

# Crime and Policing Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

*[Supplementary to the Fifth Marshalled List]*

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Amendment  
No.

**After Clause 161**

LORD BANNER

**387C★** After Clause 161, insert the following new Clause—

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

- (1) The Sentencing Act 2020 is amended as follows.
- (2) After section 133(b) (compensation orders), insert “, or
  - (c) to make a payment to one or more relevant organisations for public interest or social purposes (“public interest compensation order”).
- (2) In this Chapter, “relevant organisation” means an organisation listed in Schedule 5A (relevant organisations for public interest compensation orders).”
- (3) After section 135 (making a compensation order), insert—

**“135A Public interest compensation orders**

- (1) When convicting a person of a relevant offence, the court shall consider whether to issue a public interest compensation order, and what the terms of that order should be.
- (2) In this section “relevant offence” means an offence listed in Schedule 5B (relevant offences for public interest compensation orders).
- (3) The Secretary of State may by order amend the relevant offences listed in Schedule 5B.
- (4) In determining whether to make a public interest compensation order against an offender, the amount to be paid under such an order, or to which relevant organisations the payments should be made, the court must, in addition to the factor in section 135(3), have regard to—

- (a) the rights of victims of human rights violations (inside or outside the United Kingdom) to receive effective reparation and remedy,
  - (b) the fact that individuals who are not proven to be direct victims of the offender's offence may nevertheless be victims of human rights violations to which the offender's offence is related,
  - (c) the broader impact of the offender's offence on victims of human rights violations in the United Kingdom or in other countries,
  - (d) where there is a large number of victims of human rights violations to which the offender's offence is related, the urgency of victims' needs (which may vary depending on the harms that they have suffered),
  - (e) where the relevant offence is an offence under regulations imposed under the Sanctions and Anti-Money Laundering Act 2018, the purposes of the relevant regulations and any human rights violations arising in connection with conduct that these regulations seek to discourage, and
  - (f) whether it would be appropriate to make another type of compensation order and, if so, whether the offender has sufficient means to pay both orders, as well as the need to prioritise compensation to direct victims of the offender's offence.
- (5) If the court considers issuing a public interest compensation order, the court may (but is not required to) ask the Secretary of State to recommend the relevant organisations to which the funds subject to the order should be paid and if the court makes such a request—
  - (a) the Secretary of State shall, within 90 days (the "relevant period"), recommend to the court in writing one or more organisations to which the funds subject to the order should be paid (the "recommendation") and in doing so, the Secretary of State must have regard to the same factors as under subsection (4) above;
  - (b) the court may issue a public interest compensation order after the earlier of—
    - (i) the court having received a recommendation, and
    - (ii) the relevant period having expired;
  - (c) if a recommendation has been made within the relevant period, the court may take it into account in issuing a public interest compensation order but shall not be bound by it.
- (6) The court may direct that confiscated funds be paid to a relevant organisation subject to such conditions as it considers appropriate.
- (7) The Secretary of State may by order amend the organisations listed in Schedule 5A and the Secretary of State shall review the organisations listed in Schedule 5A at least annually.
- (8) If, under subsection (5) above, the Secretary of State recommends one or more organisations that are not listed in Schedule 5B, the organisations recommended by the Secretary of State shall be considered relevant

organisations for the purposes of the public interest compensation order at issue.

- (9) For the purposes of this section, a court may issue a public interest compensation order regardless of whether there is a direct connection between the offender’s conduct and the harm suffered by the ultimate recipients or beneficiaries of the public interest compensation order.”
- (4) After Schedule 5 (Breach, revocation and amendment of reparation order), insert the following new Schedule –

“SCHEDULE 5A

RELEVANT ORGANISATIONS FOR PUBLIC INTEREST COMPENSATION ORDERS

The following organisations –

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

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

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

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

“SCHEDULE 5B

RELEVANT OFFENCES FOR PUBLIC INTEREST COMPENSATION ORDERS

The following offences to the extent that they are offences under the law of England and Wales –

Offences arising under regulations imposed under the Sanctions and Anti-Money Laundering Act 2018.””

***Member’s explanatory statement***

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

## LORD BANNER

**387D★** After Clause 161, insert the following new Clause –

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

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

**“303Z18A Public interest compensation orders**

- (1) When considering whether to make a forfeiture order in respect of relevant recoverable property, the court may issue a public interest compensation order instead of, or in addition to, a forfeiture order.
- (2) For such a public interest compensation order, Chapter 2 of Part 7 of the Sentencing Act 2020 will apply as if the defendant’s unlawful conduct constituted a relevant offence.
- (3) In this section –
  - “relevant recoverable property” means property which is obtained through conduct which is unlawful under the provisions of an instrument specified in Schedule 22B of the Sentencing Act 2020;
  - “relevant offence” and “public interest compensation order” have the same meaning as in Section 133 of the Sentencing Act 2020.”.

***Member’s explanatory statement***

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

**After Clause 164**

BARONESS SATER  
LORD PONSONBY OF SHULBREDE

**390A★** After Clause 164, insert the following new Clause –

**“Review of the criminal records disclosure regime**

- (1) The Secretary of State must, within 12 months of the day on which this Act is passed, undertake a review of the operation of the criminal records disclosure regime in England and Wales.
- (2) The report must, in particular, consider –
  - (a) the impact of criminal record disclosure and DBS checks on individuals’ access to education, training and employment,
  - (b) the criteria and processes for filtering and disclosure on basic, standard and enhanced checks, and

- (c) whether legislative, procedural or regulatory changes may be necessary to ensure that the regime appropriately balances public protection with rehabilitation.
- (3) In preparing the report, the Secretary of State must consult relevant bodies, including employers, the Disclosure and Barring Service, criminal justice agencies and representative organisations for people with convictions.
- (4) A report of the review must be laid before both Houses of Parliament within 12 months of the day on which this Act is passed.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to review and report to Parliament within 12 months on the operation of the criminal records disclosure regime, including the impact of DBS checks on access to education, training and employment and whether any legislative, procedural or regulatory changes are needed.*

**After Clause 201**

BARONESS FOSTER OF AGHADRUMSEE

**418A★** After Clause 201, insert the following new Clause –

**“Glorification of terrorism: removal of emulation requirement**

- (1) Section 1 (encouragement of terrorism) of the Terrorism Act 2006 is amended as follows.
- (2) In subsection (3), before paragraph (a) insert –
  - “(za) relates to one or more organisations which are at the time of the statement proscribed as terrorist organisations, and.”
- (3) In subsection (3)(a), for “and” substitute “or”.”

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*10 March 2026*

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