

Police, Crime, Sentencing and Courts Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Seventh Marshalled List]

After Clause 170

LORD COAKER

Insert the following new Clause—

“Fast-track public space protection orders

In the Anti-social Behaviour, Crime and Policing Act 2014, after section 61 (variation and discharge of orders) insert—

“61A Fast-track public spaces protection orders

- (1) A local authority may make a fast-track public spaces protection order where the following conditions are met—
 - (a) the public space to which the order will apply is a school within the local authority area,
 - (b) activities carried on, or likely to be carried on, in the vicinity of the school have had, or are likely to have, a detrimental effect on the quality of life for pupils and staff,
 - (c) the local authority has provided for a five-day consultation period, and consulted—
 - (i) the leadership of the school to which the order will apply,
 - (ii) a chief officer of police of the police area in which the school to which the order will apply is located, and
 - (iii) other such persons as the local authority considers appropriate, and
 - (d) consent for the order to be applied has been granted by—
 - (i) the leadership of the school to which the order will apply,
 - (ii) a chief officer of police of the police area in which the school to which the order will apply is located, and
 - (iii) the leader of the local authority which will make the order.
- (2) A “fast-track public spaces protection order” is a public spaces protection order which immediately imposes prohibitions or requirements as provided for under section 59.

After Clause 170 - continued

- (3) A fast-track public spaces protection order may not have effect for a period of more than 6 months unless extended under this section.
- (4) Before the time when a fast-track public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
 - (a) occurrence or recurrence after that time of the activities identified in the order, or
 - (b) an increase in the frequency or seriousness of those activities after that time.
- (5) A fast-track public spaces protection order under this section may not be—
 - (a) extended for a period of more than 6 months
 - (b) extended more than once.”

Member’s explanatory statement

This probes the need for fast-tracked exclusion zones around schools, in response to anti-vaccination protesters targeting schools, pupils and teachers.

LORD FALCONER OF THOROTON

Insert the following new Clause—

“Urgent review of offences under section 61 of the Sexual Offences Act 2003

- (1) The Secretary of State must establish a review into the prevalence of, and the response of the criminal justice system to, the offence of administering a substance with intent under section 61 of the Sexual Offences Act 2003, within one month of the day on which this Act is passed.
- (2) A review under this section must consider—
 - (a) incidence rates and rates of reporting by victims;
 - (b) charging and prosecution rates for the offence;
 - (c) the adequacy of sentencing guidelines for the offence;
 - (d) the adequacy of police investigations into reports of the offence;
 - (e) re-offending rates, and rates of offenders who commit one or more other sexual offences following a charge or sentence for administering a substance with intent;
 - (f) the impact of the offence on victims.
- (3) A report on the findings of the review under this section, and any associated recommendations, must be published within six months of the day on which this Act is passed.
- (4) Where a report is published under subsection (3) a Minister of the Crown must make a statement to each House of Parliament on the contents of the report and associated recommendations.
- (5) Within three months of a report being published under subsection (3) a Minister of the Crown must make a statement to each House of Parliament on action that has been taken in response to recommendations made.”

Member's explanatory statement

This requires an urgent review of the prevalence of, and the response of the criminal justice system to, incidents of spiking.

LORD BASSAM OF BRIGHTON

Insert the following new Clause—

“Relevant offences for football banning orders

In Schedule 1 to the Football Spectators Act 1989, after paragraph (q) insert—

“(r) any offence under section 127 of the Communications Act 2003 (improper use of public electronic communications network) committed by the accused towards a member of a football team and involving racial hatred.””

Member's explanatory statement

This would add online offences, specifically posting racist abuse aimed at football players, to the list of relevant offences for which a football banning order can be made.

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10 November 2021
