

# Judicial Review and Courts Bill

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

*The amendments have been marshalled in accordance with the Instruction of 7th February 2022, as follows –*

Clauses 1 to 16	Clauses 20 to 30
Schedule 1	Schedule 4
Clauses 17 and 18	Clauses 31 to 33
Schedule 2	Schedule 5
Clause 19	Clauses 34 to 49
Schedule 3	Title.

*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**Clause 3**

**LORD MARKS OF HENLEY-ON-THAMES**

**24**

Page 4, line 28, at end insert –

- “(1) Before this section may come into force, the Secretary of State must –
- (a) commission an independent review of the potential impact, efficacy, and operational issues on defendants and the criminal justice system of the automatic online conviction option and penalty for certain summary offences;
  - (b) lay before Parliament the report and findings of this independent review; and
  - (c) provide a response explaining whether and how such issues which have been identified will be mitigated.”

***Member’s explanatory statement***

*This amendment would require a review of the potential impact of Clause 3 before it can come into force.*

25 Page 5, line 10, at end insert –

“(3A) If, within a reasonable period of time, a person to whom subsection (3) applies denies making such a notification, the court must not treat the purported notification as effective without determining that it came from them.”

***Member’s explanatory statement***

*This amendment is to probe the safeguards against fraud in the operation of acceptance of an automatic online conviction.*

LORD PONSONBY OF SHULBREDE

26 Page 5, line 34, at end insert –

“(e) the prosecutor is satisfied that the accused does not have any vulnerabilities and disabilities that impede the ability of the accused to understand or effectively participate in proceedings, having undertaken a physical and mental health assessment.”

***Member’s explanatory statement***

*This amendment would require that all accused persons considered for automatic online convictions are subject to a health assessment, and that only those who do not have any vulnerabilities or disabilities are given the option of being convicted online.*

27 Page 5, line 34, at end insert –

“(e) the prosecutor is satisfied that the accused has engaged a legal representative.”

28 Page 5, line 37, at end insert “and

(b) it is not a recordable offence, as specified in the Schedule to the National Police Records (Recordable Offences) Regulations 2000 (S.I. 2000/1139).”

***Member’s explanatory statement***

*This amendment would exclude any offences which are recordable from the automatic online conviction option.*

BARONESS CHAKRABARTI

*Baroness Chakrabarti gives notice of her intention to oppose the Question that Clause 3 stand part of the Bill.*

***Member’s explanatory statement***

*This would remove the automatic online conviction and standard statutory penalty provision from the Bill.*

**Clause 4**

LORD PONSONBY OF SHULBREDE

29 Page 9, line 38, leave out “16” and insert “18”

### After Clause 5

LORD PONSONBY OF SHULBREDE

30 Insert the following new Clause –

**“Review of the single justice procedure**

- (1) Within two months beginning with the day on which this Act is passed, the Secretary of State must commission a review and publish a report on the effectiveness of the single justice procedure.
- (2) A review under subsection (1) must consider –
  - (a) the transparency of the single justice procedure in line with the principle of open justice,
  - (b) the suitability of the use of the single justice procedure for Covid-19 offences,
  - (c) prosecution errors for Covid-19 offences under the single justice procedure and what redress victims of errors have.
- (3) The Secretary of State must lay a copy of the report before Parliament.”

### Clause 6

LORD PONSONBY OF SHULBREDE

31 Page 11, line 13, at end insert –

“and has received the advice of a legal representative prior to submitting a plea.”

32 Page 11, line 13, at end insert –

“and the court has been provided with a physical and mental health assessment of the accused confirming that the written procedure will not impede the ability of the accused to understand or effectively participate in proceedings.”

33 Page 11, line 32, after “plea” insert “and consequences of pleading guilty”

***Member’s explanatory statement***

*The amendment would ensure that an accused person is not only informed about the consequences of giving or failing to give a written indication of plea, but also the potential legal and practical consequences of pleading guilty.*

### Clause 8

LORD PONSONBY OF SHULBREDE

*Lord Ponsonby of Shulbrede gives notice of his intention to oppose the Question that Clause 8 stand part of the Bill.*

***Member’s explanatory statement***

*This would remove the written procedure for children for indicating plea and determining mode of trial from the Bill.*

### Clause 9

LORD PONSONBY OF SHULBREDE

34 Page 26, line 1, leave out subsection (5)

*Member's explanatory statement*

*This amendment would remove cases involving children and young people from the provisions of Clause 9.*

### After Clause 9

LORD PONSONBY OF SHULBREDE

35 Insert the following new Clause—

**“Expiry of sections 6 to 9**

- (1) Sections 6 to 9 expire at the end of the period of two years beginning with the day on which this Act is passed, subject to subsection (2).
- (2) Sections 6 to 9 continue to have effect if, before the end of the period mentioned in subsection (1), each House of Parliament passes a resolution that they should not expire.”

### Clause 13

BARONESS CHAKRABARTI

36 Leave out Clause 13 and insert the following new Clause—

**“Commencement of Schedule 22 to the Sentencing Act 2020: repeal**

- (1) In Part 5 (custodial sentences) of Schedule 22 to the Sentencing Act 2020, omit paragraph 24 (increase in magistrates' court's power to impose imprisonment).
- (2) Any regulation made pursuant to section 417 of the Sentencing Act 2020 (commencement of Schedule 22) which brings into force paragraph 24 of Schedule 22 to the same Act is revoked.”

*Member's explanatory statement*

*This amendment would remove the provisions that allow the Secretary of State to vary magistrates' sentencing powers, and revoke any order made under section 417 of the Sentencing Act 2020 which brings into force paragraph 24 of Schedule 22 of that Act.*

### After Clause 13

LORD PONSONBY OF SHULBREDE

36A★ Insert the following new Clause—

**“Commencement of Schedule 22 of the Sentencing Act 2020: reporting**

- (1) The Secretary of State must lay before Parliament a report every four months regarding the operation of the increased sentencing powers afforded to magistrates by virtue of section 13 of this Act and paragraph 24A of Schedule 22 to the Sentencing Act 2020.
- (2) The report must include—

**After Clause 13 - continued**

- (a) data on the use of the increased sentencing powers in magistrates' courts and their impact on sentencing outcomes, and
- (b) a breakdown of sentencing outcomes for those with protected characteristics.”

**Member's explanatory statement**

*This amendment would ensure that the new increased magistrates' sentencing powers would be subject to regular reporting on their impact, including with respect to those with protected characteristics, every four months.*

**Clause 14**

LORD PONSONBY OF SHULBREDE

*Lord Ponsonby of Shulbrede gives notice of his intention to oppose the Question that Clause 14 stand part of the Bill.*

**Member's explanatory statement**

*This is consequential to opposing the Question that Clause 8 stand part of the Bill and would remove the involvement of a parent or guardian in proceedings conducted in writing from the Bill.*

**After Clause 14**

BARONESS CHAKRABARTI

37

Insert the following new Clause –

**“Judicial inquiry into the treatment of women and girls in criminal proceedings**

- (1) The Secretary of State must cause an inquiry to be held under the Inquiries Act 2005 on the adequacy of the criminal courts in discharging their various duties with regard to women and girls.
- (2) The inquiry must be chaired by a serving or retired senior judge.
- (3) The terms of reference of the inquiry must include –
  - (a) examination of the professional culture, funding, vetting and training of those working in the criminal court system;
  - (b) systems of management, governance, accountability and external scrutiny within the criminal court system; and
  - (c) conduct in proceedings on misogynistic crimes.
- (4) The inquiry must involve a panel of members, to include at least one member with experience in the area of violence against women.
- (5) The inquiry must be established within one month of the commencement of the first provision of this Act to be commenced.”

**Member's explanatory statement**

*This amendment establishes a judicial inquiry under the Inquiries Act 2005 into the adequacy of criminal courts in their treatment of, and service to, women and girls.*

**After Clause 23**

LORD WOLFSON OF TREDEGAR

38 Insert the following new Clause –

**“Power to make certain provision about dispute-resolution services**

- (1) This section applies to Online Procedure Rules which provide –
  - (a) for the transfer by electronic means of information held for the purposes of an online dispute-resolution service to a court or tribunal, or
  - (b) for a court or tribunal to take into account, for any purpose, steps that a party to proceedings has or has not taken in relation to an online dispute-resolution service.
- (2) The Rules may be expressed so that their application in relation to a particular service depends on things done by a particular person from time to time.
- (3) The Rules may, for example, refer to such services as –
  - (a) appear from time to time in a list published by a particular person, or
  - (b) are from time to time certified by a particular person as complying with particular standards.
- (4) In this section –
 

“online dispute-resolution service” means a service accessible by electronic means for facilitating the resolution of disputes without legal proceedings;

“particular person” and “particular standards” include, respectively, a person of a particular description and standards of a particular description.”

***Member’s explanatory statement***

*This new clause enables Online Procedure Rules to allow thing done by third parties to determine the application of the Rules to particular online dispute-resolution services.*

**After Clause 28**LORD PONSONBY OF SHULBREDE  
LORD MARKS OF HENLEY-ON-THAMES

39 Insert the following new Clause –

**“Online procedural assistance**

- (1) Online procedural assistance must be made available and accessible to any party or potential party to proceedings governed by Online Procedure Rules that requires it.
- (2) In delivering this duty, the Lord Chancellor must have due regard to the intersection of digital exclusion with other factors, such as age, poverty, disability and geography, and deliver support services accordingly.
- (3) Online procedural assistance must include assistance to enable such a party or potential party to have a reasonable understanding of the nature of the proceedings, the procedure applicable under Online Procedure Rules and how to access and navigate such procedure.

**After Clause 28 - continued**

- (4) For the purpose in subsection (3), online procedural assistance must provide both advice and technical hardware, as appropriate, and must provide assistance to such individuals throughout the course of their proceedings.
- (5) Anyone who requires online procedural assistance must have the option of receiving it via either remote appointments or in-person appointments at a site local to them.
- (6) Online procedural assistance must include, for a party or potential party whose first language is not English, assistance, by interpretation or translation as appropriate, in a language that is familiar to the party or potential party.
- (7) The delivery of online procedural assistance must be evaluated at yearly intervals by an independent evaluation team.
- (8) For the purposes of such evaluations, data must be routinely collected relating to the protected characteristics of those using the service, outcomes of cases that used online procedural assistance, and the frequency and location of the appointments provided; and such data must be made publicly available.”

***Member’s explanatory statement***

*This new Clause clarifies the nature of online procedural assistance.*

**Clause 38**

BARONESS CHAKRABARTI  
LORD PONSONBY OF SHULBREDE  
LORD THOMAS OF GRESFORD

40

Page 53, line 12, at end insert –

“(4) After subsection (2), insert –

“(2A) The coroner is not to decide that the investigation should be discontinued unless –

- (a) the coroner is satisfied that no outstanding evidence that is relevant to the death is available,
- (b) the coroner has considered whether Article 2 of the European Convention on Human Rights is engaged and is satisfied that it is not,
- (c) there are no ongoing investigations by public bodies into the death,
- (d) the coroner has invited and considered representations from any interested person known to the coroner named at section 47(2)(a) or (b) of this Act (“interested person”), and
- (e) all interested persons known to the coroner named at section 47(2)(a) or (b) of this Act consent to discontinuation of the investigation.

(2B) If a coroner is satisfied that subsection (1) applies, and has complied with the provisions at subsection (2A)(a) to (d), prior to discontinuing the investigation, the coroner must –

**Clause 38 - continued**

- (a) inform each interested person known to the coroner named at section 47(2)(a) or (b) of this Act of the coroner's intended decision and provide a written explanation as to the reasons for this intended decision,
- (b) explain to each interested person known to the coroner named at section 47(2)(a) or (b) of this Act that the investigation may only be discontinued if all such interested persons consent, and
- (c) invite each interested person known to the coroner named at section 47(2)(a) or (b) of this Act to consent to the discontinuation of the investigation.””

***Member's explanatory statement***

*This amendment would ensure that certain safeguards are met before a coroner can discontinue an investigation into a death and that family members and personal representatives of the deceased are provided with the coroner's provisional reasons for why the coroner considers that the investigation should be discontinued, helping ensure that family members make an informed decision as to whether to consent to the discontinuation.*

LORD PONSONBY OF SHULBREDE  
LORD THOMAS OF GRESFORD

41 Page 53, line 12, at end insert –

- “(4) In section 43(3) of the Coroners and Justice Act 2009 (coroners regulations), after paragraph (a) insert –
- “(aa) provision for the establishment of an appeals process for interested persons who disagree with the decision to discontinue an investigation under the provision in section 4;”.”

***Member's explanatory statement***

*This amendment provides that the Lord Chancellor should establish an appeal process for families who disagree with the decision to discontinue an investigation.*

**Clause 39**

BARONESS CHAKRABARTI  
LORD PONSONBY OF SHULBREDE  
LORD THOMAS OF GRESFORD

42 Page 53, line 32, at end insert –

- “(e) the coroner has considered the views of any of the interested persons named at section 47(2)(a) or (b) of this Act (“interested person”) who are known to the coroner,
- (f) all of the interested persons named at section 47(2)(a) or (b) of this Act who are known to the coroner consent to a hearing in writing.”

***Member's explanatory statement***

*This amendment will ensure that inquests are not held without a hearing if that is against the wishes of the deceased's family.*

**Clause 40**

BARONESS CHAKRABARTI  
LORD PONSONBY OF SHULBREDE  
LORD THOMAS OF GRESFORD

43 Page 54, line 24, at end insert –

- “(2B) Coroners rules that provide for the conduct of hearings wholly or partly by way of electronic transmission of sounds or images must specify that, other than for any pre-inquest hearing, such a hearing may only be held if –
- (a) all interested persons known to the coroner named at section 47(2)(a) or (b) of this Act (“interested person”) consent to such a hearing,
  - (b) the coroner is satisfied, and continues to be satisfied until the conclusion of any such hearing, that such a hearing is in the interests of justice, considering all the circumstances of the case,
  - (c) the coroner has considered the likely complexity of the inquest, and
  - (d) the coroner has considered the ability of interested persons known to the coroner to engage effectively with the hearing by way of electronic transmission of sounds or images.
- (2C) Coroners rules that provide for the conduct of hearings wholly or partly by way of electronic transmission of sounds or images must require coroners to set out to all interested persons the reasons why such a hearing, other than for any pre-inquest hearing, is to be held wholly or partly by way of electronic transmission –
- (a) at the conclusion of any pre-inquest hearing where any such hearing is ordered, if applicable, and
  - (b) in writing as soon as practicable after a decision has been taken for such a hearing to be held and prior to the commencement of the hearing.”

***Member’s explanatory statement***

*This amendment would ensure that certain safeguards are met before a remote inquest hearing is held and that interested persons are provided with the reasons why a remote hearing is to be held.*

LORD PONSONBY OF SHULBREDE  
LORD THOMAS OF GRESFORD

44 Page 54, line 24, at end insert –

- “(2B) Coroners rules that provide for the conduct of hearings wholly or partly by way of electronic transmission of sounds or images must not allow the conduct of hearings wholly or partly by sound only.”

***Member’s explanatory statement***

*The purpose of this amendment is to prevent an inquest from being conducted by telephone or other means which are audio only.*

45 Page 54, line 24, at end insert –

“(2B) Coroners rules that provide for the conduct of hearings wholly or partly by way of electronic transmission of sounds or images must provide for such hearings to comply with, and be subject to, Rule 11 of the Coroners (Inquests) Rules 2013 (Inquest hearings to be held in public).”

***Member’s explanatory statement***

*This amendment would ensure that remote inquest hearings and pre-inquest hearings are still held in a manner accessible to the public.*

**After Clause 42**

LORD WOLFSON OF TREDEGAR

46 Insert the following new Clause –

**“Provision of information to registrar when investigation discontinued**

In section 23 of the Births and Deaths Registration Act 1953 (furnishing of information by coroner in connection with registration of death), after subsection (3) insert –

- “(4) Where a senior coroner –
- (a) discontinues an investigation under section 4 of the 2009 Act,
  - (b) authorises the disposal of the body, and
  - (c) sends to the registrar, on request by the registrar, a certificate stating any particulars required by this Act to be registered concerning the death (so far as they have been ascertained at the date of the certificate),

the registrar shall in the prescribed form and manner register the death and those particulars, so far as they are not already registered.”

***Member’s explanatory statement***

*This new Clause enables a coroner who has discontinued an investigation into a death without holding an inquest to supply information needed for the death to be registered.*

BARONESS CHAKRABARTI  
LORD THOMAS OF GRESFORD  
LORD PONSONBY OF SHULBREDE

47 Insert the following new Clause –

**“Publicly funded legal representation for bereaved people at inquests**

- (1) Section 10 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
- (2) In subsection (1), after “(4)” insert “or (7).”
- (3) After subsection (6), insert –
  - “(7) This subsection is satisfied where –
    - (a) the services consist of advocacy at an inquest where the individual is an interested person pursuant to section 47(2)(a), (b) or (m) of the Coroners and Justice Act 2009 because of their relationship to the deceased; and

**After Clause 42 - continued**

- (b) one or more public authorities are interested persons in relation to the inquest pursuant to section 47(2) of the Coroners and Justice Act 2009 or are likely to be designated as such.
- (8) For the purposes of this section “public authority” has the meaning given by section 6(3) of the Human Rights Act 1998.”

***Member’s explanatory statement***

*This new Clause would ensure that bereaved people (such as family members) are entitled to publicly funded legal representation in inquests where public bodies (such as the police or a hospital trust) are legally represented.*

48 Insert the following new Clause—

**“Removal of the means test for legal help prior to inquest hearing**

- (1) Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
- (2) In paragraph 41, after sub-paragraph (3), insert—
  - “(4) For the purposes of this paragraph, the “Financial resources” provisions at section 21 and in the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013 do not apply.”

***Member’s explanatory statement***

*This new Clause would remove the means test for legal aid applications for legal help for bereaved people at inquests.*

49 Insert the following new Clause—

**“Eligibility for bereaved people to access legal aid under existing provisions**

- (1) Section 10 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
- (2) In subsection (4)(a), after “family”, insert “or where the individual is an interested person pursuant to section 47(2)(m) of the Coroners and Justice Act 2009 because of their relationship with the deceased”.
- (3) In subsection (6), after paragraph (c), insert—
  - “(d) or they fall within any of the groups named at section 47(2)(a), (b) or (m) of the Coroners and Justice Act 2009.”.
- (4) Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
- (5) In paragraph 41, after sub-paragraph (3)(c), insert—
  - “(d) or they fall within any of the groups named at section 47(2)(a), (b) or (m) of the Coroners and Justice Act 2009.”

***Member’s explanatory statement***

*This new Clause would bring the Legal, Aid, Sentencing and Punishment of Offenders Act 2012 into line with the definition of family used in the Coroners and Justice Act 2009.*

LORD THOMAS OF GRESFORD  
LORD MARKS OF HENLEY-ON-THAMES

50 Insert the following new Clause –

**“Right of address**

- (1) Rule 27 of the Coroners (Inquests) Rules 2013 is repealed.
- (2) Before a verdict is reached, a coroner may allow a person or a person’s representative to address the coroner or jury as to the facts of who the deceased was and how, when and where the deceased came by his or her death unless it is in the interests of justice not to do so.”

*Member’s explanatory statement*

*The current coroners rules prevent bereaved families or their representatives from addressing an inquest. This amendment repeals that provision and replaces it with a positive intention to permit such an address.*

THE LORD BISHOP OF ST ALBANS

50A Insert the following new Clause –

**“Determination of suicide: relevant factors**

In the Coroners (Inquests) Rules 2013 (S.I. 2013/1616), after rule 34 insert –

**“35 Determination of suicide: relevant factors**

- (1) Following the conclusion of an inquest, in the case of a determination of suicide, the coroner must record an opinion as to factors which were relevant to the death.
- (2) Opinions recorded under subsection (1) may not be disclosed in such a way that the identity of the deceased is specified or capable of being deduced.””

*Member’s explanatory statement*

*This amendment requires coroners to record risk factors relevant in a death by suicide.*

50B Insert the following new Clause –

**“Requirement to record relevant factors in cases of suicide**

In section 10 of the Coroners and Justice Act 2009 (determinations and findings after inquest), after subsection (3) insert –

- “(4) Following the conclusion of an inquest, Coroners rules may provide for the coroner, in the case of a determination of suicide under subsection (1)(a), to record an opinion as to factors which were relevant to the death.
- (5) The Secretary of State must issue guidance on –
  - (a) the factors which the coroner must consider in reaching an opinion under subsection (4), and
  - (b) the form in which an opinion is to be recorded under subsection (4).””

*Member’s explanatory statement*

*This amendment allows for coroners to record risk factors relevant in a death by suicide and requires the Secretary of State to issue guidance on the risk factors the coroner must consider and the form in which the risk factors are recorded.*

### After Clause 45

LORD ETHERTON

51 Insert the following new Clause—

*“Pro Bono Representation: Tribunals*

**Payments in respect of pro bono representation: tribunals**

- (1) Section 194 of the Legal Services Act 2007 (payments in respect of pro bono representation) is amended as follows.
- (2) In subsection (1) after “civil court” insert “or tribunal”.
- (3) In subsection (3)—
  - (a) after “the court” insert “or tribunal”; and
  - (b) after “in respect of that part)” insert “, but so that no award made under this subsection may exceed the amount that the court or tribunal could order to be paid in respect of R’s representation of P, had such representation not been provided free of charge in whole or in part”.
- (4) In subsection (4) after “the court” insert “or tribunal”.
- (5) In subsection (5) after “the court” insert “or tribunal”.
- (6) In subsection (7)—
  - (a) after “Rules of court” insert “and tribunal rules of procedure”;
  - (b) omit the word “civil”; and
  - (c) after “the court” insert “or tribunal”.
- (7) In subsection (10)—
  - (a) in the definition of “legal representative” for “exercising a right of audience or conducting litigation on the party's behalf” substitute “, who has a right of audience or has the right to conduct litigation in relation to any class of proceedings in any part of the Senior Courts of England and Wales, or all proceedings in county courts or magistrates’ courts, whether or not the person is exercising such right in the particular proceedings”;
  - (b) in the definition of “relevant civil appeal”, after paragraph (a) insert—
    - “(aa) from the Upper Tribunal in accordance with permission granted under section 14B(3) of the Tribunals, Courts and Enforcement Act 2007 (appeal to Supreme Court),”; and
  - (c) after the definition of “relevant civil appeal” insert—
    - ““tribunal” means—
    - (a) the First-tier Tribunal;
    - (b) the Upper Tribunal;
    - (c) an employment tribunal;
    - (d) the Employment Appeal Tribunal;
    - (e) the Competition Appeal Tribunal; and
    - (f) any other body, established under or recognised by any enactment, which performs the function of determining matters, which are not criminal in nature, including but not limited to regulatory and disciplinary issues, and which has the power to make an order for the payment of costs.””

**Member's explanatory statement**

*These new provisions will confer on tribunals the same power as civil courts and the Supreme Court currently have to order an unsuccessful legally represented party to pay pro bono costs to the prescribed charity the Access to Justice Foundation where the successful party has been represented pro bono.*

**Clause 48**

LORD WOLFSON OF TREDEGAR

- 52 Page 58, line 15, at end insert “, except section (*Provision of information to registrar when investigation discontinued*)”

**Member's explanatory statement**

*This amendment provides for the new Clause after Clause 42 in the name of Lord Wolfson of Tredegar to be brought into force by regulations.*

LORD PONSONBY OF SHULBREDE

LORD THOMAS OF GRESFORD

- 53 Page 58, line 18, at end insert –

“(4A) Before section 40 may be commenced, the Lord Chancellor must –

- (a) commission an independent review, including a consultation, of the potential impact of the conduct of inquest hearings wholly or partly by way of electronic transmission of sounds or images, considering in particular the impact on the participation of interested persons, and open justice;
- (b) lay before Parliament the report and findings of such review; and
- (c) provide a response explaining whether and how such issues which have been identified would be mitigated.”

**Member's explanatory statement**

*This amendment would require a review, including a consultation, of the potential impact of remote inquest hearings before Clause 40 comes into effect.*

LORD PONSONBY OF SHULBREDE

- 54 Page 58, line 18, at end insert –

“(4A) Before section 43 may be commenced, the Lord Chancellor must –

- (a) undertake a consultation with relevant stakeholders regarding the proposed abolition of local justice areas under that section, considering in particular the impact on the principle of local justice,
- (b) lay before Parliament the Report and the findings of such consultation, and
- (c) provide a response explaining whether and how such issues which have been identified would be mitigated.”

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