

Crime and Policing Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Eleventh Marshalled List]

Amendment
No.

After Clause 166

BARONESS KIDRON

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

“Police protocols when investigating the death of a child

- (1) The Criminal Procedure and Investigations Act 1996 is amended as follows.
- (2) After section 27 (common law rules as to criminal investigations), insert –

“Inclusion of guidance on collecting digital data when investigating the death of a child

- (1) Within six months the day on which the Crime and Policing Act 2026 is passed, the code of practice under section 23 must include protocols that a person of a prescribed authority must adhere to when investigating the death of a child.
- (2) These protocols must include the treatment of potential online harm as a primary line of enquiry.
- (3) In order to treat a potential online harm as a primary line of enquiry, a person of a prescribed authority, must –
 - (a) seize and forensically examine digital devices as soon as is reasonably possible;
 - (b) take all reasonable steps to capture early digital evidence and account data, taking into account that online services delete user data after a short period of inactivity;
 - (c) document a child’s activity on all known online services, including recommended content, interactions with other users, content viewed, content uploaded, and any relevant metadata.

(4) Where an investigation gives evidence that a service regulated by the Online Safety Act 2023 may have breached that Act, Ofcom must be notified and supplied with the evidence.””

Member's explanatory statement

This amendment would update statutory guidance issued to police to include guidance on effective evidence-collecting during an investigation into the death of a child.

BARONESS KIDRON

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

“Awareness of police protocols when investigating the death of a child

- (1) Within six months of the Act passing, the Secretary of State must write a letter setting out the steps that police are expected to take during an investigation into the death of a child.
- (2) The letter must include—
 - (a) reference to any relevant information, including any changes, to the Criminal Procedure and Investigations Code of Practice;
 - (b) guidance on the immediate seizure and preservation of all relevant devices, including but not limited to phones, tablets, laptops, wearable technological devices, and routers;
 - (c) guidance on the rapid identification of online accounts, handles, email addresses, contact list;
 - (d) early engagement with coroners to enable Ofcom to issue data preservation notices;
 - (e) establishment of a digital specialist and point of contact for coordination with Ofcom in every force.
- (3) The letter must be addressed to—
 - (a) Police and Crime Commissioners;
 - (b) Chief Constables;
 - (c) the Commissioner of the Metropolitan Police;
 - (d) the College of Policing;
 - (e) relevant NGOs and parent groups;
 - (f) any other persons the Secretary of State deems relevant.”

Member's explanatory statement

This amendment, consequential on another amendment in the name of Baroness Kidron, requires the Secretary of State to take steps to raise awareness of the consequences of that amendment and wider expectations of police forces when conducting an investigation into a child's death.

Clause 191

BARONESS MACLEAN OF REDDITCH

459B★ Clause 191, page 223, line 13, at end insert –

- “(2) This section ceases to have effect unless renewed under the provisions of subsection (3) and (4).
- “(3) Within three months of the first, second and third anniversaries of the day on which this section comes into force, the Secretary of State must by regulations make provision for the renewal of this section.
- “(4) If the regulations are not approved within three months of the relevant anniversary, this section ceases to have effect.
- “(5) If this section is renewed after the third anniversary, it may continue in effect without further renewal.”

Clause 198

BARONESS MACLEAN OF REDDITCH

502A★ Clause 198, page 228, line 39, leave out “or 158(1)(k)” and insert “, 158(1)(k), or 191(3)”

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20 January 2026
