

Police, Crime, Sentencing and Courts Bill

AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE

Clause 13

BARONESS WILLIAMS OF TRAFFORD

Page 13, line 25, after “body” insert “for a police area”

Member’s explanatory statement

This amendment clarifies that references in Clause 13(2) to “the police area” are to the police area of the local policing body mentioned at the beginning of that provision.

Clause 17

BARONESS WILLIAMS OF TRAFFORD

Page 17, line 5, leave out “consult” and insert “obtain the consent of”

Member’s explanatory statement

This amendment requires the Secretary of State to obtain the consent of the Welsh Ministers before giving a direction under Clause 17 to a devolved Welsh authority.

Clause 36

BARONESS WILLIAMS OF TRAFFORD

Page 29, line 26, at end insert –

“(za) in a case where the authorised person proposes to exercise the power for a purpose within subsection (2)(a), the authorised person reasonably believes that information stored on the electronic device is relevant to a reasonable line of enquiry which is being, or is to be, pursued by an authorised person,”

Member’s explanatory statement

This amendment has the effect that, to exercise the power in Clause 36(1) for the purposes of preventing etc crime, an authorised person must reasonably believe that information stored on an electronic device is relevant to a reasonable line of enquiry.

Page 29, line 27, leave out paragraph (a) and insert –

- “(a) in a case where the authorised person proposes to exercise the power for a purpose within subsection (2)(b) or (c), the authorised person reasonably believes that information stored on the electronic device is relevant to that purpose,”

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Baroness Williams of Trafford at page 29, line 26.

Page 29, line 30, at beginning insert “in any case,”

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Baroness Williams of Trafford at page 29, line 26.

Page 29, line 31, leave out “that purpose” and insert “the purpose within subsection (2) for which the person proposes to exercise the power”

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Baroness Williams of Trafford at page 29, line 26.

Page 30, line 8, leave out “16” and insert “18”

Member’s explanatory statement

This amendment changes the definition of “adult” for the purposes of Chapter 3 of Part 2 so that it covers a person aged 18 or over.

Page 30, line 11, leave out “16” and insert “18”

Member’s explanatory statement

This amendment changes the definition of “child” for the purposes of Chapter 3 of Part 2 so that it covers a person aged under 18 rather than a person aged under 16.

Page 30, line 11, at end insert –

““criminal offence” includes –

- (a) a service offence within the meaning of the Armed Forces Act 2006, and
- (b) an SDA offence within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/ 1059);”

Member’s explanatory statement

This amendment clarifies that the references in Clause 36(3) to a criminal offence include a service offence under the Armed Forces Act 2006 or under any of the Acts that it replaces.

Page 30, line 29, after “capacity)” insert “, (Requirements for voluntary provision and agreement)(requirements for voluntary provision and agreement)”

Member's explanatory statement

This amendment is consequential on the amendment in the name of Baroness Williams of Trafford which inserts a new Clause after Clause 37.

Clause 37**BARONESS WILLIAMS OF TRAFFORD**

Page 32, line 7, after “adult” insert “(within the meaning of this Chapter)”

Member's explanatory statement

This amendment is consequential on the amendment in the name of Baroness Williams of Trafford at page 30, line 8.

Page 32, line 45, at end insert –

“(12) This section is subject to section (*Requirements for voluntary provision and agreement*)(requirements for voluntary provision and agreement).”

Member's explanatory statement

This amendment is consequential on the amendment in the name of Baroness Williams of Trafford to insert a new Clause after Clause 37.

After Clause 37**BARONESS WILLIAMS OF TRAFFORD**

Insert the following new Clause –

“Requirements for voluntary provision and agreement

- (1) A person (“P”) is to be treated for the purposes of section 36 or 37 as having –
 - (a) voluntarily provided an electronic device to an authorised person, and
 - (b) agreed to the extraction of information from the device by an authorised person,only if the requirements of this section have been met.
- (2) An authorised person must not have placed undue pressure on P to provide the device or agree to the extraction of information from it.
- (3) An authorised person must have given P notice in writing –
 - (a) specifying or describing the information that is sought,
 - (b) specifying the reason why the information is sought,
 - (c) specifying how the information will be dealt with once it has been extracted,
 - (d) stating that P may refuse to provide the device or agree to the extraction of information from it, and
 - (e) stating that the investigation or enquiry for the purposes of which the information is sought will not be brought to an end merely because P refuses to provide the device or agree to the extraction of information from it.
- (4) Subject to subsection (5), P must have confirmed in writing that P has –
 - (a) voluntarily provided the device to an authorised person, and

After Clause 37 - continued

- (b) agreed to the extraction of information from the device by an authorised person.
- (5) If P was unable to provide that confirmation in writing as a result of P's physical impairment or lack of literacy skills—
 - (a) P must have given that confirmation orally, and
 - (b) an authorised person must have recorded P's confirmation in writing.
- (6) If P's confirmation was given in writing and in hard copy form, the authorised person must have given P a copy of that confirmation (in hard copy or electronic form).
- (7) If P's confirmation was given orally, the authorised person must have given P a copy of the record of that confirmation (in hard copy or electronic form)."

Member's explanatory statement

This amendment sets out the requirements which must be met before a person is treated as having voluntarily provided an electronic device, and having agreed to the extraction of information from the device, for the purposes of Clauses 36 or 37.

Clause 40

BARONESS WILLIAMS OF TRAFFORD

Page 34, line 19, at end insert —

"(1A) The code may make different provision for different purposes or areas."

Member's explanatory statement

This amendment enables a code of practice under Clause 40 to make different provision for different purposes or areas.

Page 34, line 23, after "Ireland," insert —

- "(ca) the Commissioner for Victims and Witnesses,
- (cb) the Domestic Abuse Commissioner,
- (cc) the Commission for Victims and Survivors for Northern Ireland,"

Member's explanatory statement

This amendment adds the persons and bodies mentioned to the list of persons who must be consulted in the preparation of a code of practice under Clause 40.

Page 34, line 24, at end insert —

"(2A) Subsection (2)(cc) does not apply on or after the day appointed under Article 4(4) of the Victims and Survivors (Northern Ireland) Order 2006 (S.I. 2006/2953 (N.I. 17)) (power to revoke Article 4)."

Member's explanatory statement

This amendment provides for the duty to consult the Commission for Victims and Survivors for Northern Ireland to cease to apply if an order is made revoking the provision which creates that body.

Page 34, line 38, leave out “(2)” and insert “(1A)”.

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Baroness Williams of Trafford at page 34, line 19.

Clause 42

BARONESS WILLIAMS OF TRAFFORD

Page 36, line 17, at end insert –

- “(5A) The Secretary of State must consult the Scottish Ministers before making regulations under subsection (4) if and so far as the regulations make provision that would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (5B) The Secretary of State must consult the Department of Justice in Northern Ireland before making regulations under subsection (4) if and so far as the regulations make provision that, if it were contained in an Act of the Northern Ireland Assembly –
- (a) would be within the legislative competence of that Assembly, and
 - (b) would not require the consent of the Secretary of State.”

Member’s explanatory statement

This amendment requires the Secretary of State to consult the Scottish Ministers or the Department of Justice in Northern Ireland before making regulations under Clause 42(4) which would be within the legislative competence of the Scottish Parliament or the Northern Ireland Assembly.

Schedule 3

BARONESS WILLIAMS OF TRAFFORD

Page 202, line 6, at end insert –

“An officer of the department of the Secretary of State for Business, Energy and Industrial Strategy.”

Member’s explanatory statement

This amendment provides for an officer of the department of the Secretary of State for Business, Energy and Industrial Strategy to be an authorised person for the purposes of Clause 36.

Page 202, line 18, at end insert –

“The Police Investigations and Review Commissioner.

A person designated by the Police Investigations and Review Commissioner under paragraph 7B(1) of Schedule 4 to the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10).

An officer appointed by the Police Ombudsman for Northern Ireland under section 56(1) or (1A) of the Police (Northern Ireland) Act 1998.”

Member's explanatory statement

This amendment provides for the Police Investigations and Review Commissioner in Scotland, persons designated by the Commissioner in Scotland and persons appointed by the Police Ombudsman for Northern Ireland to be authorised persons for the purposes of Clause 36.

Clause 62

BARONESS WILLIAMS OF TRAFFORD

Page 57, line 8, after “to” insert “do either or both of the following”

Member's explanatory statement

This amendment clarifies that the power under section 60C(1)(d) of the Criminal Justice and Public Order Act 1994 is a power to require a person to leave the land in question, to remove property from the land or to do both.

Page 59, line 12, at end insert “or”

Member's explanatory statement

This amendment clarifies that the powers of seizure in section 60D(1) of the Criminal Justice and Public Order Act 1994 apply to property that belongs to a person suspected of an offence under section 60C of that Act, is in their possession or is under their control.

Page 60, line 16, leave out “section 37” and insert “Part 4”

Member's explanatory statement

This amendment expands the definition of when proceedings are commenced for the purposes of section 60D(6) of the Criminal Justice and Public Order Act 1994 to cover when a person is charged under any provision of Part 4 of the Police and Criminal Evidence Act 1984.

Clause 107

LORD WOLFSON OF TREDEGAR

Page 94, line 36, leave out “may be imposed” and insert “could have been imposed (in the case of an offender aged 21 or over) at the time when the actual sentence was imposed”

Member's explanatory statement

This provides that the longer period before release for sentences within new section 244ZA(4) of the Criminal Justice Act 2003 will apply only in relation to offences that were punishable with life imprisonment at the time of sentencing (not offences that are later made so punishable).

Page 95, line 24, leave out “may be imposed” and insert “could have been imposed (in the case of an offender aged 21 or over) at the time when the actual sentence was imposed”

Member's explanatory statement

This provides that the longer period before release for sentences within new section 244ZA(5) and (6) of the Criminal Justice Act 2003 will apply only in relation to sexual offences that were punishable with life imprisonment at the time of sentencing (not offences that are later made so punishable).

After Clause 124

LORD BLENCATHRA

Insert the following new Clause –

“Gender-specific incarceration for violent and sexual offenders

After section 20 of the Gender Recognition Act 2004 insert –

“20A Gender-specific incarceration

- (1) Where a person with a gender recognition certificate is serving a conviction for a violent or sexual offence, that person shall be treated with respect to housing on the prison estate by reference to the sex assigned at their birth.
- (2) Where a person with a gender recognition certificate is remanded in custody for a suspected violent or sexual offence, that person shall be treated with respect to housing on the prison estate by reference to the sex assigned at their birth.”

Member’s explanatory statement

This amends the Gender Recognition Act 2004 to ensure that prisoners with a gender recognition certificate who are suspected or convicted of violent or sexual offences are treated as their sex assigned at birth with respect to housing on the prison estate.

Clause 139

LORD WOLFSON OF TREDEGAR

Page 128, line 15, leave out “pupils” and insert “students”

Member’s explanatory statement

This amendment changes “pupils” to “students” to refer to those attending a secure 16 to 19 Academy. No difference of meaning is intended; the change is to avoid confusion arising from the fact that “pupil” is defined in the Education Acts to refer to those attending a school (and a secure 16 to 19 Academy is not a school).

Page 128, line 22, leave out “pupils” and insert “students”

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 128, line 15.

Clause 140

BARONESS WILLIAMS OF TRAFFORD

Page 131, line 34, at end insert –

- “(9) In this section, “home address”, in relation to the offender, means –
- (a) the address of the offender’s sole or main residence, or
 - (b) if the offender has no such residence, the address or location of a place where the offender can regularly be found and, if there is more than one such place, such one of those places as the offender may select.”

Member's explanatory statement

This amendment provides a definition of "home address" for the purposes of the notification requirements which must be included in a serious violence reduction order.

Clause 167**LORD WOLFSON OF TREDEGAR**

Page 187, line 13, after "court" insert "and tribunal"

Member's explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17.

Page 187, line 15, leave out "the court" and insert "a court or tribunal"

Member's explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17.

Page 187, line 17, leave out from "applies" to end of line 25 and insert "(subject to subsections (10) and (11)) to proceedings in any court; and in this section "court" has the same meaning as in the Contempt of Court Act 1981 (see section 19 of that Act)."

Member's explanatory statement

This amendment expands new section 85A of the Courts Act 2003 so as to cover all "courts" within the meaning of the Contempt of Court Act 1981 (which include tribunals and other judicial bodies).

Page 188, line 15, leave out from "regulations" to end of line 16

Member's explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 188, line 25.

Page 188, line 25, at end insert –

- “(8A) Before making regulations under subsection (8), the Lord Chancellor must determine whether the function of giving or withholding concurrence to the regulations would most appropriately be exercised by –
 - (a) the Lord Chief Justice of England and Wales,
 - (b) the Senior President of Tribunals, or
 - (c) both of them.
- (8B) Regulations under subsection (8) may be made only with the concurrence of the Lord Chief Justice of England and Wales, the Senior President of Tribunals, or both of them, as determined under subsection (8A).”

Member's explanatory statement

This amendment responds to the inclusion of tribunals within new section 85A of the Courts Act 2003 (see the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17) by providing for the Senior President of Tribunals to consent to regulations under that section in appropriate cases.

Page 188, line 27, at end insert –

- “(10) This section does not apply to proceedings in the Supreme Court.
- (11) This section does not apply to proceedings if provision regulating the procedure to be followed in those proceedings could be made by –
 - (a) an Act of the Scottish Parliament,
 - (b) an Act of Senedd Cymru (including one passed with the consent of a Minister of the Crown within the meaning of section 158(1) of the Government of Wales Act 2006), or
 - (c) an Act of the Northern Ireland Assembly passed without the consent of the Secretary of State.”

Member's explanatory statement

This amendment provides that Supreme Court proceedings and court or tribunal proceedings within devolved competence do not fall within the expanded scope of new section 85A of the Courts Act 2003 (as brought about by the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17).

Page 188, line 28, leave out subsection (2)

Member's explanatory statement

This amendment (together with the amendment in the name of Lord Wolfson of Tredegar at page 281, line 12) removes provision that is unnecessary as a result of the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17.

Page 188, line 36, after “court” insert “and tribunal”

Member's explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17.

Page 188, leave out lines 37 to 46

Member's explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 281, line 12.

Page 189, line 3, leave out from “under” to end of line 9 and insert “section 85A of the Courts Act 2003 (remote observation and recording of court and tribunal proceedings).”

Member's explanatory statement

This amendment is consequential on the amendments in the name of Lord Wolfson of Tredegar at page 187, line 17 and page 281, line 12.

Page 189, line 15, after “court” insert “and tribunal”

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17.

Page 189, leave out lines 16 to 24

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 281, line 12.

Page 189, line 28, after “court” insert “and tribunal”

Member’s explanatory statement

This amendment is consequential on the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17.

Clause 168

LORD WOLFSON OF TREDEGAR

Page 190, line 26, at end insert –

“(10A) This section does not apply to proceedings in the Supreme Court.

(10B) This section does not apply to court proceedings if provision regulating the procedure to be followed in those proceedings could be made by –

- (a) an Act of the Scottish Parliament,
- (b) an Act of Senedd Cymru (including one passed with the consent of a Minister of the Crown within the meaning of section 158(1) of the Government of Wales Act 2006), or
- (c) an Act of the Northern Ireland Assembly passed without the consent of the Secretary of State.”

Member’s explanatory statement

This amendment provides that Supreme Court proceedings and court or tribunal proceedings within devolved competence do not fall within the expanded scope of new section 85B of the Courts Act 2003 (as brought about by the amendments in the name of Lord Wolfson of Tredegar at page 190, lines 27 and 28).

Page 190, line 27, at end insert –

““court” has the same meaning as in the Contempt of Court Act 1981 (see section 19 of that Act);”

Member’s explanatory statement

This amendment, and the amendment in the name of Lord Wolfson of Tredegar at page 190, line 28, expand new section 85B of the Courts Act 2003 so as to cover all “courts” within the meaning of the Contempt of Court Act 1981 (which include tribunals and other judicial bodies).

Page 190, line 28, leave out from “any” to end of line 37 and insert “court;”

Member's explanatory statement

See the explanatory statement for the amendment in the name of Lord Wolfson of Tredegar at line 27 of the same page.

Page 190, line 45, leave out subsection (2)

Member's explanatory statement

This amendment (together with the amendment in the name of Lord Wolfson of Tredegar at page 286, line 4) removes provision that is unnecessary as a result of the amendments in the name of Lord Wolfson of Tredegar at page 190, lines 27 and 28.

Schedule 19**LORD WOLFSON OF TREDEGAR**

Page 281, line 12, leave out paragraphs 1 to 3

Member's explanatory statement

This amendment (together with the amendment in the name of Lord Wolfson of Tredegar at page 188, line 28) removes provision that is unnecessary as a result of the amendment in the name of Lord Wolfson of Tredegar at page 187, line 17.

Page 286, line 4, leave out paragraphs 4 to 6

Member's explanatory statement

This amendment (together with the amendment in the name of Lord Wolfson of Tredegar at page 190, line 45) removes provision that is unnecessary as a result of the amendments in the name of Lord Wolfson of Tredegar at page 190, lines 27 and 28.

After Clause 170**LORD WOLFSON OF TREDEGAR**

Insert the following new Clause—

“Expedited procedure for initial regulations about remote observation of proceedings

- (1) This section applies in relation to the first regulations made under section 85A(8) of the Courts Act 2003 (as inserted by section 167(1)).
- (2) The regulations may be made without a draft of the instrument containing them having been laid before and approved by a resolution of each House of Parliament (notwithstanding section 108(3) of the Courts Act 2003).
- (3) If regulations are made in reliance on subsection (2), the statutory instrument containing them must be laid before Parliament after being made.
- (4) Regulations contained in a statutory instrument laid before Parliament under subsection (3) cease to have effect at the end of the period of 28 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament.
- (5) In calculating the period of 28 days, no account is to be taken of any whole days that fall within a period during which—
 - (a) Parliament is dissolved or prorogued, or

After Clause 170 - continued

- (b) either House of Parliament is adjourned for more than four days.
- (6) If regulations cease to have effect as a result of subsection (4), that does not –
 - (a) affect the validity of anything previously done under or by virtue of the regulations, or
 - (b) prevent the making of new regulations.”

Member’s explanatory statement

This enables the first regulations made for the purposes of new section 85A of the Courts Act 2003 as inserted by Clause 167 (which, in particular, will specify types of court or tribunal proceedings in which remote observation directions will be available) to be made subject to the ‘made affirmative’ procedure rather than the normal affirmative procedure.

LORD ROSSER

Insert the following new Clause –

“Inquiry on police culture and violence against women and girls

- (1) Within two months of the day on which this Act is passed, the Secretary of State must establish an inquiry into the culture of policing and the prevalence of violence against women and girls.
- (2) The inquiry is to be established under the terms of the Inquiries Act 2005, subject to the following –
 - (a) the chair is to be independent of the Government and police forces in England and Wales;
 - (b) in fulfilling the duty under section 8(1)(a) of that Act (to have regard to the need to ensure that the inquiry panel has the necessary expertise to undertake the inquiry), the Minister must appoint members of the inquiry panel with experience of the prevention of violence against women and girls;
 - (c) the chair may require a person to give evidence or produce documents, and to require a person to give evidence under oath.
- (3) The inquiry must consider –
 - (a) recruitment of the police workforce;
 - (b) police vetting procedures;
 - (c) disciplinary and misconduct procedures for serving police officers accused of misconduct or an offence;
 - (d) culture and standards of behaviour in policing, including the prevalence and impact of misogyny;
 - (e) the role of police leadership in shaping the culture of policing, tackling misogyny and setting priorities for policing;
 - (f) the prevention of violence against women and girls;
 - (g) the experience of victims who report offences linked to violence against women and girls, including harassment, sexual violence and domestic abuse, to the police;
 - (h) reporting rates and conviction rates for crimes linked to violence against women and girls;

After Clause 170 - continued

- (i) steps needed to establish the prevention of violence against women and girls as a police priority.
- (5) Within one year of being established the inquiry must publish a final report and recommendations, or –
 - (a) publish an interim report and recommendations, and
 - (b) publish a statement setting out the reasons for the delay of the final report and recommendations, and a timetable for their completion.
- (6) Where a final report or interim report is published under subsection (5) a Minister of the Crown must make a statement to each House of Parliament on the contents of the report and associated recommendations.
- (7) Within six months of a final report being published under subsection (5) a Minister of the Crown must make a statement to each House of Parliament on action that has been taken in response to the recommendations made.”

Member’s explanatory statement

This would require a statutory inquiry, with the powers to compel witness and take evidence under oath, to be established into the culture of policing and the prevalence of violence against women and girls.

Insert the following new Clause –

“Mandatory violence against women and girls training for police recruits

- (1) Each police force in England and Wales must –
 - (a) provide mandatory specialist training on the prevention of violence against women and girls to be completed on recruitment by all new officers and staff members, and
 - (b) require all serving police officers and staff members to complete mandatory specialist training on the prevention of violence against women and girls, within 12 months of the day on which this Act is passed.
- (2) Training under this section must be designed and delivered in collaboration with an organisation or organisations external to the police, with relevant expertise in the prevention of violence against women and girls.”

Member’s explanatory statement

This would require specialist VAWG (violence against women and girls) training to be provided to all new officers on their recruitment to the force, and would require specialist VAWG training to be undertaken by the entire existing force in response within 12 months of the Act being passed.

Insert the following new Clause –

“Vetting procedure for an officer transferring between forces

The Secretary of State must revise the code of practice under section 39A of the Police Act 1996 that relates to vetting (following the procedure set out in that section) to secure that vetting clearance is not transferable between forces.”

Member's explanatory statement

This would require an officer who leaves one force and is employed by another to be vetted again on joining the new force.

Before Clause 55

LORD DUBS
BARONESS JONES OF MOULSECOOMB
LORD PADDICK

Retabled version of an amendment tabled on sheet HL Bill 40(f)(Corrected)

Insert the following new Clause –

“The right to protest

- (1) The Public Order Act 1986 Part II (Processions and Assemblies) is amended as follows.
- (2) Before section 11 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 56

LORD HENDY

Page 48, line 38, insert the following –

- “(1B) Subsections (1)(aa) and (1)(ab) do not apply to an assembly rendered lawful by section 220 of the Trade Union and Labour Relations (Consolidation) Act 1992.”

Schedule 20

LORD WOLFSON OF TREDEGAR

Page 297, line 6, at end insert –

- “2A In the table in section 122(1) (standard scale of fines for summary offences) –
- (a) in the heading of the second column, for “1 October 1992” substitute “1 May 1984”;
 - (b) between the second and third columns, insert –

“Offence committed on or after 1 May 1984 and before 1
October 1992

£50

£100

£400

£1,000

£2,000”

Member’s explanatory statement

This amendment makes a minor amendment to the Sentencing Act 2020 to correct an omission from that Act in relation to the standard scale of fines for historical summary offences.

Page 297, line 29, at end insert –

- “(2A) In paragraph 34, in the opening words, for “omit” substitute “in”.”

Member’s explanatory statement

This amendment corrects an error in paragraph 34 of Schedule 22 to the Sentencing Act 2020, which refers to the omission of subsection (4) of section 257 of that Act rather than providing for the amendment of that subsection.

Clause 175

LORD WOLFSON OF TREDEGAR

Page 194, line 14, at end insert –

- “(ca) section (*Expedited procedure for initial regulations about remote observation of proceedings*);”

Member’s explanatory statement

This amendment provides for the new Clause after Clause 170 in the name of Lord Wolfson of Tredegar to extend to England and Wales, Scotland and Northern Ireland.

Page 194, line 29, at end insert –

- “(6A) Sections 167 and 168 extend to England and Wales, Scotland and Northern Ireland.”

Member's explanatory statement

This amendment provides for Clauses 167 and 168 to extend to England and Wales, Scotland and Northern Ireland (in consequence of their expanded scope as brought about by the amendments in the name of Lord Wolfson of Tredegar at page 187, line 17 and page 190, lines 27 and 28).

Clause 176**LORD WOLFSON OF TREDEGAR**

Page 195, line 39, leave out paragraph (u) and insert –

“(u) sections 167 and 168;

(ua) section (*Expedited procedure for initial regulations about remote observation of proceedings*);”

Member's explanatory statement

This provides for Clauses 167 and 168, and the new Clause after Clause 170 in the name of Lord Wolfson of Tredegar, to come into force on Royal Assent.

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15 October 2021
