

Police, Crime, Sentencing and Courts Bill

MARSHALLED LIST OF MOTIONS TO BE MOVED ON CONSIDERATION OF COMMONS AMENDMENTS

[The page and line references are to HL Bill 40, the bill as first printed for the Lords, or to the Lords amendment]

MOTION A

Clauses 55 and 61

LORDS AMENDMENTS 73, 74 AND 87

73 Page 47, line 1, leave out subsections (2) and (3)

COMMONS REASON

The Commons disagree to Lords Amendment 73 for the following Reason –

73A *Because it is appropriate for the police to be able to attach conditions to a public procession where the noise generated by persons taking part in the procession may result in serious disruption to the activities of an organisation which are carried out in the vicinity of the procession or may have a significant relevant impact on persons in the vicinity of the procession.*

74 Page 47, line 15, at end insert –

2 “(2) After subsection (2) insert –

“(2ZA) For the purposes of subsection (1)(a), the cases in which a public procession in England and Wales may result in serious disruption to the life of the community include, in particular, where –

- (a) it may result in a significant delay to the delivery of a time-sensitive product to consumers of that product, or
- (b) it may result in a prolonged disruption of access to any essential goods or any essential service, including, in particular, access to –
 - (i) the supply of money, food, water, energy or fuel,
 - (ii) a system of communication,

- (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.
- (2ZB) In subsection (2ZA)(a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them.
- 20 (2ZC) For the purposes of subsection (1)(aa), the cases in which the noise generated by persons taking part in a public procession may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the procession include, in particular, where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry on in
- 26 that vicinity the activities or any one of them.””

COMMONS AMENDMENT

The Commons agree with the Lords in their Amendment 74 and propose Amendment 74A as an amendment thereto –

- 74A** Leave out line 2
- 87** Leave out Clause 61

COMMONS DISAGREEMENT AND AMENDMENTS TO THE WORDS SO RESTORED TO THE BILL

The Commons disagree to Lords Amendment 87 and propose the following amendments to the words so restored to the Bill –

- 87A** Page 55, line 21, at end insert –
- “(5A) For the purposes of subsection (1)(a), the cases in which the noise generated by a person taking part in a one-person protest may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the protest include, in particular, where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry on in that vicinity the activities or any one of them.”
- 87B** Page 56, line 15, leave out “make” and insert “amend subsection (5A) for the purposes of making”
- 87C** Page 56, line 19, after “particular” insert “, amend that subsection for the purposes of”
- 87D** Page 56, line 20, leave out “define” and insert “defining”
- 87E** Page 56, line 22, leave out “give” and insert “giving”
- 87F** Page 56, line 29, at end insert “, including provision which makes consequential amendments to this Part.”

LORDS INSISTENCE, DISAGREEMENT, AMENDMENT IN LIEU AND CONSEQUENTIAL

AMENDMENTS

The Lords insist on their Amendment 73 for Reason 73B, disagree with the Commons in their Amendment 74A and propose Amendment 74B to Lords Amendment 74 in lieu and Amendments 74C, 74D, 74E, 74F and 74G as consequential amendments, and insist on their Amendment 87 and disagree with the Commons in their Amendments 87A, 87B, 87C, 87D, 87E and 87F for Reason 87G –

- 73B** *Because the Lords wish the Commons to consider the matter again.*
- 74B** Leave out lines 20 to 26
- 74C** As an amendment to Lords Amendment 75, leave out “any of subsections (2ZA) to (2ZC)” and insert “subsection (2ZA) or (2ZB)”
- 74D** As an amendment to Lords Amendment 76, leave out “any” and insert “either”
- 74E** As an amendment to the Bill, page 47, leave out lines 36 and 37
- 74F** As an amendment to the Bill, page 47, line 40, leave out “an expression mentioned in subsection 12(a) or (b)” and insert “that expression”
- 74G** As an amendment to the Bill, page 47, leave out lines 44 and 45
- 87G** *Because the Lords wish the Commons to consider the matter again.*

COMMONS INSISTENCE, DISAGREEMENT AND AMENDMENTS TO THE WORDS SO RESTORED TO THE BILL

The Commons insist on their disagreement with the Lords in their Amendment 73, insist on their Amendment 74A to Lords Amendment 74, disagree with the Lords in their Amendment 74B to that Amendment in lieu, disagree with the Lords in their consequential Amendments 74C, 74D, 74E, 74F and 74G, insist on their disagreement with the Lords in their Amendment 87, insist on their Amendments 87A, 87B, 87C, 87D, 87E and 87F to the words restored to the Bill by their disagreement to that Amendment but propose additional Amendment 73C to the words restored to the Bill by their disagreement with the Lords in their Amendment 73 and additional Amendment 87H to the words restored to the Bill by their disagreement with the Lords in their Amendment 87 –

- 73C** Page 47, line 22, leave out “serious unease”
- 87H** Page 55, line 28, leave out “serious unease”

LORDS INSISTENCE, DISAGREEMENT AND REASONS

The Lords insist on their Amendments 73, 74B, 74C, 74D, 74E, 74F, 74G and 87 for Reason 73D, insist on their disagreement to Commons Amendments 74A, 87A, 87B, 87C, 87D, 87E and 87F for Reason 74H, and disagree with the Commons in their Amendments 73C and 87H for Reason 87J –

- 73D** *Because the Lords wish the Commons to consider the matter again.*
- 74H** *Because the Lords wish the Commons to consider the matter again.*
- 87J** *Because the Lords wish the Commons to consider the matter again.*

COMMONS INSISTENCE, DISAGREEMENT, AMENDMENT IN LIEU AND AMENDMENT

TO THE WORDS SO RESTORED TO THE BILL

The Commons insist on their disagreement with the Lords in their Amendment 73, insist on their Amendment 73C to the words restored to the Bill by their disagreement to that Amendment, insist on their Amendment 74A to Lords Amendment 74, disagree with the Lords in their Amendment 74B to that Amendment in lieu, disagree with the Lords in their consequential Amendments 74C, 74D, 74E, 74F and 74G, insist on their disagreement with the Lords in their Amendment 87, insist on their Amendments 87A, 87B, 87C, 87D, 87E, 87F and 87H to the words restored to the Bill by their disagreement to that Amendment but propose Amendment 73E in lieu of Lords Amendment 73 and additional Amendment 87K to the words restored to the Bill by their disagreement with the Lords in their Amendment 87 –

73E Page 48, line 8, at end insert –

- “(5) The Secretary of State must, before the end of the period of 2 years beginning with the day on which this section comes into force –
- (a) prepare and publish a report on the operation of the amendments to section 12 of the Public Order Act 1986 made by this section, and
 - (b) lay the report before Parliament.”

87K Page 56, line 32, at end insert –

- “(2) The Secretary of State must, before the end of the period of 2 years beginning with the day on which this section comes into force –
- (a) prepare and publish a report on the operation of section 14ZA of the Public Order Act 1986, and
 - (b) lay the report before Parliament.”

A **Baroness Williams of Trafford to move, That this House do not insist on its Amendment 73; do not insist on its disagreement with the Commons in their Amendment 73C to the words restored by their disagreement to Amendment 73; do not insist on its disagreement with the Commons in their Amendment 74A to its Amendment 74, on its Amendment 74B to that Amendment in lieu, or on its consequential Amendments 74C, 74D, 74E, 74F and 74G; do not insist on its Amendment 87, or on its disagreement with the Commons in their Amendments 87A, 87B, 87C, 87D, 87E, 87F and 87H to the words restored to the Bill; and do agree with the Commons in their Amendment 73E in lieu of Lords Amendment 73 and in their Amendment 87K to the words restored by their disagreement with Lords Amendment 87.**

A1 **Lord Coaker to move, as an amendment to Motion A, leave out from “House” to end and insert “do insist on its Amendment 73; do insist on its disagreement with the Commons in their Amendment 73C to the words restored by their disagreement to Amendment 73; do insist on its disagreement with the Commons in their Amendment 74A to its Amendment 74, on its Amendment 74B to that Amendment in lieu, and on its consequential Amendments 74C, 74D, 74E, 74F and 74G; do insist on its Amendment 87, and on its disagreement with the Commons in their Amendments 87A, 87B, 87C, 87D, 87E, 87F and 87H to the words restored to the Bill; and do disagree with the Commons in their Amendment 73E in lieu of Lords Amendment 73 and in their Amendment 87K to the words restored by their disagreement with Lords Amendment 87.”**

MOTION B

Clause 56

LORDS AMENDMENT 80

80 Leave out Clause 56

COMMONS DISAGREEMENT AND AMENDMENTS TO THE WORDS SO RESTORED TO
THE BILL

The Commons disagree to Lords Amendment 80 and propose the following amendments to the words so restored to the Bill –

80A Page 48, line 40, at end insert –

“(2ZA) For the purposes of subsection (1)(a), the cases in which a public assembly in England and Wales may result in serious disruption to the life of the community include, in particular, where –

- (a) it may result in a significant delay to the supply of a time-sensitive product to consumers of that product, or
- (b) it may result in a prolonged disruption of access to any essential goods or any essential service, including, in particular, access to –
 - (i) the supply of money, food, water, energy or fuel,
 - (ii) a system of communication,
 - (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.

(2ZB) In subsection (2ZA)(a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them.

(2ZC) For the purposes of subsection (1)(aa), the cases in which the noise generated by persons taking part in a public assembly may result in serious disruption to the activities of an organisation which are carried on in the vicinity of the assembly include, in particular, where it may result in persons connected with the organisation not being reasonably able, for a prolonged period of time, to carry on in that vicinity the activities or any one of them.”

80B Page 49, line 13, leave out “make” and insert “amend any of subsections (2ZA) to (2ZC) for the purposes of making”

80C Page 49, line 18, after “particular” insert “, amend any of those subsections for the purposes of”

80D Page 49, line 19, leave out “define” and insert “defining”

80E Page 49, line 21, leave out “give” and insert “giving”

80F Page 49, line 31, at end insert “, including provision which makes consequential amendments to this Part.”

LORDS INSISTENCE, DISAGREEMENT AND AMENDMENT IN LIEU

The Lords insist on their Amendment 80, disagree with the Commons in their Amendments 80A, 80B, 80C, 80D, 80E and 80F and propose Amendment 80G instead of the words so left out of the Bill –

80G After Clause 55, insert the following new Clause –

“Imposing conditions on public assemblies

- (1) Section 14 of the Public Order Act 1986 (imposing conditions on public assemblies) is amended as follows.
- (2) After subsection (2) insert –
 - “(2A) For the purposes of subsection (1)(a), the cases in which a public assembly in England and Wales may result in serious disruption to the life of the community include, in particular, where –
 - (a) it may result in a significant delay to the supply of a time-sensitive product to consumers of that product, or
 - (b) it may result in a prolonged disruption of access to any essential goods or any essential service, including, in particular, access to –
 - (i) the supply of money, food, water, energy or fuel,
 - (ii) a system of communication,
 - (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.
 - (2B) In subsection (2A)(a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them.”
- (3) After subsection (10A) (as inserted by section 57(11)) insert –
 - “(11) The Secretary of State may by regulations amend subsection (2A) or (2B) for the purposes of making provision about the meaning for the purposes of this section of serious disruption to the life of the community.
 - (12) Regulations under subsection (11) may, in particular, amend either of those subsections for the purposes of –
 - (a) defining any aspect of that expression for the purposes of this section;
 - (b) giving examples of cases in which a public assembly is or is not to be treated as resulting in serious disruption to the life of the community.
 - (13) Regulations under subsection (11) –
 - (a) are to be made by statutory instrument;
 - (b) may apply only in relation to public assemblies in England and Wales;
 - (c) may make incidental, supplementary, consequential, transitional, transitory or saving provision, including provision which makes consequential amendments to this Part.

- (14) A statutory instrument containing regulations under subsection (11) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.””

COMMONS INSISTENCE, DISAGREEMENT AND AMENDMENT TO THE WORDS SO RESTORED TO THE BILL

The Commons insist on their disagreement with the Lords in their Amendment 80, insist on their Amendments 80A, 80B, 80C, 80D, 80E and 80F to the words restored to the Bill by their disagreement with that Amendment, disagree with the Lords in their Amendment 80G instead of the words left out by that Amendment but propose additional Amendment 80H to the words restored to the Bill by their disagreement with the Lords in their Amendment 80 –

80H Page 49, line 1, leave out “serious unease”

LORDS INSISTENCE, DISAGREEMENT, NON-INSISTENCE AND AMENDMENT INSTEAD OF THE WORDS LEFT OUT OF THE BILL

The Lords insist on their Amendment 80 and on their disagreement with the Commons in their Amendments 80A, 80B, 80C, 80D, 80E and 80F, disagree with the Commons in their Amendment 80H, do not insist on their Amendment 80G but propose Amendment 80J instead of the words left out of the Bill by their Amendment 80 –

80J After Clause 55, insert the following new Clause –

“Imposing conditions on public assemblies

- (1) Section 14 of the Public Order Act 1986 (imposing conditions on public assemblies) is amended as follows.
- (2) In subsection (1), after the third “held,” insert “the time at which (but not the date on which) it is to start and conclude,”.
- (3) After subsection (2) insert –

“(2A) For the purposes of subsection (1)(a), the cases in which a public assembly in England and Wales may result in serious disruption to the life of the community include, in particular, where –

- (a) it may result in a significant delay to the supply of a time-sensitive product to consumers of that product, or
- (b) it may result in a prolonged disruption of access to any essential goods or any essential service, including, in particular, access to –
 - (i) the supply of money, food, water, energy or fuel,
 - (ii) a system of communication,
 - (iii) a place of worship,
 - (iv) a transport facility,
 - (v) an educational institution, or
 - (vi) a service relating to health.

- (2B) In subsection (2A)(a) “time-sensitive product” means a product whose value or use to its consumers may be significantly reduced by a delay in the supply of the product to them.”

- (4) After subsection (10A) (as inserted by section 57(11)) insert—
- “(11) The Secretary of State may by regulations amend subsection (2A) or (2B) for the purposes of making provision about the meaning for the purposes of this section of serious disruption to the life of the community.
- (12) Regulations under subsection (11) may, in particular, amend either of those subsections for the purposes of—
- (a) defining any aspect of that expression for the purposes of this section;
 - (b) giving examples of cases in which a public assembly is or is not to be treated as resulting in serious disruption to the life of the community.
- (13) Regulations under subsection (11)—
- (a) are to be made by statutory instrument;
 - (b) may apply only in relation to public assemblies in England and Wales;
 - (c) may make incidental, supplementary, consequential, transitional, transitory or saving provision, including provision which makes consequential amendments to this Part.
- (14) A statutory instrument containing regulations under subsection (11) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

COMMONS INSISTENCE, DISAGREEMENT AND AMENDMENT TO THE WORDS SO
RESTORED TO THE BILL

The Commons insist on their disagreement with the Lords in their Amendment 80, insist on their Amendments 80A, 80B, 80C, 80D, 80E, 80F and 80H to the words restored to the Bill by their disagreement with that Amendment, disagree with the Lords in their Amendment 80J instead of the words left out by that Amendment but propose additional Amendment 80K to the words restored to the Bill by their disagreement with the Lords in their Amendment 80—

80K Page 49, line 34, at end insert—

- “(7) The Secretary of State must, before the end of the period of 2 years beginning with the day on which this section comes into force—
- (a) prepare and publish a report on the operation of the amendments to section 14 of the Public Order Act 1986 made by this section, and
 - (b) lay the report before Parliament.”

B **Baroness Williams of Trafford to move, That this House do not insist on its Amendment 80, do not insist on its disagreement with the Commons in their Amendments 80A, 80B, 80C, 80D, 80E, 80F and 80H to the words restored to the Bill by their disagreement with that Amendment, do not insist on its Amendment 80J instead of the words left out by that Amendment and do agree with the Commons in their Amendment 80K to the words restored to the Bill by their disagreement with Lords Amendment 80.**

B1 **Lord Paddick to move, as an amendment to Motion B, leave out from “House” to end and insert “do insist on its Amendment 80, do insist on its disagreement with the Commons in their Amendments 80A, 80B, 80C, 80D, 80E, 80F and 80H**

to the words restored to the Bill by their disagreement with that Amendment, do insist on its Amendment 80J instead of the words left out of the Bill by that Amendment and do disagree with the Commons in their Amendment 80K to the words restored to the Bill by their disagreement with Lords Amendment 80.”

B2 Lord Coaker to move, as an amendment to Motion B, at end insert “and do propose Amendments 80L and 80M to the words so restored, Amendment 80N to Commons Amendment 80A and Amendments 80P, 80Q, 80R, 80S and 80T as consequential amendments—

80L Page 48, line 14, leave out paragraph (b)

80M Page 48, line 40, leave out subsection (5)

80N Leave out subsection (2ZC)

80P As an amendment to the words so restored, page 49, leave out lines 15 and 16

80Q As an amendment to the words so restored, page 49, line 19, leave out “an expression mentioned in subsection 11 (a) or (b)” and insert “that expression”

80R As an amendment to the words so restored, page 49, leave out lines 23 and 24

80S As an amendment to Commons Amendment 80B, leave out “any of subsections (2ZA) to (2ZC)” and insert “subsection (2ZA) or (2ZB)”

80T As an amendment to Commons Amendment 80C, leave out “any” and insert “either”

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MARSHALLED LIST OF MOTIONS
TO BE MOVED ON CONSIDERATION OF COMMONS AMENDMENTS

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