

Crime and Policing Bill

AMENDMENT
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Seventh Marshalled List]

After Clause 126

LORD FAULKS
LORD GODSON

After Clause 126, insert the following new Clause –

“Lawful or reasonable excuse defence for public order offences

- (1) This section applies to any offence that makes conduct unlawful unless there is an excuse for it and specifies either that the excuse must be a lawful excuse or that it must be a reasonable one.
- (2) A person has no excuse for the conduct if –
 - (a) it is intended to intimidate, provoke, inconvenience or otherwise harm members of the public by interrupting or disrupting their freedom to carry on a lawful activity, or
 - (b) it is designed to influence the government or public opinion by subjecting any person, or their property, to a risk, or increased risk, of loss or damage.
- (3) It is immaterial that there are or may be other excuses or reasons for the conduct or that its main purpose may be different.
- (4) In this section “conduct” includes any act or omission.
- (5) For the purposes of the Human Rights Act 1998, this section must be treated as necessary in a democratic society for the protection of the rights and freedoms of others.”

Member's explanatory statement

This amendment clarifies when a person has a lawful or reasonable excuse to a public order offence.

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23 December 2025

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