

Judicial Review and Courts Bill

AMENDMENTS TO BE MOVED ON REPORT

After Clause 2

LORD PONSONBY OF SHULBREDE

Insert the following new Clause—

“Review of Cart Judicial Reviews

- (1) The Lord Chancellor must carry out and publish a review of the operation of section 2 not more than two years after the passing of this Act.
- (2) In respect of the review carried out under subsection (1), the Lord Chancellor must, among other matters, in particular have regard to—
 - (a) the consequences for individuals or groups with protected characteristics under the Equality Act 2010, and
 - (b) the enforcement of rights protected under the Human Rights Act 1998.”

Member’s explanatory statement

This amendment would require the Lord Chancellor to carry out and publish a review of the operation of the provisions within Clause 2.

Clause 3

LORD PONSONBY OF SHULBREDE

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 seeks to exclude any offences which are recordable from the automatic online conviction option.

Clause 4

LORD PONSONBY OF SHULBREDE

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

Member's explanatory statement

Under this amendment the accused must have attained the age of 18 when charged to enter a guilty plea in writing under Clause 4.

After Clause 5

LORD PONSONBY OF SHULBREDE

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

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

Leave out Clause 8

Clause 9

LORD PONSONBY OF SHULBREDE

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.

Clause 14

LORD PONSONBY OF SHULBREDE

Leave out Clause 14

Clause 50

LORD PONSONBY OF SHULBREDE

Page 59, line 18, at end insert –

“(4A) Before section 45 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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