“Computer Misuse Act 1990: increase of maximum penalties

- (1) The Computer Misuse Act 1990 is amended as follows.
- (2) In section 1 (unauthorised access to computer material), in subsection (3)(c) for “two” substitute “14”.
- (3) In section 2 (unauthorised access with intent to commit or facilitate further offences), in subsection (5)(c) for “five” substitute “14”.
- (4) In section 3 (unauthorised access with intent to impair, or with recklessness as to impairing, operation of computer etc), in subsection (6)(c) for “ten” substitute “14”.
- (5) In section 3A (making, supplying or obtaining articles for use in offence under section 1, 3 or 3ZA), in subsection (5)(c) for “2” substitute “14”.

Member's explanatory statement

This new Clause increases the criminal penalties for offences under the Computer Misuse Act 1990.

LORD HOLMES OF RICHMOND

After Clause 117, insert the following new Clause –

“Computer Misuse Act 1990: interpretation

- (1) Section 17 of the Computer Misuse Act 1990 (interpretation) is amended in accordance with subsections (2) and (3).
- (2) Omit the “and” at the end of subsection (5)(a).
- (3) At the end of subsection (5)(b), insert “,
 - (c) he does not reasonably believe that the person entitled to control access of the kind in question to the program or data would have consented to that access if he had known about the access and the circumstances of it, including the reasons for seeking it, and
 - (d) he is not required or permitted by an enactment, rule of law, or an order of a court or tribunal to access the kind in question to the program or data.”.”

Member's explanatory statement

This new Clause amends existing interpretation in the Computer Misuse Act 1990.

LORD HOLMES OF RICHMOND

After Clause 117, insert the following new Clause –

“Computer Misuse Act 1990: extra-territorial application

- (1) The Computer Misuse Act 1990 is amended as follows.
- (2) For the italic heading before section 4, substitute “Extra-territorial application”.
- (3) For section 4, substitute –

“4 Offences: extra-territorial application and jurisdiction

- (1) Sections 1, 2, 3, 3ZA, and 3A apply to acts done by a person in the United Kingdom or elsewhere (computer misuse offences).
- (2) In the case of an offence under section 1, 2, 3, 3ZA, or 3A which is committed outside the United Kingdom –
 - (a) proceedings for the offence may be taken at any place in the United Kingdom, and
 - (b) the offence may for all incidental purposes be treated as having been committed at any such place.
- (3) In the application of subsection (2) to Scotland, any such proceedings against a person may be taken –
 - (a) in any sheriff court district in which the person is apprehended or is in custody, or
 - (b) in such sheriff court district as the Lord Advocate may determine.

- (4) In this section –
- “act” includes a failure to act;
- “sheriff court district” is to be construed in accordance with the Criminal Procedure (Scotland) Act 1995 (see section 307(1) of that Act).”
- (4) In consequence of the provision created by subsections (2) and (3) –
- (a) the following are repealed –
- (i) sections 5 to 9;
- (ii) section 13;
- (iii) subsections (7) and (8) of section 16;
- (iv) subsection (9) of section 17;
- (b) in section 16 (application to Northern Ireland), in subsection (9) for “sections 9(1) and 10” substitute “section 10”.”

Member’s explanatory statement

This new Clause clarifies the extra-territorial application of the Computer Misuse Act 1990.

LORD HOLMES OF RICHMOND

After Clause 117, insert the following new Clause –

“Computer Misuse Act 1990: liability for corporate officers

- (1) After section 4 (territorial scope of offences under this Act) of the Computer Misuse Act 1990 insert –

“Liability for corporate officers

4A Liability for corporate officers

- (1) If an offence under section 1, 2, 3, 3ZA, or 3A is committed by a body corporate and it is proved that the offence –
- (a) has been committed with the consent or connivance of an officer of the body corporate, or
- (b) is attributable to any neglect on the part of an officer of the body corporate,
- the officer (as well as the body corporate) commits the offence and is liable to be proceeded against and punished accordingly.
- (2) “Officer”, in relation to a body corporate, means –
- (a) a director, manager, associate, secretary or other similar officer, or
- (b) a person purporting to act in any such capacity.
- (3) In subsection (2)(a), “director” in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (4) If an offence under section 1, 2, 3, 3ZA, or 3A is committed by a Scottish partnership and it is proved that the offence –

- (a) has been committed with the consent or connivance of a partner of the partnership, or
 - (b) is attributable to any neglect on the part of a partner of the partnership,

the partner (as well as the partnership) commits the offence and is liable to be proceeded against and punished accordingly.
- (5) “Partner”, in relation to a Scottish partnership, includes any person who was purporting to act as a partner.”
- (2) The provision created by subsection (1) applies only to an offence committed after the coming into force of this section.”

Member's explanatory statement

This new Clause would make bodies corporate and partnerships liable for their actions if they commit computer misuse offences.

Before Clause 118

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY

Before Clause 118, insert the following new Clause —

“The right to protest

Before section 11 of the Public Order Act 1986 (advance notice of public processions), insert —

“10A The right to protest

- (1) Everyone has the right to engage in peaceful protest, both alone and with others.
- (2) Public authorities have a duty to —
 - (a) respect the right to protest;
 - (b) protect the right to protest; and
 - (c) facilitate the right to protest.
- (3) A public authority may only interfere with the right to protest, including by placing restrictions upon its exercise, when it is necessary and proportionate to do so to —
 - (a) protect national security or public safety,
 - (b) prevent disorder or crime, or
 - (c) protect public health, or the rights and freedoms of others.
- (4) For the purposes of this section “public authority” has the same meaning as in section 6 of the Human Rights Act 1998 (acts of public authorities).”

Member's explanatory statement

This amendment would introduce an express statutory right to protest, imposing both negative and positive obligations on public authorities while recognising that the right to protest may need to be limited to protect other legitimate public interests.

After Clause 123

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY
BARONESS FOX OF BUCKLEY

After Clause 123, insert the following new Clause —

“Review of existing protest framework

- (1) The Secretary of State must appoint an independent reviewer to prepare a review of the operation of the Acts mentioned in subsection (4) in relation to protests and assemblies.
- (2) The independent reviewer must send to the Secretary of State a report on the outcome of the review no later than 12 months from the day on which this Act is passed.
- (3) On receiving the report under subsection (2) the Secretary of state must lay a copy of it before Parliament.
- (4) The Acts are —
 - (a) the Public Order Act 1986;
 - (b) the Criminal Justice and Public Order Act 1994;
 - (c) the Police, Crime, Sentencing and Courts Act 2022;
 - (d) the Public Order Act 2023;
- (5) The review must have particular regard to the impact of the Acts mentioned in subsection (4) on —
 - (a) the exercise of the rights under Articles 9, 10 and 11 of the European Convention on Human Rights, and
 - (b) individuals who have protected characteristics within the meaning of the Equality Act 2010.”

Member's explanatory statement

This new clause would require an independent review of the existing statutory framework related to protest.

Clause 125

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 125, page 152, line 37, at end insert –

“(4) After section 14, insert –

“14A Imposition of conditions: live facial recognition

Prior to imposing conditions under either section 12 or 14, the senior officer of the Police Force in question must confirm that live facial recognition will not be in use, unless a new code of practice for the use of live facial recognition surveillance in public spaces in England and Wales had previously been presented to, and approved by, both Houses of Parliament.””

Member's explanatory statement

This amendment ensures that police cannot use live facial recognition technology when imposing conditions on public assemblies or processions under Sections 12 or 14, unless a new, specific code of practice governing its use in public spaces has first been formally approved by both Houses of Parliament. It is intended to safeguard public privacy and civil liberties by requiring democratic oversight before this surveillance technology is deployed in such contexts.

Clause 129

LORD CLEMENT-JONES

Clause 129, page 159, line 10, at end insert –

“93ZD Code of practice: electronically tracked stolen goods (armed forces)

- (1) The Secretary of State must prepare a code of practice about the exercise by a service policeman of the powers conferred by sections 93ZA and 93ZB.
- (2) The code must, in particular, set out guidelines and procedures intended to ensure that the exercise of those powers is –
 - (a) necessary and proportionate, having regard to the severity of the alleged offence,
 - (b) compliant with the Human Rights Act 1998, with specific reference to the rights under articles 8, 10, and 11, and
 - (c) conducted in accordance with proper procedure concerning –
 - (i) the authorisation of entry and search,
 - (ii) the seizure of specified articles,
 - (iii) the retention of data and specified articles, and
 - (iv) the destruction or disposal of specified articles.
- (3) In preparing the code, the Secretary of State must consult –
 - (a) relevant service police organisations,

- (b) persons appearing to the Secretary of State to represent the interests of civil liberties and human rights, and
- (c) such other persons as the Secretary of State considers appropriate.
- (4) After preparing the code, the Secretary of State must lay it before Parliament and publish it.
- (5) The Secretary of State may bring the code into force by regulations.
- (6) A person exercising, or deciding whether to exercise, a power mentioned in subsection (1) must have regard to the code of practice for the time being in force under this section.”

Member's explanatory statement

This amendment requires the Secretary of State to produce a code of practice for the operation of clause 129.

After Clause 129

LORD CLEMENT-JONES

After Clause 129, insert the following new Clause –

“Independent oversight of service police powers under section 93ZA of the Armed Forces Act 2006

- (1) The Secretary of State must by regulations make provision for the establishment of an independent mechanism for the handling, investigation, and review of public complaints relating to the exercise of powers conferred on service police by section 93ZA of the Armed Forces Act 2006 (electronically tracked stolen goods: search without warrant).
- (2) Regulations under subsection (1) must ensure that –
 - (a) any complaint alleging misuse of power under section 93ZA of the Armed Forces Act 2006 is referred for investigation to a body that is demonstrably independent of the service police force concerned, being the Independent Office for Police Conduct or a designated equivalent,
 - (b) the independent body has full powers to investigate the actions of the service police, including requiring the production of records relating to the authorisation and conduct of the search, and
 - (c) the complainant is afforded the same statutory rights to review the outcome of the investigation as those conferred on victims of criminal conduct matters investigated by the Director General of the Independent Office for Police Conduct under Part 13 of this Act.”

Member's explanatory statement

This amendment requires the Secretary of State to establish an independent mechanism for investigating complaints relating to the provisions of clause 129.

LORD CLEMENT-JONES

After Clause 129, insert the following new Clause –

“Mandatory training for exercise of service police powers

- (1) The Secretary of State must, by regulations, make provision for mandatory, certified training for all service police personnel authorised to exercise powers under section 93ZA of the Armed Forces Act 2006 (electronically tracked stolen goods: search without warrant) and section 93 of the Armed Forces Act 2006 (power to seize bladed articles etc).
- (2) Regulations under subsection (1) must prescribe a curriculum which includes, but is not limited to, the following core components –
 - (a) the legal requirements and limitations of search and seizure powers, including the principle of proportionality and the maintenance of clear records;
 - (b) compliance with Article 8 (right to respect for private and family life) and other relevant provisions of the Human Rights Act 1998;
 - (c) de-escalation techniques and the engagement with vulnerable persons;
 - (d) procedural justice and the fair application of powers, including guidance to prevent discrimination.
- (3) The Chief Constable of the Ministry of Defence Police must ensure that no service police personnel exercise the powers mentioned in subsection (1) unless they have successfully completed the certified training prescribed by regulations under this section.”

Member's explanatory statement

This amendment requires the Secretary of State to provide appropriate training in relation to the provisions of clause 129.

LORD CLEMENT-JONES

After Clause 129, insert the following new Clause –

“Reporting on exercise of warrantless search powers for tracked goods

- (1) The Secretary of State must, at least once every 12 months, prepare a report on the exercise of the powers conferred on constables by section 26A of the Theft Act 1968 (electronically tracked stolen goods: search without warrant) during the preceding period.
- (2) Each report under subsection (1) must be laid before both Houses of Parliament.
- (3) Each report must include, but is not limited to, the following information, broken down by relevant police force area –
 - (a) the total number of authorisations sought and granted by senior officers under section 26A(1);
 - (b) the total number of entries and searches conducted under the authority of section 26A;

- (c) the nature of items seized under section 26B, distinguishing between –
 - (i) electronically tracked stolen goods specified in the authorisation, and
 - (ii) other items seized as evidence of theft or believed to be stolen goods;
 - (d) data relating to the demographic profile, including protected characteristics and vulnerabilities, of individuals whose premises were searched, or who were subsequently detained or identified as suspects in connection with the search;
 - (e) for searches conducted, the subsequent outcomes, including the number of resulting –
 - (i) arrests,
 - (ii) charges,
 - (iii) convictions, and
 - (iv) cases resulting in no further action.
- (4) The first report under this section must be laid before Parliament within 18 months of this Act receiving Royal Assent.”

Member's explanatory statement

This amendment requires the Secretary of State to regularly report on warrantless search powers under clause 128.

Clause 135

LORD ANDERSON OF IPSWICH
LORD CLEMENT-JONES

Clause 135, page 167, line 6, at end insert –

- “11D When information has been copied by virtue of paragraph 11A or extracted by virtue of paragraph 11B, and it is wished to retain such information under paragraph 11A(3)(a) or paragraph 11C(a) for a period exceeding three months beginning with the day on which detention commences, such information may be retained only where the constable has reasonable grounds to suspect that a person falls within section 40(1)(b).”

Member's explanatory statement

*This amendment, building on the Supreme Court's judgment in *Beghal v DPP* [2015] UKSC 49 §58, requires reasonable suspicion as a condition for the retention beyond three months of information extracted from an electronic device or from online accounts associated with an electronic device, when that retention is said to be necessary for the purpose of determining whether a person is or has been concerned in the commission, preparation or instigation of acts of terrorism.*

LORD ANDERSON OF IPSWICH
LORD CLEMENT-JONES

Clause 135, page 168, line 21, leave out “while the constable believes it” and insert “for so long as it is”

Member's explanatory statement

This amendment replaces a subjective with an objective test for necessity, modelled on new paragraph 22B(a), in relation to the retention for certain purposes of information extracted from online accounts associated with an electronic device.

Clause 138

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 138, page 171, line 16, at end insert—

- “(6A) Authorised persons listed in section 71A may not use the information referenced in subsection (1) for the purposes of biometric searches using facial recognition technology.”

Member's explanatory statement

This amendment ensures that the DVLA database cannot be used for searches using live facial recognition.

After Clause 144

BARONESS PIDGEON
BARONESS DOOCEY

After Clause 144 insert the following new Clause—

“CCTV on railway network: access for British Transport Police

- (1) It is a legal requirement for CCTV cameras across the railway network in England and Wales to be capable of enabling immediate access by the British Transport Police and relevant police forces.
- (2) All footage retained by CCTV cameras on the railway network must remain accessible to the British Transport Police and relevant police forces for the entirety of the retention period.
- (3) The retention period specified in subsection (2) is 30 calendar days.
- (4) Further to subsection (1), the Secretary of State must publish a report, within three months of the passing of this Act, specifying technical standards that will facilitate CCTV access for the British Transport Police and any police force in England and Wales.”

Member's explanatory statement

This amendment enforces legal obligations on railway CCTV systems to be accessible by the police promptly and continuously for 30 days, and it requires the government to define technical standards to support this access. It aims to improve police efficiency in investigations involving railway CCTV footage.

LORD YOUNG OF ACTON
BARONESS FOX OF BUCKLEY

After Clause 144, insert the following new Clause –

“Abolition of non-crime hate incidents

- (1) Non-crime hate incidents as a special category of incident to be recognised by police authorities are abolished, and reporting, recording and investigation of such incidents can occur only in the limited circumstances provided for in this section.
- (2) For the purposes of Article 6(1) of the UK GDPR (lawfulness of processing), section 35 of the Data Protection Act 2018 (“the Act”) (the first data protection principle) and Article 8 of the Law Enforcement Directive (lawfulness of processing), the processing of relevant data by a police authority is unlawful.
- (3) In this section, “relevant data” means personal data relating to the conduct or alleged conduct of a data subject which is unlikely to constitute criminal conduct and which has been perceived by another person to be motivated (wholly or partly) by hostility or prejudice towards one or more persons who have or have been perceived to have one or more relevant characteristics, and with that hostility or prejudice arising due to that or the perception of those relevant characteristics.
- (4) For the purposes of subsection (3), the following are relevant characteristics –
 - (a) race;
 - (b) religion;
 - (c) sexual orientation;
 - (d) disability;
 - (e) transgender identity.
- (5) Subsection (2) does not apply in respect of the processing of relevant data –
 - (a) pursuant to an ongoing criminal investigation or prosecution;
 - (b) for the purposes of the internal administrative functions of the police authority.
- (6) Subsection (2) does not apply in respect of the retention of a record (a “non-crime perception record”) of relevant data where a police officer (the “certifying officer”) of the rank of inspector or above certifies that in their opinion the retention of the non-crime perception record is likely materially to assist in the relevant purposes (see subsection (15)).
- (7) Where a certifying officer certifies the retention of a non-crime perception record pursuant to subsection (6) –

- (a) the certifying officer must include in the record a description of the future criminal conduct they have in mind and the reasons they believe that the retention of the record may assist in its detection or prevention;
 - (b) the relevant data which may be retained as part of the record may be no more than the certifying officer believes is likely materially to assist in the detection or prevention of criminal conduct;
 - (c) a copy of the record must be expeditiously provided to the data subject unless an officer of the rank of superintendent or above certifies that —
 - (i) the provision of the record to the data subject may interfere in the detection or prevention of criminal conduct, or
 - (ii) the officer is satisfied that it is not reasonably practicable to provide a copy of the record to the data subject.
- (8) If the data subject objects to the retention of the non-crime perception record, subsection (6) does not apply unless a police officer of the rank of superintendent or above certifies that in their opinion the retention of the non-crime perception record is likely materially to assist in the relevant purposes.
- (9) No police authority or police officer can be held under any circumstances to be under any duty to undertake the retention of any relevant data.
- (10) After subsection 113B(3) of the Police Act 1997 (enhanced criminal record certificates) insert —
 - “(3A) An enhanced criminal record certificate must not give the details of a relevant matter to the extent that doing so would result in the disclosure of relevant data as defined in section (*Abolition of non-crime hate incidents*) of the Crime and Policing Act 2025.”
- (11) After subsection 39A(2) of the Police Act 1996 (codes of practice for chief officers) insert —
 - “(3) No part of any code of practice issued by the College of Policing may be in a form which could be issued by the Secretary of State under section 60 of the Police, Crime, Sentencing and Courts Act 2022.”
- (12) Section 60 of the Police, Crime, Sentencing and Courts Act 2022 (code of practice relating to non-criminal hate incidents) is amended as follows —
 - (a) for the cross heading substitute “Non-crime perception records”;
 - (b) for the section heading substitute “Code of practice relating to non-crime perception records”;
 - (c) in subsection (1) for “by a relevant person of personal data relating to a hate incident” substitute “of relevant data”;
 - (d) omit subsection (2);
 - (e) in subsection (3)(a), for “personal data relating to a hate incident” substitute “relevant data”;
 - (f) in subsections (3)(b), (c), (d) and (e), for “such personal data” in each place substitute “relevant data”;
 - (g) in subsection (4)(a), for “personal data” substitute “relevant data”;

- (h) in subsection (4)(b), for “personal data relating to the alleged perpetrator of a hate incident” substitute “relevant data relating to the alleged perpetrator”;
 - (i) in subsection (7), at end insert ““relevant data” has the meaning given by section (*Abolition of non-crime hate incidents*) of the Crime and Policing Act 2025”.
- (13) Any code of practice previously issued under section 60 of the Police, Crime, Sentencing and Courts Act 2022 is deemed to be withdrawn.
- (14) Within three months of the beginning of each calendar year, each police authority which is retaining non-crime perception records must—
 - (a) undertake a review of the relevant data by an independent person to ensure that any retention of such records is in compliance with the provisions of this section;
 - (b) publish a report in respect of the review prepared by the independent person including setting out—
 - (i) the total number of non-crime perception records retained by the police authority,
 - (ii) the total number of data subjects to which those records relate, and
 - (iii) the equivalent numbers of those records added in the previous year.
- (15) In this section—
 - (a) a “police authority” means—
 - (i) a person specified or described in paragraphs 5 to 17 of Schedule 7 of the Act (competent authorities),
 - (ii) a person acting under the authority of such a person;
 - (b) the “relevant purposes” means preventing or solving crime, safeguarding individuals or communities or fulfilling other statutory policing purposes;
 - (c) the terms “data subject”, “processing” and “the UK GDPR” have the same meanings as under section 3 of the Act (terms relating to the processing of personal data);
 - (d) “the Law Enforcement Directive” means the Directive (EU) 2016/680 of the European Parliament.”

EARL ATTLEE

After Clause 144, insert the following new Clause—

“Power of the chief officer of police to grant a traffic regulation dispensation order

- (1) The chief officer of police may grant a Traffic Regulation Dispensation Order to a person engaged in the movement of a vehicle or trailer carrying a load of exceptional dimensions.
- (2) A Traffic Regulation Dispensation Order may permit the driver of the load to—
 - (a) pass a specific traffic island on the wrong side,

- (b) negotiate a specific roundabout the wrong way round,
 - (c) turn left or right at a specific location when the turn is otherwise prohibited,
 - (d) go the wrong way down a specific one-way street for no longer than 50 metres, or
 - (e) cross a solid white line on his or side of the road.
- (3) In the case of an authorisation under subsection (2)(e), the whole of a movement notified under the provisions of a movement made under an order made under section 44(1)(d) of the Road Traffic Act 1988 may be covered.
- (4) A Traffic Regulation Dispensation Order may make mitigation requirements including but not limited to the number and disposition of escort vehicle(s), and the number, if any, of attendants required on the ground.
- (5) In this section “vehicle or trailer carrying a load of exceptional dimensions” means a vehicle or trailer the use of which is authorised by an order made under section 44(1)(d) of the Road Traffic Act 1988.”

After Clause 148

LORD MARKS OF HENLEY-ON-THAMES
BARONESS BRINTON

After Clause 148, insert the following new Clause –

“Duty to review treatment of childhood convictions and cautions

- (1) Within a year of the day on which this Act is passed, the Secretary of State must lay before Parliament a report on the management of childhood convictions and cautions.
- (2) The report must consider at least –
- (a) the prevention of automatic disclosure of childhood conditional cautions;
 - (b) the prevention of adult treatment of offences committed by individuals who were minors at the time of the offences in question taking place;
 - (c) the range of childhood convictions which are removed from standard and enhanced checks after five and a half years.
- (3) In considering the areas outlined in subsection (2), the report must consider the policy merits of reform of the existing management of childhood convictions and cautions, and which actions would be required in each case for reform to take place.”

Member's explanatory statement

This amendment would require the Secretary of State to publish a report reviewing how childhood convictions and cautions are handled within one year of this Act being passed.

After Clause 151

BARONESS DOOCEY

After Clause 151, insert the following new Clause —

“Removal of Chief Constables

- (1) The Police Reform and Social Responsibility Act 2011 is amended as follows.
- (2) In section 38 (Appointment, suspension and removal of chief constables), after subsection (4) insert—
 - “(4A) Before exercising the power under subsection (3), the police and crime commissioner must consult with His Majesty’s Inspectorate of Constabulary and Fire and Rescue Services, or relevant successor inspectorate.”.

Member’s explanatory statement

This amendment requires a Police and Crime Commissioner to consult with His Majesty’s Inspectorate of Constabulary and Fire and Rescue Services before calling upon a Chief Constable to resign or retire.

After Clause 166

BARONESS CHAKRABARTI

After Clause 166, insert the following new Clause —

“Service as a police officer: aggravating factor in criminal sentencing

- (1) On sentencing for any criminal offence, current or past service as a police officer shall be presumed to be an aggravating factor.
- (2) Where in a particular case, a court decides against any such aggravation justifying an increased penalty, it shall state the reasons for this decision.”

Member’s explanatory statement

This new clause and another in the name of Baroness Chakrabarti relate to the criminal sentencing of serving or retired police officers. This amendment creates a rebuttable presumption that such service should be an aggravating factor.

BARONESS CHAKRABARTI

After Clause 166, insert the following new Clause —

“Crown Court power to order police pension forfeiture as part of criminal sentence

- (1) Notwithstanding any other provision of law relating to the forfeiture of police pensions, a Crown Court shall have the power to order the forfeiture of up to

sixty-five per cent of a current or past officer's police pension as part of its sentence for any criminal offence.

- (2) An appeal against any such forfeiture may be included in a criminal appeal against sentence to the Court of Appeal who shall invite the Home Secretary to make submissions on matters relating to public confidence, proportionality and consistency in relation to police discipline."

Member's explanatory statement

This new clause and another in the name of Baroness Chakrabarti relate to the criminal sentencing of serving or retired police officers. This amendment gives the Crown Court a new power to forfeit up to sixty-five per cent (equivalent to the state's contribution) of a police pension as part of the sentence. The Home Secretary may intervene in any appeal against such a sentence in the Court of Appeal.

BARONESS DOOCEY
LORD MARKS OF HENLEY-ON-THAMES

After Clause 166, insert the following new Clause –

"Police training – independent review

- (1) Within six months of the day on which this Act is passed, the Secretary of State must establish an independent review of the quality of in-service police officer training within police forces in England and Wales.
- (2) The review must –
 - (a) assess the consistency, effectiveness and outcomes of all training provided to police officers after completion of their initial entry-level training, including all –
 - (i) in-service training,
 - (ii) workforce development programmes,
 - (iii) refresher courses, and
 - (iv) specialist training,
 - (b) consider the extent to which training equips officers with the necessary skills, knowledge and professional standards to reflect the demands of modern policing, including –
 - (i) digital skills,
 - (ii) investigative skills,
 - (iii) trauma awareness and conflict management, and
 - (iv) processes by which police officers are informed of, and trained in, changes to the law, and
 - (c) make recommendations for improvement, where appropriate.
- (3) The review established under subsection (1) must complete its work within 12 months of its establishment.

- (4) Within three months of receiving the review, the Secretary of State must lay a statement before Parliament containing their response and proposals to take forward the recommendations in the review.”

Member's explanatory statement

This amendment requires the Secretary of State to establish an independent review on police training.

BARONESS DOOCEY
BARONESS BRINTON

After Clause 166, insert the following new Clause –

“Mandatory mental health training for police officers

- (1) Every police force in England and Wales must ensure that all frontline police officers receive regular training in dealing with incidents involving individuals experiencing mental health crises.
- (2) The training provided under subsection (1) must –
 - (a) be developed and delivered in consultation with NHS mental health trusts, clinical commissioning groups, and other relevant health and social care bodies,
 - (b) reflect the principles of the Right Care, Right Person approach,
 - (c) include instruction in de-escalation techniques, legal obligations under the Mental Health Act 1983, communication with vulnerable persons, and referral pathways to appropriate healthcare services, and
 - (d) be trauma-informed and culturally competent.
- (3) Initial training must be completed within six months of an officer’s commencement of frontline duties.
- (4) Refresher training must be undertaken at least once every two years.
- (5) Each police force must publish an annual statement on compliance with this section, including the number of officers trained and steps taken to evaluate the effectiveness of the training.
- (6) The Secretary of State must by regulations make provision for –
 - (a) minimum standards for training content and delivery,
 - (b) procedures for monitoring and enforcement, and
 - (c) sanctions for non-compliance.”

Member's explanatory statement

This new clause would require every police force in England and Wales to ensure that all frontline police officers receive regular training in dealing with incidents involving individuals experiencing mental health crises.

BARONESS DOOCEY
LORD MARKS OF HENLEY-ON-THAMES

After Clause 166 insert the following new Clause –

“Neighbourhood policing

- (1) The Secretary of State must ensure that every local authority area in England and Wales has a neighbourhood policing team which must be assigned exclusively to community-based duties, including –
 - (a) high-visibility foot patrols,
 - (b) community engagement and intelligence gathering,
 - (c) crime prevention initiatives, and
 - (d) solving crime.
- (2) The Home Office must publish proposals detailing the additional funding that will be required to ensure that police forces can meet these requirements without reducing officer numbers in other frontline policing roles.
- (3) The Secretary of State must publish an annual report detailing –
 - (a) the number of officers and PCSOs deployed in neighbourhood policing roles,
 - (b) the total cost of maintaining the required levels, and
 - (c) the impact on crime reduction and public confidence in policing.
- (4) If a police force fails to meet the minimum staffing levels required under subsection (1), the Home Office must intervene and provide emergency funding to ensure compliance within six months.”

Member's explanatory statement

This new clause would require the Secretary of State to ensure that every local authority area in England and Wales has a neighbourhood policing team which must be assigned exclusively to community-based duties.

BARONESS DOOCEY
LORD MARKS OF HENLEY-ON-THAMES

After Clause 166 insert the following new Clause –

“Neighbourhood policing: minimum levels

- (1) Within six months of the passage of this Act, the Secretary of State must lay before both Houses of Parliament proposals on maintaining minimum levels of neighbourhood policing.
- (2) The proposals must include –
 - (a) a requirement for every police force in England and Wales to maintain neighbourhood policing teams at a level necessary to ensure effective community engagement and crime prevention,

- (b) a plan to designate a proportion of funds, recovered under the Proceeds of Crime Act 2002, for neighbourhood policing initiatives, and
- (c) a plan for future police grant reports to include a ring-fenced allocation of 20% of total funds to be allocated specifically for neighbourhood policing.”

Member's explanatory statement

This new clause would require within six months of the passage of this Act, the Secretary of State to lay before both Houses of Parliament proposals on maintaining minimum levels of neighbourhood policing.

BARONESS DOOCEY
LORD CLEMENT-JONES

After Clause 166, insert the following new Clause –

“Duty to record algorithmic tools

- (1) Each police force in England and Wales must disclose its use of any algorithmic tool used in the exercise of its functions that may affect the rights, entitlements or obligations of individuals by completing entries in the Algorithmic Transparency Recording Standard (ATRS).
- (2) Under subsection (1) “algorithmic tool” means a product, application or device that supports or solves a specific problem using complex algorithms.”

Member's explanatory statement

This amendment places a duty on police forces to disclose any algorithmic tool used in the exercise of its functions.

Clause 169

LORD HARRIES OF PENTREGARTH
LORD BLUNKETT

Clause 169, page 207, line 2, at end insert –

- “(aa) require the respondent to receive citizenship education relating to British values (see section (*Further content: citizenship education*)).”

After Clause 169

LORD HARRIES OF PENTREGARTH
LORD BLUNKETT

After Clause 169, insert the following new Clause –

“Further content: citizenship education

- (1) To fulfil the requirements in section 169(3)(aa) (requirement to receive citizenship education), the Secretary of State must make arrangements for the delivery of citizenship education for respondents to youth diversion orders.
- (2) The citizenship education delivered under subsection (1) must include education on British values, which consists of –
 - (a) democracy,
 - (b) the rule of law,
 - (c) freedom,
 - (d) equal respect for every person, and
 - (e) respect for the environment.
- (3) Any citizenship education in subsection (1) must refer to British values as “values of British citizenship”.
- (4) In section (1)(a) “democracy” includes –
 - (a) an independent judiciary,
 - (b) in a Parliamentary system, a Government that is accountable to Parliament, regular elections, and
 - (c) decentralised decision-making, accountable at an appropriate level to the electorate.
- (5) In subsection (1)(c) “freedom” includes –
 - (a) freedom of thought, conscience and religion,
 - (b) freedom of expression, and
 - (c) freedom of assembly and association.
- (6) In subsection (1)(e) “respect for the environment” means taking into account the systemic effect of human actions on the health and sustainability of the environment both within the United Kingdom and the planet as a whole, for present and future generations.”

After Clause 190

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY

After Clause 190, insert the following new Clause –

“Threshold for offences to be considered as terrorism-related: review

- (1) Within six months of the day on which this Act is passed, the Secretary of State must establish a review into what the effect would be of raising the threshold of offences which can be considered as terrorism-related offences under the Counter-Terrorism and Sentencing Act 2021.
- (2) The review specified in subsection (1) must report within nine months of its establishment.
- (3) Within one month of the day on which the report is published, it must be laid before Parliament, and the relevant Minister must table a motion for debate in each House on the report’s conclusions.”

Member’s explanatory statement

This amendment requires the government to review how raising the threshold for classifying offences as terrorism-related (under the 2021 Act) has impacted sentencing. The review must be completed within a set timeframe, reported to Parliament, and debated in both Houses.

Clause 191

BARONESS MEYER

- ★ Clause 191, page 223, line 11, leave out “and the Infant Life (Preservation) Act 1929”

LORD JACKSON OF PETERBOROUGH

Clause 191, page 223, line 13, at end insert –

- “(2) The Secretary of State must, no later than 12 months after the day on which this section comes into force, and at least once every 12 months thereafter, conduct a review of its operation and impact.
- (3) The review under subsection (2) must, in particular, consider –
 - (a) the incidence of medical complications for women acting in relation to their own pregnancy under the terms of this section, including incidence of maternal death;
 - (b) the impact on the health and safety of women undergoing abortions;
 - (c) the prevalence of self-induced abortions outside a clinical setting beyond 24 weeks’ gestation;
 - (d) any reported cases of coercion or abuse related to abortions;
 - (e) the application of criminal law to third parties involved in abortions;
 - (f) any other topics the Secretary of State may consider appropriate.

- (4) Following the completion of a review under subsection (2), the Secretary of State must lay a report of the findings before Parliament.
- (5) The Secretary of State may by regulations repeal this section if he or she considers that a report under subsection (4) reveals it is having a detrimental effect.”

LORD JACKSON OF PETERBOROUGH

Clause 191, page 223, line 13, at end insert –

- “(2) The Secretary of State must, no later than 12 months after the day on which this section comes into force and annually thereafter, publish a report detailing complications that have occurred as a result of abortions procured contrary to the Abortion Act 1967 in the previous year.
- (3) The reports under subsection (2) must provide details of the number of –
 - (a) babies born alive following an attempted abortion and any medical conditions they suffer from, and
 - (b) women suffering medical complications following abortions or attempted abortions, including incidences of maternal death.”

BARONESS EATON

★

Clause 191, page 223, line 13, at end insert –

- “(2) Nothing in this section shall be taken to apply to a termination undertaken because of dissatisfaction with the sex of a child who was capable of being born alive.”

BARONESS MONCKTON OF DALLINGTON FOREST

BARONESS O'LOAN

BARONESS HOEY

BARONESS MACLEAN OF REDDITCH

The above-named Lords give notice of their intention to oppose the Question that Clause 191 stand part of the Bill.

After Clause 191

BARONESS STROUD

LORD FROST

BARONESS RITCHIE OF DOWNPATRICK

BARONESS FOSTER OF AGHADRUMSEE

After Clause 191, insert the following new Clause –

“Abortion: requirement for in-person consultation

In section 1(3D) of the Abortion Act 1967 (medical termination of pregnancy), omit “, by telephone or by electronic means”.”

Member's explanatory statement

This new clause would mean that a pregnant woman would need to have an in-person consultation before lawfully being prescribed medicine for the termination of a pregnancy.

BARONESS O'LOAN

After Clause 191, insert the following new Clause –

“Criminal liability for complicity in another’s unlawful termination of pregnancy

- (1) A person (“D”) commits an offence if –
 - (a) D does an act capable of encouraging or assisting the termination of pregnancy of a pregnant woman,
 - (b) D’s act was intended to encourage or assist termination of a pregnancy or an attempt to do so, and
 - (c) the termination of pregnancy is unlawful under the terms of the Abortion Act 1967.
- (2) The person referred to in subsection (1) need not be a specific person (or class of persons) known to, or identified by, D.
- (3) D may commit an offence under this section whether or not a termination of pregnancy occurs.
- (4) An offence under this section is triable on indictment and a person convicted of such an offence is liable to imprisonment for a term not exceeding 14 years.
- (5) The Secretary of State must issue guidance relating to the operation of this section.
- (6) Before issuing guidance under subsection (6), the Secretary of State must consult such persons or organisations as the Secretary of State considers appropriate.”

Clause 192

LORD CLEMENT-JONES

Clause 192, page 223, line 33, at end insert –

- “(4A) Before the appropriate national authority makes regulations under subsection (1) for the purpose of implementing a new international agreement, or significantly altering an existing agreement, the authority must conduct and publish a comprehensive Privacy Impact Assessment.
- (4B) The Privacy Impact Assessment required under subsection (4A) must analyse and report on –
 - (a) the necessity and proportionality of the information sharing arrangements,
 - (b) the mechanism by which individual rights, including those under Article 8 of the Human Rights Act 1998, will be safeguarded,
 - (c) the risks of non-compliance with the data protection legislation or of unintended consequences arising from the sharing of personal data, and

- (d) the nature and volume of personal data intended to be shared or accessed under the agreement.
- (4C) The appropriate national authority must lay before Parliament, no later than 12 months after the first regulations are made under this section, and annually thereafter, a report on the operation of regulations made under this section.
- (4D) The annual report required under subsection (4C) must include, in particular –
 - (a) an assessment of the overall volume and categories of information shared under the regulations,
 - (b) a detailed analysis of the impact of the regulations on the privacy and data protection rights of individuals, and
 - (c) a summary of any internal reviews, audits, or legal challenges relating to information sharing under the agreements implemented by the regulations.”

Member's explanatory statement

This amendment requires a privacy impact assessment to be carried out before regulations are made under this section.

After Clause 194

LORD CLEMENT-JONES

After Clause 194, insert the following new Clause –

“Enhanced protective measures for sensitive data transfers

- (1) Where regulations under section 192 authorise the transfer or processing of highly sensitive personal data, the regulations must include enhanced protective measures.
- (2) For the purposes of this section, “highly sensitive personal data” includes, but is not limited to, information concerning an individual’s –
 - (a) racial or ethnic origin;
 - (b) biometric data processed for the purpose of unique identification;
 - (c) genetic data;
 - (d) physical or mental health conditions or data related to sexual life;
 - (e) political, philosophical, or religious opinions or beliefs.
- (3) Enhanced protective measures under subsection (1) must include provisions which ensure that –
 - (a) the international transfer has an explicit legal basis set out in the regulations, which is demonstrated to be strictly necessary and proportionate for the stated law enforcement purpose;
 - (b) a comprehensive assessment of the risk to the fundamental rights and freedoms of the data subjects (a Privacy Impact Assessment) has been completed for the specific transfer arrangement;

- (c) the recipient country or international organisation is legally and technically capable of ensuring a standard of protection for the data equivalent to that afforded by the data protection legislation.
- (4) The Secretary of State must lay before Parliament the Privacy Impact Assessment required by subsection (3)(b) prior to the relevant regulations being made.”

Member's explanatory statement

This amendment requires enhanced protective measures to be used when highly sensitive data is transferred or processed under section 192.

LORD CLEMENT-JONES

After Clause 194, insert the following new Clause –

“Annual Report on International Law Enforcement Information Sharing

- (1) The Secretary of State must, in relation to each calendar year, prepare a report on the operation of international information-sharing agreements implemented by regulations made under section 192.
- (2) The report must detail the effectiveness and impact of information sharing including, but not limited to, the following information –
 - (a) the number of international agreements in operation and the total volume of information exchanged under section 192;
 - (b) an assessment of the effectiveness of the information sharing in achieving law enforcement purposes (being the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including safeguarding against, and the prevention of, threats to public security);
 - (c) a comprehensive analysis of the impact of the transfer and processing of personal data on the privacy and civil liberties of individuals, including any disproportionate application on the basis of protected characteristics;
 - (d) details of any findings that information sharing under section 192 has contravened the data protection legislation.
- (3) The Secretary of State must publish each report and lay a copy before Parliament no later than 1 July in the year following the year to which the report relates.”

Member's explanatory statement

This amendment requires an annual report to be produced on international law enforcement information sharing.

After Clause 196

BARONESS CHAKRABARTI

After Clause 196, insert the following Clause —

“Age of criminal responsibility

In section 50 of the Children and Young Persons Act 1933, for “ten” substitute “14”.

Member's explanatory statement

This new clause would raise the age of criminal responsibility in England and Wales from ten to 14 years so that no child under that age could be tried for or convicted of a criminal offence.

BARONESS CHAKRABARTI

After Clause 196, insert the following new Clause —

“Safeguards against abuses by Covert Human Intelligence Sources

- (1) Section 27 of the Regulation of Investigatory Powers Act 2000 is amended as follows.
- (2) For subsection (1) substitute —
 - “(1) This Part applies to criminal conduct —
 - (a) under an authorisation under this Part, and
 - (b) where the conduct is in accordance with the authorisation.”
- (3) For subsection (2) substitute —
 - “(2) This part also applies to civil liability in relation to any conduct which —
 - (a) is incidental to any conduct within subsection (1), and
 - (b) is not itself conduct an authorisation or warrant for which is capable of being granted under a relevant enactment and might reasonably have been expected to have been sought in the case in question.
- (2A) If a person acts in accordance with a criminal conduct authorisation under section 29B (covert human intelligence sources: criminal conduct authorisations), the nature of that authorisation and compliance with it shall be considered and deemed relevant to —
 - (a) any decision as to whether prosecution for a criminal offence by that person is in the public interest,
 - (b) any potential defences to such charges of criminal conduct, and
 - (c) any potential civil liability on the part of that person, and the quantum of any damages.
- (2B) The protections in subsection (2A) only apply where the conduct is not carried out for the primary purpose of —

- (a) encouraging or assisting, pursuant to sections 44 to 49 of the Serious Crime Act 2007 (inchoate offences), the commission of an offence by, or
 - (b) otherwise seeking to discredit,
- the person, people or group subject to the authorised surveillance operation.””

Member's explanatory statement

These amendments replace provisions of the Regulation of Investigatory Powers Act 2000 as amended by the Covert Human Intelligence Sources Act 2021 granting complete advanced criminal and civil immunity for authorised operatives and agents, with a public interest defence as long as they did not act as agents provocateurs.

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 196, insert the following new Clause –

“Safeguards for the use of facial recognition technology in public spaces

- (1) The use of live facial recognition technology for real-time biometric identification, by any public or private authorities, shall be prohibited unless one or more of the following conditions are met –
 - (a) it is used for the purpose of preventing, detecting, or investigating serious crimes as defined under the Serious Crime Act 2007,
 - (b) the deployment has received prior judicial authorisation specifying the scope, duration, and purpose of its use,
 - (c) it is necessary and proportionate for preventing an imminent and substantial threat to public safety, such as a terrorist attack, or
 - (d) it is deployed for the purpose of locating missing persons or vulnerable individuals at risk.
- (2) Any public authority deploying live facial recognition technology must –
 - (a) conduct and publish a Data Protection Impact Assessment before deployment,
 - (b) ensure that use is compliant with the principles of necessity and proportionality as outlined in the Human Rights Act 1998,
 - (c) maintain clear and publicly available records of deployments, including justification for use and any safeguards implemented,
 - (d) inform the public of deployments, unless exceptional circumstances apply, and
 - (e) create, implement and follow nationwide statutory guidance for using the technology.
- (3) The use of live facial recognition technology for mass surveillance, profiling, or automated decision-making without human oversight, is an offence.

- (4) The Information Commissioner’s Office and an independent oversight body shall be responsible for monitoring compliance with the provisions of this section, conducting audits, and investigating complaints.
- (5) Within six months of the passing of this Act, the Secretary of State must ensure that a motion is tabled, and moved, before both Houses of Parliament to approve the appointment of the independent oversight body specified in subsection (4).
- (6) A public authority or private entity guilty of an offence under this section will be liable –
 - (a) on summary conviction, to a fine;
 - (b) on conviction on indictment, to a fine.
- (7) A private individual found guilty of an offence under this section will be liable –
 - (a) on summary conviction, to a fine;
 - (b) on conviction on indictment, to a fine or imprisonment (or both).
- (8) The Secretary of State must lay before both Houses of Parliament an annual report detailing the use of live facial recognition technology, including instances of authorisation and compliance measures undertaken, and ensure that a motion is tabled, and moved, before both Houses to approve the report.
- (9) The motion specified in subsection (8) must include proposals to strengthen the role of the Office of the Biometrics and Surveillance Camera Commissioner (OBSCC) in overseeing the impact of emerging technology such as facial recognition and its impact on civil liberties.”

Member's explanatory statement

This new clause limits the use of live facial recognition in public to serious cases like preventing major crimes, finding missing people, or responding to threats and requires prior judicial approval.

LORD ALTON OF LIVERPOOL
LORD ANDERSON OF IPSWICH
BARONESS KENNEDY OF THE SHAWS

After Clause 196, insert the following new Clause –

“Universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct (England and Wales)

- (1) The International Criminal Court Act 2001 is amended as follows.
- (2) In section 51(1) –
 - (a) after “person”, insert “, whatever his or her nationality,”;
 - (b) after “war crime”, insert “in the United Kingdom or elsewhere.”.
- (3) Omit section 51(2).
- (4) In section 52(1) –
 - (a) after “person”, insert “, whatever his or her nationality,”;
 - (b) after “conduct”, insert “in the United Kingdom or elsewhere.”.

- (5) Omit section 52(4).”

Member's explanatory statement

This new clause gives effect to the JCHR’s recommendation, in its reports on the Crime and Policing Bill and Accountability for Daesh Crimes, to amend the ICC Act 2001 to provide for the exercise of universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct. This would allow for the authorities in England and Wales to prosecute persons suspected of these crimes without any requirement for a connection to the UK, consistent with the jurisdiction over the crimes of torture and grave breaches of the Geneva Conventions.

LORD ALTON OF LIVERPOOL
LORD ANDERSON OF IPSWICH
BARONESS KENNEDY OF THE SHAWS

After Clause 196, insert the following new Clause –

“Universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct (Northern Ireland)

- (1) The International Criminal Court Act 2001 is amended as follows.
- (2) In section 58(1) –
 - (a) after “person”, insert “, whatever his or her nationality,”;
 - (b) after “war crime”, insert “in the United Kingdom or elsewhere.”.
- (3) Omit section 58(2).
- (4) In section 59(1) –
 - (a) after “person”, insert “, whatever his or her nationality,”;
 - (b) after “conduct”, insert “in the United Kingdom or elsewhere.”.
- (5) Omit section 59(4).”

Member's explanatory statement

This new clause gives effect to the JCHR’s recommendation, in its reports on the Crime and Policing Bill and Accountability for Daesh Crimes, to amend the ICC Act 2001 to provide for the exercise of universal jurisdiction over the crimes of genocide, crimes against humanity and war crimes, and ancillary conduct. This would allow for the authorities in Northern Ireland to prosecute persons suspected of these crimes without any requirement for a connection to the UK, consistent with the jurisdiction over the crimes of torture and grave breaches of the Geneva Conventions.

BARONESS KIDRON

After Clause 196, insert the following new Clause –

“Regulation of information by providers of internet services in connection with death of child

- (1) The Online Safety Act 2023 is amended as follows.

- (2) In section 101 (information in connection with an investigation into the death of a child) –
 - (a) before subsection (A1) insert –

“(ZA1) A senior coroner (in England and Wales), a procurator fiscal (in Scotland) or a coroner (in Northern Ireland) must inform OFCOM when notified of the death of a child aged five to 17 years, no more than five working days after such a notification, to –

 - (a) enable them to detect whether a crime may have been committed, or
 - (b) inform a police investigation or establish information and activities relevant to the circumstances of a child’s death in case a crime may have been committed.”,
 - (b) in subsection (A1)(a), omit “that they are conducting an investigation in connection with” and insert “of”,
 - (c) in subsection (A1)(b), after “with” insert “one or more of”,
 - (d) at the end of subsection (B1), insert –

“(e) anything else that the investigating authority deems relevant.”,
 - (e) after subsection (C1)(b), insert –

“(c) must return a standard template for the use of the investigating authority to give notice or require information in relation to the death of a child.”,
 - (f) after subsection (D1), insert –

“(DA1) The standard template mentioned in subsection (C1)(c) must cover, but is not limited to –

 - (a) the names of common applications, services and online spaces likely to be accessed by a child as indicated by OFCOM’s research, including but not limited to the most recent Media Use and Attitudes reports;
 - (b) content uploaded, generated, shared or viewed by the child, including messages, comments, reactions, videos, pictures, or any other content that forms part of a child’s profile or activity;
 - (c) content that a child had received, including direct messages, comments, reactions, views, videos and pictures;
 - (d) content recommended to a child;
 - (e) content stored by a child;
 - (f) content flagged for moderation either by the child or which the child has engaged with, and any actions taken;
 - (g) metadata associated with the content set out in paragraphs (a)-(f), including time, data, account details of users who uploaded, generated or shared content encountered by a child, how long a child paused on content, how long a child spent on a service, and any other metadata that may be relevant;

- (h) search requests entered by the child (and metadata associated with those requests such as date and time);
- (i) connection lists and channels that the child followed;
- (j) online networks that the child was a part of;
- (k) any other content that OFCOM deems relevant for a coroner to consider;
- (l) an open box to ask questions formulated by the coroner;
- (m) any data that is categorised or labelled differently but can be reasonably considered equivalent to data as set out in paragraphs (a)-(l) above or is necessary for the coroner to perform their duties.

(DA2) In this section, “template” means a document that is updated every 24 months and shared with—

- (a) the Chief Coroner;
- (b) the Coroners’ Society of England & Wales;
- (c) Chief Constables;
- (d) child safety experts;
- (e) relevant NGOs and parent groups;
- (f) any other persons OFCOM deem relevant.””

Member’s explanatory statement

This amendment makes data preservation notices automatic upon a child’s death and requires OFCOM to provide a template which outlines what data coroners should request for coroner information notices. This information is key to conducting an investigation into a child’s death and determining whether a criminal investigation is necessary. The template provides guidance to coroners about what information is likely to be useful when conducting an investigation.

BARONESS KIDRON

After Clause 196, insert the following new Clause—

“Awareness of information in connection with an investigation into the death of a child

- (1) The Secretary of State must, within three months of the day on which this Act is passed, write a letter setting out the powers of coroners to request Data Preservation Notices and Coroner Information Notices under section 101 of the Online Safety Act 2023 (information in connection with an investigation into the death of a child) in order to support the investigation of any potential related crime.
- (2) The letter must set out—
 - (a) the requirement of the coroner to inform OFCOM when a child has died in accordance with section 101 of the Online Safety Act 2023 (information in connection with an investigation into the death of a child);

- (b) the powers a coroner has to request the preservation of data in connection with an investigation into the death of a child, in accordance with section 101 of that Act;
 - (c) the powers a coroner has to request information in connection with the death of a child, in accordance with section 101 of that Act;
 - (d) an example of the template of the scope and range of information that may be relevant to the death of a child in accordance with section 101 of that Act.
- (3) The letter must be addressed to –
- (a) the Chief Coroner;
 - (b) the Coroners' Society of England & Wales;
 - (c) area coroners;
 - (d) Police and Crime Commissioners;
 - (e) Chief Constables;
 - (f) the Commissioner of the Metropolitan Police;
 - (g) the College of Policing;
 - (h) relevant NGOs and parent groups;
 - (i) any other persons the Secretary of State deems relevant."

Member's explanatory statement

This is an amendment consequential on another amendment in the name of Baroness Kidron which would require the Secretary of State to ensure that all coroners and the police were aware of their new responsibilities under the other amendment.

LORD PONSONBY OF SHULBREDE

★

After Clause 196, insert the following new Clause –

“Childhood conditional cautions: prevention of disclosure

- (1) Section 112 of the Police Act 1997 (criminal conviction certificates) is amended as follows.
- (2) In subsection (3), in the definition for “conditional caution”, leave out “or section 66A of the Crime and Disorder Act 1998”.

Member's explanatory statement

The amendment seeks to prevent the automatic disclosure of childhood conditional cautions in a DBS check by amending the definition of a criminal conviction certificate in the Police Act 1997.

LORD PONSONBY OF SHULBREDE

★ After Clause 196, insert the following new Clause —

“Adult treatment of youth offending: cautions

- (1) Article 2A of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order (S.I. 1975/1023) (cautions) is amended as follows.
- (2) In sub-paragraph (2)(a), for “conviction” substitute “offence”.
- (3) In sub-paragraph (2)(b), for “conviction” substitute “offence” in both places where it occurs.”

Member's explanatory statement

The amendment seeks to ensure that a caution does not have to be disclosed where it is given (1) when a person is over 18, but (2) when the offence occurred when they were under 18. Presently, a caution given to someone when they were over 18 must be disclosed, even if the offence occurred before they were an adult.

LORD PONSONBY OF SHULBREDE

★ After Clause 196, insert the following new Clause —

“Adult treatment of youth offending: custodial sentencing

- (1) Article 2A of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order (S.I. 1975/1023) (cautions) is amended as follows.
- (2) In sub-paragraph (4)(a) —
 - (a) at beginning insert “where the person was 18 years or over at the time of the offence,”;
 - (b) omit “and”;
 - (c) at end insert —
 - “(ab) where the person was under 18 years at the time of the offence, a custodial sentence (other than a detention and training order within the meaning given by section 233 of the Sentencing Code or an order under section 211 of the Armed Forces Act 2006), and,”.

Member's explanatory statement

This amendment seeks to ensure that custodial sentences (except for the most serious) will be removed an individual's criminal record after five and half years, if the offence was committed before the age of 18.

BARONESS KIDRON

★ After Clause 196, insert the following new Clause —

“AI search services safety: offence

- (1) It is an offence for the provider of a generative AI search service to allow the creation, viewing, listening to, sharing, broadcasting or storing, using that service, of content that would be —
 - (a) illegal content and activity, as defined by section 59 of the Online Safety Act 2023 (“illegal content” etc);
 - (b) content and activity that is harmful to children, as defined by section 60 of the Online Safety Act 2023 (“content that is harmful to children”), if the user is a child.
- (2) For the purposes of this section, a generative AI search service means a deep or large language model able to generate text, images and other content based on the data on which they were trained and user prompts.
- (3) For the purposes of this section, “content” has the meaning given in section 236 (interpretation: general) of the Online Safety Act 2023, and includes both content generated by an AI search service and content generated by a user.
- (4) A provider which commits an offence under this section is liable —
 - (a) to the application of the enforcement powers set out in Part 7, Chapter 6 (enforcement powers) of the Online Safety Act 2023, where the provider is a regulated service under section 4 of the Online Safety Act 2023 (“regulated service”, “Part 3 service” etc.);
 - (c) to a penalty notice, issued by the National Crime Agency and not exceeding £18 million, where the provider is not a regulated service under section 4 of that Act.”

Member's explanatory statement

This amendment is intended to ensure that generative AI search services do not create illegal content.

BARONESS KIDRON

★ After Clause 196, insert the following new Clause —

“AI chatbots: offence

- (1) It is an offence to —
 - (a) create,
 - (b) supply, or
 - (c) otherwise make available,an AI chatbot which produces content specified in subsection (2).
- (2) Content which it is illegal for an AI chatbot to produce is —

- (a) for all users, illegal content, as defined by section 59 of the Online Safety Act (“illegal content” etc.);
 - (b) for users aged under 18, content and activity that is harmful to children, as defined by section 60 of the Online Safety Act 2023 (“content that is harmful to children”).
- (3) Where an offence is committed by a provider of a regulated service under section 4 of the Online Safety Act 2023 (“regulated service”, “Part 3 service” etc.), it is subject to the enforcement powers set out in Chapter 6 of Part 7 of the Online Safety Act 2023 (enforcement powers).
- (4) Where an offence is committed by a person who is not a regulated service under section 4 of the Online Safety Act 2023, they are liable to –
 - (a) a fine not exceeding £20,000, and
 - (b) imprisonment for a minimum term of 6 months.
- (5) It is a defence for a provider of a regulated service charged with an offence under this section to prove that they –
 - (a) took reasonable steps to avoid making, supplying or making available an AI chatbot that breached the provisions in subsection (1), including a written risk assessment on the likelihood of such a breach,
 - (b) provided accessible and transparent means with which users could report if the AI chatbot breached the provisions in subsection (1),
 - (c) notified OFCOM of any risks within 15 working days of identifying a problem, and
 - (d) agreed mitigations with OFCOM.
- (6) It is a defence for a person who is not a regulated service under section 4 of the Online Safety Act 2023 and is charged with an offence under this section to prove that they –
 - (a) created, supplied or otherwise made available an AI chatbot which breached the provisions in subsection (1) for the purposes of the prevention, detection or investigation of crime, or for the purposes of criminal proceedings, in any part of the world,
 - (b) were a member of, employed by, or engaged by OFCOM and created, supplied or otherwise made available an AI chatbot which breached the provisions in subsection (1) in the exercise of OFCOM’s online safety functions,
 - (c) were red-teaming or testing the product, for the purposes of ensuring its compatibility with the code, or
 - (d) did all of the following –
 - (i) took reasonable steps to avoid making, supplying or making available an AI chatbot that breached the provisions in section (1), including a written risk assessment on the likelihood of such a breach,
 - (ii) provided accessible and transparent means with which users could report if the AI chatbot breached the provisions in subsection (1), and

- (iii) deleted, withdrew or took mitigating steps within 15 working days of identifying a problem.
- (7) For the purposes of this section, an AI chatbot is a generative AI system, including a deep or large language model, able to generate text, images and other content based on the data on which it was trained, which has been designed to engage a person in a way that mimics the behaviour of a human being.”

Member's explanatory statement

This amendment is intended to ensure that AI chatbots cannot be used to create illegal content.

Clause 198

LORD CLEMENT-JONES

Clause 198, page 228, line 38, after “122,” insert “section (*Mandatory training for exercise of service police powers*),”

Member's explanatory statement

This amendment makes regulations made under a new clause proposed by Lord Clement-Jones subject to the affirmative procedure.

LORD CLEMENT-JONES

Clause 198, page 228, line 38, after “122,” insert “section (*Independent oversight of service police powers under section 93ZA of the Armed Forces Act 2006*),”

Member's explanatory statement

This amendment makes regulations made under a new clause proposed by Lord Clement-Jones subject to the affirmative procedure.

LORD CLEMENT-JONES

Clause 198, page 228, line 38, after “122,” insert “129,”

LORD CLEMENT-JONES

Clause 198, page 228, line 39, at end insert “or 192”

Member's explanatory statement

This amendment requires regulations under section 192 of the Bill to be made by the affirmative procedure.

LORD JACKSON OF PETERBOROUGH

Clause 198, page 228, line 39, at end insert “or 201(13)”

LORD JACKSON OF PETERBOROUGH

Clause 198, page 228, line 39, at end insert “or 191(5)”

Clause 201

LORD JACKSON OF PETERBOROUGH

Clause 201, page 232, line 2, leave out paragraph (d)

LORD JACKSON OF PETERBOROUGH

Clause 201, page 233, line 6, at end insert –

- “(13) Section 191 comes into force on such day as the Secretary of State may by regulations appoint, but not before the Secretary of State has laid before both Houses of Parliament a report giving their assessment of the impact of the provisions of that section on –
- (a) the safety and welfare of women, including in relation to mental health outcomes, and safeguarding for under-16s;
 - (b) coerced and non-consensual abortion;
 - (c) late-term abortion or self-induced abortion outside a clinical setting;
 - (d) recording and monitoring of complications relating to terminations taking place outside a clinical setting;
 - (e) standards of clinical oversight;
 - (f) any other matter that the Secretary of State may specify.
- (14) In preparing the report under subsection (13) the Secretary of State must consult –
- (a) relevant professional bodies;
 - (b) integrated care boards;
 - (c) such other persons as the Secretary of State considers appropriate.
- (15) The report under subsection (13) must be laid within six months of the day on which this Act is passed.”

LORD JACKSON OF PETERBOROUGH

Clause 201, page 233, line 6, at end insert –

- “(13) Section 191 comes into force on such day as the Secretary of State may by regulations appoint, but not before –
- (a) a 12-week public consultation has been carried out on the potential impact and operation of that section, and
 - (b) the Secretary of State has laid a report before both Houses of Parliament analysing the consultation responses and six weeks have elapsed since the laying of that report.”

Crime and Policing Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

Tabled up to and including

24 October 2025

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