

Sentencing Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Second Marshalled List]

**Amendment
No.**

Clause 32

LORD VERDIRAME
LORD THOMAS OF CWMGIEDD

122A★ Clause 32, page 59, line 30, at end insert –

- “(1A) Subsection (1) of section 260 of the Criminal Justice Act 2003 does not apply when a fixed-term prisoner is sentenced to a term of imprisonment of more than three years.
- (1B) A fixed-term prisoner is not to be removed under section 260 of the Criminal Justice Act 2003 unless the Secretary of State has made arrangements for the prisoner to serve the remaining custodial period in the country to which the prisoner is to be removed.
- (1C) A fixed-term prisoner is not to be removed under section 260 of the Criminal Justice Act 2003 unless the Secretary of State is satisfied that the interests of justice are not defeated by the removal (having regard to the gravity of the offence and the impact of the offender’s criminal conduct on those affected by it).
- (1D) Subsection (1) of section 260 of the Criminal Justice Act 2003 does not apply in relation to a prisoner detained in accordance with subsection (4)(b) of that section after returning to the UK following a previous removal.”

Member’s explanatory statement

This amendment is intended to add certain limits to early removals to ensure that the interests of justice and those of victims are taken into account, and that early removals do not result in impunity.

After Clause 40

BARONESS JONES OF MOULSECOOMB

139C★ After Clause 40, insert the following new Clause –**“Duty to review the Prison Adjudication system**

- (1) The Secretary of State must, within a year of this Act receiving Royal Assent, appoint a person to review the operation of the prison adjudication system governed under the Prisoner Discipline Procedures (Adjudication) Policy Framework (2024), the Prison Rules 1999 and the Young Offender Institution Rules 2000, as amended by the Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024.
- (2) The review must consider –
 - (a) the accessibility of legal representation for adjudication proceedings both before a Governor and before an Independent Adjudicator;
 - (b) an assessment of whether adjudication outcomes are proportionate, having regard to their impact on persons with vulnerabilities or protected characteristics as defined under section 4 Equality Act 2010;
 - (c) analysis of adjudication outcomes across all prisons in England and Wales;
 - (d) understanding of adjudication procedures amongst offenders, staff and the Parole Board;
 - (e) any other matters that the Secretary of State deems appropriate.
- (3) As soon as reasonably practicable after completing a review under this section, the reviewer must send to the Secretary of State a report on its outcome.
- (4) On receiving a report under subsection (3), the Secretary of State must lay a copy of it before Parliament.”

Member's explanatory statement

This amendment introduces a duty to review the current adjudication system of Prisons in England and Wales.

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1 December 2025
