

Crime and Policing Bill

EIGHTH MARSHALLED LIST OF AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE

The amendments have been marshalled in accordance with the Instruction of 16th October 2025, as follows –

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
Schedule 3	Schedule 13
Clauses 7 to 18	Clauses 128 to 136
Schedule 4	Schedule 14
Clauses 19 to 55	Clauses 137 to 139
Schedule 5	Schedule 15
Clause 56	Clauses 140 to 145
Schedule 6	Schedules 16 to 18
Clauses 57 to 65	Clauses 146 to 164
Schedule 7	Schedule 19
Clauses 66 to 72	Clauses 165 to 186
Schedule 8	Schedule 20
Clauses 73 to 84	Clause 187
Schedule 9	Schedule 21
Clauses 85 to 96	Clauses 188 to 203
Schedule 10	Title

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

After Clause 109

BARONESS MORGAN OF COTES

356A After Clause 109, insert the following new Clause –

“Duty to prevent violence against women and girls on trains

- (1) The British Transport Police must take all reasonable steps to prevent violence against women and girls on trains.
- (2) In subsection (1), “violence against women and girls” means abuse aimed at women and girls including, but not limited to –
 - (a) rape and sexual offences;
 - (b) stalking;
 - (c) upskirting;
 - (d) domestic abuse.
- (3) “Reasonable steps” in accordance with subsection (1) must include –
 - (a) data sharing arrangements with rolling stock companies in relation to cases of violence against women and girls, and
 - (b) participation in rolling stock design to ensure trains are designed to minimise incidences of violence against women and girls.”

BARONESS OWEN OF ALDERLEY EDGE
LORD PANNICK
LORD CLEMENT-JONES
BARONESS GOHIR

356B After Clause 109, insert the following new Clause –

“Domestic abuse protection orders: extension

- (1) Section 35 of the Domestic Abuse Act 2021 (provision that may be made by orders) is amended as follows.
- (2) In subsection (4)(a), at end insert –
 - “(i) whether directly or indirectly;
 - “(ii) including via digital and online communications;”.
- (3) After subsection (4)(c), insert –
 - “(d) may not publish any statement or other material –
 - (i) relating or purporting to relate to the person for whose protection it is made, or
 - (ii) purporting to originate from the person for whose protection it is made;
 - “(e) may not contact third parties in relation to the person for whose protection it is made so as to –

(i) damage the reputation of,
(ii) indirectly communicate with,
(iii) harass, or
(iv) intimidate,
the person for whose protection it is made.”.”

LORD MOYNIHAN
BARONESS GREY-THOMPSON

356C After Clause 109, insert the following new Clause—

“Office of the Ombudsman for Children in Sport

- (1) There is to be an office known as the Office of the Ombudsman for Children in Sport.
- (2) The Office in subsection (1) must be established by the Secretary of State three months after the day on which this Act is passed.
- (3) The Office of the Ombudsman for Children in Sport must be led by an individual appointed by the Secretary of State titled the “Independent Ombudsman for Children in Sport”.
- (4) The Independent Ombudsman for Children in Sport is responsible for—
 - (a) the enforcement of the duty under section (*Mandatory reporting duty: child abuse in sporting organisations*),
 - (b) ensuring that, in fulfilling the duty under section (*Mandatory reporting duty: child abuse in sporting organisations*), whistleblowers in relevant organisations are not subject to unlawful detriment or confidentiality obligations, and
 - (c) any other form of protection from abuse for children in sport that the Secretary of State considers appropriate.”

LORD MOYNIHAN

356D After Clause 109, insert the following new Clause—

“Mandatory reporting duty: child abuse in sporting organisations

- (1) A responsible person who, in the course of activities for a relevant sporting organisation, has reasonable grounds to suspect that a child is at risk of, or has suffered, abuse must, as soon as reasonably practicable, make a report to the police or the local authority exercising functions relating to children.
- (2) A person who, without reasonable excuse, fails to comply with subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) It is a defence for a person charged with an offence under subsection (1) to prove that they had a reasonable excuse for not making a report.

- (4) Nothing in this section prevents a person from making an immediate report directly to the police or from taking steps necessary to protect a child from imminent harm.
- (5) “Responsible person” includes an employee, office-holder, contractor or volunteer of a relevant sporting organisation who, by virtue of their role, has responsibility for the supervision and care of children.
- (6) “Relevant sporting organisation” means a person or body (whether or not for profit) which organises, provides or supervises sporting activities in which children participate, and includes a national governing body of a sport, a club, academy, association or event organiser.”

BARONESS ROYALL OF BLAISDON
LORD RUSSELL OF LIVERPOOL

356E After Clause 109, insert the following new Clause—

“Domestic abuse protection orders

- (1) Section 35 of the Domestic Abuse Act 2021 (provision that may be made by orders) is amended as follows.
- (2) After subsection (4)(c), insert—
 - “(d) may not undertake any activity which leaves a digital footprint visible to the person for whose protection it is made via online or social media;
 - (e) may not engage in online activity which causes their presence to be felt by the person for whose protection it is made;
 - (f) may not without a reasonable excuse pay into the bank account of the person for whose protection it is made;
 - (g) may not publish any statement or other material—
 - (i) relating or purporting to relate to the person for whose protection it is made, or
 - (ii) purporting to originate from the person for whose protection it is made.”.
- (3) After subsection (6) insert—
 - “(6A) A “reasonable excuse” for the purposes of subsection (4)(f) may include paying money for any children shared between the defendant and the person for whose protection it is made.”.”

LORD HENDY

356F After Clause 109, insert the following new Clause –

“Assault of a public transport worker

- (1) A person who assaults a public transport worker at work commits an offence under this section.
- (2) A “public transport worker at work” means a person who –
 - (a) is on or about public transport premises, vehicles or infrastructure for the purposes of personally undertaking work (whether for reward or not) or accessing or seeking to access such work or egress therefrom, and
 - (b) the work is for or on behalf of the owner, occupier or operator of such premises, vehicles or infrastructure.
- (3) In subsection (2) “public transport premises, vehicles or infrastructure” means –
 - (a) premises, vehicles or infrastructure used or intended to be used wholly or mainly for the purpose of the transport of members of the public or for the purpose of facilitating such use, or
 - (b) premises, vehicles or infrastructure used or intended to be used for, or for the facilitation of transport of members of the public where such use or intended use gave rise to the work.
- (4) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding the maximum term for summary offences or to a fine (or both).
- (5) In subsection (4) “the maximum term for summary offences” means –
 - (a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales) comes into force, six months;
 - (b) if the offence is committed after that time, 51 weeks.
- (6) In section 40(3) of the Criminal Justice Act 1988 (power to join in an indictment a count for common assault etc) after paragraph (ac) insert –

“(ad) an offence under section (*Assault of a public transport worker*) of the Crime and Policing Act 2025 ;””.

LORD HAMPTON
BARONESS HAYTER OF KENTISH TOWN

356G After Clause 109, insert the following new Clause –

“Alcohol ignition interlock programme: removal of experimental period

- (1) The Road Safety Act 2006 is amended as follows.
- (2) Omit section 16 (experimental period for section 15).

(3) In section 61 (commencement), after subsection (8), insert—

“(8A) Section 15 comes into force on the day the Crime and Policing Act 2025 is passed.””

Member's explanatory statement

This amendment removes the “experimental period” provisions in section 16 of the Road Safety Act 2006, which previously limited the operation of the alcohol ignition interlock provisions inserted into the Road Traffic Offenders Act 1988 by section 15 of that Act. It will allow courts to order a driver to participate in an approved alcohol ignition interlock programme for certain drink-driving offences where more appropriate than disqualification, once section 15 of the Road Traffic Offenders Act 1988 is commenced.

Clause 110

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

356H Clause 110, page 141, line 31, at end insert—

“(2A) It is an offence for a person—
(a) to have in their possession with intent to supply, or
(b) be concerned in the supplying of, or the making of an offer to supply, an electronic device in circumstances which give rise to a reasonable suspicion that the device will be used in connection with a relevant offence.”

Member's explanatory statement

This amendment would include a person concerned in the supplying of an electric device for use in vehicle offences within the scope of the offence in clause 110.

After Clause 111

BARONESS DOOCEY
LORD CLEMENT-JONES

357 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.

Clause 114

LORD VAUX OF HARROWDEN
LORD YOUNG OF COOKHAM
BARONESS MORGAN OF COTES
LORD HOLMES OF RICHMOND

358 Clause 114, page 145, line 16, at end insert “or virtual subscriber identity module.”

Member's explanatory statement

This amendment is intended to ensure that SIM farms would also include devices capable of using virtual SIM cards rather than only physical SIM cards.

Clause 117

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

358A Clause 117, page 147, line 5, at end insert –

“(3A) Draft regulations under this section must be published at least three months before sections 115 and 116 come into force.”

Member's explanatory statement

This amendment would ensure that the definition of a specified article for the purposes of the new offences in clauses 115 and 116 is published in regulations at least three months before the new offences are able to come into force.

After Clause 117

LORD CLEMENT-JONES
LORD HOLMES OF RICHMOND

359 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

360 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

361 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

362 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

363 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

364 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.

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

365 After Clause 117, insert the following new Clause—

“Increased penalties for fare dodging

- (1) Section 5 of the Regulations of Railways Act 1889 (penalty for avoiding payment of fare) is amended as follows.
- (2) In subsection (1), for “level 2” substitute “level 4”.
- (3) In subsection (3)—
 - (a) for “level 3”, in each place in which it appears, substitute “level 5”, and
 - (b) for “three months” substitute “six months”.”

Member's explanatory statement

This amendment seeks to increase the penalties for passengers who fail or refuse to pay railway fares and those who travel or attempt to travel without having paid for previous fares.

LORD JACKSON OF PETERBOROUGH
LORD HOGAN-HOWE
LORD CLEMENT-JONES

366 After Clause 117, insert the following new Clause –

“Cloud service access restrictions: lost or stolen mobile phone devices

- (1) A provider of cloud-based services that support smartphone functionality must, upon receiving verified notification from a registered user that their device has been lost or stolen, take reasonable and timely steps to prevent that device from accessing its services, in order to discourage the resale of illegally-gained devices.
- (2) The provider must block access to cloud services from the identified device, including but not limited to –
 - (a) data synchronisation services,
 - (b) remote storage access,
 - (c) account authentication services, and
 - (d) app store or software update services.
- (3) The provider must inform, as soon as practically possible, the National Crime Agency and the police service in the area in which the theft or loss of the device was first reported.
- (4) Providers must, subject to appropriate safeguards, establish a process for users to appeal or reverse a block on a device in cases of error, fraud, or device recovery.
- (5) The Secretary of State must by regulations make provision for –
 - (a) the technical standards required to enforce the steps outlined in subsection (1),
 - (b) the implementation timeline for providers, and
 - (c) sanctions for non-compliance.
- (6) In this section, “the provider” means a provider of cloud-based services to mobile phone users.”

Member's explanatory statement

The amendment seeks to ensure that technology companies use technical measures such as cloud-based blocking and IMEI linked device locks to make the resale of stolen mobile phone devices abroad more difficult and thus reduce the incidents of phone thefts in the UK.

LORD VAUX OF HARROWDEN
LORD YOUNG OF COOKHAM
BARONESS MORGAN OF COTES
LORD HOLMES OF RICHMOND

367 After Clause 117, insert the following new Clause—

“Technology and telecommunications companies’ liability for APP fraud reimbursement

Within six months of the day on which this Act is passed, the Secretary of State must prepare and publish a report, and lay it before Parliament, setting out proposals for ensuring that technology and telecommunications companies—

- (a) owe a duty of care to their customers to prevent fraud being originated on platforms or services that they provide, and
- (b) contribute to the costs of reimbursing victims of Authorised Push Payment fraud, where such fraud has originated on services or platforms provided by the relevant company.”

Member's explanatory statement

This amendment would require the Secretary of State to bring forward proposals to ensure that technology and telecommunications companies have a duty of care to prevent fraud and meet a share of the costs of reimbursing APP fraud victims.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

368 After Clause 117, insert the following new Clause—

“Theft of tools: prevention of re-sale and prosecution of offences

- (1) The Equipment Theft (Prevention) Act 2023 is amended as follows.
- (2) In section 3 (enforcement)—
 - (a) at end of subsection (2), insert “equal to—
 - (a) the replacement cost of the equipment,
 - (b) the cost of repairing any damage caused during the theft, and
 - (c) the trading losses incurred by the offended party.”;
 - (b) after subsection (3), insert—
 - “(3A) An enforcement authority must put in place an enforcement plan to enforce regulations made under section 1 at temporary markets in their area.”.
- (3) The Sentencing Act 2020 is amended as follows.

(4) After section 72 (supply of psychoactive substance in certain circumstances), insert—

“72A Theft of tools from tradesmen

(1) This section applies where the court is considering the seriousness of an offence specified in section 7 of the Theft Act 1968.

(2) If the theft was of tools from a tradesman, the court—

(a) must treat that fact as an aggravating factor, and

(b) must state in open court that the offence is so aggravated.”.”

LORD DAVIES OF GOWER

368A After Clause 117, insert the following new Clause—

“Freight crime code

(1) The Secretary of State must, within six months of the day on which this Act is passed, establish by regulations a code of practice for the identification, recording and investigation of freight crime.

(2) Regulations under subsection (1) must require consistent collection and publication of national data on freight crime and provide for cooperation between police forces and other relevant agencies.

(3) Before making regulations under this section, the Secretary of State must consult representatives of the freight and logistics industry.

(4) The Secretary of State must, within 12 months of the regulations coming into force, lay before Parliament a report reviewing the prevalence and economic impact of freight crime.”

Member's explanatory statement

This probing amendment seeks to require the Home Secretary to establish a national freight crime code of practice to support consistent identification, recording and investigation of freight crime.

Before Clause 118

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

369 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—

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“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).”.”

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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.

LORD BLEN CATHRA

As an amendment to Amendment 369

15 369ZA★ After inserted subsection (2)(c), insert—

- “(d) ensure that all other members of the public who are not protesting are not hindered in any way from going about their daily business.”

Member's explanatory statement

This amendment to Amendment 369 seeks to ensure that members of the public who are not protesting are able to go about their daily business.

LORD BLENCATHRA

As an amendment to Amendment 369

369ZB★ After inserted subsection (3)(c), insert –

- “(d) prevent inconvenience to any member of the public, or
- “(e) permit any persons from going about their daily business.”

Member's explanatory statement

This amendment to Amendment 369 seeks to ensure that members of the public who are not protesting are able to go about their daily business.

Clause 118

LORD STRASBURGER

[Withdrawn]

BARONESS JONES OF MOULSECOOMB

Baroness Jones of Moulsecoomb gives notice of her intention to oppose the Question that Clause 118 stand part of the Bill.

Clause 119

LORD STRASBURGER

[Withdrawn]

BARONESS JONES OF MOULSECOOMB

Baroness Jones of Moulsecoomb gives notice of her intention to oppose the Question that Clause 119 stand part of the Bill.

Clause 120

BARONESS JONES OF MOULSECOOMB

Baroness Jones of Moulsecoomb gives notice of her intention to oppose the Question that Clause 120 stand part of the Bill.

Clause 121

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

369A Clause 121, page 149, line 32, at end insert—

“(3A) For the purposes of the defence in subsection (3), a person does not have a reasonable excuse by way of an honestly or sincerely held political belief, irrespective of the nature of the belief.”

Member's explanatory statement

This amendment would ensure that a person cannot claim a reasonable excuse for the possession of a pyrotechnic article at a protest because of a sincerely held political belief.

Clause 122

LORD BLENCATHRA

369AA★ Clause 122, page 150, line 15, leave out paragraph (a)

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

369B Clause 122, page 150, line 18, at end insert—

“(2A) For the purposes of the defence in subsection (2), a person does not have a good reason for climbing on the specified memorial by way of an honestly or sincerely held political belief, irrespective of the nature of the belief.”

Member's explanatory statement

This amendment would ensure that a person cannot claim a good cause for climbing on a specified memorial because of a sincerely held political belief.

After Clause 122

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

370 After Clause 122, insert the following new Clause—

“Causing serious disruption to road transport infrastructure

After section 8 of the Public Order Act 2023 (key national infrastructure) insert—

“8A Causing serious disruption to road transport infrastructure

(1) A person commits an offence if—

- (a) they do an act which causes, or is capable of causing, serious disruption to—
 - (i) two or more individuals, or
 - (ii) an organisation,
in their use or operation of road transport infrastructure, and
- (b) they intend that act to have a consequence mentioned in paragraph (a).

(3) A person who commits an offence under subsection (1) is liable on summary conviction to imprisonment for a term not exceeding the maximum term for summary offences or a fine (or both).

(4) In this section—

- “the maximum term for summary offences” has the meaning given by section 6(4);
- “road transport infrastructure” has the meaning given by section 8(2);
- “trade dispute” has the meaning given by section 7(10).””

Member's explanatory statement

This new Clause creates a new offence of creating serious disruption to road transport infrastructure.

LORD WALNEY
LORD POLAK
LORD GOODMAN OF WYCOMBE

370A After Clause 122, insert the following new Clause—

“Designation and restriction of Extreme Criminal Protest Groups

- (1) The Secretary of State may by regulations designate a group as an Extreme Criminal Protest Group (“ECPG”) where the Secretary of State reasonably believes that—
 - (a) the group has as its purpose, object or practice the deliberate commission of imprisonable offences, including but not limited to sabotage, criminal damage, obstruction of critical national infrastructure, or serious public order offences,
 - (b) such offences are carried out with the intention of influencing public policy, parliamentary debate, ministerial decision-making, or the exercise of democratic functions, and
 - (c) the activities of the group create a risk of serious harm to public safety, democratic institutions, or the rights of others.
- (2) A designation under subsection (1) does not amount to terrorist proscription for the purposes of the Terrorism Act 2000.
- (3) The following are offences in relation to group designated as an ECPG under subsection (1)—
 - (a) membership of a designated ECPG;

- (b) promotion of a designated ECPG, including public advocacy, recruitment, or dissemination of the group's materials;
- (c) fundraising for a designated ECPG, including soliciting or providing funds or financial benefit;
- (d) organising, directing or coordinating activities of the group;
- (e) providing material support, training, funds or equipment to the group where the person knows or ought reasonably to know that the recipient is a designated ECPG.

(4) Any offence under subsection (3) is punishable on conviction—

- (a) on indictment, by imprisonment for a term not exceeding three years, or a fine, or both;
- (b) on summary conviction, by imprisonment for a term not exceeding six months, or a fine, or both.

(5) Before making a designation under subsection (1), the Secretary of State must lay before Parliament a statement of reasons, subject to the protection of sensitive information.”

LORD MENDELSON
LORD AUSTIN OF DUDLEY
LORD POLAK

370AA After Clause 122, insert the following new Clause—

“Offence: incitement of holy or religious war or intifada

- (1) It is an offence for a person to use or display in any form or medium terms likely to cause harassment, alarm or distress including terms meaning or intended to mean promotion, incitement or advancement of a holy or religious war or intifada.
- (2) A person guilty of committing an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.”

Schedule 12

LORD PARKINSON OF WHITLEY BAY
LORD BLENCATHRA

370B Schedule 12, page 298, line 8, at end insert—

- “24A Field Marshal The Viscount Montgomery of Alamein Memorial, Whitehall, London.
- 24B Field Marshal The Viscount Alanbrooke Memorial, Whitehall, London.
- 24C Field Marshal The Viscount Slim Memorial, Whitehall, London.
- 24D The Women of World War II Memorial, Whitehall, London.
- 24E Field Marshal The Earl Haig Memorial, Whitehall, London.

- 24F George, Duke of Cambridge Memorial, Whitehall, London.
- 24G Equestrian Statue of King George IV, Trafalgar Square, London.
- 24H Major General Sir Henry Havelock Memorial, Trafalgar Square, London.
- 24I General Sir Charles James Napier Memorial, Trafalgar Square, London.
- 24J Air Marshal The Viscount Portal Memorial, Victoria Embankment Gardens, London.
- 24K Fleet Air Arm Memorial, Victoria Embankment Gardens, London.
- 24L Korean War Memorial, Victoria Embankment Gardens, London.
- 24M Air Marshal The Viscount Trenchard Memorial, Victoria Embankment Gardens, London.
- 24N Iraq and Afghanistan Memorial, Victoria Embankment Gardens, London.
- 24O Chindit Memorial, Victoria Embankment Gardens, London.
- 24P The Battle of Britain Monument, Victoria Embankment, London.
- 24Q Royal Air Force Memorial, Victoria Embankment, London.
- 24R Boadicea and Her Daughters Memorial, Westminster Bridge, London.”

LORD PARKINSON OF WHITLEY BAY
LORD BLENCATHRA

370C Schedule 12, page 298, line 15, at end insert—

- “27 Statue of David Lloyd George, 1st Earl Lloyd-George of Dwyfor, Parliament Square, London.
- 28 Statue of Jan Christian Smuts, Parliament Square, London.
- 29 Statue of Henry Temple, 3rd Viscount Palmerston, Parliament Square, London.
- 30 Statue of Benjamin Disraeli, 1st Earl of Beaconsfield, Parliament Square, London.
- 31 Statue of Clement Attlee, 1st Earl Attlee, Queen Mary University of London.
- 32 Statue of Baroness Thatcher, St Peter's Hill, Grantham.”

After Clause 123

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

371 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 124

BARONESS BLOWER
 LORD HAIN

371A Clause 124, page 151, line 18, leave out “in the vicinity” and insert “within 50 metres from the outer perimeter”

Member's explanatory statement

This amendment and others in the name of Baroness Blower to Clause 124 seek to clarify the wording in the clause and provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD LEIGH OF HURLEY
LORD WALNEY
LORD MENDELSOHN

371AA Clause 124, page 151, line 18, after “worship” insert “, faith school or faith community centre”

BARONESS BLOWER
LORD HAIN

371B Clause 124, page 151, line 19, leave out “may intimidate” and insert “has the purpose of intimidating individuals accessing that place of worship to carry out religious activities and would intimidate”

Member's explanatory statement

This amendment and others in the name of Baroness Blower to Clause 124 seek to clarify the wording in the clause and provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD LEIGH OF HURLEY
LORD WALNEY
LORD MENDELSOHN

371BA Clause 124, page 151, line 22, after “activities,” insert –

“(ia) accessing that faith school or faith community centre,”

BARONESS BLOWER
LORD HAIN

371C Clause 124, page 151, line 29, leave out “in the vicinity” and insert “within 50 metres from the outer perimeter”

Member's explanatory statement

This amendment and others in the name of Baroness Blower to Clause 124 seek to clarify the wording in the clause and provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD LEIGH OF HURLEY
LORD WALNEY
LORD MENDELSOHN

371CA Clause 124, page 151, line 29, after “worship” insert “, faith school or faith community centre”

BARONESS BLOWER
LORD HAIN

371D Clause 124, page 151, line 30, leave out “may intimidate” and insert “has the purpose of intimidating individuals accessing that place of worship to carry out religious activities and would intimidate”

Member's explanatory statement

This amendment and others in the name of Baroness Blower to Clause 124 seek to clarify the wording in the clause and provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD LEIGH OF HURLEY
LORD WALNEY
LORD MENDELSONH

371DA Clause 124, page 151, line 33, after “activities,” insert –

“(ia) accessing that faith school or faith community centre,”

BARONESS BLOWER
LORD HAIN

371E Clause 124, page 152, line 2, leave out “in the vicinity” and insert “within 50 metres from the outer perimeter”

Member's explanatory statement

This amendment and others in the name of Baroness Blower to Clause 124 seek to clarify the wording in the clause and provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD LEIGH OF HURLEY
LORD WALNEY
LORD MENDELSONH

371EA Clause 124, page 152, line 2, after “worship” insert “, faith school or faith community centre”

BARONESS BLOWER
LORD HAIN

371F Clause 124, page 152, line 3, leave out “may intimidate” and insert “has the purpose of intimidating individuals accessing that place of worship to carry out religious activities and would intimidate”

Member's explanatory statement

This amendment and others in the name of Baroness Blower to Clause 124 seek to clarify the wording in the clause and provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD LEIGH OF HURLEY
 LORD WALNEY
 LORD MENDELSOHN

371G Clause 124, page 152, line 6, after “activities,” insert—

“(ia) accessing that faith school or faith community centre,”

BARONESS JONES OF MOULSECOOMB

Baroness Jones of Moulsecoomb gives notice of her intention to oppose the Question that Clause 124 stand part of the Bill.

After Clause 124

LORD HANSON OF FLINT

372 After Clause 124, insert the following new Clause—

“Public processions and assemblies: duty to take account of cumulative disruption

- (1) The Public Order Act 1986 is amended as follows.
- (2) In section 12 (power to impose conditions on public processions), after subsection (2B) insert—
 - “(2BA) In considering for the purposes of subsection (1)(a) whether a public procession in England and Wales may result in serious disruption to the life of the community, a senior police officer must take into account any relevant cumulative disruption.
 - “(2BB) In subsection (2BA) “relevant cumulative disruption” means the cumulative disruption to the life of the community resulting from—
 - (a) the procession,
 - (b) any other public procession in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under subsection (1) in relation to that other procession), and
 - (c) any public assembly in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under section 14(1A) in relation to that assembly),

and it does not matter whether or not the procession mentioned in paragraph (a) and any procession or assembly within paragraph (b) or (c) are organised by the same person, are attended by any of the same persons or are held or are intended to be held at the same time.

- (2BC) In subsection (2BB) “area”, in relation to a public procession or public assembly, means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from the procession or assembly.”.
- (3) In section 14 (power to impose conditions on public assemblies) after subsection (2B) insert –
 - “(2BA) In considering for the purposes of subsection (1)(a) whether a public assembly in England and Wales may result in serious disruption to the life of the community, a senior police officer must take into account any relevant cumulative disruption.
 - (2BB) In subsection (2BA) “relevant cumulative disruption” means the cumulative disruption to the life of the community resulting from –
 - (a) the assembly,
 - (b) any other public assembly in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the assembly mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under subsection (1A) in relation to that other assembly), and
 - (c) any public procession in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the assembly mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under section 12(1) in relation to that procession),

and it does not matter whether or not the assembly mentioned in paragraph (a) and any assembly or procession within paragraph (b) or (c) are organised by the same person, are attended by any of the same persons or are held or are intended to be held at the same time.

- (2BC) In subsection (2BB) “area”, in relation to a public assembly or public procession, means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from the assembly or procession.”.”

Member's explanatory statement

This new clause amends sections 12 and 14 of the Public Order Act 1986 to require police officers, when deciding whether the serious disruption to the life of the community threshold is met in England and Wales, to take account of the cumulative effect of processions and assemblies in the same area.

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

As an amendment to Amendment 372

373 In subsection (2), in inserted subsection (2BB)(b) leave out “in the same area as the area” and insert “in relation to the same subject matter as the subject matter”

Member's explanatory statement

This amendment and other amendments to amendment in the name of Lord Davies of Gower seek to replace the reference to a geographical area in the definition of relevant cumulative disruption with that of subject area, so as to ensure the police consider the context of the content of the protest or assembly when considering whether to impose conditions on a protest or assembly, as opposed to the location.

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

As an amendment to Amendment 372

374 In subsection (2), in inserted subsection (2BB)(c) leave out “in the same area as the area” and insert “in relation to the same subject matter as the subject matter”

Member's explanatory statement

This amendment and other amendments to amendment in the name of Lord Davies of Gower seek to replace the reference to a geographical area in the definition of relevant cumulative disruption with that of subject area, so as to ensure the police consider the context of the content of the protest or assembly when considering whether to impose conditions on a protest or assembly, as opposed to the location.

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

As an amendment to Amendment 372

375 In subsection (2), leave out inserted subsection (2BC)

Member's explanatory statement

This amendment and other amendments to amendment in the name of Lord Davies of Gower seek to replace the reference to a geographical area in the definition of relevant cumulative disruption with that of subject area, so as to ensure the police consider the context of the content of the protest or assembly when considering whether to impose conditions on a protest or assembly, as opposed to the location.

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

As an amendment to Amendment 372

376 In subsection (3), in inserted subsection (2BB)(b) leave out “in the same area as the area” and insert “in relation to the same subject matter as the subject matter”

Member's explanatory statement

This amendment and other amendments to amendment in the name of Lord Davies of Gower seek to replace the reference to a geographical area in the definition of relevant cumulative disruption with that of subject area, so as to ensure the police consider the context of the content of the protest or assembly when considering whether to impose conditions on a protest or assembly, as opposed to the location.

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

As an amendment to Amendment 372

377 In subsection (3), in inserted subsection (2BB)(c) leave out “in the same area as the area” and insert “in relation to the same subject matter as the subject matter”

Member's explanatory statement

This amendment and other amendments to amendment in the name of Lord Davies of Gower seek to replace the reference to a geographical area in the definition of relevant cumulative disruption with that of subject area, so as to ensure the police consider the context of the content of the protest or assembly when considering whether to impose conditions on a protest or assembly, as opposed to the location.

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

As an amendment to Amendment 372

378 In subsection (3), leave out inserted subsection (2BC)

Member's explanatory statement

This amendment and other amendments to amendment in the name of Lord Davies of Gower seek to replace the reference to a geographical area in the definition of relevant cumulative disruption with that of subject area, so as to ensure the police consider the context of the content of the protest or assembly when considering whether to impose conditions on a protest or assembly, as opposed to the location.

LORD WALNEY
LORD PANNICK

378A After Clause 124, insert the following new Clause—

“Democratic buildings: restriction on protests

- (1) The Public Order Act 1986 is amended as follows.
- (2) In section 12(1) (imposing conditions on public processions), at the end of paragraph (c) (inserted by section 124 of this Act) insert “or
 - (d) in the case of a procession in England and Wales, the procession is in the vicinity of premises used for the purposes of democratic decision-making, or premises occupied by a Member of Parliament for the purposes of their parliamentary duties, and may intimidate persons of reasonable firmness with the result that those persons are deterred from accessing those premises for the purpose of carrying out their work.”.
- (3) In section 14(1) (imposing conditions on public assemblies), at the end of paragraph (c) (inserted by section 124 of this Act) insert “or
 - (d) in the case of an assembly in England and Wales, the assembly is in the vicinity of premises used for the purposes of democratic decision-making, or premises occupied by a Member of Parliament for the purposes of their parliamentary duties, and may intimidate persons of reasonable firmness with the result that those persons are deterred from accessing those premises for the purpose of carrying out their work.”.
- (4) In section 14ZA(1) (imposing conditions on one-person protests), at the end of paragraph (c) (inserted by section 124 of this Act) insert “or
 - (d) the protest is in the vicinity of premises used for the purposes of democratic decision-making, or premises occupied by a Member of Parliament for the purposes of their parliamentary duties, and may intimidate persons of reasonable firmness with the result that those persons are deterred from accessing those premises for the purpose of carrying out their work.”.”

LORD BLENCATHRA

378B★ After Clause 124, insert the following new Clause—

“Public processions and assemblies: meaning of serious disruption and community

- (1) Section 12 (imposing conditions on public processions) of the Public Order Act 1986 is amended as set out in subsections (2) and (3).

(2) In subsection (2A), for the words from “, the cases” to the end of that subsection substitute—

- “(a) the cases in which a public procession in England and Wales may result in serious disruption to the life of the community include, in particular, where it may, by way of physical obstruction, result in—
 - (i) the prevention of, or a hindrance that is more than minor to, the carrying out of day-to-day activities (including in particular the making of a journey),
 - (ii) the prevention of, or a delay that is more than minor to, the delivery of a time-sensitive product to consumers of that product, or
 - (iii) the prevention of, or a disruption that is more than minor to, access to any essential goods or any essential service;
- (b) in considering whether a public procession in England and Wales may result in serious disruption to the life of the community, the senior police officer—
 - (i) must take into account all relevant disruption, and
 - (ii) may take into account any relevant cumulative disruption;
- (c) “community”, in relation to a public procession in England and Wales, means any group of persons that may be affected by the procession, whether or not all or any of those persons live or work in the vicinity of the procession.”

(3) In subsection (2B), for “(a)” substitute “—

“access to any essential goods or any essential service” includes, in particular, access to—

- (a) the supply of money, food, water, energy or fuel,
- (b) a system of communication,
- (c) a place of worship,
- (d) a transport facility,
- (e) an educational institution, or
- (f) a service relating to health;

“area”, in relation to a public procession or public assembly, means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from the procession or assembly;

“relevant cumulative disruption”, in relation to a public procession in England and Wales, means the cumulative disruption to the life of the community resulting from—

- (a) the procession,
- (b) any other public procession in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under subsection (1) in relation to that other procession), and

(c) any public assembly in England and Wales that was held, is being held or is intended to be held in the same area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under section 14(1A) in relation to that assembly),

and it does not matter whether or not the procession mentioned in paragraph (a) and any procession or assembly within paragraph (b) or (c) are organised by the same person, are attended by any of the same persons or are held or are intended to be held at the same time;

“relevant disruption”, in relation to a public procession in England and Wales, means all disruption to the life of the community –

- (a) that may result from the procession, or
- (b) that may occur regardless of whether the procession is held (including in particular normal traffic congestion);”.

(4) Section 14 (imposing conditions on public assemblies) of the Public Order Act 1986 is amended as set out in subsections (5) and (6).

(5) In subsection (2A), for the words from “, the cases” to the end of that subsection substitute –

- “(a) the cases in which a public assembly in England and Wales may result in serious disruption to the life of the community include, in particular, where it may, by way of physical obstruction, result in –

 - (i) the prevention of, or a hindrance that is more than minor to, the carrying out of day-to-day activities (including in particular the making of a journey),
 - (ii) the prevention of, or a delay that is more than minor to, the delivery of a time-sensitive product to consumers of that product, or
 - (iii) the prevention of, or a disruption that is more than minor to, access to any essential goods or any essential service;

- (b) in considering whether a public assembly in England and Wales may result in serious disruption to the life of the community, the senior police officer –

 - (i) must take into account all relevant disruption, and
 - (ii) may take into account any relevant cumulative disruption;

- (c) “community”, in relation to a public procession in England and Wales, means any group of persons that may be affected by the assembly, whether or not all or any of those persons live or work in the vicinity of the assembly.”

(6) In subsection (2B), for “(a)” substitute “ –

“access to any essential goods or any essential service” includes, in particular, access to –

- (a) the supply of money, food, water, energy or fuel,
- (b) a system of communication,

- (c) a place of worship,
- (d) a transport facility,
- (e) an educational institution, or
- (f) a service relating to health;

“area”, in relation to a public procession or public assembly, means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from the procession or assembly;

“relevant cumulative disruption”, in relation to a public assembly in England and Wales, means the cumulative disruption to the life of the community resulting from—

- (a) the assembly,
- (b) any other public assembly in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the assembly mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under subsection (1) in relation to that other assembly), and
- (c) any public procession in England and Wales that was held, is being held or is intended to be held in the same area in which the assembly mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under section 12(1) in relation to that procession),

and it does not matter whether or not the assembly mentioned in paragraph (a) and any procession or assembly within paragraph (b) or (c) are organised by the same person, are attended by any of the same persons or are held or are intended to be held at the same time;

“relevant disruption”, in relation to a public assembly in England and Wales, means all disruption to the life of the community—

- (a) that may result from the procession, or
- (b) that may occur regardless of whether the procession is held (including in particular normal traffic congestion);”.”

Member's explanatory statement

This amendment seeks to define “serious disruption” and “community” for the purposes of sections 12 and 14 of the Public Order Act 1986 in line with the definitions set out in the Public Order Act 1986 (Serious Disruption to the Life of the Community) Regulations 2023.

Clause 125

BARONESS DOOCHEY
 LORD CLEMENT-JONES
 BARONESS JONES OF MOULSECOOMB
 LORD STRASBURGER

379★ 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 statutory 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.

After Clause 125

LORD WALNEY
 LORD PANNICK
 LORD POLAK
 BARONESS FOSTER OF AGHADRUMSEE

380 After Clause 125, insert the following new Clause—

“(1) The Public Order Act 1986 is amended as follows.

(2) In section 13 (prohibiting public processions), in subsection (1), after “serious public disorder” insert “, serious damage to property or serious disruption to the life of the community”.

(3) In section 13 (prohibiting public processions), after subsection (1) insert—

“(1A) In considering for the purposes of subsection (1) whether, because of particular circumstances existing in any district or part of a district, the powers under section 12 will not be sufficient to prevent the holding of public processions in that district or part from resulting in serious public disorder, serious damage to property or serious disruption to the life of the community, the chief officer of police must take into account any relevant cumulative disruption.

(1B) In subsection (1A) “relevant cumulative disruption” means the cumulative disruption to the life of the community resulting from—

- (a) the public procession or processions which the chief officer of police believes may be held in the district or part concerned,
- (b) any other public procession in England and Wales that was held, is being held or is intended to be held in the same area as that district or part (whether or not conditions have been imposed under section 12(1)), and
- (c) any public assembly in England and Wales that was held, is being held or is intended to be held in the same area as that district or part (whether or not conditions have been imposed under section 14(1A)),

and it does not matter whether or not the procession or processions mentioned in paragraph (a) and any procession or assembly within paragraph (b) or (c) are organised by the same person, are attended by any of the same persons, or are held or intended to be held at the same time.

(1C) In subsection (1B) “area”, in relation to a public procession or public assembly, means such area as the chief officer of police considers appropriate, having regard to the nature and extent of the disruption that may result from the procession or assembly.”.

(4) In section 13, after subsection (4) insert—

- “(4A) In considering for the purposes of subsection (4) whether, because of particular circumstances existing in the police area or part of it, the powers under section 12 will not be sufficient to prevent the holding of public processions in that area or part from resulting in serious public disorder, serious damage to property or serious disruption to the life of the community, the Commissioner of Police for the City of London or the Commissioner of Police of the Metropolis (as the case may be) must take into account any relevant cumulative disruption.
- (4B) In subsection (4A) “relevant cumulative disruption” and “area” have the same meanings as in subsections (1B) and (1C).”

Member's explanatory statement

This new clause amends section 13 of the Public Order Act 1986 to require chief officers of police, when considering whether to recommend that the Home Secretary prohibit a public procession, to assess the risk of serious damage to property or serious disruption to the life of the community from the procession. It mirrors the Government's proposed amendments applying the same duty to sections 12 and 14 of that Act.

After Clause 126

LORD HANSON OF FLINT

381 After Clause 126, insert the following new Clause—

“Harassment of and representations to a person in their home

- (1) The Criminal Justice and Police Act 2001 is amended as follows.
- (2) In section 42 (police directions stopping harassment etc of a person in their home), in subsection (1)(b) –
 - (a) omit the “or” at the end of sub-paragraph (i);
 - (b) after sub-paragraph (ii) insert –
 - (iii) that they should not have done something they were entitled or required to do; or
 - (iv) that they should have done something they were not under any obligation to do;”.
- (3) In section 42A (offence of harassment etc of a person in their home), in subsection (1)(b) –
 - (a) omit the “or” at the end of sub-paragraph (i);
 - (b) after sub-paragraph (ii) insert –
 - (iii) that they should not have done something they were entitled or required to do; or
 - (iv) that they should have done something they were not under any obligation to do;”.
- (4) After section 42A insert –

“42B Offence of making representations etc to public office-holder in their home

- (1) A person commits an offence if –
 - (a) the person is present outside or in the vicinity of any premises that –
 - (i) are used by a public office-holder as a dwelling, and
 - (ii) are not an official residence, and
 - (b) the person is present there for a prohibited purpose.
- (2) The first prohibited purpose is the purpose of representing to the public office-holder, or persuading the public office-holder (by the person’s presence or otherwise) that the public office-holder –
 - (a) should or should not do something, or
 - (b) should or should not have done something,
 in connection with their role as a public office-holder.
- (3) The second prohibited purpose is the purpose of representing to the public office-holder, or persuading the public office-holder (by the person’s presence or otherwise) that the public office-holder –

(a) should do something they are not under any obligation to do,
(b) should not do something that they are entitled or required to do,
(c) should have done something they were not under any obligation to do, or
(d) should not have done something they were entitled or required to do,

otherwise than in connection with their role as a public office-holder.

(4) It is a defence for a person charged with an offence under this section to show that they were not aware that the premises were used by a public office-holder as a dwelling.

(5) A person is to be taken to have shown the matter referred to in subsection (4) if—
(a) sufficient evidence is adduced to raise an issue with respect to it, and
(b) the contrary is not proved beyond reasonable doubt.

(6) A person who commits an offence under this section is liable, on summary conviction, to imprisonment for a term not exceeding the maximum term for summary offences or a fine not exceeding level 4 on the standard scale (or both).

(7) In subsection (6) “the maximum term for summary offences” means—
(a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 comes into force, six months;
(b) if the offence is committed after that time, 51 weeks.

(8) The following definitions apply for the purposes of this section.

(9) “Dwelling” has the same meaning as in Part 1 of the Public Order Act 1986.

(10) “Public office-holder” means—
(a) a Minister of the Crown (within the meaning of the Ministers of the Crown Act 1975);
(b) any of the Welsh Ministers;
(c) any of the Deputy Welsh Ministers (within the meaning of the Government of Wales Act 2006);
(d) the Counsel General to the Welsh Government;
(e) a member of the House of Lords;
(f) a member of the House of Commons;
(g) a member of Senedd Cymru;
(h) a member of a local authority;
(i) an elected mayor of a local authority within the meaning given by section 9H (elected mayors: England) or section 39(4) (elected mayors: Wales) of the Local Government Act 2000;
(j) a mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

- (k) a mayor for the area of a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;
- (l) the Mayor of London or an elected member of the London Assembly;
- (m) a police and crime commissioner;
- (n) a candidate at an election for an office mentioned in any of paragraphs (f) to (m).

(11) “Local authority” means—

- (a) in England—
 - (i) a county council;
 - (ii) a district council;
 - (iii) a London borough council;
 - (iv) a parish council;
 - (v) the Common Council of the City of London;
 - (vi) the Council of the Isles of Scilly;
- (b) in Wales—
 - (i) a county council;
 - (ii) a county borough council;
 - (iii) a community council.

(12) “Official residence” means—

- (a) 10, 11 and 12 Downing Street, London;
- (b) Admiralty House, Whitehall, London;
- (c) 1 Carlton Gardens, London;
- (d) the Palace of Westminster, London;
- (e) Chequers, Missenden Road, Aylesbury, Buckinghamshire;
- (f) Dorneywood, Dorneywood Road, Burnham, Buckinghamshire;
- (g) Chevening House, Chevening, Sevenoaks, Kent.”.”

Member's explanatory statement

This amendment expands sections 42 and 42A of the Criminal Justice and Police Act 2001 (protests outside homes) to cover protests about something done in the past. It also creates a new offence relating to protests outside the homes of public office-holders.

LORD KEEN OF ELIE
 LORD DAVIES OF GOWER
 LORD CAMERON OF LOCHIEL
As an amendment to Amendment 381

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

382A After Clause 126, insert the following new Clause –

“Prohibition of protests

- (1) Section 13 of the Public Order Act 1986 is amended as follows.
- (2) For subsection (1) substitute –
 - “(1) The chief officer of police may apply to the Secretary of State for an order to prohibit the holding of all public processions (or any class of public processions so specified) for a period of not more than 3 months in any district or part of a district if either of the following conditions are met.
 - (1A) The first condition is that the chief officer of police reasonably believes that the powers under section 12 will not be sufficient to prevent a public procession in the district or part of the district from resulting in –
 - (a) serious public disorder,
 - (b) serious damage to property, or
 - (c) serious disruption to the life of the community.
 - (1B) The second condition is that the chief officer of police reasonably believes that the procession would place undue demands on the police.
 - (1C) In subsection (1B) “undue demands on the police” is to be construed in accordance with the impact on police officers and the cost to police forces in the policing of the procession.”.
 - (3) In subsection (2) –
 - (a) omit “a council may with the consent of”, and
 - (b) after the first “Secretary of State” insert “may”.”

Member's explanatory statement

This amendment would require the chief officer of police to consider damage to property, disruption to the life of the community and the demands on the police when considering whether to prohibit a protest.

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

382B After Clause 126, insert the following new Clause –

“Defence to criminal damage

- (1) Section 5 (meaning of lawful excuse) of the Criminal Damage Act 1971 is amended as follows.

(2) After subsection (2) insert—

- “(2A) A person does not have a lawful excuse for an offence to which this section applies if the act was intended to intimidate, harass, inconvenience or otherwise harm another person or group of people.
- “(2B) A person does not have a lawful excuse for an offence to which this section applies by way of an honestly or sincerely held belief, irrespective of the nature of that belief.
- “(2C) A person does not have a lawful excuse for an offence to which this section applies if the offence was committed in the course of a public protest.”.

(3) For subsection (3) substitute—

- “(3) For the purposes of subsection (2)(a), a belief must be both honestly held and reasonable.”.”

Member's explanatory statement

This new clause would change the lawful excuse defence to criminal damage in the Criminal Damage Act 1971.

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

382C After Clause 126, insert the following new Clause—

“Extension of notice period for public processions

- (1) Section 11 of the Public Order Act 1986 is amended as follows.
- (2) In subsection (5) for “6” substitute “28”.
- (3) In subsection (6) for “6” substitute “28”.”

Member's explanatory statement

This amendment would increase the notice period required for those planning processions to give to the police.

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.

LORD WALNEY
LORD GOODMAN OF WYCOMBE

382E After Clause 126, insert the following new Clause –

“Cumulative impact of protests on policing resources

- (1) The Public Order Act 1986 is amended as follows.
- (2) In section 12 (imposing conditions on public processions), after subsection (1) insert –
 - “(1A) In determining whether to give directions under this section, and what directions to give, the senior police officer may, in particular, have regard to –
 - (a) the resources required to police the procession, taken together with other public processions or public assemblies which have recently taken place, or are reasonably expected to take place, in the same police area or an adjoining police area, and
 - (b) the need to ensure that the deployment of police resources to the procession does not disproportionately impair the ability of the police force to meet other demands on its resources and to discharge its other duties.
 - (1B) Directions under this section may, in particular, include directions as to the date, time or frequency of processions organised by the same person, or by persons connected with that person, where the senior police officer reasonably believes that such directions are necessary to manage the cumulative impact on policing resources mentioned in subsection (1A).”
- (3) In section 13 (prohibiting public processions), after subsection (1) insert –
 - “(1A) In considering whether the powers conferred by this section ought to be exercised, the chief officer of police may have regard to –
 - (a) the cumulative impact on policing resources of repeated public processions or public assemblies in the police area,
 - (b) whether the deployment of resources required for the proposed procession, when taken together with that cumulative impact, would substantially impair the ability of the police force to discharge its other essential duties, and

- (c) whether such impairment could not reasonably be mitigated by the exercise of powers under section 12.”

(4) In section 14 (imposing conditions on public assemblies), after subsection (1A) insert—

- “(1B) In determining whether to give directions under this section, and what directions to give, the senior police officer may, in particular, have regard to—
 - (a) the resources required to police the assembly, taken together with other public assemblies or public processions which have recently taken place, or are reasonably expected to take place, in the same police area or an adjoining police area, and
 - (b) the need to ensure that the deployment of police resources to the assembly does not disproportionately impair the ability of the police force to meet other demands on its resources and to discharge its other duties.

(1C) Directions under this section may, in particular, include directions as to the date, time, duration or frequency of assemblies organised by the same person, or by persons connected with that person, where the senior police officer reasonably believes that such directions are necessary to manage the cumulative impact on policing resources mentioned in subsection (1B).””

LORD MOYNIHAN OF CHELSEA

382F After Clause 126, insert the following new Clause—

“Amendment to speech offences

- (1) The Malicious Communications Act 1988 is repealed.
- (2) Omit section 127 of the Communications Act 2003.
- (3) In the table in section 1(1) of the Criminal Justice and Police Act 2001 (offences leading to penalties on the spot) omit the entry relating to section 127(2) of the Communications Act 2003.
- (4) The Public Order Act 1986 is amended as follows.
- (5) In section 4—
 - (a) in subsection (1)(a) after “threatening” omit “, abusive or insulting”, and
 - (b) in subsection (1)(b) after “threatening” omit “, abusive or insulting”.
- (6) Omit sections 4A and 5.
- (7) In section 6—
 - (a) in subsection (3)—
 - (i) after the first “threatening,” omit “abusive or insulting”;
 - (ii) after the second “threatening” omit “, abusive or insulting”, and
 - (b) omit subsection (4).

- (8) In section 18(1)–
 - (a) after the first “threatening” omit “, abusive or insulting”, and
 - (b) after the second “threatening” omit “, abusive or insulting”.
- (9) In section 19(1) after “threatening,” omit “abusive or insulting”.
- (10) In section 20(1) after “threatening,” omit “abusive or insulting”.
- (11) In section 21(1) after “threatening,” omit “abusive or insulting”.
- (12) In section 22(1) after “threatening,” omit “abusive or insulting”.”

Member's explanatory statement

This amendment would amend a number of different Acts to ensure that freedom of speech is protected, so that a person cannot be prosecuted for causing “anxiety” or for “insulting” another person.

LORD MOYNIHAN OF CHELSEA

382G After Clause 126, insert the following new Clause –

“Abolition of hate crime and offences related to hate

- (1) The Public Order Act 1986 is amended in accordance with subsections (2) and (3).
- (2) In the long title, omit “to control the stirring up of racial hatred;”.
- (3) Part III and Part 3A are repealed.
- (4) The Crime and Disorder Act 1998 is amended in accordance with subsections (5) and (6).
- (5) In the long title, omit “to create certain racially aggravated offences;”.
- (6) Omit sections 28 to 33.
- (7) In the Anti-Terrorism, Crime and Security Act 2001, omit section 39.
- (8) The Racial and Religious Hatred Act 2006 is repealed.
- (9) In the Criminal Justice and Immigration Act 2008, omit section 74 and Schedule 16.
- (10) The Sentencing Code is amended as follows.
- (11) Omit section 66.
- (12) In section 160(1), in the table, omit the entry relating to “section 25 or 29I of the Public Order Act 1986”.
- (13) In Schedule 18, omit paragraph 22.
- (14) In Schedule 21, in paragraph 3 omit –
 - (a) sub-paragraph (2)(g) and (2)(h), and
 - (b) sub-paragraph (3). ”

Member's explanatory statement

This amendment would abolish all classes of “hate crime”, aggravating factors based upon “hate” and stand-alone offences relating to “hate”.

LORD FAULKS
LORD GODSON
LORD HOGAN-HOWE

382H 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.

LORD BLEN CATHRA

382I★ After Clause 126, insert the following new Clause –

“Duty of the Metropolitan Police to ensure access to Parliament

- (1) The Police Reform and Responsibility Act 2011 is amended as follows.
- (2) In section 142A (other controlled areas in vicinity of the Palace of Westminster), in subsection (1) –
 - (a) in paragraph (a)(ib), at end insert “, extending northwards to include Downing Street”, and
 - (b) after paragraph (a) insert –

“(aza) the highway between Millbank House and the Palace of Westminster.”.

(3) In section 143 (prohibited activities in controlled area of Parliament Square or in Palace of Westminster controlled area), after subsection (2)(f), insert—

“(g) preventing, by the use of any item or otherwise, the access of—
(i) members of either House of Parliament,
(ii) parliamentary officials, or
(iii) any member of staff working on the Parliamentary Estate, to the Parliamentary Estate, where that entrance is within, or adjoins, the Palace of Westminster controlled area, on a day on which either House is sitting.”

(4) After section 144 (directions under section 143: further provision), insert—

“144A Duty of the Metropolitan Police to ensure access to Parliament

(1) It is the duty of the Commissioner of Police of the Metropolis to secure that members of either House of Parliament, all parliamentary officers and staff have free and unfettered access to the Palace of Westminster controlled area on any day on which either House is sitting.

(2) In discharging the duty under subsection (1) the Commissioner must, so far as reasonably practicable, ensure that—

(a) vehicular access is maintained at Carriage Gates and Black Rod’s Garden,
(b) vehicles are able to move freely between Downing Street and Carriage Gates,
(c) pedestrian access for members and staff is maintained to any entrance into the Palace of Westminster controlled area,
(d) members and staff are able to move freely between 1 Millbank and Peers’ Entrance, and
(e) all protesters are kept at least 10 metres from any footpaths being used by Members or staff to enter or leave parliamentary buildings within the controlled area of Parliament Square.

(3) For the purpose of fulfilling the duty in subsection (1) the Commissioner may, using powers under section 143, impose such restrictions on meetings, demonstrations or protests in the vicinity of the controlled area of Parliament Square and the Palace of Westminster controlled area as the Commissioner considers necessary and proportionate, including—

(a) limits on the duration of any protest,
(b) temporary closure of any street the Commissioner considers necessary, and
(c) prohibition of vehicle processions.

(4) Nothing in this section affects the powers of a constable or authorised person under section 143 to direct persons to cease prohibited activities or to remove persons or property from a controlled area.

(5) For the purposes of this section, the “controlled area of Parliament Square” and the “Palace of Westminster controlled area” has the same meaning as in section 142A.

- (6) The Commissioner must publish an annual report on the exercise of their duty under this section which must include—
 - (a) a summary of restrictions imposed under subsection (3),
 - (b) the number and nature of directions given or enforcement actions taken under section 143 in relation to the controlled area of Parliament Square and the Palace of Westminster controlled area, and
 - (c) an assessment of the steps taken to ensure access and any lessons learned.
- (7) The Secretary of State must arrange for an annual report under subsection (6) to be laid before Parliament.””

Member's explanatory statement

This amendment seeks to amend the Police Reform and Responsibility Act 2011 to place a duty on the Metropolitan Police to ensure access to the Parliamentary Estate for members and staff on any day on which either House is sitting. It also seeks to extend the controlled areas under section 142B of that Act, and the definition of prohibited activities under section 143.

Clause 128

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

383 Clause 128, page 154, line 12, leave out “Electronically tracked”

Member's explanatory statement

This amendment removes the requirement for an officer to have electronically tracked information to enter and search a premises.

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

384 Clause 128, page 154, line 17, leave out subsection (2) and insert—

- “(2) An officer may give an authorisation under subsection (1) only if satisfied that there are reasonable grounds to believe that—
 - (a) the specified items are stolen goods,
 - (b) the specified items are on the specified premises, and
 - (c) it is not reasonably practicable to obtain a warrant for the entry and search (under section 26 or another enactment) without frustrating or seriously prejudicing its purpose.”

Member's explanatory statement

This amendment removes the requirement for an officer to have electronically tracked information to enter and search a premises.

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

385 Clause 128, page 155, leave out lines 15 and 16

Member's explanatory statement

This amendment removes the requirement for an officer to have electronically tracked information to enter and search a premises.

Clause 129

LORD CLEMENT-JONES

386 Clause 129, page 159, line 11, 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

387 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

388 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

389 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 132

LORD HANSON OF FLINT

389A Clause 132, page 161, line 29, column 2, after “Navy” insert “Police”

Member's explanatory statement

This amendment, with my other amendments to clause 132, correct references to members of the service police forces.

LORD HANSON OF FLINT

389B Clause 132, page 161, line 34, column 2, after “Military” insert “Police”

Member's explanatory statement

This amendment, with my other amendments to clause 132, correct references to members of the service police forces.

LORD HANSON OF FLINT

389C Clause 132, page 162, line 3, column 2, after “Force” insert “Police”

Member's explanatory statement

This amendment, with my other amendments to clause 132, correct references to members of the service police forces.

LORD HANSON OF FLINT

389D Clause 132, page 162, line 7, column 2, after “Navy” insert “Police”

Member's explanatory statement

This amendment, with my other amendments to clause 132, correct references to members of the service police forces.

LORD HANSON OF FLINT

389E Clause 132, page 162, line 8, column 2, after “Military” insert “Police”

Member's explanatory statement

This amendment, with my other amendments to clause 132, correct references to members of the service police forces.

LORD HANSON OF FLINT

389F Clause 132, page 162, line 9, column 2, after “Force” insert “Police”

Member's explanatory statement

This amendment, with my other amendments to clause 132, correct references to members of the service police forces.

Clause 135

LORD ANDERSON OF IPSWICH
LORD CLEMENT-JONES

390 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

391 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.

Schedule 14

LORD HANSON OF FLINT

392 Schedule 14, page 312, line 1, at end insert—

“(7A) In subsection (6), after “the power” insert “in subsection (1) or (1A).”

Member's explanatory statement

This amendment inserts a further consequential amendment to section 41 of the Police, Crime, Sentencing and Courts Act 2022.

Clause 137

LORD HANSON OF FLINT

393 Clause 137, page 169, leave out lines 29 and 30 and insert “—

- (i) has been authorised under a relevant power to access one or more online accounts, or
- (ii) is entitled by virtue of a relevant requirement to access one or more online accounts, and”

Member's explanatory statement

This amendment, together with my other amendment to this clause, authorise the interception of certain communications which are carried out for the purpose of accessing certain online accounts further to a prevention and investigation measure or youth diversion order.

LORD HANSON OF FLINT

394 Clause 137, page 170, line 6, at end insert—

- “(3A) A “relevant requirement” means a requirement imposed under—
 - (a) paragraph 7(1) of Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011;
 - (b) paragraph 8(1) of Schedule 7 to the National Security Act 2023;
 - (c) section 169(2)(c) of the Crime and Policing Act 2025.”

Member's explanatory statement

See my other amendment to clause 137.

Clause 138

LORD HANSON OF FLINT

394A Clause 138, page 171, line 11, at end insert—

“(5A) The Secretary of State may not make driver information regulations in relation to Northern Ireland authorised persons without the consent of the Department of Justice in Northern Ireland.

(5B) “Northern Ireland authorised persons” means authorised persons who—

- (a) are under the direction and control of—
 - (i) the Chief Constable of the Police Service of Northern Ireland,
 - (ii) the Belfast Harbour Commissioners, or
 - (iii) Belfast International Airport Limited, or
- (b) are officers of the Police Ombudsman for Northern Ireland.”

Member's explanatory statement

This amendment provides that the Secretary of State may not make driver information regulations in relation to the Northern Ireland police without the consent of the Department of Justice in Northern Ireland.

LORD HANSON OF FLINT

395 Clause 138, page 171, leave out lines 12 to 16***Member's explanatory statement***

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

BARONESS DOOCHEY
LORD CLEMENT-JONES
BARONESS JONES OF MOULSECOOMB
LORD STRASBURGER

396 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.

LORD HANSON OF FLINT

397 Clause 138, page 171, leave out lines 19 and 20

Member's explanatory statement

This amendment is consequential on my amendment to clause 138, page 171, leave out lines 12 to 16.

LORD HANSON OF FLINT

397A Clause 138, page 175, line 5, after “2025” insert “first”

Member's explanatory statement

This amendment is consequential on my amendment to clause 138, page 175, line 5.

LORD HANSON OF FLINT

397B Clause 138, page 175, line 5, at end insert “for any purpose, other than the purposes of making regulations”

Member's explanatory statement

This amendment means that the period to be covered by the Secretary of State's first annual report starts when clause 138 comes into force for a purpose other than making regulations.

After Clause 143

EARL ATTLEE
BARONESS HAYTER OF KENTISH TOWN
LORD BROWNE OF LADYTON

398 After Clause 143, insert the following new Clause—

“Powers of police to administer preliminary tests

- (1) The Road Traffic Act 1988 is amended as follows.
- (2) In Section 6(1), omit “if any of the subsections 2 to 5 applies”.
- (3) Omit subsections 2 to 5.
- (4) In subsection (7) for “by virtue of any of subsections (2) to (4)” substitute “under this section”.
- (5) Omit subsection 8.”

Member's explanatory statement

The amendment would allow the police to conduct random breath test for drink drive offences without suspicion, an accident having taking place or a traffic offence having been committed. As the amendment is proposed, in all cases the constable administering the test will have to be in uniform.

After Clause 144

BARONESS PIDGEON
BARONESS DOOCEY

399 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
LORD LEBEDEV
LORD STRASBURGER

400 [Withdrawn]

LORD MOYNIHAN OF CHELSEA

401 [Withdrawn]

EARL ATTLEE

402 After Clause 144, insert the following new Clause—

“Road vehicle authorisation: judicial review

In the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), after article 9 insert—

“Judicial review: requirement to consult Secretary of State

9A. Where the Chief Officer of Police is the subject of an application for judicial review and the application concerns, in whole or in part, the proper interpretation of any part of this Order, the Chief Officer, or an officer of not less than Chief Superintendent rank, must consult the Secretary of State in writing within two weeks of becoming aware of the application.”.”

Member's explanatory statement

This amendment seeks to require the police to consult bodies like the Department for Transport to ensure that the intent of the abnormal load legislation is correctly understood when responding to an application for judicial review.

EARL ATTLEE

403 After Clause 144, insert the following new Clause—

“Traffic Regulation Dispensation Order

- (1) The Chief Officer of police may, on receipt of a notification of a proposed movement of a vehicle or trailer carrying a load of exceptional dimensions, grant a Traffic Regulation Dispensation Order (the Order) to an operator engaged in the movement or the escorting of the vehicle or trailer.
- (2) The Order can permit designated traffic regulations to be disregarded for the purposes of allowing the vehicle or trailer to negotiate the notified route.
- (3) The Secretary of State may make regulations designating which traffic regulations the Chief Officer of Police can relax.
- (4) The Chief Officer of Police may relax a traffic regulation for the whole of the movement or only at a specific point in the journey and different relaxations can be made for different traffic regulations.
- (5) The Order may impose conditions including the number of escort vehicles and attendants required, if any.
- (6) When considering whether or not to grant an order and the extent of the Order, the Chief Officer of Police may take into consideration the operator's experience, resources and capability
- (7) The Chief Officer must link the Order to a specific notification of the movement of a vehicle or trailer carrying a load of exceptional dimensions but the Order can cover several movements under one notification

- (8) 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.
- (9) In this section “operator” means the person who is remunerating the driver of the vehicle carrying the load.”

Member's explanatory statement

The amendment seeks to allow the police to authorise an abnormal load driver to break normal traffic rules in order to negotiate the chosen route for the load (for example, crossing double white lines and passing a traffic island on the wrong side).

EARL ATTLEE

As an amendment to Amendment 403

403A After subsection (7), insert –

- “(7A) An Order granted under subsection (1) must be considered a “lawful authority or excuse” under section 137(1) of the Highways Act 1980 (penalty for wilful obstruction).”

EARL ATTLEE

404 After Clause 144, insert the following new Clause –

“Repeal of power of Chief Officer of Police to accredit certain persons under Section 40 of the Police Reform Act 2002

In Schedule 5 of the Police Reform Act 2002, omit paragraph 9(1).”

Member's explanatory statement

This amendment seeks to repeal the power of the police to grant certain police powers to a person escorting an abnormal load.

EARL ATTLEE

405 After Clause 144, insert the following new Clause –

“Road vehicle authorisation: notice details (No. 1)

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), paragraph 4(2), at end insert –

“(3) The National Police Chiefs’ Council may create a list of standard tractive vehicles to be notified under this paragraph rather than a specific vehicle.

(4) The list must create a hierarchy of increasingly stronger tractor units including –

- (a) a four-wheeled vehicle, two of which are driven with a minimum wheelbase specified;

- (b) a six-wheeled vehicle, two of which are driven with minimum wheelbase arrangements specified;
- (c) a six-wheeled vehicle four of which are driven with minimum wheelbase arrangements specified;
- (d) an eight-wheeled vehicle, four of which are driven with minimum wheelbase arrangements specified.

(5) In this paragraph “wheel” has the meaning defined in regulation 7(3).”.”

Member's explanatory statement

This amendment seeks to permit heavy hauliers to use a tractor unit without needing to specify it individually in an abnormal load notification, provided it uses an industry-standard tractor unit. It is intended that this would confer operational flexibility by allowing vehicles in a fleet to be substituted easily, should one become unavailable for use.

EARL ATTLEE

406 After Clause 144, insert the following new Clause—

“Road vehicle authorisation: notice details (No. 2)

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), paragraph 4(2), at end insert “but must accept more than one vehicle registration number up to a maximum of twelve”.”

Member's explanatory statement

This amendment is designed to require the police to accept the registration number of more than one vehicle to provide operational flexibility and for any breakdowns.

EARL ATTLEE

407 After Clause 144, insert the following new Clause—

“Road vehicle authorisation: notice details (No. 3)

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), paragraph 4(2), at end insert “but must accept more than one vehicle registration number up to a maximum of one hundred”.”

Member's explanatory statement

This amendment is designed to require the police to accept the registration numbers of a fleet of vehicles, typically mobile cranes, in order to facilitate inter depot movements around the country.

EARL ATTLEE

408 After Clause 144, insert the following new Clause –

“Road vehicle authorisation: notice details (No. 4)

- (1) Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988) is amended as follows.
- (2) In paragraph 2(3), after “in any other case” insert “except one falling under sub paragraph (3A)”.
- (3) After paragraph 2(3) insert –

“(3A) The chief officer of police must accept a new notice if it is received electronically before the beginning of the period of sixty minutes which ends immediately before the time of use previously notified and the only difference to an earlier one by the same operator is the vehicle registration number and the substitute vehicle is either very similar or has more driven axles, more axles or longer axle spread.”.”

Member's explanatory statement

This amendment is designed to require the police to accept a very short notice change in the registration number of the vehicle involved to provide operational flexibility and for any breakdowns. The substitute vehicle may be identical or may have a stronger technical specification.

EARL ATTLEE

409 After Clause 144, insert the following new Clause –

“Road vehicle authorisation: notice details (No. 5)

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), after paragraph 4(2), insert –

“(3) The chief officer of police may not require serial numbers of the load or any means of identifying or differentiating the load from any other conforming to the description.”.”

Member's explanatory statement

This amendment is designed to prevent the police from requiring serial numbers of the load, particularly of construction equipment, when doing say may reduce operational flexibility for industry when the information is not required for non-abnormal loads.

EARL ATTLEE

410 After Clause 144, insert the following new Clause –

“Road vehicle authorisation: notice details (No. 6)

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), paragraph 2(4), at end insert “and must do so if the

notification is substantially the same as a previous movement proposed and is no more awkward or significantly more heavy than when the movement was previously notified.”

Member's explanatory statement

This amendment is designed to require the police to accept a short notice notification when the movement has already been notified but some details have had to be changed.

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

411 After Clause 144, insert the following new Clause—

“Stop and search

In section 60(1) of the Criminal Justice and Public Order Act 1994 (powers to stop and search in anticipation of, or after, violence)—

- (a) in paragraph (a) omit “serious”, and
- (b) in paragraph (aa)(i) omit “serious”.”

Member's explanatory statement

This new clause would lower the threshold for stop and search to “violence” rather than “serious violence”.

EARL ATTLEE

412 After Clause 144, insert the following new Clause—

“Road vehicle authorisation: notice period

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), in paragraph 2(4), at end insert “and in making that decision must take into consideration the economic consequences of not doing so.”

EARL ATTLEE

413 After Clause 144, insert the following new Clause—

“Police charges for escorting vehicles or trailers carrying a load of exceptional dimensions

- (1) Within six months of the day on which this Act is passed, the Secretary of State must, by regulations, establish a framework to regulate the fees charged to hauliers by police forces for escorting a vehicle or trailer carrying a load of exceptional dimensions.
- (2) The framework under subsection (1) must—

- (a) include criteria to specify when a police escort is required for vehicles or trailers carrying a load of exceptional dimensions, as opposed to a private self-escort, and
- (b) set out the fees police forces may charge for escorting vehicles or trailers carrying a load of exceptional dimensions.
- (3) Police forces may submit applications in writing to the Secretary of State to disapply the fees set by the regulatory framework in extenuating circumstances.
- (4) The Secretary of State must make a determination within ten days of receiving an application submitted under subsection (3).
- (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 (authorisation of use on roads of special vehicles not complying with regulations under section 41).”

Member's explanatory statement

This amendment seeks to require the Secretary of State to establish a regulatory framework to manage the fees charged to hauliers by police forces for escorting a vehicle or trailer carrying a load of exceptional dimensions.

EARL ATTLEE

414 After Clause 144, insert the following new Clause –

“Power of police to set certification fees under the Firearms Act 1968

- (1) The Firearms Act 1968 is amended as follows.
- (2) In section 32 (fee for certificate and exemption from paying it in certain cases), for subsection (1) substitute –
 - “(1) Subject to this Act, the chief officer of police may set and vary any fee payable –
 - (a) on the grant of a firearm certificate;
 - (b) on the renewal of a firearm certificate;
 - (c) on any variation of a firearm certificate (otherwise than when it is renewed at the same time) so as to increase the number of firearms to which the certificate relates;
 - (d) on the replacement of a firearm certificate which has been lost or destroyed;
 - (e) on the grant of a shot gun certificate;
 - (f) on the renewal of a shot gun certificate;
 - (g) on the replacement of a shot gun certificate which has been lost or destroyed.”.
- (3) In section 43(1) (power of Secretary of State to alter fees), for “Sections 32 and” substitute “Section”.

Member's explanatory statement

This probing amendment seeks to allow the chief officer of police to set firearms certification fees under the Firearms Act 1968, rather than the Secretary of State.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
LORD KEEN OF ELIE
BARONESS FOX OF BUCKLEY

415 After Clause 144, insert the following new Clause—

“Prohibition on police use of digital ID

- (1) The Police and Criminal Evidence Act 1984 is amended as follows.
- (2) After section 6 insert—

“6A Police not to require digital identity document

- (1) If, at any time, His Majesty’s Government introduce a digital identity document scheme, a constable may not—
 - (a) require a person to produce a digital identity card on request,
 - (b) ask a person to produce a digital identity document for inspection, or
 - (c) use any information contained within, or obtained from, a digital identity card for the purposes of investigating a criminal offence.
- (2) In this section a “digital identity document” means a document which—
 - (a) is issued to an individual by a relevant authority,
 - (b) is available only digitally, and
 - (c) contains or records information which could be used to identify the person.”.”

BARONESS NEVILLE-ROLFE

416 After Clause 144, insert the following new Clause—

“Wearing a face covering while cycling

- (1) A constable may stop any person to whom subsection (2) applies.
- (2) This subsection applies to a person who wears a face covering while cycling or riding a scooter in such a way as to conceal their identity.
- (3) A person who fails to stop when required to do so by a constable in the exercise of their powers under this section commits an offence.
- (4) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding one month or a fine not exceeding level 3 on the standard scale (or both).”

BARONESS JONES OF MOULSECOOMB

416A After Clause 144, insert the following new Clause –

“Review: compliance and enforcement mechanisms in relation to police powers

- (1) Within six months of the day on which this Act is passed, the Secretary of State must publish a proposal for approval by the House of Commons on the establishment of an independent commission to investigate the enforcement powers of His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) in relation to the police.
- (2) The proposal for an independent commission must include terms of reference, which must include, but may not be limited to –
 - (a) a review of the powers available to other independent regulatory and investigative bodies, such as Ofqual, the Care Quality Commission, the Financial Conduct Authority, and Ofsted, for the purposes of comparison,
 - (b) the lessons learned from other regulatory bodies with stronger enforcement powers, and
 - (c) an examination of whether a statutory framework of coordination between HMICFRS, the Independent Office for Police Conduct, and Police and Crime Commissioners, could enhance the enforcement powers available to all three sets of bodies and the accountability of policing in England and Wales.
- (3) The proposal for an independent commission must set out a timetable for its work including that –
 - (a) the commission should conclude its deliberations within nine months of its establishment, and
 - (b) the Secretary of State must lay a copy of the report before both Houses of Parliament and ensure that time is made available, within a fortnight of the report being laid, in both Houses for a substantive debate on the report's conclusions.”

Member's explanatory statement

This amendment seeks to require the Government to publish a proposal for an independent commission for approval by the House of Commons to review the enforcement powers of His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), including consideration of a statutory framework to enhance the collective enforcement powers of bodies supervising Police Forces in England and Wales.

BARONESS HAYTER OF KENTISH TOWN
LORD ASHCOMBE

416B After Clause 144, insert the following new Clause –

“Power to confiscate uninsured vehicles

- (1) A police officer may, upon discovering that a motor vehicle is not insured, confiscate that vehicle.

- (2) If the owner of the vehicle can prove, within 28 days of the vehicle being confiscated, that it has subsequently been insured, the vehicle must be returned to them.
- (3) If, after 28 days of the vehicle being confiscated, the owner has not insured it, it becomes the property of the police.”

LORD BAILEY OF PADDINGTON

416C After Clause 144, insert the following new Clause—

“Direction to exit vehicle following a lawful stop

- (1) Where a constable in uniform, or a traffic officer, has required a vehicle to stop under section 163 of the Road Traffic Act 1988, the constable may direct the driver and any passenger to—
 - (a) exit the vehicle, and
 - (b) remain outside the vehicle for so long as is reasonably necessary for the exercise of the constable’s functions.
- (2) A person commits an offence if, without reasonable excuse, that person fails to comply with a direction given under subsection (1).
- (3) A person who commits an offence under section x is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A constable may use reasonable force, where necessary and proportionate, to secure compliance with a direction given under subsection (1) for the purposes of officer safety, public safety, or prevention of escape or interference with evidence.
- (5) The Secretary of State may issue codes of practice or guidance relating to the exercise of powers under this section and such codes may be incorporated into Codes of Practice issued under the Police and Criminal Evidence Act 1984.
- (6) In this section “vehicle” has the same meaning as in section 185.”

Member's explanatory statement

This amendment closes an operational safety gap created by keyless and electric vehicles, where removing a key no longer disables a car. It provides a modest, post-stop direction power so officers can safely manage encounters outside a live vehicle. Safeguards are built in through reasonableness, proportionality and PACE-linked guidance.

EARL ATTLEE

416D After Clause 144, insert the following new Clause—

“Police charges for special services under section 25 of the Police Act 1996

- (1) Section 25 of the Police Act 1996 (provision of special services) is amended as follows.

- (2) At end of subsection (1), insert “, subject to subsections (1ZA) to (1ZC)”.
- (3) After subsection (1), insert –
 - “(1ZA) Charges paid by any person to the local policing body for special services under subsection (1) must be made by bank transfer.
 - “(1ZB) Special services under subsection (1) must not be provided as a result of the loaning, transfer, gifting or supply of any vehicles or equipment to a local policing body.
 - “(1ZC) Subsection (1ZB) does not apply to the short-term loan of radios, high visibility clothing or warning equipment or other low value equipment for use on a specific abnormal load movement or operation.””

LORD YOUNG OF ACTON
LORD HOGAN-HOWE
LORD STRASBURGER
LORD LEBEDEV

416E After Clause 144, insert the following new Clause –

“Abolition of non-crime hate incidents

- (1) Sections 60 and 61 of the Police, Crime, Sentencing and Courts Act 2022 (code of practice relating to non-crime hate incidents and related procedural requirements) are repealed.
- (2) Non-crime hate incidents shall not be recognised as a category of incident by any police authority in the United Kingdom.
- (3) No police authority or police officer may record, retain or otherwise process any personal data relating to a non-crime hate incident.
- (4) Subsection (3) does not mean a police authority or police officer cannot record information they regard as relevant about a suspect’s motives in the course of an ongoing criminal investigation or prosecution.
- (5) Within three months of the coming into force of this section, any police authority which has retained any record of a non-crime hate incident, save in accordance with the provisions of subsection (4), must delete such record.
- (6) For the purposes of this section –

“non-crime hate incident” means any incident or alleged incident which does not constitute a criminal offence, but is perceived, by any person, to have been motivated (wholly or partly) by hostility or prejudice towards a person or group on the grounds of race, religion, sexual orientation, disability or transgender identity;

“police authority” means a person specified in sub-section 158(1);

“police officer” means any person acting under the authority a police authority.”

EARL ATTLEE

416F After Clause 144, insert the following new Clause –

“Road vehicle authorisation: notice details (No. 7)

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), after paragraph 4(2), insert –

“(3) The chief officer of police may not require the operator of the load to provide a loading or lashing plan.””

Member's explanatory statement

This amendment is designed to prevent the police from requiring a loading or lashing plan.

EARL ATTLEE

416G After Clause 144, insert the following new Clause –

“Police charges for abnormal loads: permission

In subsection (1) of section 25 of the Police Act 1996 (provision of special services) at end insert “, subject to subsection (1ZA).

(1ZA) The chief officer of police must not provide services or receive payments under this section in connection with abnormal load movements for any form of equipment or facilities without the written approval of the Secretary of State.””

LORD BLENCATHRA

416H After Clause 144, insert the following new Clause –

“Police power to confiscate undocked electric cycles and scooters for hire

- (1) The police may confiscate any undocked electric cycle or scooter for hire which has been left on –
 - (a) a public pavement,
 - (b) a public highway,
 - (c) any other public place, including pedestrian precincts, or
 - (d) any other place where the owners have not given consent for electric cycles or scooters to be collected.
- (2) The police must take reasonable steps to notify the hire company responsible for the electric cycle or scooter confiscated under subsection (1).
- (3) The police may charge the hire company with responsibility for the electric cycle or scooter confiscated under this section a fee of up to £1,000 for the release of the electric cycle or scooter.
- (4) The Secretary of State may, by regulations, delegate local authorities or authorised agents to exercise powers on behalf of the police under this section.

- (5) If the Secretary of State delegates powers under subsection (4), they must publish a code of practice for local authorities and authorised agents on the implementation of confiscation powers and the charging of fees under this section.
- (6) For the purposes of this section—
“local authority” means any council, unitary authority, district or other body with statutory responsibility for highways, public order, or refuse disposal, and
“authorised agent” means any person or organisation appointed in writing by a local authority.”

LORD BLENCATHRA

416I After Clause 144, insert the following new Clause—

“Police power to confiscate and destroy privately-owned electric cycles and scooters

- (1) The police may confiscate any privately-owned electric cycle or scooter in use on a highway or in any other public place which—
 - (a) weighs over 30 kilograms,
 - (b) is capable of speeds over 15.5 miles per hour,
 - (c) has been modified since purchase with a battery of greater power than 250W, or
 - (d) is designed for off-road use on private land.
- (2) Having exercised their power to confiscate under subsection (1), the police may make arrangements for the destruction of the electric cycle or scooter.
- (3) The Secretary of State may, by regulations, delegate local authorities or authorised agents to exercise powers to confiscate and destroy electric cycles or scooters on behalf of the police under this section.
- (4) If the Secretary of State delegates powers under subsection (3), they must publish a code of practice for local authorities and authorised agents on the implementation of powers under this section.
- (5) For the purposes of this section—
“local authority” means any council, unitary authority, district or other body with statutory responsibility for highways, public order, or refuse disposal, and
“authorised agent” means any person or organisation appointed in writing by a local authority.”

LORD BLENCATHRA

416J After Clause 144, insert the following new Clause –

Police power to issue notices to retailers of non-compliant lithium-ion batteries

- (1) If a retailer supplies batteries which do not comply with statutory guidelines on lithium-ion battery safety for e-bikes issued by the Office for Product Safety and Standards and thereby does not comply with their obligations under the General Product Safety Regulations 2005, the police may issue notices requiring the retailer to –
 - (a) recall relevant batteries from consumers,
 - (b) suspend the sale of relevant batteries, and
 - (c) warn consumers about the risks of relevant batteries.
- (2) The Secretary of State may, by regulations, delegate local authorities or authorised agents to exercise powers on behalf of the police under this section.
- (3) If the Secretary of State delegates powers under subsection (2), they must publish a code of practice for local authorities and authorised agents on the implementation of confiscation powers and the charging of appropriate fees under this section.
- (4) For the purposes of this section –
 - “local authority” means any council, unitary authority, district or other body with statutory responsibility for highways, public order, or refuse disposal;
 - “authorised agent” means any person or organisation appointed in writing by a local authority.”

Member's explanatory statement

This amendment would enable police to issue notices to retailers of non-compliant lithium-ion batteries to recall and suspend the sale of such batteries.

LORD BLENCATHRA

416K After Clause 144, insert the following new Clause –

“Police power to issue fines to delivery companies for dangerous cycling offences

- (1) Where a person on an electric cycle delivering goods on behalf of a delivery company is convicted of an offence under sections 27A (causing death by dangerous cycling), 27B (causing serious injury by dangerous cycling), 28B (causing death by careless, or inconsiderate, cycling) or 28C (causing serious injury by careless, or inconsiderate, cycling) of the Road Traffic Act 1988, the police may issue an unlimited fine to that company.
- (2) The fine under subsection (1) must be paid by the delivery company within one month of receipt.
- (3) This section applies irrespective of the immigration status of the person who commits an offence under the Road Traffic Act 1988.”

Member's explanatory statement

This amendment would allow the police to impose fines on delivery companies where dangerous cycling offences are committed in the delivery of goods.

EARL ATTLEE

416L After Clause 144, insert the following new Clause –

“Road vehicle authorisation: notice details (No. 8)

In Schedule 5 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003 (S.I. 2003/1988), in paragraph 4(2), at end insert “but must accept omission of the vehicle registration number if the operator is a commercial business or the vehicle is under the control of the Secretary of State.””

Member's explanatory statement

This amendment seeks to relax the requirement to provide a registration number in order to reduce the number of notifications that industry has to make to the police. The relaxation is only intended to apply to businesses and the Ministry of Defence.

EARL ATTLEE

416M After Clause 144, insert the following new Clause –

“Police charges for escorting vehicles: deconfliction

In section 25 of the Police Act 1996 (provision of special services), after subsection (1), insert –

“(1A) Where the chief officer of police is considering whether the provision of a special police service involving the escorting of an abnormal load is essential, the chief officer must ensure that any individual making the decision, or the office or department they work for, is not liable not gain or lose financially from the outcome of that decision.””

After Clause 145

LORD BANNER
LORD ALTON OF LIVERPOOL
LORD KEMPSSELL
BARONESS GOUDIE

417 After Clause 145, insert the following new Clause –

“Amendment to the Sentencing Act 2020 to introduce public interest compensation orders

(1) The Sentencing Act 2020 is amended as follows.

(2) After section 133(b) (compensation orders), insert “, or

(c) to make a payment to one or more relevant organisations for public interest or social purposes (“public interest compensation order”).

(2) In this Chapter, “relevant organisation” means an organisation listed in Schedule 22A (Relevant organisations for public interest compensation orders).”.

(3) After section 135 (making a compensation order), insert—

“135A Public interest compensation orders

(1) When convicting a person of a relevant offence, the court shall consider whether to issue a public interest compensation order, and what the terms of that order should be.

(2) In this section “relevant offence” means an offence listed in Schedule 22B (Relevant offences for public interest compensation orders).

(3) The Secretary of State may by order amend the relevant offences listed in Schedule 22B.

(4) In determining whether to make a public interest compensation order against an offender, the amount to be paid under such an order, or to which relevant organisation(s) the payment(s) should be made, the court must, in addition to the factor in section 135(3), have regard to—

(a) the rights of victims of human rights violations (inside or outside the United Kingdom) to receive effective reparation and remedy,

(b) the fact that individuals who are not proven to be direct victims of the offender’s offence may nevertheless be victims of human rights violations to which the offender’s offence is related,

(c) the broader impact of the offender’s offence on victims of human rights violations in the United Kingdom or in other countries,

(d) where there is a large number of victims of human rights violations to which the offender’s offence is related, the urgency of victims’ needs (which may vary depending on the harms that they have suffered),

(e) where the relevant offence is an offence under regulations imposed under the Sanctions and Anti-Money Laundering Act 2018, the purposes of the relevant regulations and any human rights violations arising in connection with conduct that these regulations seek to discourage, and

(f) whether it would be appropriate to make another type of compensation order and, if so, whether the offender has sufficient means to pay both orders, as well as the need to prioritise compensation to direct victims of the offender’s offence.

(5) If the court considers issuing a public interest compensation order, the court may (but is not required to) ask the Secretary of State to recommend the relevant organisation(s) to which the funds subject to the order should be paid and if the court makes such a request—

- (a) the Secretary of State shall, within 90 days (the “relevant period”), recommend to the court in writing one or more organisations to which the funds subject to the order should be paid (the “recommendation”) and in doing so, the Secretary of State must have regard to the same factors as under subsection (4) above
- (b) the court may issue a public interest compensation order after the earlier of—
 - (i) the court having received a recommendation, and
 - (ii) the relevant period having expired,
- (c) if a recommendation has been made within the relevant period, the court may take it into account in issuing a public interest compensation order but shall not be bound by it.

- (6) The court may direct that confiscated funds be paid to a relevant organisation subject to such conditions as it considers appropriate.
- (7) The Secretary of State may by order amend the organisations listed in Schedule 22A and the Secretary of State shall review the organisations listed in Schedule 22A at least annually.
- (8) If, under subsection (5) above, the Secretary of State recommends one or more organisations that are not listed in Schedule 22B, the organisation(s) recommended by the Secretary of State shall be considered relevant organisation(s) for the purposes of the public interest compensation order at issue.
- (9) For the purposes of this section, a court may issue a public interest compensation order regardless of whether there is a direct connection between the offender’s conduct and the harm suffered by the ultimate recipients or beneficiaries of the public interest compensation order.”.

(4) After Schedule 22 (Amendments of the Sentencing Code and related amendments of other legislation), insert the following new Schedule—

“SCHEDULE 22A

RELEVANT ORGANISATIONS FOR PUBLIC INTEREST COMPENSATION ORDERS

1 The following organisations—

The Trust Fund for Victims, created by the Assembly of States Parties in accordance with article 79 of the Rome Statute of the International Criminal Court.

The Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, established within the framework of the Council of Europe by Resolution CM/Res(2023)3, or any successor body or attached fund.

The United Nations Voluntary Fund for Victims of Torture, established by the United Nations General Assembly through resolution 36/151 of 16 December 1981.”.

(5) After Schedule 22A (Relevant organisations for public interest compensation orders), insert the following new Schedule –

“SCHEDULE 22B

RELEVANT OFFENCES FOR PUBLIC INTEREST COMPENSATION ORDERS

1 The following offences to the extent that they are offences under the law of England and Wales –
 Offences arising under regulations imposed under the Sanctions and Anti-Money Laundering Act 2018.”.”

Member's explanatory statement

This amendment seeks to amend the Sentencing Act 2020. It would allow the courts to award compensation orders not only to individuals but also for public interest or social purposes, thereby enabling the proceeds of confiscated criminal assets to be more readily used to compensate victims of offences under the UK's sanctions legislation.

Schedule 16

LORD CLEMENT-JONES

418 Schedule 16, page 326, line 16, at end insert –

“13A (1) The Proceeds of Crime Act 2002 is amended as follows.

(2) After section 13B insert –

“Direction for Public Interest or Social Purposes

(1) Where the Crown Court makes a confiscation order under section 6 of this Act, the court may, in addition to any priority order or compensation direction made under this Part, make a Public Purpose Direction in respect of the whole or a portion of the amount recovered under the order.

(2) A Public Purpose Direction is a direction that the amount specified is to be retained by the designated officer and applied for defined public interest or social purposes, in accordance with regulations made under this section.

(3) In determining whether to make a Public Purpose Direction, and in calculating the amount, the court must have regard to –

- (a) the principal objective of depriving the defendant of their benefit from crime;
- (b) the duty to ensure full payment of any unpaid amount under a priority order or compensation direction relating to the conduct concerned; and
- (c) the gravity and context of the criminal conduct from which the benefit was derived, including whether the conduct involved

serious human rights violations, mass atrocity crimes, or grand corruption.

- (4) For the purposes of this section, "public interest or social purposes" includes (but is not limited to) the provision of—
 - (a) support, redress, or therapeutic services to victims of serious human rights violations, whether in the United Kingdom or overseas, and
 - (b) contributions to international funds dedicated to addressing the consequences of such violations, particularly where the proceeds of crime are related to violations of international law or breaches of sanctions.
- (5) The Secretary of State must by regulations make provision for the establishment, operation, and auditing of a fund (the "Public Purpose Fund") to receive and distribute sums recovered pursuant to a Public Purpose Direction.
- (6) Regulations under subsection (5) must ensure that sums recovered under a Public Purpose Direction are applied to the defined public interest or social purposes before any remaining balance falls under section 55(1) of this Act.”.”

Member's explanatory statement

This amendment will give the courts discretion to direct a portion of confiscated proceeds under POCA in appropriate cases to be used for “public interest or social purposes”. This could help support victims of human rights violations and other issues related to the UK sanctions regime.

After Clause 146

LORD BANNER
LORD KEMPSSELL
BARONESS GOUDIE

419 After Clause 146, insert the following new Clause—

“Amendment to the Proceeds of Crime Act 2002 to introduce public interest compensation orders

After section 303Z18 of the Proceeds of Crime Act 2002 (compensation), insert—

“303Z18A Public interest compensation orders

- (1) When considering whether to make a forfeiture order in respect of relevant recoverable property, the court may issue a public interest compensation order instead of, or in addition to, a forfeiture order.
- (2) For such a public interest compensation order, Chapter 2 of Part 7 of the Sentencing Act 2020 will apply as if the defendant's unlawful conduct constituted a relevant offence.
- (3) In this section—

“relevant recoverable property” means property which is obtained through conduct which is unlawful under the provisions of an instrument specified in Schedule 22B of the Sentencing Act 2020; “relevant offence” and “public interest compensation order” have the same meaning as in Section 133 of the Sentencing Act 2020.”.”

Member's explanatory statement

This amendment seeks to amend the Proceeds of Crime Act 2002. It would allow the courts, instead of, or in addition to, issuing forfeiture orders, to award compensation orders for public interest or social purposes, thereby enabling the proceeds of confiscated criminal assets to be more readily used to compensate victims of offences under the UK's sanctions legislation.

After Clause 148

LORD MARKS OF HENLEY-ON-THAMES
BARONESS BRINTON

420 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.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

420A After Clause 148, insert the following new Clause—

“Child cruelty offences: notification and offender management requirements

- (1) A person (“relevant offender”) is subject to the notification requirements of subsections (2) and (3) for the period set out in subsection (4) if the relevant offender is convicted of an offence listed in subsection (6).
- (2) A relevant offender must notify to the police within the three days of the time of their conviction or their release from custody, and annually thereafter, providing—
 - (a) the relevant offender’s date of birth,
 - (b) their national insurance number,
 - (c) their name on the notification date and, where using one or more other names on that date, each of those names,
 - (d) their place of residence on the date of notification,
 - (e) the address of any other premises in the United Kingdom at which, at the time the notification is given, they regularly reside or stay, and
 - (f) any information that may be prescribed in regulations by the Secretary of State.
- (3) A relevant offender must notify to the police, within the period of three days beginning with the event occurring, about—
 - (a) their use of a name which has not been notified to the police under subsection (2);
 - (b) a change to their place or residence;
 - (c) any other prescribed change of circumstances as defined in regulations made under this section.
- (4) The dates of discharge from notification requirements under this section are the same as those set out in Section 88B of the Sexual Offences Act 2003.
- (5) The information required by subsections (2) and (3), once received, must be—
 - (a) monitored regularly by the police and probation service, and
 - (b) retained for the purposes of offender management.
- (6) The relevant offences are—
 - (a) causing or allowing the death of a child or vulnerable adult, or allowing them to suffer serious harm (section 5 of the Domestic Violence, Crime and Victims Act 2004);
 - (b) child cruelty, neglect and violence (section 1 of the Children and Young Persons Act 1933);
 - (c) infanticide (section 1 of the Infanticide Act 1938);
 - (d) exposing children whereby life is endangered (section 27 of the Offences Against the Person Act 1861);

- (e) an offence under sections 4, 18, 20, 21, 22, 23 or 47 of the Offences Against the Person Act 1860, if the victim is under the age of 16;
- (f) an offence under any of the following provisions of the Female Genital Mutilation Act 2003—
 - (i) female genital mutilation (section 1);
 - (ii) assisting a girl to mutilate her own genitalia (section 2);
 - (iii) assisting a non-UK person to mutilate overseas a girl's genitalia (section 3);
- (g) cruelty to children (section 1 of the Children and Young Persons Act 1933)."

Member's explanatory statement

This new clause would create notification requirements for people convicted of child cruelty, analogous to the Sex Offenders Register. Their information and personal details would be kept on record by the police for the purposes of offender management, with the aim of reducing the risk to children from future offences.

After Clause 151

BARONESS DOOCEY

421 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.

BARONESS O'LOAN

422 After Clause 151, insert the following new Clause—

“Police disciplinary proceedings: use of force

- (1) Schedule 2 of the The Police (Conduct) Regulations 2020 (S.I. 2020/4) (standards of professional behaviour) is amended as follows.

(2) In the heading “Use of Force”, at end insert—

“Where a police officer uses force on the basis of an honestly held but mistaken belief, they can rely on that belief as justification for the use of force only if the mistake was an objectively reasonable one to have made.”.”

Member's explanatory statement

This amendment seeks to (1) codify the decision in W(80) UKSC 24, that in police disciplinary proceedings involving use of force, an officer may rely on a mistaken belief only if that belief was both honestly held and objectively reasonable, and (2) and enable parliamentary consideration of the appropriate test in this context.

LORD BAILEY OF PADDINGTON

422A After Clause 151, insert the following new Clause—

“Scrutiny of investigation timeliness

(1) The Police (Complaints and Misconduct) Regulations 2020 (S.I.2020/2) are amended as follows.

(2) After Regulation 13 (timeliness of investigations), insert—

“13A Scrutiny of investigation timeliness

(1) A legally qualified person must be appointed to scrutinise any investigations of misconduct or gross misconduct which have not been completed within 12 months.

(2) The legally qualified person must determine whether there is good and sufficient reason for the time already taken, and how much time is anticipated to be needed for completion of the investigation.

(3) In determining whether there is good and sufficient reason, the legally qualified person may have regard to any relevant matter, and must have particular regard to—

- (a) whether the investigation has been efficient and effective;
- (b) whether there has been unnecessary or unreasonable delay, having regard to the complexity and seriousness of the case;
- (c) the impact upon the officer and others;
- (d) any anticipated further delay;
- (e) the public interest and effect on confidence in the police disciplinary system;
- (f) representations made on behalf of any person entitled to receive a copy of the information provided.

(4) If the legally qualified person determines that there is good and sufficient reason to continue the investigation, then the legally qualified person must set a date for the conclusion of all proceedings.

(5) Nothing in this provision shall have any effect in relation to any criminal investigation.”

- (3) The Police (Conduct) Regulations 2020 (S.I.2020/4) are amended as follows.
- (4) After Regulation 19 (timeliness of investigation), insert—

“19A Scrutiny of investigation timeliness

- (1) A legally qualified person must be appointed to scrutinise any investigations of misconduct or gross misconduct which have not been completed within 12 months.
- (2) The legally qualified person must determine whether there is good and sufficient reason for the time already taken, and how much time is anticipated to be needed for completion of the investigation.
- (3) In determining whether there is good and sufficient reason, the legally qualified person may have regard to any relevant matter, and must have particular regard to—
 - (a) whether the investigation has been efficient and effective;
 - (b) whether there has been unnecessary or unreasonable delay, having regard to the complexity and seriousness of the case;
 - (c) the impact upon the officer and others;
 - (d) any anticipated further delay;
 - (e) the public interest and effect on confidence in the police disciplinary system;
 - (f) representations made on behalf of any person entitled to receive a copy of the information provided.
- (4) If the legally qualified person determines that there is good and sufficient reason to continue the investigation, then the legally qualified person must set a date for the conclusion of all proceedings.
- (5) Nothing in this provision shall have any effect in relation to any criminal investigation.””

Member's explanatory statement

This amendment proposes a 12-month limit, unless extraordinary circumstances reviewed by a legally qualified person dictate otherwise, which would encourage forces and external bodies to complete misconduct and gross misconduct processes quicker, allowing officers to resume duties and limiting the negative impact on their health and wellbeing.

Clause 152

LORD PANNICK
LORD BLACK OF BRENTWOOD

The above-named Lords give notice of their intention to oppose the Question that Clause 152 stand part of the Bill.

Clause 153

LORD PANNICK
LORD BLACK OF BRENTWOOD

The above-named Lords give notice of their intention to oppose the Question that Clause 153 stand part of the Bill.

Clause 154

LORD PANNICK
LORD BLACK OF BRENTWOOD

The above-named Lords give notice of their intention to oppose the Question that Clause 154 stand part of the Bill.

Clause 155

LORD PANNICK
LORD BLACK OF BRENTWOOD

The above-named Lords give notice of their intention to oppose the Question that Clause 155 stand part of the Bill.

After Clause 155

LORD CARTER OF HASLEMERE
LORD JACKSON OF PETERBOROUGH

423 After Clause 155, insert the following new Clause—

“Authorised firearms officers charged with murder

- (1) Where subsection (2) applies, an authorised firearms officer who kills a person shall not be convicted of murder but shall be convicted of manslaughter.
- (2) This subsection applies where the authorised firearms officer has an honest but mistaken belief that the amount of force used was necessary and reasonable—
 - (a) in defence of himself or others,
 - (b) in the prevention of crime, or
 - (c) in effecting or assisting in the lawful arrest of offenders or suspected offenders, or persons unlawfully at large.
- (3) In this section, “authorised firearms officer” has the same meaning as in section 152 (6). ”

Member's explanatory statement

This amendment gives authorised firearms officers a defence to a charge of murder when they use excessive force in defence of themselves or others, in the prevention of crime or in effecting or

assisting in lawful arrest of others. In those circumstances, provided they acted in the honest belief that the amount of force was necessary and reasonable then they will be convicted of manslaughter and not murder.

LORD HOGAN-HOWE

423A After Clause 155, insert the following new Clause –

“Reasonable force for firearms officers

- (1) Section 76 of the Criminal Justice and Immigration Act 2008 (reasonable force for purposes of self-defence etc.) is amended as follows.
- (2) After subsection (5A), insert –
“(5B) In a case of an authorised police firearms officer carrying out their duty, the degree of force used by D is not to be regarded as having been reasonable in the circumstances as D believed them to be if it was grossly disproportionate in those circumstances.”.
- (3) In subsection (6), after second “case”, insert “or authorised police firearms officer case””

Clause 166

LORD HANSON OF FLINT

424 Clause 166, page 204, leave out lines 15 to 20

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

After Clause 166

BARONESS CHAKRABARTI

425 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
BARONESS JONES OF MOULSECOOMB

426 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 DOOCHEY
LORD MARKS OF HENLEY-ON-THAMES

427 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

428 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 DOOCHEY
LORD MARKS OF HENLEY-ON-THAMES

429 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)s 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

430 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

431 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.

BARONESS DOOCEY
LORD CLEMENT-JONES

432 After Clause 166, insert the following new Clause—

“National plan on police data intelligence systems

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish and lay before Parliament a national plan to modernise police data and intelligence systems in England and Wales.
- (2) The plan must include steps to be taken to further the aims of—
 - (a) replacing any antiquated police technology;
 - (b) closing capability gaps identified in the National Audit on Group-Based Child Sexual Exploitation and Abuse;
 - (c) enabling real-time secure information exchange between police forces and partner agencies;
 - (d) supporting improved—
 - (i) risk identification,
 - (ii) early intervention, and
 - (iii) co-ordinated action,
 to protect children.
- (3) The national plan must set out clear milestones of how to achieve the aims set out in subsection (2) within five years of the plan being published.
- (4) Every 12 months after publication of the plan under subsection (1), the Secretary of State must lay a further report before Parliament outlining the progress to date in achieving the aims set out in subsection (2), until those aims have been completed.”

Member's explanatory statement

This amendment aims to take forward part of Recommendation 7 of Baroness Casey's National Audit on Group-Based Child Sexual Exploitation and Abuse, relating to updating police information systems.

BARONESS SMITH OF LLANFAES
LORD THOMAS OF CWMGIEDD

433 After Clause 166, insert the following new Clause—

Policing: devolution to Wales

- (1) Schedule 7A of the Government of Wales Act 2006 is amended as follows.
- (2) In section B5 (crime, public order and policing)—
 - (a) omit “and policing”, and
 - (b) omit line 41 “policing”.
- (3) The Secretary of State may by regulations make further provision under this section.”

Member's explanatory statement

This new clause seeks to devolve policing to Wales, by removing it from the list of reserved matters in the Government of Wales Act 2006.

BARONESS SMITH OF LLANFAES
LORD THOMAS OF CWMGIEDD

434 After Clause 166, insert the following new Clause—

“Youth justice: devolution to Wales

- (1) Schedule 7A of the Government of Wales Act 2006 (reserved matters) is amended as set out in subsection (2).
- (2) In paragraph 175 (prisons and offender management), omit sub-paragraph (2)(b).
- (3) The Secretary of State may by regulations make further provision under this section.”

Member's explanatory statement

This new clause seeks to devolve youth justice to Wales, by removing it from the list of reserved matters in the Government of Wales Act 2006.

LORD BAILEY OF PADDINGTON
LORD HOGAN-HOWE
LORD BACH

435 After Clause 166, insert the following new Clause—

“Police covenant: mandatory reporting on suicide and attempted suicide

- (1) The Secretary of State must ensure the collection and publication of data on suicide and attempted suicide among police officers and police staff for the purposes of supporting mental health and wellbeing under the police covenant (see section 1 of the Police, Crime, Sentencing and Courts Act 2022).
- (2) Each police force in England and Wales must collect and submit annually to the Secretary of State—
 - (a) the number of confirmed suicides by serving police officers and police staff;
 - (b) the number of attempted suicides by serving police officers and police staff;
 - (c) contextual information, where reasonably available, including duty status, length of service, role, rank, known occupational stressors, and access to mental health support.
- (3) The Secretary of State must, within 12 months of the day on which this Act is passed, and annually thereafter, lay a report before Parliament (to be known as the “Police Covenant Mental Health Report”) which must include, but is not limited to—

- (a) national and force-level data trends,
- (b) analysis of occupational contributory factors,
- (c) assessment of the adequacy, usage and evidence-based outcomes of mental health and suicide prevention provisions under the police covenant,
- (d) recommendations to address identified risks, and
- (e) a statement from the Chief Medical Officer for England.

(4) The report under subsection (3) must –

- (a) be published and disseminated to all police personnel;
- (b) include commentary from the College of Policing on compliance, data quality and best practice at force level;
- (c) include contributions from staff representative bodies and trade unions.

(5) Anonymised data, disaggregated by force area, must be published, subject to data protection and safeguarding.

(6) Each Chief Constable must, at the end of every calendar year, provide a statement to the Secretary of State certifying that the requirements under this section have been met by their police force.

(7) Where a Chief Constable fails to provide a certification under subsection (6) without reasonable excuse, the Secretary of State must notify HM Inspectorate of Constabulary and Fire & Rescue Services.

(8) The Inspectorate must have regard to a notification under subsection (7) in the course of its inspection of that police force under the police effectiveness, efficiency and legitimacy (PEEL) programme.

(9) The Secretary of State must establish an independent advisory board, to be known as the “Police Suicide Prevention and Mental Health Advisory Board”.

(10) The Board must consist of persons with expertise in clinical care, occupational health, staff representation and academic research.

(11) The functions of the Board are to –

- (a) advise the Secretary of State on guidance relating to suicide prevention and mental health in the police workforce,
- (b) set standards for the collection and reporting of relevant data, and
- (c) review and make recommendations on force-level responses to risks identified through data and inspections.

(12) The Secretary of State may by regulations make provision about the operation of the Police Suicide Prevention and Mental Health Advisory Board, including provision about –

- (a) the Board’s procedures,
- (b) its terms of reference, and
- (c) its reporting duties.

(13) The Secretary of State may by regulations make provision about –

- (a) data collection standards,
- (b) statutory guidance,

- (c) audit mechanisms, and
- (d) such further oversight as may be considered necessary.

(14) In this section, “police officer” and “police staff” have the same meanings as in section 1 of the Police, Crime, Sentencing and Courts Act 2022.”

BARONESS NEVILLE-ROLFE
LORD JACKSON OF PETERBOROUGH

436 After Clause 166, insert the following new Clause –

“Police enforcement data

- (1) Police forces in England and Wales must publish annual data on the enforcement of the following offences –
 - (a) shoplifting,
 - (b) offences involving a blade,
 - (c) phone theft,
 - (d) fare dodging on public transport, and
 - (e) offences involving bicycles and e-scooters.
- (2) In this section, “enforcement” means the investigation and collection of evidence in preparation for a prosecution.”

BARONESS NEVILLE-ROLFE
BARONESS FOX OF BUCKLEY

437 After Clause 166, insert the following new Clause –

“Review: police paperwork

Within six months of the day on which this Act is passed, the Secretary of State must undertake and publish a review of –

- (a) the volume of paperwork (or its online equivalent) which police officers need to complete as part of the prevention of, response to, and investigation of crime, and
- (b) how this could be reduced and simplified.”

LORD BRADY OF ALTRINCHAM

438 After Clause 166, insert the following new Clause –

“Review: definition of firearms and police administrative burdens

- (1) Within six months of the day on which this Act is passed, the Secretary of State must review whether amending the definition of firearms and shotguns in the Firearms Act 1968 to exclude accessories designed or adapted to diminish the noise or flash caused by firing a weapon would relieve administrative burdens on the police.

(2) The Secretary of State must prepare a report of the findings under subsection (1) and lay a copy of the report before both Houses of Parliament.”

LORD HOGAN-HOWE

438A After Clause 166, insert the following new Clause—

“Police data: suicide

Police forces in England and Wales must—

- (a) collect,
- (b) share with the Home Office, and
- (c) publish,

annual data on the suicides and suicide attempts amongst police officer and police support staff.”

BARONESS CASH
LORD JACKSON OF PETERBOROUGH
BARONESS FOX OF BUCKLEY

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
BARONESS FOX OF BUCKLEY

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.”

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

438D After Clause 166, insert the following new Clause—

“Exception of the police from the public sector equality duty

In Schedule 18 (public sector equality duty: exceptions) of the Equality Act 2010, after paragraph 3 insert—

“The police

3A (1) Section 149 does not apply to any police force when exercising policing or law enforcement functions.

(2) For the purposes of this paragraph, “police force” includes—

- (a) a police force maintained by a local policing body,
- (b) the British Transport Police,
- (c) the Civil Nuclear Constabulary, and
- (d) the Ministry of Defence Police.””

Member's explanatory statement

This amendment would exempt the police from the public sector equality duty under the Equality Act 2010, so as to ensure they are solely committed to effectively carrying out their policing functions.

LORD GOODMAN OF WYCOMBE

438E★ After Clause 166, insert the following new Clause –

“Report: non-violent extremism

Within three months of the day on which this Act is passed, each police force in England and Wales must publish a report setting out any strategies they have to reduce crime associated with non-violent extremism.”

Clause 167

LORD GOODMAN OF WYCOMBE

438F★ Clause 167, page 205, line 4, after “conduct” insert “(including non-violent extremism)”

LORD HANSON OF FLINT

439 Clause 167, page 205, line 27, leave out paragraph (b) and insert –

- “(b) an attempt or conspiracy to commit an offence within paragraph (a),
- “(c) an offence under Part 2 of the Serious Crime Act 2007 (England and Wales and Northern Ireland: encouraging or assisting crime) in relation to an offence within paragraph (a),
- “(d) an offence under the law of Scotland of inciting the commission of an offence within paragraph (a), or
- “(e) aiding, abetting, counselling or procuring the commission of an offence within paragraph (a).”

Member's explanatory statement

This amendment is a drafting change (aligning the approach taken in relation to inchoate offences with that taken in paragraph 1(1) of Schedule 11).

Clause 169

LORD HARRIES OF PENTREGARTH

LORD BLUNKETT

LORD HODGSON OF ASTLEY ABBOTTS

440 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*)).”

LORD HANSON OF FLINT

441 Clause 169, page 207, line 19, at end insert –

- “(da) the inspection of any online account accessed by means of a device;”

Member's explanatory statement

This amendment, together with my other amendments to this clause, provide that a youth diversion order may include conditions relating to the inspection of an online account accessed by means of an electronic communication device the use of which is restricted under the order.

LORD HANSON OF FLINT

442 Clause 169, page 207, line 22, at end insert—

“(5A) The “inspection” of a device, or an online account accessed by means of a device, includes—

- (a) accessing the device or the online account,
- (b) examining information held on the device or accessed by means of the online account, and
- (c) extracting such information.”

Member's explanatory statement

See my amendment to clause 169, page 207, line 19.

LORD HANSON OF FLINT

443 Clause 169, page 208, line 3, at end insert—

““online account” means an account by means of which information held on a service provided by means of the internet is made accessible;”

Member's explanatory statement

See my amendment to clause 169, page 207, line 19.

LORD HANSON OF FLINT

444 Clause 169, page 208, line 4, at end insert—

“(11) The reference in this section to “extracting” information includes reproducing it in any form.”

Member's explanatory statement

See my amendment to clause 169, page 207, line 19.

After Clause 169

LORD HARRIES OF PENTREGARTH
LORD BLUNKETT
LORD HODGSON OF ASTLEY ABBOTTS

445 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.”

Clause 182

LORD HANSON OF FLINT

446 Clause 182, page 216, line 11, leave out subsection (2) and insert—

“(2) The following do not apply to a complaint under this Chapter—

- (a) section 127 of the Magistrates' Courts Act 1980 (time limit for complaints etc);
- (b) Article 78(1) of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)) (time limit for complaints)."

Member's explanatory statement

This amendment disapplies the time limit for applications to a magistrates' court in Northern Ireland (as well as in England and Wales).

After Clause 185

VISCOUNT HAILSHAM
BARONESS JONES OF MOULSECOOMB

447 After Clause 185, insert the following new Clause—

“Support for terrorism: intention

- (1) The Terrorism Act 2000 is amended as follows.
- (2) In section 12 (support) after subsection (4), insert—
 - “(4A) A person is not guilty of an offence under this section unless the conduct alleged was done by that person with the intent of encouraging, inciting, facilitating or enabling another to commit an act of terrorism.”.
- (3) In section 13 (uniform and publication of images), after subsection (1B), insert—
 - “(1C) A person is not guilty of an offence under this section unless the conduct alleged was done by that person with the intent of encouraging, inciting, facilitating or enabling another to commit an act of terrorism.”.”

VISCOUNT HAILSHAM
BARONESS JONES OF MOULSECOOMB

448 After Clause 185, insert the following new Clause—

“Support for terrorism: defence

- (1) The Terrorism Act 2000 is amended as follows.
- (2) In section 12 (support) after subsection (4), insert—
 - “(4A) It is a defence for a person charged with any offence under this section that the conduct alleged was not done by that person with the intent of encouraging, inciting, facilitating or enabling another to commit an act of terrorism.”.
- (3) In section 13 (uniform and publication of images), after subsection (1B), insert—
 - “(1C) It is a defence for a person charged with any offence under this section that the conduct alleged was not done by that person with the intent of

encouraging, inciting, facilitating or enabling another to commit an act of terrorism.”.”

VISCOUNT HAILSHAM
BARONESS CHAKRABARTI
LORD VERDIRAME
BARONESS JONES OF MOULSECOOMB

449 After Clause 185, insert the following new Clause –

“Proscription process: parliamentary involvement

- (1) Section 3 of the Terrorism Act 2000 (proscription) is amended as follows.
- (2) After subsection (3), insert –
 - “(3A) Subject to subsection (3B) the Secretary of State may not make an order under subsection (3) unless prior to making such an order, the Secretary of State has placed before the Intelligence and Security Committee (the ISC) or any committee which by statute may have replaced the ISC (the replacement committee), a statement of the reasons for making the order and the ISC or the replacement committee has published a report regarding that order.
 - “(3B) Subsection (3A) does not apply if the Secretary of State is of the opinion that by reason of urgency the requirements of subsection (3A) cannot reasonably be complied with and the Secretary of State has made a statement to Parliament to that effect.
 - “(3C) If subsection (3B) applies, the Secretary of State must within seven days of the making of the order, place before the ISC or the replacement committee, a statement of the reasons for making the order and within a reasonable period thereafter, the ISC or the replacement committee must make a report to Parliament.”.”

BARONESS FOSTER OF AGHADRUMSEE
LORD POLAK
LORD GOODMAN OF WYCOMBE
LORD MASSEY OF HAMPSTEAD

450 After Clause 185, insert the following new Clause –

“Glorification of terrorism: removal of emulation requirement

- (1) The Terrorism Act 2006 is amended as follows.
- (2) In section 1 (encouragement of terrorism), omit paragraph (3)(b) and the “and” before it.”

Member's explanatory statement

This amendment seeks to remove the requirement that a statement that glorifies terrorism must encourage emulation in order to be criminal. This is to ensure that the present glorification of past

terrorism is criminal, including when it does not advocate for the terrorist act to be copied, in order to reduce any harmful normalisation of terrorism.

BARONESS JONES OF MOULSECOOMB

451 [Withdrawn]

After Clause 190

LORD HANSON OF FLINT

452 After Clause 190, insert the following new Clause—

“Prevention and investigation measures: online information

- (1) Paragraph 7 of Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011 (terrorism prevention and investigation measures: electronic communication devices) is amended as follows.
- (2) In sub-paragraph (4), after paragraph (e) insert—

“(ea) the inspection of any online account accessed by means of a device;”.
- (3) After sub-paragraph (4) insert—

“(4A) The “inspection” of a device, or an online account accessed by means of a device, includes—

 - (a) accessing the device or the online account,
 - (b) examining information held on the device or accessed by means of the online account, and
 - (c) extracting such information.”.
- (4) After sub-paragraph (6) insert—

“(7) An “online account” means an account by means of which information held on a service provided by means of the internet is made accessible.

(8) The reference in this paragraph to “extracting” information includes reproducing it in any form.”.
- (5) Paragraph 8 of Schedule 7 to the National Security Act 2023 (prevention and investigation measures: electronic communication devices) is amended as follows.
- (6) In sub-paragraph (4), after paragraph (e) insert—

“(ea) the inspection of any online account accessed by means of a device;”.
- (7) After sub-paragraph (4) insert—

“(4A) The “inspection” of a device, or an online account accessed by means of a device, includes—

- (a) accessing the device or the online account,
- (b) examining information held on the device or accessed by means of the online account, and
- (c) extracting such information.”.

(8) After sub-paragraph (6) –

- “(7) An “online account” means an account by means of which information held on a service provided by means of the internet is made accessible.
- (8) The reference in this paragraph to “extracting” information includes reproducing it in any form.”.”

Member's explanatory statement

This amendment provides that a measure imposed under Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011 or Schedule 7 to National Security Act 2023 may include conditions relating to the inspection of an online account accessed by means of an electronic communication device the use of which is restricted under the measure.

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY
BARONESS JONES OF MOULSECOOMB

453 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.

BARONESS CHAKRABARTI
 LORD HAIN
 VISCOUNT HAILSHAM
 LORD VERDIRAME

454 After Clause 190, insert the following new Clause –

“Amendment of section 3 (proscription) of the Terrorism Act 2000

In section 3(3)(a) of the Terrorism Act 2000, at end insert “, provided that only one organisation per order may be added.”

Member's explanatory statement

This new clause would require that any order made under section 3 of the Terrorism Act 2000 relates to a single organisation. This would enhance the ability of both Houses of Parliament to scrutinise the proscription process by allowing the possibility of voting against some Secretary of State proscription decisions, without jeopardising others.

LORD GOODMAN OF WYCOMBE

454A★ After Clause 190, insert the following new Clause –

“Rapid Analytical Sprint counter-extremism report

Within three months of the day on which this Act is passed, the Secretary of State must publish and lay before Parliament the report of the Rapid Analytical Sprint relating to counter-extremism.”

Clause 191

BARONESS MEYER

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

LORD VERDIRAME
 BARONESS WOLF OF DULWICH
 VISCOUNT HAILSHAM
 BARONESS FALKNER OF MARGRAVINE

456 Clause 191, page 223, line 12, leave out from “1929,” to end of line 13 and insert “proceedings for an offence shall not be instituted against a woman acting in relation to her own pregnancy except by or with the consent of the Attorney General”

Member's explanatory statement

The clause adds the requirement of AG consent for the institution of the criminal proceedings in clause 191 against a woman acting in relation to her own pregnancy.

VISCOUNT HAILSHAM

456A Clause 191, page 223, line 13, at end insert “provided that the Defence has proved, on the balance of probabilities, that at the time of her actions, the balance of the woman’s mind was then seriously disturbed by reason of her pregnancy”

Member's explanatory statement

This amendment would provide a defence to a charge of what would otherwise be an unlawful late term abortion, namely that at the time of her action, the woman’s balance of mind was seriously disturbed by her pregnancy. The amendment reflects provisions of Section 2 (2) of the Homicide Act 1957 and Section 1 (1) and (2) of the Infanticide Act 1938.

LORD JACKSON OF PETERBOROUGH

457 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

458 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

459 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.”

LORD JACKSON OF PETERBOROUGH

459A Clause 191, page 223, line 13, at end insert—

“(2) Subsection (1) does not apply if the gestational age of the pregnancy exceeds 39 weeks.

(3) For the purposes of subsection (2), the gestational age of a pregnancy is to be calculated from the first day of the woman’s last menstrual period.”

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

460 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

461 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.”

BARONESS COFFEY

461A After Clause 191, insert the following new Clause –

“Abortion Act 1967: amendment”

In section 1(3B) of the Abortion Act 1967 (medical termination of pregnancy), omit “formed in good faith” and insert “beyond reasonable doubt”.”

LORD BAILEY OF PADDINGTON

461B After Clause 191, insert the following new Clause –

“Mandatory investigation of abortions performed on females under the age of 16”

- (1) Where a termination of pregnancy is performed or facilitated in respect of a female under the age of 16, the relevant authority must initiate a mandatory investigation to determine –
 - (a) whether the pregnancy resulted from criminal conduct, including but not limited to sexual offences under the Sexual Offences Act 2003,
 - (b) whether the female was subject to coercion, exploitation, or abuse,

- (c) whether any person involved in the pregnancy or termination may be liable for prosecution under applicable criminal law.
- (2) For the purposes of subsection (1), “relevant authority” means –
 - (a) the police force for the area in which the termination was performed,
 - (b) any safeguarding board or child protection agency with jurisdiction over the female concerned, or
 - (c) any other body designated by the Secretary of State.
- (3) The investigation must be initiated within seven days of notification of the termination and must be conducted in accordance with safeguarding protocols and the welfare interests of the female concerned.
- (4) Nothing in this section prevents the provision of medical care or termination services in accordance with existing legal and medical standards.
- (5) Any registered medical practitioner or healthcare provider who performs or facilitates a termination of pregnancy in respect of a female under the age of 16 must, within 48 hours, notify the relevant authority as defined in subsection (2).
- (6) Failure by a relevant authority to initiate an investigation under subsection (1), or failure by a medical professional to report under subsection (5), may constitute misconduct and must be subject to disciplinary proceedings or other sanctions as prescribed by regulations made by the Secretary of State.
- (7) All investigations conducted under this section must ensure the confidentiality, dignity, and welfare of the female concerned, and must be carried out in a trauma-informed manner.”

Member's explanatory statement

Under UK law, abortion is regulated by the Abortion Act 1967, which outlines the conditions under which a pregnancy may be legally terminated. While abortion is legal under specific criteria, the involvement of minors – particularly those under 16 – raises additional legal and safeguarding concerns.

LORD JACKSON OF PETERBOROUGH

461C After Clause 191, insert the following new Clause –

“Report: abortion statistics

- (1) The Secretary of State must, within one year of the day on which this Act is passed and annually thereafter, publish a report setting out data collected from disclosures under section 2 (notification) of the Abortion Act 1967 relating to abortions carried out under the Abortion Act 1967 in the preceding year.
- (2) The report under subsection (1) must include data relating to –
 - (a) the sex of the foetus, where this can be determined,
 - (b) the ethnicity of the mother, and
 - (c) medical complications arising from abortions.
- (3) The Secretary of State must lay the report under subsection (1) before Parliament.”

BARONESS WOLF OF DULWICH
BARONESS FALKNER OF MARGRAVINE

461D After Clause 191, insert the following new Clause—

“Offence of receiving abortifacients by post

- (1) A person commits an offence if they knowingly receive an abortifacient drug by post, other than when lawfully prescribed it by a medical professional under section 1 of the Abortion Act 1967 (medical termination of pregnancy).
- (2) A person guilty of the offence is liable on conviction on indictment to imprisonment for a term not exceeding 12 months or a fine or both, or on summary conviction to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both.”

BARONESS FINLAY OF LLANDAFF
LORD FALCONER OF THOROTON

461E After Clause 191, insert the following new Clause—

“Providing assistance under assisted dying legislation in Crown Dependencies: criminal liability

In the Suicide Act 1961, after section 2A (acts capable of encouraging or assisting suicide) insert—

“2AA Assistance provided in Crown Dependencies

- (1) In sections 2(1) and 2A(1), a reference to an act that is capable of encouraging or assisting suicide or attempted suicide does not include—
 - (a) participating in acts that facilitate the provision of a medically assisted death in Scotland or the Crown Dependencies (the “jurisdictions”) under or in connection with legislation in those jurisdictions (“relevant legislation”),
 - (b) performing any other function under that relevant legislation in accordance with that relevant legislation, or
 - (c) assisting a person seeking to end their own life in accordance with that relevant legislation to access that relevant legislation.
- (2) It is a defence for a person charged with an offence under section 2 to prove that they—
 - (a) reasonably believed they were acting in accordance with relevant legislation in those jurisdictions, and
 - (b) took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.”

Clause 192

LORD HANSON OF FLINT

462 Clause 192, page 223, line 24, leave out “subsections (3) and” and insert “subsection”

Member's explanatory statement

This amendment is consequential on my amendment to clause 192, page 223, line 27.

LORD HANSON OF FLINT

463 Clause 192, page 223, line 27, leave out subsection (3)

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

LORD CLEMENT-JONES

464 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.

LORD HANSON OF FLINT

465 Clause 192, page 224, leave out lines 1 and 2

Member's explanatory statement

This amendment is consequential on my amendment to clause 192, page 223, line 27.

LORD HANSON OF FLINT

466 Clause 192, page 224, leave out lines 7 and 8

Member's explanatory statement

This amendment is consequential on my amendment to clause 192, page 223, line 27.

After Clause 194

LORD CLEMENT-JONES

467 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

468 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.

Clause 195

LORD WALLACE OF TANKERNESS

Lord Wallace of Tankerness gives notice of his intention to oppose the Question that Clause 195 stand part of the Bill.

Member's explanatory statement

This Clause would remove the right to a retrial following a conviction in absentia where the person convicted is deemed to have been present, even if there has been no contact between the person and the court approved lawyer.

After Clause 196

BARONESS CHAKRABARTI
BARONESS HALE OF RICHMOND
THE LORD BISHOP OF MANCHESTER
BARONESS BUTLER-SLOSS

469 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
BARONESS MILLER OF CHILTHORNE DOMER

470 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 DOOCHEY
 LORD STRASBURGER
 BARONESS FOX OF BUCKLEY

471 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
 BARONESS HODGSON OF ABINGER

472

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 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.

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

473 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 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.

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS BARRAN
BARONESS MORGAN OF COTES
Revised version of Amendment 474

474★ 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) establish information and activities relevant to the circumstances of a child’s death.”,
 - (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—

“(D1A) The standard template mentioned in subsection (C1)(c) must include sections for requesting, 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 messaged a child or 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) an open box for a regulated service to supply any other information that they might consider would impact on the coroner's inquiry, and
- (n) 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.

(D1B) The standard template must stipulate –

- (a) that regulated services are expected to complete each section of the template, and
- (b) that it is permissible for an online service to complete a section of the template with 'nil' if it does not have that information.

(D1C) 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 includes basic data coroners will need, and allows a coroner to request any further information that they deem necessary to their investigation. This information is key to conducting an investigation into a child's death and determining whether a criminal

investigation is necessary. The amendment seeks to make data preservation notices fast, consistent and effective.

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS BARRAN
BARONESS MORGAN OF COTES

475 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
 LORD HAMPTON
 LORD SPELLAR
 LORD GARNIER

476 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
 LORD HAMPTON
 LORD SPELLAR
 LORD GARNIER

477 After Clause 196, insert the following new Clause—

“Adult treatment of youth offending

- (1) Article 2A of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (S.I. 1975/1023) 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 the criminal record for a juvenile is dated from the offence rather than the conviction (due to court delays they may be sentenced when no longer a juvenile).

LORD PONSONBY OF SHULBREDE
 LORD HAMPTON
 LORD SPELLAR
 LORD GARNIER

478 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 (3)(a), at beginning insert “where the person was 18 years old or over at the time of the offence”
- (3) 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
VISCOUNT COLVILLE OF CULROSS
LORD CLEMENT-JONES
BARONESS MORGAN OF COTES

479 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
 LORD CLEMENT-JONES
 VISCOUNT COLVILLE OF CULROSS
 BARONESS MORGAN OF COTES

480 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.

LORD MCCOLL OF DULWICH

481 After Clause 196, insert the following new Clause –

“Review: bicycle delivery services and criminal activity

- (1) Within six months of the day on which this Act is passed, the Secretary of State must undertake and publish a review on bicycle and motorcycle delivery services and any –
 - (a) reliance they have on, and
 - (b) contribution they make to, criminal activity.
- (2) The review must make recommendations on whether the criminal law must be changed in response to the findings.

(3) The review must investigate—

- (a) the immigration status of bicycle and motorcycle delivery riders in terms of the criminal law,
- (b) any involvement of bicycle and motorcycle delivery riders in—
 - (i) the theft and transportation of goods, and
 - (ii) the supply of illegal drugs, and
- (c) the case for crime prevention measures relating to the restriction of wearing helmets, masks and other face coverings at the point of delivery.
- (d) whether bicycle delivery riders contribute to crime or fear of crime in residential blocks with shared entrances and corridors.”

LORD CROMWELL
 BARONESS JONES OF MOULSECOOMB
 LORD HOGAN-HOWE

482 After Clause 196, insert the following new Clause—

“Report: economic crime fighting fund

- (1) The Secretary of State must undertake an assessment of the viability, and potential merits, of establishing an economic crime fighting fund based on the principle of reinvesting a proportion of receipts resulting from economic crime enforcement into a pooled fund for the purposes of providing multi-year resourcing for tackling economic crime.
- (2) The assessment specified in subsection (1) must also examine the impact of budget exchange rules on the functioning of the asset recovery incentivisation scheme.
- (3) In carrying out the assessment, the Secretary of State must consult such persons as they consider appropriate.
- (4) The Secretary of State must publish and lay before Parliament a report on the outcome of the assessment by the end of the period of 12 months beginning with the day on which this Act is passed.”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
 EARL RUSSELL
 LORD CROMWELL

483 After Clause 196, insert the following new Clause—

“Rural crime prevention strategy

- (1) On the day after the day on which this Act is passed, the Secretary of State must establish a rural crime prevention task force to develop proposals for tackling rural crime.
- (2) The task force must be given a remit that includes, but is not confined to, examining—

- (a) the particular types of crime that occur in rural areas, including but not limited to—
 - (i) quad bike theft;
 - (ii) equipment theft;
 - (iii) animal hustling;
 - (iv) fly tipping;
 - (v) worrying of livestock by dogs;
 - (vi) hare coursing;
 - (vii) poaching,
- (b) crime rates in rural communities across England and Wales,
- (c) the current levels of police resources and funding in rural communities,
- (d) whether specific training in how to respond to rural crime call-outs should be undertaken by police control room operators,
- (e) the operational case, and the funding implications, of appointing rural crime specialists in Police Forces across England and Wales which serve areas that include a significant rural population, and
- (f) whether a National Rural Crime Coordinator should be established.

- (3) The task force established under subsection (1) must submit a rural crime prevention strategy to the Secretary of State within six months of its appointment.
- (4) The Secretary of State must, within a month of receiving the report made by the task force, lay the report and a written response to the task force's recommendations before both Houses of Parliament.
- (5) The Secretary of State must, within a month of laying their response to the task force's report, ensure that an amendable motion on the subject of the rural crime task force's recommendations is laid, and moved, before both Houses of Parliament.”

Member's explanatory statement

This new clause would require the Secretary of State to establish a task force to produce a strategy for tackling rural crime, makes provision for specific aspects of the task force's remit, and requires the Secretary of State to bring forward a substantive motion before both Houses of Parliament on the task force's recommendations.

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
EARL RUSSELL

484 After Clause 196, insert the following new Clause—

“Offence of failing to meet pollution performance commitment levels

- (1) A water or water and sewerage company (“C”) commits an offence where Chas—
 - (a) failed to meet its pollution performance commitment level for three consecutive years, or
 - (b) experienced an increase in serious pollution levels for three consecutive years.

(2) For the purposes of this section—

- (a) “water or water and sewerage company” means companies which are responsible for the provision of water, or water and sewerage, services and which are regulated by Ofwat and the Environment Agency,
- (b) “pollution performance commitment level” means the level of performance on pollution that the company has committed to deliver, and which is reported against by Ofwat in its annual water company performance report, and
- (c) “total pollution incidents per 10,000km²” and “serious pollution incidents” mean the relevant figures under those headings reported by the Environment Agency in its annual environmental performance report.

(3) If guilty of an offence under this section, C is liable—

- (a) on summary conviction, to a fine;
- (b) on conviction on indictment, to a fine.”

Member's explanatory statement

This new clause creates an offence of failing to meet pollution performance commitment levels.

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
EARL RUSSELL

485 After Clause 196, insert the following new Clause—

“Senior manager liability for failure to meet pollution performance commitment levels

(1) A person (“P”) commits an offence where—

- (a) P is a senior manager of a water or water and sewerage company (“C”),
- (b) C commits an offence under section (*Offence of failing to meet pollution performance commitment levels*), and
- (c) P has failed to take all reasonable steps to prevent that offence being committed by C.

(2) For the purposes of this section, “senior manager” means an individual who plays a significant role in—

- (a) the making of decisions about how C’s relevant activities are to be managed or organised, or
- (b) the actual managing or organising of C’s relevant activities.

(3) Where P is charged with an offence under this section, it is a defence for P to show that P was a senior manager of C for such a short time during the relevant period that P could not reasonably have been expected to take steps to prevent that offence being committed by C.

(4) Where P is guilty of an offence under this section, P is liable—

- (a) on summary conviction, to a fine;
- (b) on conviction on indictment, to a fine.”

Member's explanatory statement

This new clause creates senior manager liability for failure to meet pollution performance commitment levels.

LORD GARNIER
BARONESS FOX OF BUCKLEY

486 After Clause 196, insert the following new Clause—

“Joint enterprise

- (1) The Accessories and Abettors Act 1861 is amended as follows.
- (2) In section 8 (abettors in misdemeanors), after “shall” insert “, by making a significant contribution to its commission.”.”

LORD CROMWELL

486A After Clause 196, insert the following new Clause—

“Use of drone technology: offence

- (1) A person commits an offence if they use drone technology to—
 - (a) conduct reconnaissance of land or buildings with the intent of committing a further crime, or
 - (b) carry items including controlled drugs, stolen goods, illegal weapons, harmful substances, or other items intended for illegal use in respect of people, property or good order.
- (2) A person guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction, to a fine not exceeding level 5 on the standard scale;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both).”

LORD WALNEY
LORD POLAK
BARONESS FOSTER OF AGHADRUMSEE
LORD GOODMAN OF WYCOMBE

486B After Clause 196, insert the following new Clause—

“Access to public funds for organisations supporting criminal conduct

- (1) An organisation or group will not be eligible for public funding if there is evidence that it—
 - (a) promotes, supports, encourages or condones the commission of criminal conduct in the United Kingdom or conduct elsewhere which would be criminal in the United Kingdom, or

- (b) seeks to subvert, undermine or replace the constitutional integrity or democratic institutions of the United Kingdom through violent or illegal means.
- (2) For the purposes of subsection (1)(b), this includes (but is not limited to) organisations which advance or advocate through violent or illegal means –
 - (a) Islamist extremism or any ideology seeking to establish an alternative constitutional, legal or governance system in place of the United Kingdom’s democratic and constitutional framework, or
 - (b) other extremist ideologies seeking the erosion or replacement of democratic institutions, parliamentary sovereignty or the rule of law.”

LORD MENDELSON
BARONESS DEECH

486C After Clause 196, insert the following new Clause –

“Crown Prosecution Service unit for offences motivated by antisemitism

The Director of Public Prosecutions must appoint staff from within the Crown Prosecution Service to create a dedicated unit to support the prosecution of offences motivated by antisemitism.”

LORD CARTER OF HASLEMERE

486D After Clause 196, insert the following new Clause –

“Childhood convictions for first-time offences under section 5 (3) of the Regulation of Railways Act 1889, and offences of failing to produce a valid ticket under the Railway Byelaws 2005

- (1) Section 112 of the Police Act 1997 (criminal conviction certificates) is amended as follows.
- (2) After subsection (2), insert –
 - “(2A) No criminal conviction certificate shall be issued in respect of an offence under section 5 (3) of the Regulations of Railways Act 1889 (penalty for avoiding payment of fare), or an offence under the Railway Byelaws 2005 of failing to produce a valid ticket, if it was an offence committed by an individual who was a child at the time of the offence and it was the first time they had committed the offence.””

Member's explanatory statement

The amendment prevents a criminal conviction certificate being issued by the Secretary of State in respect of a first-time offence committed by a child of avoiding payment of a fare or failing to produce a valid ticket.

Clause 197

LORD HANSON OF FLINT

487 Clause 197, page 228, line 6, at end insert—

- “(za) sections 40 and 41;
- “(zb) section (*Child criminal exploitation prevention orders: Scotland and Northern Ireland*)(1) and Schedule (*CCE prevention orders: Scotland*);”

Member's explanatory statement

This amendment gives the Scottish Ministers power to make regulations containing provision consequential on the specified provisions.

BARONESS LEVITT

488 Clause 197, page 228, line 7, at end insert—

- “(aa) section (*Pornographic images of strangulation or suffocation: Scotland*);”

Member's explanatory statement

This amendment gives the Scottish Ministers power to make regulations containing provision consequential on the specified new clause (inserted after clause 84).

LORD HANSON OF FLINT

489 Clause 197, page 228, line 7, at end insert—

- “(aa) sections (*Child sexual abuse image-generators: Scotland*) and (*Possession of advice or guidance about child sexual abuse or CSA images: Scotland*);”

Member's explanatory statement

This amendment gives the Scottish Ministers power to make regulations containing provision consequential on the specified new clauses (inserted after clauses 63 and 64).

LORD HANSON OF FLINT

490 [Withdrawn]

LORD HANSON OF FLINT

491 [Withdrawn]

LORD HANSON OF FLINT

492 Clause 197, page 228, line 15, at end insert—

- “(za) section (*Duty to report remote sale of knives etc in bulk: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing amendments consequential on my new clause, (Duty to report remote sale of knives etc in bulk: Northern Ireland), inserted after clause 36.

LORD HANSON OF FLINT

493 Clause 197, page 228, line 15, at end insert—

- “(za) sections 40 and 41;
- “(zb) section (*Child criminal exploitation prevention orders: Scotland and Northern Ireland*)(2) and Schedule (*CCE prevention orders: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing provision consequential on the specified provisions.

BARONESS LEVITT

494 Clause 197, page 228, line 16, at end insert—

- “(aa) section (*Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing provision consequential on the specified new clause (inserted after clause 84).

LORD HANSON OF FLINT

495 Clause 197, page 228, line 16, at end insert—

- “(aa) section (*Child sexual abuse image-generators: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing provision consequential on the specified new clause (inserted after clause 63).

BARONESS LEVITT

496 Clause 197, page 228, line 18, at end insert—

- “(ca) section (*Child abduction: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing provision consequential on the specified new clause (inserted after clause 104).

Clause 198

LORD HANSON OF FLINT

497 Clause 198, page 228, line 38, after “section” insert “51(6),”

Member's explanatory statement

This amendment provides that the new power of the Secretary of State to amend the list of prevention orders in clause 51 (inserted by my amendment to clause 51, page 68, line 30) is subject to the affirmative resolution procedure.

LORD NASH

497ZA Clause 198, page 228, line 38, after “65(5)” insert “, section (*Software to prevent the recording, transmitting and viewing of child sexual abuse material*),”

LORD HANSON OF FLINT

497A Clause 198, page 228, line 38, after “81,” insert “(*Obscenity etc offences: technology testing defence*), (*Technology testing defence: meaning of “relevant offence”*),”

Member's explanatory statement

This amendment provides for regulations made by the Secretary of State under the specified new clauses (inserted after clause 84) to be subject to the affirmative procedure.

LORD LUCAS

498 Clause 198, page 228, line 38, after “81,” insert “section (*Police guidance and pilot: enforcement of criminal offences for illegal vehicles on roads*),”

LORD HOGAN-HOWE
LORD MCCOLL OF DULWICH
BARONESS NEVILLE-ROLFE

498A Clause 198, page 228, line 38, after “81,” insert “section (*Dangerous, careless or inconsiderate cycling: registration scheme*),”

LORD CLEMENT-JONES

499 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

500 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

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

LORD WALNEY

501A Clause 198, page 228, line 38, after “122,” insert “(*Designation and restriction of Extreme Criminal Protest Groups*)”

EARL ATTLEE

502 Clause 198, page 228, line 39, after “133(7)” insert “, section (*Police charges for escorting vehicles or trailers carrying a load of exceptional dimensions*) or”

Member's explanatory statement

This amendment is connected to another in the name of Earl Attlee which seeks to require the Secretary of State to establish a regulatory framework to manage the fees charged to hauliers by police forces for escorting a vehicle or trailer carrying a load of exceptional dimensions.

LORD CLEMENT-JONES

503 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

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

LORD JACKSON OF PETERBOROUGH

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

LORD BAILEY OF PADDINGTON

506 Clause 198, page 228, line 39, at end insert “or section (*Police covenant: mandatory reporting on suicide and attempted suicide*)”

Clause 199

LORD HANSON OF FLINT

507 Clause 199, page 229, line 16, at end insert –

“(c) regulations under paragraph 10(4) of Schedule (*CCE prevention orders: Scotland*).”

Member's explanatory statement

This amendment provides that the new power of the Scottish Ministers to amend the list of prevention orders in paragraph 10 of the new Schedule about CCE prevention orders in Scotland (inserted after Schedule 5) is subject to the affirmative resolution procedure.

LORD HANSON OF FLINT

508 Clause 199, page 229, line 29, at end insert –

“(c) regulations under paragraph 10(6) of Schedule (*CCE prevention orders: Northern Ireland*).”

Member's explanatory statement

This amendment provides that the new power of the Department of Justice to amend the list of prevention orders in paragraph 10 of the new Schedule about CCE prevention orders in Northern Ireland (inserted after Schedule 5) is subject to the affirmative resolution procedure.

LORD HANSON OF FLINT

508A Clause 199, page 229, line 33, after “by” insert “Welsh”

Member's explanatory statement

This amendment adjusts provision about regulations made by the Welsh Ministers to take account of Part 2A of the Legislation (Wales) Act 2019 (which is inserted by the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025).

LORD HANSON OF FLINT

508B Clause 199, page 229, line 35, leave out subsection (8) and insert –

“(8) Regulations made by the Welsh Ministers under section 192 are subject to the Senedd annulment procedure (see section 37E of the Legislation (Wales) Act 2019 (anaw 4)).”

Member's explanatory statement

This amendment adjusts provision about regulations made by the Welsh Ministers to take account of Part 2A of the Legislation (Wales) Act 2019 (which is inserted by the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025).

LORD HANSON OF FLINT

509 Clause 199, page 229, line 38, at end insert—

““regulations” means regulations under any provision of this Act except section 201.”

Member's explanatory statement

This amendment is consequential on my amendments to clause 201, page 232, lines 25 and 35.

Clause 200

LORD HANSON OF FLINT

510 Clause 200, page 230, line 7, after “40” insert “(1) to (4)”

Member's explanatory statement

This amendment removes section 40(5), which should extend to England and Wales only, from a list of provisions having UK extent.

LORD HANSON OF FLINT

511 Clause 200, page 230, line 10, at end insert “and Schedule 7”

Member's explanatory statement

This amendment provides for Schedule 7 (which lists the offences to which clause 65 applies) to have UK extent.

BARONESS LEVITT

512 Clause 200, page 230, line 13, at end insert—

“(ja) section (*Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland*)(5);”

Member's explanatory statement

This amendment provides that the amendment to the Online Safety Act 2023 in the specified new clause (inserted after clause 84) extends to the whole of the UK.

LORD HANSON OF FLINT

512A Clause 200, page 230, line 13, at end insert—

“(ja) sections (*Obscenity etc offences: technology testing defence*) and (*Technology testing defence: meaning of “relevant offence”*);”

Member's explanatory statement

This amendment provides for the specified new clauses (inserted after clause 84) to have UK extent.

LORD HANSON OF FLINT

513 [Withdrawn]

LORD HANSON OF FLINT

514 Clause 200, page 230, line 29, after “Sections” insert “36(1),”

Member's explanatory statement

This amendment provides that clause 36(1), which inserts new section 141D of the Criminal Justice Act 1988, extends to England and Wales and Scotland. At present it extends only to England and Wales.

BARONESS LEVITT

515 Clause 200, page 230, line 30, after “(4),” insert “(*Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland*)(1) to (3),”

Member's explanatory statement

This amendment provides that the subsections of the specified new clause (inserted after clause 84) that amend the Criminal Justice and Immigration Act 2008 extend to England and Wales and Northern Ireland.

LORD HANSON OF FLINT

516 Clause 200, page 230, line 33, after “Sections” insert “(*Duty to report remote sale of knives etc in bulk: Northern Ireland*)(1) to (3)”

Member's explanatory statement

This amendment provides for the specified provisions of my new clause (Duty to report remote sale of knives etc in bulk: Northern Ireland), inserted after clause 36, to extend to Northern Ireland only.

LORD HANSON OF FLINT

517 [Withdrawn]

LORD HANSON OF FLINT

518 [Withdrawn]

LORD HANSON OF FLINT

519 Clause 200, page 230, line 33, after “Sections” insert “(*Child criminal exploitation prevention orders: Scotland and Northern Ireland*)(2),”

Member's explanatory statement

This amendment provides that the subsection introducing the new Schedule about CCE prevention orders for Northern Ireland (inserted after Schedule 5) extends to Northern Ireland only.

LORD HANSON OF FLINT

520 Clause 200, page 230, line 33, after “61” insert “(*Safeguarding vulnerable groups: regulated activity (Northern Ireland)*)”

Member's explanatory statement

This amendment provides that the specified new clause (inserted after clause 105) extends to Northern Ireland only.

BARONESS LEVITT

521 Clause 200, page 230, line 33, after “61,” insert “(*Child abduction: Northern Ireland*),”

Member's explanatory statement

This amendment provides that the specified new clause (inserted after clause 104) extends to Northern Ireland only.

LORD HANSON OF FLINT

522 Clause 200, page 230, line 33, after “61,” insert “94(3),”

Member's explanatory statement

This amendment provides that the new subsection inserted by my amendment to clause 94, page 121, line 17 extends to Northern Ireland only.

LORD HANSON OF FLINT

522A Clause 200, page 230, line 33, after “61” insert “(*Stalking protection orders: Northern Ireland*), (*Guidance about disclosure of information by police: Northern Ireland*)”

Member's explanatory statement

This amendment provides for the specified new clauses to extend to Northern Ireland.

LORD HANSON OF FLINT

523 Clause 200, page 230, line 33, after “188,” insert “Schedule (CCE prevention orders: Northern Ireland)”

Member's explanatory statement

This amendment provides that the new Schedule about CCE prevention orders for Northern Ireland (inserted after Schedule 5) extends to Northern Ireland only.

LORD HANSON OF FLINT

524 [Withdrawn]

LORD HANSON OF FLINT

525 Clause 200, page 230, line 35, after “Section” insert “(Child criminal exploitation prevention orders: Scotland and Northern Ireland)(1) and”

Member's explanatory statement

This amendment provides that the subsection introducing the new Schedule about CCE prevention orders for Scotland (inserted after Schedule 5) extends to Scotland only.

BARONESS LEVITT

526 Clause 200, page 230, line 35, after “Section” insert “(Pornographic images of strangulation or suffocation: Scotland),”

Member's explanatory statement

This amendment provides that the specified new clause (inserted after clause 84) extends to Scotland only.

LORD HANSON OF FLINT

527 Clause 200, page 230, line 35, after “145(3)” insert “, Schedule (CCE prevention orders: Scotland)”

Member's explanatory statement

This amendment provides that the new Schedule about CCE prevention orders for Scotland (inserted after Schedule 5) extends to Scotland only.

LORD HANSON OF FLINT

528 Clause 200, page 230, line 38, leave out “or” and insert “to”

Member's explanatory statement

This amendment gives clause 28(2) the same extent as the provisions it amends, with the effect of allowing trial on indictment in Scotland for an offence under section 141A of the Criminal Justice Act 1988.

LORD HANSON OF FLINT

529 [Withdrawn]

LORD HANSON OF FLINT

530 [Withdrawn]

LORD HANSON OF FLINT

531 Clause 200, page 230, line 39, at end insert—

“(ba) section 36(2);”

Member's explanatory statement

This amendment provides for clause 36(2) to have the same extent as the provision it amends. It is related to my second amendment to clause 200, page 230, line 29, which provides for new section 141D to extend to Scotland as well as England and Wales.

LORD HANSON OF FLINT

532 Clause 200, page 230, line 39, at end insert—

“(ba) section (Duty to report remote sale of knives etc in bulk: Northern Ireland)(4);”

Member's explanatory statement

This amendment provides for the specified provision to have the same extent as the provision it amends.

LORD HANSON OF FLINT

533 Clause 200, page 231, line 1, at end insert—

“(ca) section (Child sexual abuse image-generators: Scotland);”

Member's explanatory statement

This amendment provides for the specified new clause (inserted after clause 63) to have the same extent as the provisions it amends.

LORD HANSON OF FLINT

534 Clause 200, page 231, line 1, at end insert—

“(ca) section (*Child sexual abuse image-generators: Northern Ireland*);”

Member's explanatory statement

This amendment provides for the specified new clause (inserted after clause 63) to have the same extent as the provisions it amends.

LORD HANSON OF FLINT

535 Clause 200, page 231, line 2, at end insert—

“(da) section (*Possession of advice or guidance about child sexual abuse or CSA images: Scotland*)”

Member's explanatory statement

This amendment provides for the specified new clause (inserted after clause 64) to have the same extent as the provisions it amends.

Clause 201

BARONESS MACLEAN OF REDDITCH

535A Clause 201, page 231, line 39, after “sections” insert “(*Independent Commission on Grooming Gangs: timescale*);”

BARONESS CASH

535B Clause 201, page 231, line 39, at end insert—

“(aa) section (*Obstructing investigation of child sexual abuse in public office*);”

Member's explanatory statement

*This amendment brings into force the new clause *Obstructing investigation of child sexual abuse in public office* on the day on which the Act is passed.*

LORD JACKSON OF PETERBOROUGH

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

LORD HANSON OF FLINT

537 Clause 201, page 232, line 3, leave out “section” and insert “sections 195 and”

Member's explanatory statement

This amendment removes clause 195 (extradition) from the list of provisions that come into force on Royal Assent. The effect is that it will be commenced by regulations under clause 201(1).

LORD HANSON OF FLINT

537A Clause 201, page 232, line 7, at end insert—

- “(ba) sections (*Obscenity etc offences: technology testing defence*) and (*Technology testing defence: meaning of “relevant offence”*);”

Member's explanatory statement

This amendment provides for the specified new clauses (inserted after clause 84) to come into force 2 months after Royal Assent.

LORD JACKSON OF PETERBOROUGH

538 Clause 201, page 232, line 15, at end insert—

- “(3A) Section (*Cloud service access restrictions: lost or stolen mobile phone devices*) comes into force at the end of the period of six months beginning with the day on which this Act is passed.”

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

538A Clause 201, page 232, line 15, at end insert—

- “(3A) Sections 115 and 116 may not come into force until at least three months have elapsed following the publication of draft regulations under section 117 specifying articles for the purposes of those sections.”

Member's explanatory statement

This amendment would ensure that the definition of a specified article for the purposes of the new offences in clauses 115 and 116 is published in regulations at least three months before the new offences are able to come into force.

LORD HANSON OF FLINT

539 [Withdrawn]

LORD HANSON OF FLINT

540 Clause 201, page 232, line 22, after “94(2)” insert “and (3)”

Member's explanatory statement

This amendment is consequential on my amendment to clause 94, page 121, line 17.

LORD HANSON OF FLINT

541 Clause 201, page 232, line 25, leave out “order” and insert “regulations”

Member's explanatory statement

This amendment provides for the Scottish Ministers to make commencement regulations rather than commencement orders.

LORD HANSON OF FLINT

542 [Withdrawn]

LORD HANSON OF FLINT

543 [Withdrawn]

LORD HANSON OF FLINT

544 Clause 201, page 232, line 29, at end insert—

“(za) section (*Duty to report remote sale of knives etc in bulk: Northern Ireland*)(1) to (3), and section (*Duty to report remote sale of knives etc in bulk: Northern Ireland*)(4) so far as extending to Northern Ireland;”

Member's explanatory statement

*This amendment provides for my new clause (*Duty to report remote sale of knives etc in bulk: Northern Ireland*), inserted after clause 36, to be commenced by order made by the Department of Justice in Northern Ireland.*

LORD HANSON OF FLINT

545 Clause 201, page 232, line 29, at end insert—

“(za) section (*Child sexual abuse image-generators: Northern Ireland*) so far as extending to Northern Ireland;”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to commence the specified new clause (inserted after clause 63) for Northern Ireland.

LORD HANSON OF FLINT

546 Clause 201, page 232, line 29, at end insert—

“(za) section (*Child criminal exploitation prevention orders: Scotland and Northern Ireland*)(2) and Schedule (*CCE prevention orders: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to commence the new provisions about child criminal exploitation prevention orders for Northern Ireland.

LORD HANSON OF FLINT

547 Clause 201, page 232, line 31, at end insert—

“(aa) section 94(3);”

Member's explanatory statement

This amendment gives the Department for Justice in Northern Ireland power to commence the provision inserted by my amendment to clause 94, page 121, line 17.

LORD HANSON OF FLINT

547A Clause 201, page 232, line 31, at end insert—

“(aa) sections (*Stalking protection orders: Northern Ireland*) and (*Guidance about disclosure of information by police: Northern Ireland*);”

Member's explanatory statement

This amendment provides for the Department of Justice in Northern Ireland to commence the specified new clauses.

BARONESS LEVITT

548 Clause 201, page 232, line 32, after “sections” insert “(*Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland*)(1) to (3),”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to commence the subsections of the specified new clause (inserted after clause 84) that amend the Criminal Justice and Immigration Act 2008, in so far as they extend to Northern Ireland.

BARONESS LEVITT

549 Clause 201, page 232, line 32, at end insert—

“(ba) section (*Child abduction: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to commence the specified new clause (inserted after clause 104).

LORD HANSON OF FLINT

550 Clause 201, page 232, line 33, at end insert—

“(8A) Section (*Safeguarding vulnerable groups: regulated activity (Northern Ireland)*) comes into force on such day as the Department of Health in Northern Ireland may by order appoint.”

Member's explanatory statement

This amendment gives the Department of Health in Northern Ireland power to commence the specified new Clause (inserted after clause 105).

LORD HANSON OF FLINT

551 Clause 201, page 232, line 34, at beginning insert “Sections (*Child sexual abuse image-generators: Scotland*) and (*Possession of advice or guidance about child sexual abuse or CSA images: Scotland*) so far as extending to Scotland,”

Member's explanatory statement

This amendment gives the Scottish Ministers power to commence the specified new clauses (inserted after clauses 63 and 64) for Scotland.

LORD HANSON OF FLINT

552 [Withdrawn]

LORD HANSON OF FLINT

553 [Withdrawn]

LORD HANSON OF FLINT

554 Clause 201, page 232, line 34, after “Section” insert “(*Child criminal exploitation prevention orders: Scotland and Northern Ireland*)(1)”

Member's explanatory statement

This amendment gives the Scottish Ministers to commence the subsection introducing the new Schedule about CCE prevention orders for Scotland (inserted after Schedule 5).

BARONESS LEVITT

555 Clause 201, page 232, line 34, after “Section” insert “(*Pornographic images of strangulation or suffocation: Scotland*),”

Member's explanatory statement

This amendment gives the Scottish Ministers power to commence the specified new clause (inserted after clause 84).

LORD HANSON OF FLINT

556 Clause 201, page 232, line 34, after “145(3)” insert “, Schedule (CCE prevention orders: Scotland)”

Member's explanatory statement

This amendment gives the Scottish Ministers power to commence the new Schedule about CCE prevention orders (inserted after Schedule 5).

LORD HANSON OF FLINT

557 Clause 201, page 232, line 35, leave out “order” and insert “regulations”

Member's explanatory statement

This amendment provides for the Scottish Ministers to make commencement regulations rather than commencement orders.

LORD HANSON OF FLINT

558 Clause 201, page 232, line 36, after “order” insert “or regulations”

Member's explanatory statement

This amendment is consequential on my amendments to clause 201, page 232, lines 25 and 35.

LORD HANSON OF FLINT

559 Clause 201, page 232, line 36, after “(8)” insert “(8A)”

Member's explanatory statement

This amendment is consequential on my amendment to clause 201, page 232, line 33, inserting a new subsection after subsection (8).

LORD HANSON OF FLINT

560 Clause 201, page 233, line 1, leave out “an order” and insert “regulations”

Member's explanatory statement

This amendment is consequential on my amendments to clause 201, page 232, lines 25 and 35.

LORD HANSON OF FLINT

561 Clause 201, page 233, line 4, after “(8)” insert “or (8A)”

Member's explanatory statement

This amendment is consequential on my amendment to clause 201, page 232, line 33, inserting a new subsection after subsection (8).

LORD JACKSON OF PETERBOROUGH

562 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

563 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.”

LORD HANSON OF FLINT

564 Clause 201, page 233, line 13, leave out “an order” and insert “regulations”

Member's explanatory statement

This amendment is consequential on my amendment to clause 201, page 232, line 25.

Crime and Policing Bill

EIGHTH MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

5 January 2026

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