

Crime and Policing Bill

AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Third Marshalled List]

**Amendment
No.**

Clause 37

LORD BLENCATHRA

214FA★ Clause 37, page 57, line 24, at end insert—

“(c) premises used by the hospitality industry for the supply of food or drink.”

Member's explanatory statement

This amendment seeks to clarify the definition of “retail premises”.

Clause 43

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
LORD KEEN OF ELIE

235ZA★ Clause 43, page 62, line 39, leave out paragraph (a)

Member's explanatory statement

This amendment would remove the requirement that a CCE prevention order must avoid conflict with the religious beliefs of the defendant.

After Clause 126

LORD DAVIES OF GOWER
LORD KEEN OF ELIE
LORD CAMERON OF LOCHIEL

382D★ After Clause 126, insert the following new Clause —

“Removal of reasonable excuse defence for public order offences

- (1) Section 137 of the Highways Act 1980 is amended in accordance with subsection (2).
- (2) In subsection (1), omit “or excuse”.
- (3) The Public Order Act 2023 is amended as follows.
- (4) In section 1 (locking on), omit subsection (2).
- (5) In section 3 (tunnelling), omit subsection (2).
- (6) In section 4 (being present in a tunnel), omit subsection (2).
- (7) In section 6 (obstruction of major transport works), omit subsection (2).
- (8) In section 7 (interference with key national infrastructure), omit subsection (2).”

Member's explanatory statement

This amendment would remove the defence of reasonable excuse for public order offences.

After Clause 166

BARONESS CASH

438B★ After Clause 166, insert the following new Clause —

“Recording of biological sex in police data

- (1) Every police force in England and Wales must, in respect of any individual who is arrested, charged with an offence, or issued with a caution or penalty notice, record the biological sex of that individual.
- (2) For the purposes of this Act, “biological sex” means —
 - (a) the male or female sex recorded at birth, or
 - (b) where a Gender Recognition Certificate has been issued under the Gender Recognition Act 2004, the sex recorded on that certificate.
- (3) Where official documents presented at the point of arrest do not reflect the biological sex as defined in subsection (2), the discrepancy must be noted separately.
- (4) The Secretary of State must issue guidance to ensure consistency of recording and to prevent reliance on administrative records altered on the basis of self-identification alone.”

BARONESS CASH

438C★ After Clause 166, insert the following new Clause —

“Recording of ethnicity in police data

- (1) Every police force in England and Wales must, in respect of any individual who is arrested, charged with an offence, or issued with a caution or penalty notice, record the ethnicity of that individual in accordance with subsections (2) and (3).
- (2) The officer must record the police-observed ethnicity of the individual using the 18-category classification employed in the most recent Census for England and Wales.
- (3) Where the individual voluntarily states an ethnicity, the officer must also record the self-declared ethnicity, noting any difference from the police-observed ethnicity.
- (4) For the purposes of criminal-justice statistics, analysis, and publication under section 95 of the Criminal Justice Act 1991, the police-observed ethnicity shall be treated as the primary record.
- (5) The Secretary of State must issue statutory guidance to ensure consistent recording and the uniform use of the Census ethnicity categories across all police forces.”

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18 November 2025
