

Victims and Courts Bill

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 December 2025, as follows –

Clauses 1 to 3	Schedule 2
Schedule 1	Clauses 8 to 18
Clauses 4 to 7	Title

[Amendments marked ★ are new or have been altered]

Amendment No.	Clause 1
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LORD KEEN OF ELIE
LORD SANDHURST

1★ Clause 1, page 1, line 10, leave out “by the Crown Court”

Member's explanatory statement

This amendment probes the rationale behind restricting the power to order offenders to attend a sentencing hearing to only the Crown Courts.

LORD KEEN OF ELIE
LORD SANDHURST

2★ Clause 1, page 1, line 14, leave out “The Crown” and insert “Any”

Member's explanatory statement

This amendment probes the rationale behind restricting the power to order offenders to attend a sentencing hearing to only the Crown Courts.

LORD KEEN OF ELIE
LORD SANDHURST

3★ Clause 1, page 1, line 17, at end insert “or at the victim's request.”

Member's explanatory statement

This amendment probes the role of the victim in the exercise the power to order offenders to attend a sentencing hearing under clause 1.

LORD KEEN OF ELIE
LORD SANDHURST

4★ Clause 1, page 1, line 17, at end insert—

“(3A) If the court is minded not to make an order under subsection (2), the court has a duty to consult the victim, or, where the victim is deceased or is unable to be consulted by reason of physical or mental incapacity, a family member or other appropriate representative.”

Member's explanatory statement

This amendment would require the courts to consult victims or their families if they are not make an order to compel an offender to attend their sentencing hearing.

LORD KEEN OF ELIE
LORD SANDHURST

5★ Clause 1, page 1, line 19, leave out “18” and insert “16”

Member's explanatory statement

This amendment probes why the power to order offenders to attend a sentencing hearing applies to offenders aged 18 and above.

LORD KEEN OF ELIE
LORD SANDHURST

6★ Clause 1, page 1, line 22, leave out “18” and insert “16”

Member's explanatory statement

This amendment probes why the power to order offenders to attend a sentencing hearing applies to offenders aged 18 and above.

LORD KEEN OF ELIE
LORD SANDHURST

7★ Clause 1, page 2, line 25, leave out “Crown”

Member's explanatory statement

This amendment probes the rationale behind restricting the power to order offenders to attend a sentencing hearing to only the Crown Courts.

Clause 2

LORD KEEN OF ELIE
LORD SANDHURST

8★ Clause 2, page 4, line 11, at end insert “or at the at victim’s request where applicable.”

Member's explanatory statement

This amendment probes the role of a relevant victim in the exercise the power to order offenders of a service offence to attend a sentencing hearing under clause 2.

LORD KEEN OF ELIE
LORD SANDHURST

9★ Clause 2, page 4, line 11, at end insert –

“(3A) If the court is minded not to make an order under subsection (2), the court has a duty to consult the victim, or, where the victim is deceased or is unable to be consulted by reason of physical or mental incapacity, a family member or other appropriate representative.”

Member's explanatory statement

This amendment would require the courts to consult victims or their families if they are not make an order to compel an offender to attend their sentencing hearing.

LORD KEEN OF ELIE
LORD SANDHURST

10★ Clause 2, page 4, line 13, leave out “18” and insert “16”

Member's explanatory statement

This amendment probes why the power to order offenders to attend a sentencing hearing applies to offenders aged 18 and above.

LORD KEEN OF ELIE
LORD SANDHURST

11★ Clause 2, page 4, line 16, leave out “18” and insert “16”

Member's explanatory statement

This amendment probes why the power to order offenders to attend a sentencing hearing applies to offenders aged 18 and above.

LORD KEEN OF ELIE
LORD SANDHURST

12★ Clause 2, page 5, line 11, leave out “18” and insert “16”

Member's explanatory statement

This amendment probes why the power to order offenders to attend a sentencing hearing applies to offenders aged 18 and above.

Clause 3

BARONESS BRINTON

13★ Clause 3, page 5, line 40, leave out from “(“the offender”)” to end of line 1 on page 6 and insert “for any sexual offence in relation to children, including online offences”

Member's explanatory statement

This amendment is intended to probe whether the threshold of four years to trigger the restrictions in clause 3 should be lowered

LORD KEEN OF ELIE
LORD SANDHURST

14★ Clause 3, page 5, line 41, leave out “of 4 years or more”

Member's explanatory statement

This amendment would ensure that where anyone is sent to prison because of a sexual offence the court would be under a duty to make a prohibited steps order.

LORD MESTON

15 Clause 3, page 5, line 41, leave out “4 years or more” and insert “more than six months”

Member's explanatory statement

This amendment seeks to increase the number of people to whom Clause 3 applies.

LORD MURRAY OF BLIDWORTH

16 Clause 3, page 6, line 20, after “justice” insert “or that it would not be in the child’s best interests”

Member's explanatory statement

This amendment would enable the Crown Court to take into account the best interests of the relevant child as well as the interests of justice when deciding whether to make an order.

LORD MESTON

17 Clause 3, page 6, line 20, at end insert –

“(4A) The Crown Court must notify the relevant local authority that the order has been made and provide a copy of the order.

- (4B) Notification under subsection (4A) must be given before the end of the period of seven days beginning with the day after the day on which the prohibited steps order was made.
- (4C) The local authority must notify all persons who hold parental responsibility for the child or children named in the prohibited steps order as soon as is reasonably practicable but in any event within 14 days beginning with the day after the day on which the Crown Court notifies the local authority under subsection (4A)."

Member's explanatory statement

This amendment seeks to ensure that the other parent and any other holder of parental responsibility is promptly and properly informed that the order has been made.

LORD KEEN OF ELIE
LORD SANDHURST

18★ Clause 3, page 6, leave out line 23

Member's explanatory statement

This amendment ensures that a prohibited steps order will not apply to someone acquitted of sexual offences

LORD MESTON

19 Clause 3, page 6, line 25, leave out “4 years or more” and insert “more than six months”

LORD KEEN OF ELIE
LORD SANDHURST

20★ Clause 3, page 6, line 27, at end insert –

“(5A) A prohibited steps order made under this section ceases to have effect if the offender is acquitted of the offence on appeal”

Member's explanatory statement

This amendment ensures that a prohibited steps order ceases to have effect if the offender is acquitted on appeal.

LORD MESTON

21 Clause 3, page 6, line 42, at end insert –

““relevant local authority” means –

- (a) where the child with respect to whom the order was made is ordinarily resident within the area of a local authority in England or Wales, that local authority;

(b) where the child with respect to whom the order was made does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority.”

LORD KEEN OF ELIE
LORD SANDHURST

22★ Clause 3, page 7, line 1, leave out “amend” and insert “expand”

Member's explanatory statement

This amendment enables the Secretary of State to expand rather than amend the list of offences by regulations.

LORD MESTON

23 Clause 3, page 7, line 2, at end insert –

“10CA Evidence of parental responsibility

- (1) Evidence of any parental responsibility held by the offender for each child must be provided in the pre-sentence report.
- (2) The probation service must liaise with the local authority in the area where the child is living to ascertain whether the offender holds parental responsibility for any child and if so, to obtain evidence of that parental responsibility.
- (3) The evidence will comprise of the documents listed in subsections (4) to (11).
- (4) Where the offender is the father and has parental responsibility under section 2(1) by being married to or in a civil partnership with the mother –
 - (a) a copy of the marriage certificate or civil partnership certificate, and
 - (b) a copy of the birth certificate for each relevant child.
- (5) Where the offender is a female parent and has parental responsibility under section 2(1A) by being married to or in a civil partnership with the birth mother –
 - (a) a copy of the marriage certificate or civil partnership certificate, and
 - (b) a copy of the birth certificate for each relevant child.
- (6) Where the offender is an unmarried father who has acquired parental responsibility under section 4, a copy of –
 - (a) the birth certificate showing the offender as the registered father for each child,
 - (b) the Parental Responsibility Agreement in the prescribed form which has been registered with the Central Family Court for each child, or
 - (c) the Parental Responsibility Order for each child,
and a copy of the birth certificate for each relevant child.

- (7) Where the offender is a second female parent who has acquired parental responsibility under section 4ZA, a copy of—
 - (a) the birth certificate showing the offender as a registered parent for each child,
 - (b) the Parental Responsibility Agreement in the prescribed form which has been registered with the Central Family Court for each child, or
 - (c) the Parental Responsibility Order for each child,
and a copy of the birth certificate for each relevant child.
- (8) Where the offender is a step-parent who has acquired parental responsibility under section 4A, a copy of—
 - (a) the Parental Responsibility Agreement in the prescribed form and registered with the Central Family Court, or
 - (b) the Parental Responsibility Order,
and a copy of the birth certificate for each child.
- (9) Where the offender acquired parental responsibility by appointment as a guardian for the child or children, where appointed by—
 - (a) the court under section 5(1), a copy of the court order, or
 - (b) a parent, under section 5(3) or a guardian or special guardian under section 5(4) to take effect on their death, a copy of the appointment and death certificate of the appointor,
and a copy of the birth certificate for each child.
- (10) Where the offender acquired parental responsibility by appointment as a Special Guardian under section 14A—
 - (a) a copy of the Special Guardianship Order, and
 - (b) a copy of the birth certificate for each child.
- (11) Where the offender acquired parental responsibility under section 12(2) or section 12(2A)—
 - (a) a copy of the Child Arrangements Order granting the parental responsibility, and
 - (b) a copy of the birth certificate for each child.”

Member's explanatory statement

As the prohibited steps order is to be made by the criminal court at the point of sentencing, the evidence of any parental responsibility held by the offender will have to be ascertained and included in the pre-sentence report.

LORD KEEN OF ELIE
LORD SANDHURST

24★

Clause 3, page 7, leave out line 8

Member's explanatory statement

This amendment probes the rationale behind section 10D operating for those acquitted of sexual offences.

LORD MURRAY OF BLIDWORTH

25 Clause 3, page 7, line 11, at end insert—

“(1A) If the condition in subsection (1)(a) is met, and the effect of the prohibited steps order is that no one who has parental responsibility for the child is able to take steps to meet that responsibility, the local authority that is the relevant local authority at the time the order is made must make an application to the court (as defined in section 92(7)) to review the order.”

Member's explanatory statement

This amendment would require that if the effect of a prohibited steps order was that no one was able to exercise parental responsibility for a child without the consent of a court, the relevant local authority would be obliged to apply to the court to review the order.

LORD MESTON

26 Clause 3, page 7, line 23, leave out from “authority” to end of line 30 and insert “has the meaning given in section 10C(10).”

Schedule 1

LORD MESTON

27 Schedule 1, page 21, line 2, at end insert—

“(oa) section 15A (sexual communication with a child);”

Member's explanatory statement

This amendment would include in the Schedule the offence referred to if the threshold under Clause 3 is lowered.

Clause 4

LORD MURRAY OF BLIDWORTH

28 Clause 4, page 8, line 19, after “justice” insert “or that it would not be in the child’s best interests”

Member's explanatory statement

This amendment would enable the Crown Court to take into account the best interests of the relevant child as well as the interests of justice when deciding whether to make an order.

LORD MESTON

29 Clause 4, page 8, line 19, at end insert—

“(4A) The Crown Court must notify the relevant local authority that the order has been made and provide a copy of the order.

- (4B) Notification under subsection (4A) must be given before the end of the period of 7 days beginning with the day after the day on which the prohibited steps order was made.
- (4C) The local authority must notify the victim of the rape of the prohibited steps order as soon as is reasonably practicable but in any event within 14 days beginning with the day after the day on which Crown Court notifies the local authority under subsection (4A)."

Member's explanatory statement

This amendment ensures that the victim of the rape is promptly and properly informed that the order has been made. The local authority is best placed to give such information and to explain the effect of the order to the victim.

LORD KEEN OF ELIE
LORD SANDHURST

30★ Clause 4, page 8, leave out lines 20 to 22

Member's explanatory statement

This amendment ensures that a prohibited steps order ceases to have effect if the offender is acquitted of an offence on appeal.

LORD KEEN OF ELIE
LORD SANDHURST

31★ Clause 4, page 8, line 22, at end insert –

- “(5A) A prohibited steps order made under this section ceases to have effect if the offender is acquitted of the offence on appeal.”

Member's explanatory statement

This amendment ensures that a prohibited steps order ceases to have effect if the offender is acquitted on appeal.

LORD KEEN OF ELIE
LORD SANDHURST

32★ Clause 4, page 9, leave out line 40

Member's explanatory statement

This amendment probes the rationale behind section 10G operating for those acquitted of the offence following an appeal.

LORD MURRAY OF BLIDWORTH

33 Clause 4, page 9, line 40, at end insert –

“(1A) If the condition in subsection (1)(a) is met, and the effect of the prohibited steps order is that no one who has parental responsibility for the child is able to take steps to meet that responsibility, the local authority that is the relevant local authority at the time the order is made must make an application to the court (as defined in section 92(7)) to review the order.”

Member's explanatory statement

This amendment would require that if the effect of a prohibited steps order was that no one was able to exercise parental responsibility for a child without the consent of a court, the relevant local authority would be obliged to apply to the court to review the order.

After Clause 4

LORD MESTON
BARONESS BRINTON

34 After Clause 4, insert the following new Clause –

“Restricting parental responsibility where one parent is convicted of the attempted murder of the other parent

In section 18(3) of the Victims and Prisoners Act 2024 (restricting parental responsibility where one parent kills the other), in inserted section 10A(1)(b) (duty of Crown Court to make prohibited steps order), after “murder” insert “or attempted murder”.”

Member's explanatory statement

This amendment extends Jade's law enacted by section 18 of the Victims and Prisoners Act 2024 to cover convictions for attempted murder.

LORD KEEN OF ELIE
LORD SANDHURST

35★ After Clause 4, insert the following new Clause –

“Restricting parental responsibility of offenders convicted of child cruelty

After section 10G of the Children Act 1989 (review of orders made under section 10E or following an application under section 10F) (inserted by section 4), insert –

“10H Duty to make prohibited steps order where serious child cruelty is committed

(1) This section applies where –

(a) the Crown Court sentences a person (“the offender”) for an offence listed in subsection 10 for a term of imprisonment of 2 years or more, and

- (b) the offender has parental responsibility for at least one child.
- (2) The Crown Court must make a prohibited steps order with respect to each child for whom the offender has parental responsibility.
- (3) The order must—
 - (a) specify that no step of any kind which could be taken by a parent in meeting their parental responsibility for a child may be taken by the offender with respect to the child without the consent of the High Court or the family court, and
 - (b) be made to have effect until the order is varied or discharged by the High Court or the family court.
- (4) But the Crown Court must not make a prohibited steps order under this section if—
 - (a) making the order is prohibited by section 29(3) of the Adoption and Children Act 2002,
 - (b) a prohibited steps order is already in force that meets the requirements in subsection (3), or
 - (c) it appears to the Crown Court that it would not be in the interests of justice to do so.
- (5) A prohibited steps order made under this section ceases to have effect if the offender is acquitted of the offence on appeal
- (6) Sections 1, 7 and 11 do not apply where the Crown Court proceeds under this section.
- (7) A prohibited steps order made under this section is to be treated for the purposes of section 31F(6) of the Matrimonial and Family Proceedings Act 1984 (proceedings and decisions) as if it were made by the family court.
- (8) The Crown Court does not have jurisdiction to entertain any proceedings in connection with the enforcement of a prohibited steps order made under this section.
- (9) A reference in this Act to an order under this section includes, so far as the context permits, an order varying or discharging it.
- (10) The relevant offences for subsection (1) 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 apply similar provisions, including prohibited steps orders, from Clause 3 to certain offenders of child cruelty.

Clause 6

LORD KEEN OF ELIE
LORD SANDHURST

36★ Clause 6, page 12, line 20, at end insert –

“(d) the National Crime Agency.”

Member's explanatory statement

This amendment adds the National Crime Agency to the list of relevant bodies.

After Clause 7

LORD KEEN OF ELIE
LORD SANDHURST

37 After Clause 7, insert the following new Clause –

“Extension of Victim Contact Scheme

- (1) The Secretary of State must ensure that the Victim Contact Scheme is made available to –
 - (a) victims of offenders sentenced to less than 12 months for violent and sexual offences,
 - (b) victims in cases involving coercive or controlling behaviour, stalking, or harassment, and
 - (c) bereaved families in manslaughter or death by dangerous driving cases.
- (2) The Secretary of State must ensure that information under the Victim Contact Scheme is communicated in a timely and trauma-informed manner.
- (3) The Secretary of State must publish data each year on uptake and accessibility of the Victim Contact Scheme.”

Member's explanatory statement

This new clause would require the Secretary of State to extend the Victim Contact Scheme to certain categories of victim. It would also ensure information is provided in a timely, trauma-informed way and require annual reporting on the Scheme's uptake and accessibility.

BARONESS BRINTON
BARONESS HAMWEE

38 After Clause 7, insert the following new Clause—

“Duty to commission support services for caregivers of victims of abuse and exploitation

- (1) This section applies in respect of victims of offences relating to—
 - (a) domestic abuse,
 - (b) sexual violence, or
 - (c) child criminal exploitation, where the victim—
 - (i) at the time of the offence, was under the age of 18, or
 - (ii) is an adult at risk of harm.
- (2) It is the duty of relevant authorities to commission sufficient and specific services for the parent, guardian or person who has responsibility for the victim under subsection (1) for the purpose of securing the rights of the victim under the Victims Code of Practice for England and Wales.
- (3) Victim is defined as outlined in Section 1 of the Victims and Prisoners Act 2024.
- (4) The services commissioned and provided under subsection (2) must be—
 - (a) appropriate to the needs of the caregiver in supporting the victim,
 - (b) trauma-informed and culturally competent, and
 - (c) accessible without unreasonable delay or procedural burden.
- (5) In exercising their duty under this section, relevant authorities must have regard to guidance issued by the Secretary of State.
- (6) The Secretary of State must publish such guidance within six months of the passing of this Act, following consultation with relevant stakeholders including—
 - (a) victim support organisations,
 - (b) organisations representing children and vulnerable adults, and
 - (c) persons with the lived-experience of the effects of sexual or violent offences.
- (7) In this section—
 - “child criminal exploitation” has the meaning given in the Crime and Policing Act 2026;
 - “adult at risk of harm” means a person aged 18 or over who—
 - (a) has needs for care and support,
 - (b) is experiencing, or is at risk of, abuse or neglect, and
 - (c) as a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it;

“relevant authorities” has the meaning given in section 13 of the Victims and Prisoners Act 2024.”

Member's explanatory statement

This amendment places a duty on relevant authorities to provide specific services to the parent, guardian or person who has responsibility for a victim of domestic abuse, sexual violence or child criminal exploitation for the purposes of securing the rights of the victim under the Victims Code.

LORD KEEN OF ELIE
LORD SANDHURST

39 After Clause 7, insert the following new Clause—

“Victim personal statements

- (1) The Secretary of State must, within six months of the passing of this Act, issue revised guidance on the content of victim personal statements.
- (2) The revised guidance issued under subsection (1) must stipulate that when making a victim personal statement, a victim must be able to say anything they wish about the defendant, provided it is not contrary to any statutory limitations on free speech, makes allegations of untried criminal conduct or is disorderly language.
- (3) The court must disregard any prejudicial comments made during a victim personal statement.”

Member's explanatory statement

This new clause would require the Secretary of State to review how to make victim personal statements less restrictive and clarify what can be included.

LORD GARNIER

40 After Clause 7, insert the following new Clause—

“Compensation for victims of fraud and other economic crimes

- (1) The Secretary of State must, within one year of the passing of this Act, lay before Parliament a review of victims of fraud, bribery and money laundering offences.
- (2) The purpose of the review under subsection (1) is to identify how victims of such economic crimes could be better compensated without such victims needing to pursue civil action.
- (3) The Secretary of State must provide for a public consultation on the review.
- (4) In this section “victims of economic crime” includes United Kingdom and overseas victims of complex corruption cases where the harm caused by the offending is not easily quantifiable.”

Member's explanatory statement

This new clause requires a review to explore how domestic and overseas victims of fraud, bribery and money laundering offences could be better compensated without the need for civil proceedings to recover their losses or compensation.

BARONESS BRINTON
BARONESS HAMWEE

41 After Clause 7, insert the following new Clause—

“Access to free court transcripts for victims

- (1) Victims of criminal offences shall be entitled to receive, without charge, court transcripts of—
 - (a) sentencing remarks;
 - (b) judicial summings-up;
 - (c) bail decisions and conditions relevant to their case.
- (2) The Secretary of State must ensure that such transcripts are provided within 14 days of a request.
- (3) The duty under subsection (1) shall apply irrespective of whether the victim gave evidence in the case.”

Member's explanatory statement

This new clause would give victims a right to receive, free of charge, court transcripts of sentencing remarks, judicial summings-up, and bail decisions relevant to their case. It requires that transcripts be provided within 14 days of a request and clarifies that this right applies whether or not the victim gave evidence in the case.

BARONESS BRINTON
BARONESS FINLAY OF LLANDAFF

42 After Clause 7, insert the following new Clause—

“Application of the victims' code in respect of victims of murder, manslaughter or infanticide abroad

- (1) The Victims and Prisoners Act 2024 is amended as follows.
- (2) After section 4, insert—

“4A Application of the victims' code in respect of victims of murder, manslaughter or infanticide of a close family member abroad

- (1) This section relates to victims as defined under section 1(2)(c) who are close family members of a British National resident in England and Wales who was the victim of—
 - (a) murder,
 - (b) manslaughter, or

- (c) infanticide,
committed outside the United Kingdom.
- (2) The Secretary of State must by regulations issue an appendix to the victims' code, setting out how the code applies to victims in the circumstances set out in subsection (1).
- (3) The appendix must set out the services to be provided to victims as defined under subsection (1) by those persons based in England and Wales appearing to the Secretary of State to have functions of a public nature relating to—
 - (a) victims, or
 - (b) any aspect of the criminal justice system.
- (4) The appendix must make provision for services based in England and Wales which reflect the principles that victims require—
 - (a) information to help them understand the criminal justice process,
 - (b) access to services within England and Wales which provide them with emotional and practical support (including, where appropriate, specialist services),
 - (c) in circumstances where the criminal justice process is engaged in England and Wales, the opportunity to make their views heard in the criminal justice process, and
 - (d) the ability to challenge decisions which have a direct impact on them.
- (5) In setting out the services to be provided to victims under this section, the Secretary of State must specify the following—
 - (a) how such services will be provided with accessible information;
 - (b) how they access emotional and practical support.””

Member's explanatory statement

This new clause requires the Secretary of State to create an appendix to the Victims' Code which outlines how the code applies to victims whose close relative was the victim of murder, manslaughter or infanticide outside the UK.

BARONESS BRINTON
BARONESS JONES OF MOULSECOOMB
BARONESS HAMWEE

43

After Clause 7, insert the following new Clause—

“Right to referral to restorative justice services

- (1) A victim of an offence has the right, at any stage following the commission of the offence, to receive from a relevant criminal justice body—
 - (a) information about the availability and purpose of restorative justice services, and
 - (b) a meaningful referral to restorative justice services, where those services are available.

- (2) A referral under subsection (1) must be made—
 - (a) as soon as is reasonably practicable after the offender is identified, and
 - (b) at subsequent appropriate stages of the criminal justice process (including pre-charge, post-charge, and post-conviction) or if requested by the victim.
- (3) In exercising the right under this section, a victim must at all times give informed consent, and participation in any restorative justice process shall be voluntary.
- (4) A relevant criminal justice body must maintain a record (in such form as may be prescribed by regulations made by statutory instrument) of—
 - (a) the times when referrals under subsection (1) are made, and
 - (b) statistical information on how many victims accept, decline, or do not respond to referrals.
- (5) For the purposes of this section, “relevant criminal justice body” includes (but is not limited to)—
 - (a) the police;
 - (b) the Crown Prosecution Service;
 - (c) His Majesty’s Prison and Probation Service;
 - (d) the Courts;
 - (e) commissioned victim service providers.
- (6) The victims’ code must include provision consistent with this section for—
 - (a) the form, timing, and content of information to be given to victims about restorative justice,
 - (b) mechanisms and standards for referral and re-referral, and
 - (c) oversight and review of compliance with this section.
- (7) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section “restorative justice services” means services facilitating a process through which a victim and offender (or their representatives) may, with appropriate support, voluntarily engage to deal with the harm arising from the offence by means of a facilitated dialogue or meeting such as conferencing, or indirect exchanges of communication via trained practitioners.”

Member's explanatory statement

This new clause seeks to strengthen victims' statutory rights to access restorative justice services.

BARONESS BRINTON
 BARONESS JONES OF MOULSECOOMB
 BARONESS HAMWEE

44 After Clause 7, insert the following new Clause—

“Duty to report on the use of restorative justice services

- (1) The Secretary of State must, within a year of the passing of this Act, undertake an assessment of the use of restorative justice services by victims in England and Wales.
- (2) The assessment under subsection (1) must consider—
 - (a) the level of use of restorative justice services,
 - (b) recommendations for increasing the use of restorative justice services, and
 - (c) any other matters that the Secretary of State deems appropriate.
- (3) The Secretary of State must lay a copy of the assessment before Parliament.
- (4) In this section “restorative justice services” means services facilitating a process through which a victim and offender (or their representatives) may, with appropriate support, voluntarily engage to deal with the harm arising from the offence by means such as mediation, conferencing, or reparation, under standards of safety and fairness.”

Member's explanatory statement

This new clause would require the Secretary of State to carry out an assessment of the level of use of restorative justice services, and make recommendations for increasing their use.

BARONESS GOUDIE
 BARONESS JONES OF MOULSECOOMB

45 After Clause 7, insert the following new Clause—

“Victim navigators

- (1) The Secretary of State must, within six months of the passing of this Act, make provision for each police force in England and Wales to have access to one or more independent victim navigators.
- (2) The purpose of an independent victim navigator under subsection (1) is to—
 - (a) liaise between the police force and potential victims of offences relating to slavery or human trafficking, and
 - (b) assist in the provision of specialist advice for either the police force or the potential victims.
- (3) The Secretary of State may by regulations provide further guidance on the functions of independent victim navigators
- (4) Regulations under this section shall be made by statutory instrument, and may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.”

Member's explanatory statement

This new clause seeks to implement the recommendation of the House of Lords Committee on the Modern Slavery Act 2015 (HL Paper 8) by introducing provisions for Independent Victim Navigators to be in operation on a national level in England and Wales, acting as a liaison between the police and potential victims of slavery or human trafficking in accessing the appropriate support.

BARONESS BRINTON
LORD RUSSELL OF LIVERPOOL

46 After Clause 7, insert the following new Clause—

“Child sexual abuse victims and the Criminal Injuries Compensation Scheme

- (1) The Secretary of State must amend the Criminal Injuries Compensation Scheme to—
 - (a) widen eligibility for compensation to all victims of child sexual abuse, including online-facilitated sexual abuse,
 - (b) ensure applicants with unspent convictions are not automatically excluded where offences are linked to the circumstances of their sexual abuse as a child, and
 - (c) increase the time limit for applications for compensation from victims of child sexual abuse to seven years from—
 - (i) the date the offence was reported to the police, or
 - (ii) the age of 18, where the offence was reported while the victim was a child.
- (2) The Secretary of State must lay before Parliament a new draft of the Criminal Injuries Compensation Scheme within six months of this section coming into force.”

Member's explanatory statement

This new clause would widen eligibility for compensation to the Criminal Injuries Compensation Scheme to all victims of child sexual abuse.

LORD RUSSELL OF LIVERPOOL
BARONESS KIDRON

47★ After Clause 7, insert the following new Clause—

“Compensation for victims of online child sexual abuse

In exercising functions under the Criminal Injuries Compensation Scheme, the Secretary of State must assess whether conduct constituting online child sexual abuse may amount to a crime of violence where such conduct involves—

- (a) coercion, threats, and domination;
- (b) compelled actions, such as the creation or sharing of sexual images, live-streamed sexual activity, or other sexual acts directed by an offender

against the child resulting in injury, irrespective of the physical proximity between victim and perpetrator.”

Member's explanatory statement

This amendment would create a narrow and legally defensible clarification to support recognition of certain forms of online-only child sexual abuse (CSA), the scale of which is increasing year on year, which currently fall outside the scope of recognition of the Criminal Injuries Compensation Scheme.

Schedule 2

LORD KEEN OF ELIE
LORD SANDHURST

48★ Schedule 2, page 22, line 6, leave out from “in” to end of line 13 and insert “Schedule 6A.”

Member's explanatory statement

This amendment broadens the cohort to whom Section 35 (victims' rights to make representations and receive information) of the Domestic Violence, Crime and Victims Act 2004 applies to include any victims listed in Schedule 6A. It also probes the rationale behind the three part categorisation of crimes in Schedule 6A.

LORD KEEN OF ELIE
LORD SANDHURST

49★ Schedule 2, page 22, line 7, leave out from “and” to the end of line 10

Member's explanatory statement

This amendment broadens the cohort to whom Section 35 (victims' rights to make representations and receive information) of the Domestic Violence, Crime and Victims Act 2004 applies to include any victims listed in Part 1 of Schedule 6A.

LORD KEEN OF ELIE
LORD SANDHURST

50★ Schedule 2, page 38, leave out lines 13 to 28 and insert –

“(a) a person is convicted of an offence listed in Schedule 6A.”

Member's explanatory statement

This amendment broadens the cohort of victims that can access the helpline scheme to request information about offenders. It also probes the rationale behind the three part categorisation of crimes in Schedule 6A.

LORD KEEN OF ELIE
LORD SANDHURST

51★ Schedule 2, page 38, line 15, leave out from “and” to the end of line 18

Member's explanatory statement

This amendment broadens the cohort of victims that can access the helpline scheme to request information about offenders to include victims whose offenders are serving suspended sentences or community orders.

LORD KEEN OF ELIE
LORD SANDHURST

52★ Schedule 2, page 38, line 20, leave out from “6A” to the end of line 22

Member's explanatory statement

This amendment broadens the cohort of victims that can access the helpline scheme to request information about offenders to include victims whose offenders are serving suspended sentences or community orders.

LORD KEEN OF ELIE
LORD SANDHURST

53★ Schedule 2, page 38, line 26, leave out from “Act)” to the end of line 28

Member's explanatory statement

This amendment broadens the cohort of victims that can access the helpline scheme to request information about offenders to include victims whose offenders are serving suspended sentences or community orders.

LORD KEEN OF ELIE
LORD SANDHURST

54★ Schedule 2, page 39, line 13, insert –

“(4) If unsatisfied, the person who made the request for information can appeal to Senior Probation Officers to provide further information which they consider appropriate.”

Member's explanatory statement

This amendment proves what mechanisms are available for the victim, or the person acting for the victim, to hold a provider of probation services accountable.

LORD PONSONBY OF SHULBREDE
BARONESS BRINTON
LORD RUSSELL OF LIVERPOOL

55★ Schedule 2, page 57, line 23, at end insert –

“44NA Information sharing under sections 44F and 44K: safeguarding victims

In respect of sections 44F and 44K, for the purposes of determining whether it is appropriate to share information with the provider of probation services

or the person who has made the information request, the hospital manager must consider the following –

- (a) the need to safeguard victims from further physical or psychological harm;
- (b) whether refusal to share the information could lead to the victim experiencing further physical or psychological harm, and
- (c) whether refusal to share the information could mean that victim is less able to safety plan or otherwise mitigate the likelihood of suffering further physical or psychological harm.”

Member's explanatory statement

This amendment will ensure hospital managers balance the needs of the victim with the patients, including considering the risk of further physical or psychological harm is the information is not provided upon request.

LORD PONSONBY OF SHULBREDE
BARONESS BRINTON
LORD RUSSELL OF LIVERPOOL

56★ Schedule 2, page 57, line 23, at end insert –

“44NA Reasons for not providing information under sections 44F and 44K

- (1) Where the hospital manager determines it is inappropriate to provide the provider of probation services or the person who made the information request with the information either partially or in its entirety, they must, with reference to the factors in section 44O and any other factors they deem relevant, provide the provider of probation services or the person who made the information request with their reasons for determining it was not appropriate to provide the information in its entirety.
- (2) The reasons under subsection (1) must be provided –
 - (a) in writing, and
 - (b) within 14 days of the decision being made.”

Member's explanatory statement

This amendment will ensure hospital managers provide written reasons for their decision to not provide information to the person who made the request, or the provider of probation services.

LORD PONSONBY OF SHULBREDE
BARONESS BRINTON
LORD RUSSELL OF LIVERPOOL

57★ Schedule 2, page 57, line 23, at end insert –

“44NA Information requests under sections 44F and 44K: route of appeal

- (1) In respect of sections 44F and 44K, the Secretary of State for Justice in consultation with the Secretary of State for Health must create a route of appeal for providers of probation services or persons who have made the

information request, where the hospital manager has determined that it is not appropriate to share the information requested in its entirety.

- (2) The appeal scheme must incorporate the following—
 - (a) an independent adjudicator who can balance the rights of victims to information with the right to privacy of the patient who is the subject of the information request;
 - (b) a time limit of not less than 21 days from notification of the decision not to share information for the provider of probation services or the person requesting the information to submit the appeal, and
 - (c) a time limit of not more than 28 days for the adjudicator to determine the outcome of the appeal and notify the appellant.

44NB Route of appeal: guidance

- (1) The Secretary of State must issue guidance about the operation of the appeal process under section 44NA.
- (2) Before issuing guidance under this section, the Secretary of State must consult the Commissioner for Victims and Witnesses and such other persons as the Secretary of State considers appropriate (and it is immaterial for these purposes whether the consultation is carried out before or after this section comes in force)."

Member's explanatory statement

This amendment creates an independent appeals process for decisions by hospital managers not to disclose information requested under sections 44F or 44K. It enables victims or probation providers to challenge such decisions and requires guidance to be issued on how the process will operate.

Before Clause 8

LORD KEEN OF ELIE
LORD SANDHURST

58★ Before Clause 8, insert the following new Clause—

“Functions of Commissioner: protecting those assisting victims of crime

- (1) Section 49 (*General functions of Commissioner*) of the Domestic Violence, Crime and Victims Act 2004 is amended as follows.
- (2) After subsection (1)(a) insert—

“(aa) take such steps as the Commissioner considers appropriate to support or protect individuals who act in good faith to assist victims of crime, where those doing so promote the interests of victims and witnesses or encourage good practice in the treatment of victims and witnesses.”

(3) After subsection (2) insert—

“(2A) For the purposes of subsection (1)(aa), steps taken by the Commissioner may include reporting, making recommendations, or consulting with relevant authorities regarding individuals who assist victims to promote good practice and victim protection.””

Member's explanatory statement

This amendment clarifies that the Victims' Commissioner may take discretionary steps to support individuals who assist victims of crime, as part of their statutory role promoting the interests of victims and witnesses.

Clause 8

LORD KEEN OF ELIE
LORD SANDHURST

59★ Clause 8, page 13, line 6, leave out from “subsection,” to end of line 7 and insert “omit paragraph (a)”

Member's explanatory statement

This amendment removes the statutory restriction preventing the Victims' Commissioner from exercising functions in relation to an individual victim or witness

LORD KEEN OF ELIE
LORD SANDHURST

60★ Clause 8, page 13, line 6, before “, except” insert “in relation to ongoing criminal proceedings”

Member's explanatory statement

This amendment limits the restriction on the Victims' Commissioner exercising functions in individual cases to circumstances where there are ongoing criminal proceedings, allowing greater engagement with victims and witnesses outside live court processes.

Clause 11

LORD KEEN OF ELIE
LORD SANDHURST

★ *The above-named Lords give notice of their intention to oppose the Question that Clause 11 stand part of the Bill.*

Clause 12

LORD KEEN OF ELIE
LORD SANDHURST

★ *The above-named Lords give notice of their intention to oppose the Question that Clause 12 stand part of the Bill.*

After Clause 12

BARONESS CHAKRABARTI
LORD ARBUTHNOT OF EDROM
LORD BEAMISH
BARONESS KIDRON

61 After Clause 12, insert the following new Clause—

“Removal of presumption of computer reliability

- (1) Section 69 of the Police and Criminal Evidence Act 1984 is reinstated.
- (2) Section 60 of the Youth Justice and Criminal Evidence Act 1999 is repealed.”

Member's explanatory statement

This new clause removes the statutory rebuttable presumption that a computer system is working correctly for the purposes of criminal evidence produced by it. Instead, prosecutors would have to offer a reasonable demonstration of the reliability of any relevant hardware and software on which it proposes to rely, thus giving the defence an opportunity to scrutinise and challenge the same.

BARONESS CHAKRABARTI
BARONESS LAWRENCE OF CLARENDON

62 After Clause 12, insert the following new Clause—

“Creative and artistic expression: admissibility in criminal proceedings

- (1) Evidence of a person's creative or artistic expression, whether original or derivative, shall not be admissible in evidence against that person or another person in criminal proceedings unless the conditions in subsection (2) are met.
- (2) The conditions in this subsection are that the court is satisfied to the criminal standard that—
 - (a) the expression has a literal, rather than figurative or fictional, meaning,
 - (b) where the expression is derivative, the person who created the derivative work intended to adopt the literal meaning of the work as that person's own thought or statement,
 - (c) the expression refers to the specific facts of the crime alleged,
 - (d) the evidence is relevant to an issue of fact that is disputed, and
 - (e) it is necessary to admit the evidence as the issue cannot be proven by other evidence.

- (3) In deciding whether the conditions in subsection (2) are met, the court must have regard to the linguistic and artistic conventions of the expression, the social and cultural context of the expression, and the context in which the expression was created, including (but not limited to) –
 - (a) the extent to which the expression conforms to the conventions of its genre;
 - (b) when the expression was created and whether it was created before or after the crime alleged;
 - (c) where the expression takes the form of written or spoken words, who wrote the words;
 - (d) where the expression takes the form of lyrics or music, how the creator intended it to sound or be heard by the listener;
 - (e) where the expression takes the form of a video, the role played by the relevant participant, with mere presence not being sufficient;
 - (f) where the party making the application seeks to rely on an excerpt from the expression, how that excerpt fits into the broader context of the expression;
 - (g) whether the expression contains information not readily available to the individual(s) it would be used against.
- (4) The court shall not make a determination under subsection (2) except on the written or oral evidence of an independent expert who, in the opinion of the court, is suitably qualified to give evidence about the linguistic and artistic conventions and the social and cultural context of the creative or artistic expression.
- (5) When a court admits evidence of a person's creative or artistic expression in criminal proceedings under this section, it must redact any part of the evidence in respect of which, in the opinion of the court, its prejudicial effect outweighs its probative value.
- (6) When a court admits evidence of a person's creative or artistic expression in a trial on indictment under this section, the judge must give such directions to the jury as they think necessary to ensure that the jury's consideration of that evidence is not influenced by racial or other stereotypes.”

Member's explanatory statement

This new clause attempts to prevent unjust criminal convictions obtained by prejudicial over-reliance on a person's musical taste as probative of criminal proclivity or intent.

LORD RUSSELL OF LIVERPOOL
BARONESS BRINTON

63★

After Clause 12, insert the following new Clause –

“Discontinuance of proceedings: victims' right to review

- (1) The Prosecution of Offences Act 1985 is amended as follows.
- (2) In section 23A (Discontinuance of proceedings after accused has been sent for trial), subsection (2), omit “indictment is preferred” and insert “start of the trial on indictment, as defined in section 22(11A) of this Act.””

Member's explanatory statement

This amendment would extend the period a case can be discontinued in the Crown Court, to bring it in line with the Magistrates Court. This would mean that the CPS could discontinue a case at the Crown Court with the option to reopen it following a successful VRR, if it concludes that it made an error stopping the prosecution.

Clause 13

LORD KEEN OF ELIE
LORD SANDHURST

64 Clause 13, page 16, line 36, at end insert –

“(aa) in that sub-paragraph for “28” substitute “56”,”

Member's explanatory statement

This amendment increases the window for applying to the Unduly Lenient Sentences Scheme from 28 days to 56 days.

LORD KEEN OF ELIE
LORD SANDHURST

65 Clause 13, page 16, line 38, after “(2)” insert “unless an application is made by a victim, or the deceased victim’s next of kin, in which case notice of an application shall be given within 56 days”

Member's explanatory statement

This amendment increases the window for applying to the Unduly Lenient Sentences Scheme to 56 days for a victim of a crime or a deceased victim’s next of kin.

LORD KEEN OF ELIE
LORD SANDHURST

66 Clause 13, page 17, line 6, leave out “28-day” and insert “56-day”

After Clause 14

LORD KEEN OF ELIE
LORD SANDHURST

67 After Clause 14, insert the following new Clause –

“Sentencing guidelines on court fines

Within 18 months of the day on which this Act is passed, the Sentencing Council must revise relevant sentencing guidelines so that the court must award compensation to a victim to the value of items stolen when imposing compensation

for the offence of theft, burglary, fraud, or any other crime that has resulted in a financial loss to the victim.”

Member's explanatory statement

This new clause would require the Sentencing Council to revise sentencing guidelines so that a court must impose compensation commensurate to the value of stolen items when issuing fines.

BARONESS SATER
LORD GARNIER
LORD PONSONBY OF SHULBREDE

68 After Clause 14, insert the following new Clause—

“Dealing with offenders for crimes committed as children

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

BARONESS BRINTON
LORD RUSSELL OF LIVERPOOL

69 After Clause 14, insert the following new Clause—

“Unduly lenient sentences: time limit

In paragraph 1 of Schedule 3 to the Criminal Justice Act 1988, at end insert “, subject to sub-paragraph 2.

- (2) The time limit of 28 days shall be extended in exceptional circumstances, which may include but not be limited to a failure of the relevant body to inform the victim and families of their rights under section 36 (reviews of sentencing).””

Member's explanatory statement

This amendment would allow for the 28-day timeframe to be extended in exceptional circumstances, and prompt criminal justice agencies to meet their obligation to inform of their rights and the tight time limit.

LORD KEEN OF ELIE
LORD SANDHURST

70★ After Clause 14, insert the following new Clause—

“Duty to collect and publish data on sentencing

- (1) Within 14 days of the conclusion of the passing of a sentence, the Crown Court must provide HM Courts and Tribunals Service (“HMCTS”) with information regarding—
 - (a) the offence category;

- (b) the sentence length;
- (c) such information about the sentenced individual as the Secretary of State may specify in regulations made by statutory instrument, but which must include –
 - (i) nationality,
 - (ii) sex at birth,
 - (iii) country of birth,
 - (iv) method of entry to the United Kingdom,
 - (v) visa route,
 - (vi) visa status, and
 - (vii) asylum status.

(2) HMCTS must collect and record the information set out in subsection (1) in a safe and secure manner.

(3) The Secretary of State must publish statistics on the information set out in subsection (1) no less than once every three months.

(4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This new clause would require HMCTS to collect data and other information on sentencing and sentenced offenders in the Crown Court, and would require the Government to publish statistics on that data every three months.

LORD KEEN OF ELIE
LORD SANDHURST

71★ After Clause 14, insert the following new Clause –

“Exemptions to early release for sex offenders and domestic abuses

In section 244ZA of the Sentencing Code (release on license of certain violent or sexual offenders), at the end insert –

“(9) The “requisite custodial period” in subsection (8) does not apply to any person convicted of –

- (a) a sexual offence, within the meaning of section 3 of the Sexual Offences Act 2003, or
- (b) an offence which constitutes domestic abuse within the meaning of section 1 of the Domestic Abuse Act 2021.””

Member's explanatory statement

This amendment would exempt sex offenders and domestic abusers being eligible from automatic early release at the one third point of their sentence.

LORD KEEN OF ELIE
LORD SANDHURST

72★ After Clause 14, insert the following new Clause—

“Notification of right to request review of sentence

- (1) Section 36 of the Criminal Justice Act 1988 (reviews of sentencing) is amended as follows—
- (2) After subsection (1), insert—

“(1A) The Crown Prosecution Service must write to a victim, or a deceased victim’s next of kin, within 10 working days of the sentence being delivered to make them aware of their ability to apply for a review of sentencing.””

Member's explanatory statement

This amendment would require the CPS to write to a victim, or a deceased victim’s next of kin, within 10 working days of a sentence being delivered to make them aware of their ability to apply for a review.

Victims and Courts Bill

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

5 February 2026

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