

Sentencing Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
15 December 2025*

[Amendments marked ★ are new or have been altered]

After Clause 19

LORD FOSTER OF BATH

After Clause 19, insert the following new Clause—

“Annual report on prison capacity

- (1) The Lord Chancellor must, as soon as practicable after the end of each financial year, make a report on prison capacity.
- (2) When reporting on prison capacity under this section, the Lord Chancellor must include the available data on—
 - (a) prison population projections,
 - (b) projection for the supply of prison places,
 - (c) information on prison service staffing, and
 - (d) information on probation service staffing and caseloads.
- (3) The Lord Chancellor must lay a copy of the report before Parliament.
- (4) The Lord Chancellor must publish the report once a copy has been so laid.
- (5) If this section comes into force after the beginning of a financial year, the first report may relate to a period beginning with the day on which that section comes into force and ending with the end of the next financial year.”

Member's explanatory statement

This new clause would require the Lord Chancellor to publish an annual report on prison capacity, in line with the commitment in its Annual Statement on Prison Capacity: 2024 for a statutory annual statement. It also requires the publication of information on probation service staffing and caseloads.

LORD KEEN OF ELIE
LORD SANDHURST

After Clause 19, insert the following new Clause —

“Whole life order: murder of a police or prison officer

- (1) The Sentencing Code is amended as follows.
- (2) In paragraph 2 of Schedule 21 (determination of minimum term in relation to mandatory life sentence for murder etc), in sub-paragraph (2)(c), after “duty” insert “, if the motivation for the murder was connected to the police officer or prison officer’s current or former duties”.

Member's explanatory statement

This new clause would expand the circumstances in which it is appropriate to apply a whole life order for murdering a prison or police officer, to include murder motivated by the victim’s current or former duties.

BARONESS SATER
LORD PONSONBY OF SHULBREDE

After Clause 19, insert the following new Clause —

“Sentencing of offenders for crimes committed as children

Where a court is sentencing an offender for a crime committed before the age of 18 but at the time of the first court appearance the offender is older than 17 but younger than 21, the offender must be sentenced according to the sentencing guidelines that apply in a youth court.”

BARONESS NEVILLE-ROLFE

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After Clause 19, insert the following new Clause —

“Mandatory purposeful activity requirement for custodial sentences

- (1) A court sentencing an offender to a term of imprisonment may include, as a condition of that sentence, a requirement that the offender participate in one or more of the following —
 - (a) education,
 - (b) skills training, employment or vocational programmes, or
 - (c) other purposeful activity approved by the Governor of the prison.
- (2) For the purposes of subsection (1), “purposeful activity” includes —
 - (a) accredited educational courses,
 - (b) workplace or vocational training opportunities, and
 - (c) unpaid work or service contributing to the functioning of the prison.
- (3) The Secretary of State may by regulations made by statutory instrument make provision ensuring that the requirement in subsection (1) applies to all or some

custodial sentences imposed in England and Wales, beginning with the day on which this Act is passed.

- (4) The Governor of each prison must, on an annual basis, publish a statement specifying the number and proportion of prisoners actively participating in activities, and the availability of such activities, under subsection (1).
- (5) The Secretary of State must lay before Parliament an annual consolidated report on the data submitted under subsection (4).
- (6) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

BARONESS NEVILLE-ROLFE

★ After Clause 19, insert the following new Clause –

“Review: sentencing and prison education

- (1) Within six months of the day on which this Act is passed, the Secretary of State must establish a committee to review and report on the subject in subsection (2).
- (2) The subject is the merits of –
 - (a) including –
 - (i) prison education, and
 - (ii) skills, employment and vocational training, requirements in a sentence of imprisonment,
 - (b) ensuring that a sentence cannot permit an offender to be released early unless they have participated in purposeful activity, and
 - (c) prison governors publishing data on purposeful activity as it relates to paragraph (b).
- (3) The committee must report within six months of being established and update its report on each anniversary of first publication.
- (4) The Secretary of State must lay the report in subsection (1) before Parliament.”

After Clause 25

LORD BLUNKETT
LORD MOYLAN
BARONESS BURT OF SOLIHULL

After Clause 25, insert the following new Clause –

“Imprisonment or detention for public protection: qualifying period for termination of licences

- (1) Section 31A of the Crime (Sentences) Act 1997 (imprisonment or detention for public protection: termination of licences) is amended as follows.

- (2) In subsection (5), in the definition of “the qualifying period”, for paragraphs (a) and (b) substitute –
- “(a) for prisoners over the age of 18 subject to imprisonment for public protection sentences, the period of two years beginning with the date of the prisoner’s release;
 - (b) for prisoners under the age of 18 subject to detention for public protection sentences, the period of one year beginning with the date of the prisoner’s release.””

LORD MOYLAN
BARONESS FOX OF BUCKLEY
LORD BLUNKETT

After Clause 25, insert the following new Clause –

“Provision for a prisoner to apply to the Parole Board for a licence termination review following expiry of the qualifying period on annual basis

- (1) The Crime (Sentences) Act 1997 is amended as follows.
- (2) In section 31A (imprisonment or detention for public protection: termination of licences), after subsection (3) insert –
 - “(3A) Where –
 - (a) the prisoner has been released on licence under this Chapter,
 - (b) the qualifying period has expired, and
 - (c) the prisoner’s case has been considered for termination previously by the Parole Board and a period of at least 12 months has elapsed since the disposal of that application,the prisoner may make an application to the Parole Board under this subsection.”
- (3) In subsection (4) –
 - (a) after “reference” insert “or application”;
 - (b) after “subsection (3)” insert “or (3A).”

Member's explanatory statement

This would allow a prisoner whose licence has not been terminated by the Parole Board two or three years after their first release to make an application annually to the Parole Board for termination, reinstating the right to apply for an annual review that existed prior to changes made by the Police, Crime, Sentencing and Courts Act 2022.

Clause 29

LORD BLUNKETT
BARONESS CHAKRABARTI

★ Clause 29, page 56, line 39, at end insert –

“255BB Further release after recall: prisoners subject to Imprisonment for Public Protection and Detention for Public Protection sentences

The Secretary of State may by regulations make equivalent provision to those under section 255BA (automatic release: other offenders) in relation to the recall of those subject Imprisonment for Public Protection (IPP) and Detention for Public Protection (DPP) sentences.”

LORD BLUNKETT
BARONESS CHAKRABARTI

★ Clause 29, page 56, line 42, at end insert “section 255BB”

Clause 35

LORD MARKS OF HENLEY-ON-THAMES
BARONESS HAMWEE
LORD FOSTER OF BATH

Leave out Clause 35

After Clause 38

LORD CARTER OF HASLEMERE

After Clause 38, insert the following new Clause –

“Power to refer to the Parole Board a prisoner serving an Extended Determinate Sentence of detention once they have served half of the appropriate custodial term

- (1) The Criminal Justice Act 2003 is amended as follows.
- (2) In section 246A (release on licence of prisoners serving extended sentence under section 254, 266 or 279 of the Sentencing Code etc) –
 - (a) after subsection (4) insert –

“(4A) The Secretary of State may refer P’s case to the Board at any time after P has served one half of the appropriate custodial term if the Secretary of State is of the view that there is a reasonable prospect that the Board would direct release.”;

- (b) in subsection (5)(a) after “period” insert “or, where the Secretary of State has made a reference under subsection 4A, P has served half of the appropriate custodial period.”

Member's explanatory statement

This amendment gives effect to the intention of the Independent Review on Sentencing's recommendation that a form of earned progression should apply to those serving Extended Determinate Sentences at the half-way point of the custodial term. To reflect the serious nature of the offence(s), the Secretary of State would be empowered to exercise their discretion to refer the case to the Parole Board early on grounds of progression, rather than compliance.

After Clause 41

BARONESS CHAKRABARTI

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After Clause 41, insert the following new Clause –

“Removal of power to remand in custody for a person's own protection or welfare

- (1) Schedule 1 to the Bail Act 1976 (persons entitled to bail: supplementary provisions) is amended as follows.
- (2) In Part 1 of that Schedule omit paragraph 3.
- (3) In Part 1A of that Schedule omit paragraph 5.
- (4) In Part 2 of that Schedule omit paragraph 3.”

Member's explanatory statement

The amendment would repeal the power of the courts to remand a person in custody for their own protection or, if they are a child or young person, for their welfare.

After Clause 42

LORD FOSTER OF BATH

After Clause 42, insert the following new Clause –

“Access to support measures to reduce reoffending

- (1) Prison and probation services, as appropriate, must ensure that –
 - (a) all individuals held in custodial remand pending sentencing,
 - (b) all individuals subject to licence conditions, community orders or other court-imposed supervision, and
 - (c) all individuals subject to custodial sentences,
 have access to support measures designed to reduce reoffending.
- (2) Measures to reduce reoffending must include –
 - (a) NHS, or NHS approved, mental health, and substance misuse and gambling disorder treatment support services,
 - (b) education, training and employment support, and

- (c) approved behaviour change or offender behaviour programmes.
- (3) The Secretary of State must lay before Parliament, each year, a report on the availability and use of the services provided under subsection (2)."

Member's explanatory statement

This new clause would require the prison and probation services to ensure people under their supervision can access mental health and substance misuse and gambling disorder treatment support services; education, training and support; and approved behaviour change or offender management programmes, and to report annually on the availability and uptake of those services.

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