

Crime and Policing Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
10 February 2026*

[Amendments marked ★ are new or have been altered]

Clause 1

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 1, page 2, line 4, leave out “just and convenient” and insert “necessary and proportionate”

Member's explanatory statement

This amendment amends the test for imposing a respect order to require the court to be satisfied that it is necessary and proportionate to make the order for the purpose of preventing the respondent from engaging in anti-social behaviour.

LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 1, page 2, line 29, at end insert —

- “(8A) A relevant authority may not make an application for a respect order under this section unless the relevant local authority has complied with the requirements set out in subsection (8B).
- (8B) The requirements are that —
 - (a) the proposed terms of the order, including any prohibitions or requirements, and the evidence supporting the application, must have been subject to and approved by a vote of the Full Council of the local authority for the area to which the proposed order primarily relates, and

- (b) the local authority must have carried out a full public consultation regarding the proposed order, taking into account the representations received, before the application is made to the court.”

Member's explanatory statement

Many council areas have agreed that final approval for similar anti-social behaviour measures, such as public space protection orders, should be undertaken at Full Council level. This amendment is intended to add similar political accountability, scrutiny and sign-off for respect orders.

Clause 4

LORD CLEMENT-JONES

Clause 4, page 12, line 11, at end insert –

- “(5) For the purposes of this section, any authorised person or company issuing fixed penalty notices under the provisions listed in subsection (6) must not receive, directly or indirectly, any financial benefit that is contingent upon –
 - (a) the issuing of a fixed penalty notice, or
 - (b) the number or value of fixed penalty notices issued.
- (6) The provisions are –
 - (a) section 52, and
 - (b) section 6,
 of the Anti-social Behaviour, Crime and Policing Act 2014 (fixed penalty notices).
- (7) For the purposes of subsection (5), a financial benefit includes, but is not limited to –
 - (a) any commission, bonus, incentive payment, or performance-related remuneration;
 - (b) any benefit provided under a contract, arrangement, or understanding that links remuneration to enforcement outcomes;
 - (c) any financial profit accrued by an employer;
 - (d) any non-monetary benefit prescribed by regulations.
- (8) Any employer or person found to be in breach of subsection (5) may have their arrangements, accreditation or authorisation revoked by the chief officer of police or relevant local authority.”

Member's explanatory statement

This amendment seeks to ensure that any accredited or authorised person, and their employer, may not profit financially from the issuing of fixed penalty notices.

After Clause 9

EARL RUSSELL

After Clause 9, insert the following new Clause –

“Waste crime: NCA priority

In section 3 of the Crime and Courts Act 2013 (Strategic Priorities), after subsection (1) insert –

“(1A) When determining the strategic priorities of the NCA under subsection (1) the Secretary of State must determine that serious and organised waste crime is a strategic priority for the NCA, or any successor body, and ensure that it is included as a strategic priority for the agency when it issues its annual reports.””

Member's explanatory statement

This amendment would require the Secretary of State, when setting strategic priorities for the National Crime Agency under section 3 of the Crime and Courts Act 2013, to include serious and organised waste crime as one of those priorities.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★

After Clause 9, insert the following new Clause –

“Points on driving licence for fly tipping

In section 33(8) of the Environmental Protection Act 1990 (unauthorised disposal of waste: offence), at the end insert –

“and in either case is also liable to the endorsement of their driving record with 3 penalty points.””

Member's explanatory statement

This amendment seeks to add penalty points to the driving licence of a person convicted of a fly-tipping offence.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★

After Clause 9, insert the following new Clause –

“Seizure of vehicles in connection with a fly-tipping offence

In section 59 of the Police Reform Act 2002 (vehicles used in manner causing alarm, distress or annoyance), after subsection (1)(b) insert –

“(c) is being used or has been used in connection with an offence under section 33 of the Environmental Protection Act 1990

(prohibition on unauthorised or harmful deposit, treatment or disposal of waste),”

Member's explanatory statement

This amendment adds the offence of fly tipping to the list of offences for which vehicles may be seized.

Clause 27

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★ Clause 27, page 31, line 8, leave out “4” and insert “10”

Member's explanatory statement

This amendment increases the maximum sentence for the new offence of possession of an offensive weapon with intent to use unlawful violence.

Clause 36

LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 36, page 55, line 25, at end insert—

“(1A) Regulations made under subsection (1) must include provision requiring that any reportable sale must be notified to the person specified in the regulations in real time, or as soon as is reasonably practicable, and in any event no later than the delivery of the bladed articles or the end of the day on which the seller became aware that the sale constituted a reportable sale.”

Member's explanatory statement

This amendment requires regulations to ensure that reportable sales are made as soon as possible.

Clause 40

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★ Leave out Clause 40

Member's explanatory statement

This amendment would ensure that low-value shoplifting is to remain as a summary only offence, so as to not introduce greater burdens for the Crown Court.

Clause 58

BARONESS JONES OF MOULSECOOMB

- ★ Clause 58, page 74, line 15, after “(A)” insert “, who is aged 18 or over,”

Member's explanatory statement

This amendment, and others in the name of Baroness Jones of Moulsecoomb, seeks to ensure children are not held criminally responsible for cuckooing or coerced internal concealment offences.

Clause 61

BARONESS JONES OF MOULSECOOMB

- ★ Clause 61, page 76, line 19, after “(A)” insert “, who is aged 18 or over,”

Member's explanatory statement

This amendment, and others in the name of Baroness Jones of Moulsecoomb, seeks to ensure children are not held criminally responsible for cuckooing or coerced internal concealment offences.

BARONESS JONES OF MOULSECOOMB

- ★ Clause 61, page 76, line 30, after “(A)” insert “, who is aged 18 or over,”

Member's explanatory statement

This amendment, and others in the name of Baroness Jones of Moulsecoomb, seeks to ensure children are not held criminally responsible for cuckooing or coerced internal concealment offences.

Clause 62

BARONESS JONES OF MOULSECOOMB

- ★ Clause 62, page 78, line 10, leave out from “State” to end of line 11 and insert “must issue guidance to public authorities in England and Wales with statutory responsibilities to safeguard and promote the welfare of children under section 16E of the Children Act 2004 (local arrangements for safeguarding and promoting welfare of children) about —”

Member's explanatory statement

This amendment would ensure the Bill is accompanied by statutory guidance for all agencies with statutory safeguarding responsibilities for children and young people.

After Clause 97

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★

After Clause 97, insert the following new Clause –

“Rape of a child

Before section 9 of the Sexual Offences Act 2003 (sexual activity with a child) insert –

“8A Rape of a child

- (1) A person over the age of 18 (A) commits an offence if –
 - (a) A intentionally penetrates the vagina, anus or mouth, of another person (B) with A’s penis,
 - (b) B is under 16 and not under 13, and
 - (c) A does not reasonably believe that B is 16 or over.
- (2) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.”

Member's explanatory statement

This amendment would ensure that any adult who has sexual intercourse with a child under the age of 16 will always be charged with rape.

After Clause 105

BARONESS MACLEAN OF REDDITCH

After Clause 105, insert the following new Clause –

“Restriction on applying for gender recognition certificate

Any offender who has been convicted of a sexual offence under the Sexual Offences Act 2003 may not obtain a gender recognition certificate.”

Clause 111

BARONESS BRINTON
BARONESS DOOCEY

Clause 111, page 157, line 12, leave out “may” and insert “must”

Member's explanatory statement

This amendment would require the issuance of stalking guidance by the Secretary of State, mirroring the provisions for guidance within the Domestic Abuse Act 2021.

After Clause 116

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 116, insert the following new Clause –

“Consultation on guidance for serious self-harm offences

- (1) The Secretary of State must issue guidance regarding the application of sections 115 and 116 (encouraging or assisting serious self-harm).
- (2) Before issuing or revising any guidance under subsection (1), the Secretary of State must consult extensively with the following persons and organisations –
 - (a) representatives of self-harm support charities and organisations;
 - (b) mental health professionals, including those providing trauma-informed care and support;
 - (c) legal experts, including prosecutors and defence practitioners, regarding the application of the specific intent requirement;
 - (d) such other persons as the Secretary of State considers appropriate.
- (3) The guidance issued under this section must –
 - (a) clearly differentiate between conduct falling within the criminal offence under section 102 (which requires specific intention to encourage or assist serious self-harm) and legitimate, supportive, or therapeutic activity;
 - (b) include instruction for law enforcement and relevant agencies on identifying and engaging with vulnerable individuals in a trauma-informed manner.
- (4) The Secretary of State must lay before both Houses of Parliament a copy of any guidance issued or revised under this section.”

Member's explanatory statement

This amendment requires the Secretary of State to issue guidance on the serious self-harm sections of this Bill.

Clause 122

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★

Leave out Clause 122

Clause 123

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★

Leave out Clause 123

Clause 124

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★ Leave out Clause 124

After Clause 124

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY

After Clause 124, insert the following new Clause –

“Controlling or coercive behaviour by persons providing psychotherapy or counselling services

- (1) A person (“A”) commits an offence if –
 - (a) A is a person providing or purporting to provide psychotherapy or counselling services to another person (“B”),
 - (b) A repeatedly or continuously engages in behaviour towards B that is controlling or coercive,
 - (c) the behaviour has a serious effect on B, and
 - (d) A knows or ought to know that the behaviour will or may have a serious effect on B.
- (2) A’s behaviour has a “serious effect” on B if –
 - (a) it causes B to fear, on at least two occasions, that violence will be used against B, or
 - (b) it causes B psychological harm which has a substantial adverse effect on B’s usual day-to-day activities.
- (3) For the purposes of subsection (1)(d) A “ought to know” that which a reasonable person in possession of the same information would know.
- (4) In proceedings for an offence under this section it is a defence for A to show that –
 - (a) in engaging in the behaviour in question, A believed that he or she was acting in B’s best interests, and
 - (b) the behaviour was in all the circumstances reasonable.
- (5) A is to be taken to have shown the facts mentioned in subsection (4) if –
 - (a) sufficient evidence of the facts is adduced to raise an issue with respect to them, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (6) The defence in subsection (4) is not available to A in relation to behaviour that causes B to fear that violence will be used against B.
- (7) A person guilty of an offence under this section is liable –

- (a) on conviction on indictment, to imprisonment for a term not exceeding five years, or a fine, or both;
- (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or a fine, or both.”

Member's explanatory statement

This amendment creates an offence of controlling or coercive behaviour by providing psychotherapy or counselling services.

BARONESS STOWELL OF BEESTON
LORD HENDY
BARONESS HARDING OF WINSCOMBE

★ After Clause 124, insert the following new Clause –

“Assault of public-facing worker

- (1) A person who assaults a public-facing worker at work commits an offence under this section.
- (2) For the purposes of this section –
 - “public-facing worker at work” means a person who is providing a service or facilitating a transaction to the public in a public building or space, on public transport, or in a commercial property which is accessible to the public to buy or receive such services;
 - “worker” includes an unpaid employee.
- (3) 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).
- (4) In subsection (3) “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.
- (5) In section 40(3) of the Criminal Justice Act 1988 (power to join in indictment count for common assault etc) after paragraph (ac) insert –
 - “(ad) an offence under section (Assault of a public-facing worker) of the Crime and Policing Act 2025 (assault of public-facing worker).”

Member's explanatory statement

This amendment would expand the provisions of Clauses 38 and 39 (assault of a retail worker) to include all public-facing workers.

LORD JACKSON OF PETERBOROUGH

★ After Clause 124, insert the following new Clause –

“Offences of causing harassment, alarm or distress: amendments

- (1) The Public Order Act 1986 is amended as follows.
- (2) In section 4A (intentional harassment, alarm or distress) omit “, alarm” in each place where it occurs (including the heading) and omit “, alarmed” in subsection.
- (3) In section 5 (harassment, alarm or distress) omit “, alarm” in each place where it occurs (including the heading).”

After Clause 132

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 132, 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
BARONESS DOOCEY

After Clause 132, 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 JACKSON OF PETERBOROUGH
BARONESS NEVILLE-ROLFE

★

After Clause 132, insert the following new Clause —

“Consumer cloud-based service provider access restrictions: lost or stolen devices

- (1) A provider of consumer cloud-based services referred to in subsection (7)(a) that are accessed from a device must, upon receiving verified notification from a relevant person that a device has been lost or stolen, take reasonable and timely steps aimed at preventing any person who is not the device owner from accessing the provider’s consumer cloud-based services from that device, in order to discourage, where possible, the resale of devices obtained unlawfully.
- (2) In subsection (1) "relevant person" means —
 - (a) a consumer who is the device owner,
 - (b) a person that is a legitimate seller of the device, or
 - (c) a relevant authority.
- (3) The provider must, so far as it is technically possible for the provider to do so in accordance with the technical standards referred to in subsection (7)(a), block access to the provider’s consumer cloud-based services from the device identified in the relevant verified notification.

- (4) 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.
- (5) Providers must, subject to appropriate safeguards, establish a process for relevant persons to appeal or reverse a block on a device in cases of error, fraud, or device recovery.
- (6) A provider shall not be liable for any loss or damage suffered in consequence of any action taken under this section.
- (7) The Secretary of State must by regulations make provision for —
 - (a) the technical standards required to enforce the steps outlined in subsections (1) and (3),
 - (b) the categories of consumer cloud-based services in relation to which providers will be required to take the steps outlined in subsections (1) and (3),
 - (c) the implementation timeline for providers, and
 - (d) sanctions for non-compliance.
- (8) In this section —
 - “consumer” has the meaning given by section 2(3) of the Consumer Rights Act 2015;
 - “consumer cloud-based service” means a digital service which —
 - (a) is a cloud computing service (as defined in the Network and Information Systems Regulations 2018 (S.I. 2018/506)),
 - (b) is supplied directly to consumers in the United Kingdom, and
 - (c) is used by those consumers solely for personal use.
 - “device” means a mobile telephone device with an IMEI number;
 - “device owner” means —
 - (a) a person that —
 - (i) is a consumer in the United Kingdom,
 - (ii) has purchased a device through a contract or transfer of ownership of the device, or
 - (b) a legal person that can demonstrate legitimate ownership through supply chain documentation.
 - “legitimate seller” means —
 - (a) a manufacturer or trader of the device,
 - (b) an online marketplace provider or legal person that sells the device, or
 - (c) a trader operating on an online marketplace provided they can trace the origin of the device.
 - “provider” means a person who enters into a contract directly with a consumer in the United Kingdom for the provision of consumer cloud-based services;
 - “verified notification” means a written notification that a device has been lost or stolen, which includes all of the following information —

- (a) details of the relevant device that has been lost or stolen, including its IMEI number,
- (b) evidence demonstrating that the person who has submitted the notification is a relevant person, such as proof of purchase or supply chain documentation, and
- (c) any other information that the provider reasonably requires in order for it to comply with its obligations under this section.”

Before Clause 133

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY

Before Clause 133, insert the following new Clause –

“The right to protest

Before section 11 of the Public Order Act 1986 (advance notice of public processions), insert –

“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).”

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.

Clause 141

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 141, page 182, line 42, at end insert—

“(4) After section 14, insert—

“14ZZA Imposition of conditions: live facial recognition

Prior to imposing conditions under either section 12 (imposing conditions on public processions) or 14 (imposing conditions on public assemblies), 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 has 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.

Clause 154

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 154, page 201, line 24, at end insert—

“(7A) 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.

After Clause 167

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★

After Clause 167, insert the following new Clause—

“Misconduct investigations where officer acquitted

(1) The Police Reform Act 2002 is amended as follows.

- (2) In section 13B –
 - (a) in subsection (1), at end insert “but this is subject to the exception in section 13BA.”, and
 - (b) in subsection (2), at the beginning, leave out “The” and insert “Unless the exception in section 13BA applies, the”.
- (3) After section 13B, insert –

“13BA No re-investigation on acquittal for the same conduct

- (1) Where this section applies, the Director-General may not make a determination under section 13B(2) to re-investigate the complaint, recordable conduct matter or DSI matter.
- (2) This section applies where –
 - (a) the Director-General, appropriate authority or relevant review body (as the case may be) has made a determination under paragraphs 23(2)(c), 24(2)(b) or 25(4G) of Schedule 3,
 - (b) as a result of the determination mentioned in paragraph (a), the Director of Public Prosecutions has brought criminal proceedings against the relevant person, and
 - (c) the relevant person has been acquitted in those criminal proceedings.
- (3) The exception in subsection (1) does not apply only if –
 - (a) the relevant authority has come into possession of substantial new evidence relating to the conduct that was the subject of the investigation, and
 - (b) the relevant authority is of the reasonable opinion that the new evidence would, if considered, be significantly likely to lead to a finding of misconduct or gross misconduct.
- (4) In this section –
 - (a) “relevant person” means the person to whose conduct the investigation related;
 - (b) “relevant authority” means the Director-General, appropriate authority, local policing body or relevant review body (as the case may be).”
- (4) After paragraph 24C of Schedule 3, insert –

“Investigation where person acquitted in criminal proceedings

24D(1) This paragraph applies where –

- (a) an investigation of a complaint, conduct matter or DSI matter (“the index investigation”) has concluded and the final report has been submitted to the relevant authority,
- (b) the relevant authority has made a determination under paragraphs 23(2)(c), 24(2)(b) or 25(4F),

- (c) as a result of the determination mentioned in sub-paragraph (b), the Director of Public Prosecutions has brought criminal proceedings against the relevant person, and
 - (d) the relevant person has been acquitted in those criminal proceedings.
- (2) In this paragraph—
 - (a) “relevant person” means the person to whose conduct the index investigation related;
 - (b) “relevant authority” means the Director-General, appropriate authority, local policing body or relevant review body (as the case may be).
- (3) Where this paragraph applies, the relevant authority may not initiate a new investigation, re-open an investigation or order a re-investigation against the relevant person in relation to the same complaint, conduct matter or DSI matter that was the subject of the index investigation.
- (4) Sub-paragraph (3) does not apply only if—
 - (a) the relevant authority has come into possession of substantial new evidence relating to the conduct that was the subject of the index investigation, and
 - (b) the relevant authority is of the reasonable opinion that the new evidence would, if considered, be significantly likely to lead to a finding of misconduct or gross misconduct.”
- (6) In paragraph 25 of that Schedule—
 - (a) after sub-paragraph (4D) insert—
 - “(4DA) The Director-General may not direct that the complaint be re-investigated under sub-paragraph (4C)(b) if paragraph 24D applies in relation to that investigation.”, and
 - (b) after sub-paragraph (4E) insert—
 - “(4EA) The local policing body may not make a recommendation to the appropriate authority that the complaint be re-investigated under sub-paragraph (4E)(a) if paragraph 24D applies in relation to the conduct to which the investigation related.””

Member's explanatory statement

This amendment would prevent the Independent Office for Police Conduct from investigating an officer where that officer has already been investigated and acquitted in court for the same conduct matter.

After Clause 171

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★ After Clause 171, insert the following new Clause –

“Presumption against prosecution for alleged conduct by authorised firearms officers

- (1) Where a relevant prosecutor makes a decision to which this section applies, the prosecutor must, in making the decision –
 - (a) apply the principle set out in subsection (4), and
 - (b) comply with subsection (5).
- (2) This section applies to a decision of a relevant prosecutor as to –
 - (a) whether or not proceedings should be brought against a person (“D”) for a relevant offence, or
 - (b) whether or not any proceedings against D for a relevant offence should be continued,in England and Wales.
- (3) In this section, an offence is a “relevant offence” if –
 - (a) it is alleged to have been committed by D acting in the exercise of functions as an authorised firearms officer,
 - (b) the conduct alleged to constitute the offence involved the use by D of a lethal barrelled weapon to discharge a conventional round, and
 - (c) D was, at the time of the alleged offence, authorised by the relevant authority to use that weapon with that round.
- (4) The principle referred to in subsection (1) is that it is to be exceptional for a relevant prosecutor making a decision to which this section applies to determine that proceedings should be brought against D for the offence or, as the case may be, that the proceedings against the person for the offence should be continued.
- (5) In making a decision to which this section applies, a relevant prosecutor must give particular weight to the following matters –
 - (a) the exceptional demands and stresses to which authorised firearms officers are subjected to in the course of their duties, and
 - (b) the exceptional difficulties of making time-sensitive judgments as are required by the nature of D’s functions as an authorised firearms officer.
- (6) The following are “relevant prosecutors” for the purposes of this section –
 - (a) the Director of Public Prosecutions,
 - (b) a Crown Prosecutor, or
 - (c) any person to whom the institution or taking over of proceedings for a relevant offence mentioned has been assigned under section 5(1) of the Prosecution of Offences Act 1985 (conduct of prosecutions on behalf of the CPS).

- (7) In this section, “authorised firearms officer” means –
- (a) a member of a relevant police force who is authorised by the relevant chief officer to use a lethal barrelled weapon with a conventional round in the exercise of functions as a constable,
 - (b) a National Crime Agency officer who is authorised by the Director General of the National Crime Agency to use a lethal barrelled weapon with a conventional round in the exercise of functions as a National Crime Agency officer,
 - (c) a member of the Police Service of Scotland or the Police Service of Northern Ireland who –
 - (i) is provided under section 98 of the Police Act 1996 (cross-border aid of one police force by another) for the assistance of a police force in England and Wales, and
 - (ii) is authorised by the relevant authority to use a lethal barrelled weapon with a conventional round in the exercise of functions as a constable, or
 - (d) a member of the armed forces who –
 - (i) is deployed in support of a relevant police force or the National Crime Agency, and
 - (ii) is authorised by the Secretary of State to use a lethal barrelled weapon with a conventional round for the purposes of that deployment.
- (8) In this section –
- “conventional round” means any shot, bullet or other missile other than one designed to be used without its use giving rise to a substantial risk of causing death or serious injury;
 - “lethal barrelled weapon” has the meaning given by section 57(1B) of the Firearms Act 1968;
 - “member of the armed forces” means a person who is subject to service law (see section 367 of the Armed Forces Act 2006);
 - “relevant authority” means –
 - (a) in relation to a member of a relevant police force, the relevant chief officer;
 - (b) in relation to a National Crime Agency officer, the Director General of the National Crime Agency;
 - (c) in relation to a member of the Police Service of Scotland, the Chief Constable of the Police Service of Scotland;
 - (d) in relation to a member of the Police Service of Northern Ireland, the Chief Constable of the Police Service of Northern Ireland;
 - (e) in relation to a member of the armed forces, the Secretary of State;
 - “relevant chief officer” means –
 - (a) in relation to a police force in England and Wales, the chief officer of police of that police force;
 - (b) in relation to the British Transport Police Force, the Chief Constable of the British Transport Police Force;

- (c) in relation to the Ministry of Defence Police, the Chief Constable of the Ministry of Defence Police;
- (d) in relation to the Civil Nuclear Constabulary, the Chief Constable of the Civil Nuclear Constabulary;

“relevant police force” means –

- (a) a police force in England and Wales,
- (b) the British Transport Police Force,
- (c) the Ministry of Defence Police, or
- (d) the Civil Nuclear Constabulary.”

Member's explanatory statement

This amendment would apply a presumption against prosecution for armed police officers where they discharge their weapons, and requires prosecutors to consider the unique burdens placed on armed officers.

After Clause 182

BARONESS DOOCEY
LORD MARKS OF HENLEY-ON-THAMES

After Clause 182, 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

After Clause 182, 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 DOOCEY
LORD CLEMENT-JONES

After Clause 182, 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

After Clause 182, 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.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

★

After Clause 182, 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 seeks to 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 CARTER OF HASLEMERE

★

After Clause 182, 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).”

Clause 208

VISCOUNT HAILSHAM

Clause 208, page 254, line 26, at end insert “provided that at the time of her actions —

- (a) the balance of the woman’s mind was then disturbed by reason of her pregnancy, or
 - (b) the woman was the victim of domestic abuse within the meaning of section 1 of the Domestic Abuse Act 2021 (definition of “domestic abuse”) and such abuse contributed to her actions.
- (2) Where evidence is adduced by or on behalf of the woman, which is capable of providing a defence under either or both of subsections (a) and (b), it shall be for the prosecution to disprove that defence beyond a reasonable doubt.”

BARONESS MONCKTON OF DALLINGTON FOREST

Leave out Clause 208

After Clause 208

BARONESS STROUD

After Clause 208, 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.

Clause 209LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 209, page 255, line 8, at end insert —

- “(3A) 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.
- (3B) The Privacy Impact Assessment required under subsection (3A) 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.
- (3C) 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.
- (3D) The annual report required under subsection (3C) 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.

After Clause 211

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 211, insert the following new Clause –

“Enhanced protective measures for sensitive data transfers

- (1) Where regulations under section 209 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 Clause 209.

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 211, 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 209.
- (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 209;
 - (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 209 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.

After Clause 213

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 213, 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, in each House 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, in each House 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 in overseeing the impact of relevant 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.

Clause 215

LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 215, page 260, line 14, at end insert “or 209”

Member's explanatory statement

This amendment requires regulations under section 209 of the Bill to be made by the affirmative procedure.

Crime and Policing Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
10 February 2026*

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