Crime and Policing Bill

RUNNING LIST OF ALL

AMENDMENTS ON REPORT

Tabled up to and including

19 February 2026

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Title

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

Clause 1

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 1, page 2, line 4, leave out "just and convenient" and insert "necessary and proportionate"

Member's explanatory statement
This amendment amends the test for imposing a respect order to require the court to be satisfied that it is necessary and proportionate to make the order for the purpose of preventing the respondent from engaging in anti-social behaviour.

LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 1, page 2, line 29, at end insert—

"(8A) A relevant authority may not make an application for a respect order under this section unless the relevant local authority has complied with the requirements set out in subsection (8B).

(8B) The requirements are that—

(a) the proposed terms of the order, including any prohibitions or requirements, and the evidence supporting the application, must have been subject to and approved by a vote of the Full Council of the local authority for the area to which the proposed order primarily relates, and

(b) the local authority must have carried out a full public consultation regarding the proposed order, taking into account the representations received, before the application is made to the court."

Member's explanatory statement
Many council areas have agreed that final approval for similar anti-social behaviour measures, such as public space protection orders, should be undertaken at Full Council level. This amendment is intended to add similar political accountability, scrutiny and sign-off for respect orders.

LORD HANSON OF FLINT

Clause 1, page 9, line 33, at end insert—

"(2A) Before issuing or revising guidance under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate.

(2B) Subsection (2A) does not apply to revisions that the Secretary of State considers are not substantial.

(2C) The requirement in subsection (2A) to consult before issuing guidance may be satisfied by consultation carried out wholly or partly before this section comes into force."

Member's explanatory statement
This amendment adds a consultation requirement to section M1, inserted into the Anti-social Behaviour, Crime and Policing Act 2014 by clause 1 of the Bill.

After Clause 2

BARONESS FOX OF BUCKLEY

★ After Clause 2, insert the following new Clause—

"Existing anti-social behaviour powers: independent review

(1) The Secretary of State must commission an independent review of existing anti-social behaviour powers under the Anti-social Behaviour, Crime and Policing Act 2014, to be conducted and completed by an independent reviewer appointed by the Secretary of State.

(2) The independent review must be published and laid before Parliament within six months of the day on which this Act is passed, and prior to the commencement of sections 1 and 2 of this Act."

Member's explanatory statement
This amendment aims to ensure that sections 1 and 2 of this Act are not commenced until an independent review of the powers relating to anti-social behaviour in the Anti-social Behaviour, Crime and Policing Act 2014, including relevant orders and injunctions, and that the Secretary of State must appoint an independent reviewer of anti-social behaviour legislation to inform that purpose.

Clause 4

LORD CLEMENT-JONES
BARONESS DOOCEY
BARONESS FOX OF BUCKLEY

Clause 4, page 12, line 11, at end insert—

"(5) For the purposes of this section, any authorised person or company issuing fixed penalty notices under the provisions listed in subsection (6) must not receive, directly or indirectly, any financial benefit that is contingent upon—
  (a) the issuing of a fixed penalty notice, or
  (b) the number or value of fixed penalty notices issued.

(6) The provisions are—
  (a) section 52, and
  (b) section 68,
  of the Anti-social Behaviour, Crime and Policing Act 2014 (fixed penalty notices).

(7) For the purposes of subsection (5), a financial benefit includes, but is not limited to—
  (a) any commission, bonus, incentive payment, or performance-related remuneration;
  (b) any benefit provided under a contract, arrangement, or understanding that links remuneration to enforcement outcomes;
  (c) any financial profit accrued by an employer;

(d) any non-monetary benefit prescribed by regulations.

(8) Any employer or person found to be in breach of subsection (5) may have their arrangements, accreditation or authorisation revoked by the chief officer of police or relevant local authority."

Member's explanatory statement
This amendment seeks to ensure that any accredited or authorised person, and their employer, may not profit financially from the issuing of fixed penalty notices.

Clause 7

LORD HANSON OF FLINT

Clause 7, page 16, line 28, at end insert—

"(6A) The requirement in subsection (6) may be satisfied by consultation carried out wholly or partly before this section comes into force."

Member's explanatory statement
This amendment to section 105A of the Anti-social Behaviour, Crime and Policing Act 2014 (inserted by clause 7 of the Bill) allows pre-commencement consultation to satisfy the requirement on the Secretary of State to consult on regulations about information about anti-social behaviour.

Clause 9

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

Clause 9, page 17, line 27, at end insert—

"(1A) The guidance issued about the enforcement of offences under section 33 must ensure that, where a person is convicted of a relevant offence, they are liable for the costs incurred through loss or damage resulting from the offence.

(1B) The guidance must also ensure that it requires the waste regulation authority to engage with the local police force to take all reasonable measures to ensure that the landowner, or community, responsible for the land upon which the relevant offence occurs, is not liable for the costs incurred resulting from the offence."

Member's explanatory statement
This amendment would ensure the Secretary of State's guidance on fly-tipping makes the person responsible for fly-tipping, rather than the landowner or community, liable for the costs of cleaning up.

VISCOUNT GOSCHEN

As an amendment to the above amendment in the name of Lord Davies of Gower to Clause 9, page 17, line 27

At end insert—

"(1C) The guidance must specify that reasonable measures under subsection (1B) include requiring the waste collection authority to collect all waste resulting from the offence."

LORD HANSON OF FLINT

Clause 9, page 17, line 32, at end insert—

(3A) A draft of any guidance or revised guidance proposed to be issued under this section must be laid before each House of Parliament."

Member's explanatory statement
This amendment requires draft guidance to be laid before Parliament.

LORD HANSON OF FLINT

Clause 9, page 17, line 33, leave out "issuing or revising guidance under this section" and insert "laying draft guidance or revised guidance under subsection (3A)"

Member's explanatory statement
This amendment is consequential on my amendment to clause 9, page 17, line 32.

LORD HANSON OF FLINT

Clause 9, page 17, leave out lines 36 and 37 and insert—

"(5) The Secretary of State must not issue guidance or revised guidance under this section until after the end of the period of 40 days beginning with the day on which the draft was laid before each House of Parliament, or if it was laid on different days, with the later day.

(5A) If, within that period, either House of Parliament resolves that the guidance or revised guidance should not be issued, the Secretary of State must not issue it.

(5B) In calculating any period of 40 days for the purposes of subsection (5), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(5C) The Secretary of State must publish any guidance issued or revised under this section."

Member's explanatory statement
This amendment provides for the negative resolution procedure to apply to guidance under this section laid before Parliament.

After Clause 9

EARL RUSSELL
BARONESS DOOCEY

After Clause 9, insert the following new Clause—

"Waste crime: NCA priority

In section 3 of the Crime and Courts Act 2013 (Strategic Priorities), after subsection (1) insert—

"(1A) When determining the strategic priorities of the NCA under subsection (1) the Secretary of State must determine that serious and organised waste crime is a strategic priority for the NCA, or any successor body, and ensure that it is included as a strategic priority for the agency when it issues its annual reports.""

Member's explanatory statement
This amendment would require the Secretary of State, when setting strategic priorities for the National Crime Agency under section 3 of the Crime and Courts Act 2013, to include serious and organised waste crime as one of those priorities.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

After Clause 9, insert the following new Clause—

"Points on driving licence for fly tipping

In section 33(8) of the Environmental Protection Act 1990 (unauthorised disposal of waste: offence), at the end insert—

"and in either case is also liable to the endorsement of their driving record with 3 penalty points.""

Member's explanatory statement
This amendment seeks to add penalty points to the driving licence of a person convicted of a fly-tipping offence.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
LORD JACKSON OF PETERBOROUGH

After Clause 9, insert the following new Clause—

"Seizure of vehicles in connection with a fly-tipping offence

In section 59 of the Police Reform Act 2002 (vehicles used in manner causing alarm, distress or annoyance), after subsection (1)(b) insert—

"(c) is being used or has been used in connection with an offence under section 33 of the Environmental Protection Act 1990 (prohibition on unauthorised or harmful deposit, treatment or disposal of waste),""

Member's explanatory statement
This amendment adds the offence of fly tipping to the list of offences for which vehicles may be seized.

After Clause 11

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

After Clause 11, insert the following new Clause—

"Gang-related graffiti

(1) A person commits an offence if—
  (a) the person defaces a relevant surface with graffiti, and
  (b) the graffiti is gang-related.

(2) Graffiti is gang-related if—
  (a) it contains any symbol, sign, mark or slogan that is associated with, or is an identifiable marker of, a gang or gang activity,
  (b) it contains any symbol, sign, mark or slogan that a reasonable person would associate with a gang or gang activity, or
  (c) the person who defaced the relevant surface with the graffiti is a member of a gang.

(3) In this section "relevant surface" means any of the following surfaces, whether internal or external or open to the air or not—
  (a) the surface of any street or of any building, structure, apparatus, plant or other object in or on any street;
  (b) the surface of any land owned, occupied or controlled by a statutory undertaker, or of any building, structure, apparatus, plant or other object in or on any such land;

(c) the surface of any land owned, occupied or controlled by an educational institution (including its governing body), or of any building, structure, apparatus, plant or other object in or on any such land.

(4) A person who commits an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);

(b) on conviction on indictment, to imprisonment for a term not exceeding two years.

(5) In this section—

(a) "gang" means the activities of a group that—

(i) consists of at least three people,

(ii) has one or more characteristics that enable its members to be identified by others as a group, and

(iii) is involved, or has been involved in, the commission of criminal offences;

(b) "graffiti" includes painting, writing, soiling, marking or other defacing by whatever means."

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

After Clause 11, insert the following new Clause—

"Offences aggravated by gang involvement

After section 72 of the Sentencing Code insert—

"72A Gang connection

(1) This section applies where—

(a) a court is considering the seriousness of an offence, and

(b) the offence is aggravated by being gang-related.

(2) The court—

(a) must treat the fact that the offence is aggravated by being gang-related as an aggravating factor, and

(b) must state in open court that the offence is so aggravated.

(3) For the purposes of this section, an offence is "gang-related" if it was committed in the course of, or is otherwise related to, the activities of a gang.

(4) In this section "gang" means a group that—

(a) consists of at least three people, and

(b) has one or more characteristics that enable its members to be identified by others as a group.""

Clause 24

LORD HANSON OF FLINT

Clause 24, page 27, line 8, leave out subsections (3) and (4) and insert—

"(3) A draft of any guidance proposed to be issued under this section must be laid before each House of Parliament.

(4) The Secretary of State must not issue guidance under this section until after the end of the period of 40 days beginning with the day on which the draft was laid before each House of Parliament, or if it was laid on different days, with the later day.

(4A) If, within that period, either House of Parliament resolves that the guidance should not be issued, the Secretary of State must not issue it.

(4B) In calculating any period of 40 days for the purposes of subsection (4), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(4C) The Secretary of State must publish any guidance issued under this section."

Member's explanatory statement
This amendment provides for guidance under clause 24 to be laid before Parliament before being issued and to be subject to the negative resolution procedure.

LORD HANSON OF FLINT

Clause 24, page 27, line 12, at end insert—

"(6) The Secretary of State may revise any guidance issued under this section.

(7) Subject to subsection (8), subsections (3) to (5) have effect in relation to any revised guidance.

(8) Subsections (3) to (4B) do not apply to revised guidance if the Secretary of State considers that the revisions are not substantial."

Member's explanatory statement
This amendment is consequential on my amendment at clause 24, page 27, line 8.

Clause 27

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

Clause 27, page 31, line 8, leave out "4" and insert "10"

Member's explanatory statement
This amendment increases the maximum sentence for the new offence of possession of an offensive weapon with intent to use unlawful violence.

Clause 31

LORD HANSON OF FLINT

Clause 31, page 36, line 23, leave out from "seller" to "and" in line 26 and insert "either—

(i) obtained from the buyer a copy of an identity document issued to the buyer in a physical form and a photograph of the buyer, or

(ii) took such steps to verify the buyer's age as may be prescribed in regulations made by the Secretary of State,"

Member's explanatory statement
This amendment adds a requirement to section 141B of the Criminal Justice Act 1988 for a passport or driving licence used as proof of age on a remote sale of a knife to be a physical version, and allows the Secretary of State to make regulations prescribing an alternative process for age verification (such as digital ID).

LORD HANSON OF FLINT

Clause 31, page 36, line 27, leave out "the things obtained under paragraph (a)" and insert "that copy and photograph or those steps"

Member's explanatory statement
This amendment is consequential on my amendment to clause 31, page 36, line 23.

LORD HANSON OF FLINT

Clause 31, page 37, line 6, at end insert—

"(10A) A statutory instrument containing (whether alone or with other provision) regulations under subsection (4)(a)(ii) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament."

Member's explanatory statement
This amendment provides for regulations prescribing the steps that may be taken to verify a buyer's age to be subject to the affirmative procedure.

LORD HANSON OF FLINT

Clause 31, page 37, line 7, leave out "A" and insert "Any other"

Member's explanatory statement
This amendment is consequential on my amendment to clause 31, page 37, line 6.

After Clause 31

LORD HANSON OF FLINT

After Clause 31, insert the following new Clause—

"Remote sale or letting of knives etc: Scotland

(1) Section 141C of the Criminal Justice Act 1988 (remote sales and lettings of knives) is amended as follows.

(2) For subsection (5) substitute—

"(5) Condition A is that, before the sale or letting on hire—

(a) the accused either—

(i) obtained from the recipient a copy of an identity document issued to the recipient in a physical form and a photograph of the recipient, or

(ii) took such steps to verify the recipient's age as may be prescribed in regulations made by the Scottish Ministers, and

(b) on the basis of that copy and photograph or those steps, a reasonable person would have been satisfied that the recipient was aged 18 or over.

(5A) For the purposes of subsection (5) an "identity document" means—

(a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

(b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation;

(c) a licence to drive a motor vehicle—

(i) granted under Part 3 of the Road Traffic Act 1988 or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)), or

(ii) issued in the form of a photocard by a member State;

(d) any other document specified in regulations made by the Scottish Ministers."

(3) In subsection (6)(b) for "a person aged 18 or over" substitute "the recipient".

(4) In subsection (7) for "a person aged 18 or over" substitute "the recipient".

(5) In subsection (9) omit "or a person acting on behalf of the recipient" in both places it occurs.

(6) After subsection (10) insert—

"(11) Regulations made by the Scottish Ministers under subsection (5)(a)(ii) are subject to the affirmative procedure.

(12) Regulations made by the Scottish Ministers under subsection (5A)(d) are subject to the negative procedure.

(13) For the meaning of "affirmative procedure" and "negative procedure" see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)."

(7) In section 141A(4B) of the Criminal Justice Act 1988 (sale of knives to persons under 18: Scotland) for paragraphs (a) to (b) substitute—

"(a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

(aa) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation;

(b) a licence to drive a motor vehicle—

(i) granted under Part 3 of the Road Traffic Act 1988 or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)), or

(ii) issued in the form of a photocard by a member State;"."

Member's explanatory statement

This new clause makes provision for Scotland equivalent to that made for England and Wales by clause 31 (as amended by my amendments to that clause).

LORD HANSON OF FLINT

After Clause 31, insert the following new Clause—

"Remote sale of knives etc: Northern Ireland

(1) Article 54A of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24)) (remote sale of knives) is amended as follows.

(2) For paragraph (4) substitute—

"(4) Condition A is that, before the sale—

(a) the seller either—

(i) obtained from the buyer a copy of an identity document issued to the buyer in a physical form and a photograph of the buyer, or

(ii) took such steps to verify the buyer's age as may be prescribed in an order made by the Department of Justice, and

(b) on the basis of that copy and photograph or those steps, a reasonable person would have been satisfied that the buyer was aged 18 or over.

(4A) For the purposes of paragraph (4) an "identity document" means—

(a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

(b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation;

(c) a licence to drive a motor vehicle granted under Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)) or Part 3 of the Road Traffic Act 1988;

(d) any other document specified in an order made by the Department of Justice."

(3) In paragraph (5)(b), for "a person aged 18 or over" substitute "the buyer".

(4) In paragraph (6), for "a person aged 18 or over" substitute "the buyer".

(5) In paragraph (8), omit "or a person acting on behalf of the buyer", in both places it occurs.

(6) In Article 57 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24)) (rules and orders)—

(a) in paragraph (1) after "54(3)(c)" insert ", 54A(4A)(d)";

(b) in paragraph (2) after "Article" insert "54A(4)(a)(ii) or"."

Member's explanatory statement

This new clause makes provision for Northern Ireland equivalent to that made for England and Wales by clause 31 (as amended by my amendments to that clause).

Clause 32

LORD HANSON OF FLINT

Clause 32, page 37, line 11, at end insert—

"(1A) In section 38 (delivery of bladed products to residential premises)—

(a) omit subsection (4);

(b) in subsection (8)—

(i) in paragraph (b) omit "Scotland or";

(ii) after paragraph (b) insert—

"(c) on summary conviction in Scotland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding the statutory maximum or to both;

(d) on conviction on indictment in Scotland, to imprisonment for a term not exceeding 6 months, to a fine or to both."

(1B) In section 39 (delivery of bladed products to persons under 18)—

(a) in subsection (1), for paragraphs (c) to (e) substitute—

"(c) before the sale, the seller entered into an arrangement with a person ("the contractor") by which the contractor agreed—

(i) to deliver bladed products for the seller, or

(ii) to arrange the delivery of bladed products for the seller,

(d) the contractor was aware when they entered into the arrangement with the seller that it covered delivering, or arranging the delivery of, bladed products, and

(e) pursuant to that arrangement, the bladed product is finally delivered to residential premises by the contractor or a person acting on the contractor's behalf.";

(b) omit subsections (2) and (3);

(c) for subsection (6) substitute—

"(6) The contractor commits an offence if, when the bladed product is finally delivered to residential premises by the contractor or a person acting on the contractor's behalf, it is not delivered into the hands of a person who—

(a) is aged 18 or over, and

(b) if the buyer is an individual, is the buyer.

(6A) A person acting on the contractor's behalf commits an offence if—

(a) the bladed product is finally delivered to residential premises by that person or another person acting on the contractor's behalf, and

(b) it is not delivered into the hands of a person who—

(i) is aged 18 or over, and

(ii) if the buyer is an individual, is the buyer.

(6B) For the purposes of this section, a person acts on the contractor's behalf if the person acts in relation to the bladed product pursuant to a relevant arrangement with—

(a) the contractor, or

(b) a person who acts on the contractor's behalf.

(6C) A "relevant arrangement" is an arrangement entered into before the sale of the bladed product by which the person agreed to finally deliver, or to arrange for the final delivery of, bladed products (whether or not the person was aware that the arrangement covered bladed products).";

(d) in subsection (7)—

(i) for "subsection (6)" substitute "this section";

(ii) in paragraph (b) omit "Scotland or";

(iii) after paragraph (b) insert—

"(c) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;

(d) on conviction on indictment in Scotland, to a fine.".."

Member's explanatory statement

This amendment, together with other of my amendments to clause 32, extend the provision made by that clause to Scotland and Northern Ireland and make related drafting changes. It also ensures

that all contractors in the delivery chain are responsible for age and ID verification on delivery of bladed products to residential premises.

LORD HANSON OF FLINT

Clause 32, page 37, line 12, leave out "After section 39 insert" and insert "For section 40 substitute"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 37, line 13, leave out "39A" and insert "40"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 37, line 13, leave out "England and Wales" and insert "or 39"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 37, line 14, leave out "in England and Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 37, line 17, leave out "in England and Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 37, line 26, leave out "in England and Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 37, line 29, at end insert—

"(3A) It is a defence for a person charged with an offence under section 39(6) or (6A) to show that the delivery conditions were met.

(3B) It is a defence for a person charged with an offence under section 39(6) or (6A) who did not finally deliver the bladed product to show that the person took all reasonable precautions, and exercised all due diligence, to avoid commission of the offence.

(3C) It is a defence for a person charged with an offence under section 39(6A) to show that the person did not know, and a reasonable person would not have known, that what was delivered was a bladed product."

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 37, leave out lines 31 to 33 and insert—

"(a) the person finally delivering the bladed product—

(i) was shown by the person ("P") into whose hands it was finally delivered an identity document issued to P in a physical form, or

(ii) took such steps to verify P's age and identity as may be prescribed in regulations made by the appropriate national authority, and"

Member's explanatory statement
This amendment provides that an identity document shown to a person delivering a bladed product must be a physical document. It also allows regulations to be made prescribing an alternative process for identity verification (such as digital ID).

LORD HANSON OF FLINT

Clause 32, page 37, line 34, after "document" insert "or those steps"

Member's explanatory statement
This amendment is consequential on my amendment to clause 32, page 37, lines 31 to 33.

LORD HANSON OF FLINT

Clause 32, page 38, line 6, leave out from first "a" to end of line 8 and insert "relevant driving licence"

Member's explanatory statement
This amendment, together with my second amendment to clause 32, page 38, line 10, provide for EU driving licences to count as an identity document in Scotland.

LORD HANSON OF FLINT

Clause 32, page 38, line 10, leave out "Secretary of State" and insert "appropriate national authority"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 38, line 10, at end insert—

"(5A) In subsection (5)(c) "relevant driving licence" means—

(a) in relation to England and Wales and Northern Ireland, a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988 or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1));

(b) in relation to Scotland, a licence to drive a motor vehicle—

(i) granted under Part 3 of the Road Traffic Act 1988 or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)), or

(ii) issued in the form of a photocard by a member State."

Member's explanatory statement
This amendment, together with my amendment to clause 32, page 38, line 6, provide for EU driving licences to count as an identity document in Scotland.

LORD HANSON OF FLINT

Clause 32, page 38, leave out lines 11 to 18

Member's explanatory statement
This amendment removes provisions that are no longer needed because the matters are dealt with in the new section 40E inserted by my amendment to clause 32, page 43, line 14 and the new section 42A inserted by my amendment to clause 32, page 45, line 19.

LORD HANSON OF FLINT

Clause 32, page 38, line 20, leave out from beginning to end of line 24 on page 39

Member's explanatory statement
This amendment removes provisions that are superseded by my new amendments to section 39 of the Offensive Weapons Act 2019 (see my amendment to clause 32, page 37, line 11).

LORD HANSON OF FLINT

Clause 32, page 39, leave out line 26

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 39, line 35, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 39, line 38, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 40, line 18, leave out "the seller" and insert "they"

Member's explanatory statement
This amendment makes a drafting change for consistency.

LORD HANSON OF FLINT

Clause 32, page 40, leave out lines 21 to 25

Member's explanatory statement
This amendment removes a provision that is no longer needed because the matter is dealt with in the new section 42A inserted by my amendment to clause 32, page 45, line 19.

LORD HANSON OF FLINT

Clause 32, page 40, line 26, leave out "on summary conviction to a fine" and insert—

"(a) on summary conviction in England and Wales, to a fine;
(b) on summary conviction in Northern Ireland, to a fine not exceeding level 5 on the standard scale;
(c) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;
(d) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 40, leave out lines 34 to 37

Member's explanatory statement
This amendment removes provisions that are no longer needed because the matters are dealt with in the new section 40E inserted by my amendment to clause 32, page 43, line 14 and the new section 42A inserted by my amendment to clause 32, page 45, line 19.

LORD HANSON OF FLINT

Clause 32, page 40, line 38, leave out "courier" and insert "contractor"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 40, line 39, leave out "England and Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 41, line 7, leave out "courier") by which the person" and insert "contractor") by which the contractor"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, line 8, after "seller," insert "or

(ii) to arrange the delivery of bladed products for the seller,"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, line 9, leave out "courier" and insert "contractor"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, line 10, after "covered" insert "delivering, or arranging"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, line 11, leave out "courier" and insert "contractor"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, line 11, after "they" insert "or a person acting on their behalf"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, line 12, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 41, line 12, at end insert—

"(2A) A person who acts on the contractor's behalf commits an offence if they, or another person acting on the contractor's behalf, deliver the bladed product to a collection point.

(2B) For the purposes of this section, a person acts on the contractor's behalf if the person acts in relation to the bladed product pursuant to a relevant arrangement with—

(a) the contractor, or

(b) a person who acts on the contractor's behalf.

(2C) A "relevant arrangement" is an arrangement entered into before the sale of the bladed product by which the person agreed to deliver, or to arrange for the delivery of, bladed products (whether or not the person was aware that the arrangement covered bladed products)."

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, line 15, leave out from "when" to "was" in line 16 and insert "they delivered the package containing the bladed product to the collection point or to a person acting on the contractor's behalf, the package"

Member's explanatory statement
This amendment, together with other amendments to this inserted section, ensures that all contractors in the delivery chain are responsible for marking packages containing bladed products that are to be delivered to collection points as needing age and ID verification.

LORD HANSON OF FLINT

Clause 32, page 41, leave out lines 27 to 31

Member's explanatory statement
This amendment removes a provision that is no longer needed because the matter is dealt with in the new section 42A inserted by my amendment to clause 32, page 45, line 19.

LORD HANSON OF FLINT

Clause 32, page 41, line 32, leave out "on summary conviction to a fine" and insert—

"(a) on summary conviction in England and Wales, to a fine;

(b) on summary conviction in Northern Ireland, to a fine not exceeding level 5 on the standard scale;

(c) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;

(d) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 41, leave out lines 35 to 38

Member's explanatory statement
This amendment removes provisions that are no longer needed because the matters are dealt with in the new section 40E inserted by my amendment to clause 32, page 43, line 14 and the new section 42A inserted by my amendment to clause 32, page 45, line 19.

LORD HANSON OF FLINT

Clause 32, page 42, leave out line 2

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 42, line 9, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 42, line 22, leave out "of the collection point"

Member's explanatory statement
This amendment is a drafting change.

LORD HANSON OF FLINT

Clause 32, page 42, line 23, leave out from "if" to "into" in line 24 and insert "the operator (or a person acting on behalf of the operator)—

(a) gives the bladed product to a person collecting it, but
(b) does not give it"

Member's explanatory statement
This amendment clarifies that section 40D(4) applies where a bladed product is given to the person collecting it by a person acting on behalf of the operator.

LORD HANSON OF FLINT

Clause 32, page 42, line 26, leave out first "it" and insert "the bladed product"

Member's explanatory statement
This amendment makes a drafting change.

LORD HANSON OF FLINT

Clause 32, page 42, leave out lines 34 to 36 and insert—

"(a) the individual giving the bladed product to the person ("P") collecting it—
(i) was shown by P an identity document issued to P in a physical form, or
(ii) took such steps to verify P's age and identity as may be prescribed in regulations made by the appropriate national authority, and"

Member's explanatory statement
This amendment provides that an identity document shown to a person handing over a bladed product must be a physical document. It also allows regulations to be made prescribing an alternative process for identity verification (such as digital ID).

LORD HANSON OF FLINT

Clause 32, page 42, line 37, after "document" insert "or those steps"

Member's explanatory statement
This amendment is consequential on my amendment to clause 32, page 42, line 34.

LORD HANSON OF FLINT

Clause 32, page 43, leave out lines 4 to 8

Member's explanatory statement
This amendment removes a provision that is no longer needed because the matter is dealt with in the new section 42A inserted by my amendment to clause 32, page 45, line 19.

LORD HANSON OF FLINT

Clause 32, page 43, line 9, leave out "on summary conviction to a fine" and insert—

"(a) on summary conviction in England and Wales, to a fine;
(b) on summary conviction in Northern Ireland, to a fine not exceeding level 5 on the standard scale;
(c) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;
(d) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 43, leave out lines 14 to 17 and insert—

"40E Further defences to offences under sections 38 to 40D

The appropriate national authority may by regulations provide for other defences for a person charged with an offence under any of sections 38 to 40D."

Member's explanatory statement
This amendment removes provisions that are no longer needed because the matters are dealt with in the new section 40E inserted by this amendment and the new section 42A inserted by my amendment to clause 32, page 45, line 19.

LORD HANSON OF FLINT

Clause 32, page 43, line 18, leave out subsections (4) to (7)

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 45, line 11, at end insert—

"(d) in subsection (3), for "40" substitute "40D";
(e) in subsection (4) for "40" substitute "40D"."

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 45, line 14, leave out paragraphs (a) to (e) and insert—

"(a) in subsection (1) for paragraphs (c) to (e) substitute—

"(c) before the sale, the seller entered into an arrangement with a person ("the contractor") by which the contractor agreed—

(i) to deliver bladed articles for the seller, or

(ii) to arrange the delivery of bladed articles for the seller,

(d) the contractor was aware when they entered into the arrangement with the seller that it covered delivering, or arranging the delivery of, bladed articles, and

(e) pursuant to that arrangement, the bladed article is finally delivered by the contractor or a person acting on the contractor's behalf.";

(b) omit subsections (2) and (3);

(c) for subsections (4) to (9) substitute—

"(4) The contractor commits an offence if, when the bladed article is finally delivered by the contractor or a person acting on the contractor's behalf, it is not delivered into the hands of a person who—

(a) is aged 18 or over, and

(b) if the buyer is an individual, is the buyer.

(4A) A person acting on the contractor's behalf commits an offence if—

(a) the bladed article is finally delivered by that person or another person acting on the contractor's behalf, and

(b) it is not delivered into the hands of a person who—

(i) is aged 18 or over, and

(ii) if the buyer is an individual, is the buyer.

(4B) It is a defence for a person charged with an offence under subsection (4) or (4A) to show that the delivery conditions were met.

(4C) It is a defence for a person charged with an offence under subsection (4) or (4A) who did not finally deliver the bladed article to show that the person took all reasonable precautions, and exercised all due diligence, to avoid commission of the offence.

(4D) It is a defence for a person charged with an offence under subsection (4A) to show that the person did not know, and a reasonable person would not have known, that what was delivered was a bladed article.

(4E) For the purposes of this section a person acts on the contractor's behalf if the person acts in relation to the bladed article pursuant to a relevant arrangement with—

(a) the contractor, or

(b) a person who acts on the contractor's behalf.

(4F) A "relevant arrangement" is an arrangement entered into before the sale of the bladed article by which the person agreed to finally deliver, or to arrange for the final delivery of, bladed articles (whether or not the person was aware that the arrangement covered bladed articles).

(4G) In this section the "delivery conditions" has the meaning given by section 40(4).";

(d) in subsection (10)—

(i) for "subsection (4)" substitute "this section";

(ii) in paragraph (b) omit "Scotland or";

(iii) after paragraph (b) insert—

"(c) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;

(d) on conviction on indictment in Scotland, to a fine.""

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 45, line 19, at end insert—

"(9A) After section 42 insert—

"42A Interpretation of sections 38 to 42

(1) This section applies for the interpretation of sections 38 to 42.

(2) A person ("A") is not in the presence of another person ("B") at any time if—

(a) where A is an individual, A or a person acting on behalf of A is not in the presence of B at that time;

(b) where A is not an individual, a person acting on behalf of A is not in the presence of B at that time.

(3) A person other than an individual—

(a) is within the United Kingdom at any time, if the person carries on a business of selling articles of any kind from premises in any part of the United Kingdom at that time;

(b) is outside the United Kingdom at any time, if the person does not carry on a business of selling articles of any kind from premises in any part of the United Kingdom at that time.

(4) The "appropriate national authority" is—
  (a) in relation to England and Wales, the Secretary of State;
  (b) in relation to Scotland, the Scottish Ministers;
  (c) in relation to Northern Ireland, the Department of Justice in Northern Ireland.

(5) A person charged with an offence is to be taken to have shown a matter if—
  (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
  (b) the contrary is not proved beyond reasonable doubt.".""

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 45, line 20, leave out subsection (10)

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 45, line 27, after "39A(5)(d)" insert "made by the Secretary of State"

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

LORD HANSON OF FLINT

Clause 32, page 45, line 28, at end insert—

"(c) in subsection (3)—
  (i) omit ", 40(10)(c)";
  (ii) after "is" insert ", and regulations made by the Scottish Ministers under section 40(5)(d) are,";
(d) in subsection (4) for "40(13)" substitute "40(4)(a)(ii), 40D(8)(a)(ii), 40E";
(e) in subsection (6) after "Act" insert ", except for regulations under section 40(5)(d),";
(f) after subsection (6) insert—

"(6A) Regulations made by the Department of Justice under section 40(5)(d) are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954.""

Member's explanatory statement
See my amendment to clause 32, page 37, line 11.

Clause 33

LORD HANSON OF FLINT

Clause 33, page 45, line 32, at end insert—

"(2A) After section 1 insert—

"1ZA Defence to offence under section 1: England and Wales

Except where section 1B applies, it is a defence for a person charged in England and Wales with an offence under section 1 to show that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.".

(2B) In section 1A (defences: Scotland)—

(a) in subsection (1)—

(i) for "It" substitute "Except where section 1B applies, it";

(ii) after "charged" insert "in Scotland";

(b) in subsection (3) for paragraphs (a) to (b) substitute—

"(a) a United Kingdom passport (within the meaning of the Immigration Act 1971),

(aa) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation,

(b) a licence to drive a motor vehicle—

(i) granted under Part 3 of the Road Traffic 1988 or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)), or

(ii) issued in the form of a photocard by a member State, or";

(c) for the heading substitute "Defence to offence under section 1: Scotland"."

Member's explanatory statement
This amendment, together with my other amendments to clauses 33 to 35, extend to Scotland the amendments made by those clauses to the Crossbows Act 1987, and make related changes.

LORD HANSON OF FLINT

Clause 33, page 45, line 34, leave out "England and Wales" and insert "remote sales etc"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 33, page 45, leave out lines 35 to 37

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 33, page 45, line 38, leave out "Subsection (3)" and insert "This section"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 33, page 46, line 4, leave out from beginning to "that" in line 6 and insert "It is a defence for A to show"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 33, page 46, line 9, leave out from "A" to "and" in line 11 and insert "either—

(i) obtained from B a copy of an identity document issued to B in a physical form and a photograph of B, or

(ii) took such steps to verify B's age as may be prescribed in regulations made by the relevant national authority,"

Member's explanatory statement
This amendment requires a passport or driving licence used as proof of age on a remote sale or letting of a crossbow to be a physical document, and allows the Secretary of State or Scottish Ministers to make regulations prescribing an alternative process for age verification (such as digital ID).

LORD HANSON OF FLINT

Clause 33, page 46, line 12, leave out "the things obtained under paragraph (a)" and insert "that copy and photograph or those steps"

Member's explanatory statement
This amendment is consequential on my amendment to clause 33, page 46, line 9.

LORD HANSON OF FLINT

Clause 33, page 46, line 21, leave out from first "a" to end of line 23 and insert "relevant driving licence"

Member's explanatory statement
This amendment, together with my second amendment to clause 33, page 46, line 25, provides for EU driving licences to count as an identity document in Scotland (for consistency with the existing provision in section 1A(3) of the Crossbows Act 1987).

LORD HANSON OF FLINT

Clause 33, page 46, line 25, leave out "Secretary of State" and insert "relevant national authority"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 33, page 46, line 25, at end insert—

"(5A) In subsection (5)(c) a "relevant driving licence" means—

(a) in relation to England and Wales, a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988 or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1));

(b) in relation to Scotland, a licence to drive a motor vehicle—

(i) granted under Part 3 of the Road Traffic Act 1988 or under Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)), or

(ii) issued in the form of a photocard by a member State."

Member's explanatory statement
This amendment, together with my amendment to clause 33, page 46, line 21, provides for EU driving licences to count as an identity document in Scotland (for consistency with the existing provision in section 1A(3) of the Crossbows Act 1987).

Clause 34

LORD HANSON OF FLINT

Clause 34, page 47, line 6, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 47, line 14, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 47, line 15, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 47, line 19, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 47, line 21, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 47, line 27, after "conviction" insert "in England and Wales,"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 47, line 28, at end insert—

"(b) on summary conviction in Scotland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);

(c) on conviction on indictment in Scotland, to imprisonment for a term not exceeding 6 months or a fine (or both)."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 48, line 12, leave out from "person" to "and" in line 14 and insert "finally delivering the crossbow or part of a crossbow—

(i) was shown by the person "(P)" into whose hands it was finally delivered an identity document issued to P in a physical form, or

(ii) took such steps to verify P's age and identity as may be prescribed in regulations made by the relevant national authority,"

Member's explanatory statement
This amendment requires a passport or driving licence used as proof of age on delivery of a crossbow to be a physical document, and allows the Secretary of State or Scottish Ministers to make regulations prescribing an alternative process for age verification (such as digital ID).

LORD HANSON OF FLINT

Clause 34, page 48, line 15, after "document" insert "or those steps"

Member's explanatory statement
This amendment is consequential on my amendment to clause 34, page 48, line 12.

LORD HANSON OF FLINT

Clause 34, page 48, line 22, leave out "Secretary of State" and insert "relevant national authority"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 48, line 24, leave out "delivery business" and insert "contractor"

Member's explanatory statement
This is a drafting change.

LORD HANSON OF FLINT

Clause 34, page 48, line 25, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 48, line 35, at end insert "or

"(ii) to arrange the delivery of crossbows or parts of crossbows for A,"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 48, line 37, after "covered" insert "delivering, or arranging"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 48, line 38, after "C" insert "or a person acting on C's behalf"

Member's explanatory statement
This amendment clarifies that inserted section 1E(1)(e) applies to deliveries by a person acting on C's behalf.

LORD HANSON OF FLINT

Clause 34, page 48, line 39, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 48, line 41, leave out from beginning to end of line 2 on page 49

Member's explanatory statement
This amendment removes provision that is no longer needed because the point is now dealt with in section 1J(2A) (general interpretation) as inserted by my amendment to clause 35, page 54, line 29.

LORD HANSON OF FLINT

Clause 34, page 49, line 3, leave out from "when" to "into" in line 5 and insert "the crossbow or part of a crossbow is finally delivered to residential premises by C or a person acting on C's behalf, it is not delivered"

Member's explanatory statement
This amendment clarifies that inserted section 1E(3) applies to deliveries by a person acting on C's behalf.

LORD HANSON OF FLINT

Clause 34, page 49, line 9, leave out from "person" to "into" in line 11 and insert "acting on C's behalf commits an offence if—

"(a) the crossbow or part of a crossbow is finally delivered to residential premises by that person or another person acting on C's behalf, and

(b) it is not delivered""

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 49, line 17, after "(3)" insert "or (4)"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 49, line 18, at end insert—

"(5A) It is a defence for a person charged with an offence under subsection (3) or (4) who did not finally deliver the crossbow or part of a crossbow to residential premises to show that the person took all reasonable precautions, and exercised all due diligence, to avoid commission of the offence."

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 49, leave out lines 21 and 22

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 49, line 24, leave out "the person was delivering" and insert "what was delivered was"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 49, line 25, at end insert—

"(6A) For the purposes of this section a person acts on C's behalf if the person acts in relation to the crossbow or part of a crossbow pursuant to a relevant arrangement with—

(a) C, or

(b) a person who acts on C's behalf.

(6B) A "relevant arrangement" is an arrangement entered into before the sale or letting on hire of the crossbow or part of a crossbow by which the person agreed to finally deliver, or to arrange for the final delivery of, crossbows or parts of crossbows (whether or not the person was aware that the arrangement covered crossbows or parts of crossbows)."

Member's explanatory statement
This amendment, along with other amendments to inserted section 1E, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 49, line 26, leave out "Secretary of State" and insert "relevant national authority"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 49, line 29, after "conviction" insert "in England and Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 49, line 29, at end insert—

"(b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;

(c) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 49, line 31, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 49, line 41, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 50, line 2, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 50, line 34, after "conviction" insert "in England and Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 50, line 34, at end insert—

"(b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;

(c) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 51, line 1, leave out "Secretary of State" and insert "relevant national authority"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 51, line 3, leave out "delivery business" and insert "contractor"

Member's explanatory statement
This is a drafting change.

LORD HANSON OF FLINT

Clause 34, page 51, line 4, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 51, line 13, after "A," insert "or

"(ii) to arrange the delivery of crossbows or parts of crossbows for A,"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1G, ensure that offences relating to the delivery of crossbows to collection points can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 51, line 15, after "covered" insert "delivering, or arranging"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1G, ensure that offences relating to the delivery of crossbows to collection points can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 51, line 16, leave out "they deliver a" and insert "C or a person acting on C's behalf delivers the"

Member's explanatory statement
This amendment clarifies that inserted section 1G(2) applies to deliveries made by a person acting on C's behalf.

LORD HANSON OF FLINT

Clause 34, page 51, line 17, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 51, line 18, at end insert—

"(2A) A person acting on C's behalf commits an offence if, pursuant to the arrangement, that person or another person acting on C's behalf delivers the crossbow or part of a crossbow to a collection point.

(2B) For the purposes of this section, a person acts on C's behalf if the person acts in relation to the crossbow or part of a crossbow pursuant to a relevant arrangement with—

(a) C, or

(b) a person who acts on C's behalf.

(2C) A "relevant arrangement" is an arrangement entered into before the sale or letting on hire of the crossbow or part of a crossbow by which the person agreed to deliver, or to arrange for the delivery of, crossbows or parts of crossbows (whether or not the person was aware that the arrangement covered crossbows or parts of crossbows)."

Member's explanatory statement
This amendment, along with other amendments to inserted section 1G, ensure that offences relating to the delivery of crossbows to collection points can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 51, line 21, leave out from "when" to second "was" in line 22 and insert "they delivered the package containing the crossbow or part of a crossbow to the collection point or a person acting on C's behalf, the package"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1G, ensure that offences relating to the delivery of crossbows to collection points can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 51, line 39, after "conviction" insert "in England and Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 51, line 39, at end insert—

"(b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;

(c) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 51, line 41, leave out "Secretary of State" and insert "relevant national authority"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 52, line 1, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 52, line 10, leave out "in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 52, line 22, leave out "of the collection point"

Member's explanatory statement
This amendment is a drafting change.

LORD HANSON OF FLINT

Clause 34, page 52, line 23, leave out from "if" to "into" in line 24 and insert "the operator (or a person acting on behalf of the operator)—

(a) gives the crossbow or part of a crossbow to a person collecting it, but
(b) does not give it"

Member's explanatory statement
This amendment clarifies that section 1H(4) applies where the crossbow or part of a crossbow is given to the person collecting it by a person acting on behalf of the operator.

LORD HANSON OF FLINT

Clause 34, page 52, line 27, leave out first "it" and insert "the crossbow or part of a crossbow"

Member's explanatory statement
This amendment makes a drafting change.

LORD HANSON OF FLINT

Clause 34, page 52, line 36, leave out from first "the" to "and" in line 38 and insert "individual giving the crossbow of part of a crossbow to the person ("P") collecting it —

(i) was shown by P an identity document issued to P in a physical form, or
(ii) took such steps to verify P's age and identity as may be prescribed in regulations made by the relevant national authority,"

Member's explanatory statement
This amendment requires a passport or driving licence used as proof of age on collection of a crossbow to be a physical document, and allows the Secretary of State or Scottish Ministers to make regulations prescribing an alternative process for age verification (such as digital ID).

LORD HANSON OF FLINT

Clause 34, page 52, line 39, after "document" insert "or those steps"

Member's explanatory statement
The amendment is consequential on my amendment to clause 34, page 52, line 36.

LORD HANSON OF FLINT

Clause 34, page 53, line 9, after "conviction" insert "in England and Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 53, line 9, at end insert—

"(b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;

(c) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 53, line 13, leave out "Secretary of State" and insert "relevant national authority"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 53, line 15, leave out "delivery business" and insert "contractor"

Member's explanatory statement
This is a drafting change.

LORD HANSON OF FLINT

Clause 34, page 53, line 16, leave out "to premises in England and Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 53, line 26, at end insert "or

"(ii) to arrange the delivery of crossbows or parts of crossbows for A,"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 53, line 28, after "covered" insert "delivering, or arranging"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 53, line 29, after "C" insert "or a person acting on C's behalf"

Member's explanatory statement
This amendment clarifies that inserted section 1I(1)(e) applies where a person delivers the item on C's behalf.

LORD HANSON OF FLINT

Clause 34, page 53, line 30, leave out "to premises in England or Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 53, leave out lines 31 to 34

Member's explanatory statement
This amendment leaves out provision that is no longer necessary because the point is now dealt with in section 1J(2A) (general interpretation) as inserted by my amendment to clause 35, page 54, line 29.

LORD HANSON OF FLINT

Clause 34, page 53, line 35, leave out from "when" to "into" in line 37 and insert "the crossbow or part of a crossbow is finally delivered by C or a person acting on C's behalf, it is not delivered"

Member's explanatory statement
This amendment clarifies that inserted section 1I(3) applies where the item is delivered by a person acting on C's behalf.

LORD HANSON OF FLINT

Clause 34, page 54, line 1, leave out from beginning to "into" in line 3 and insert—

"(4) A person acting on C's behalf commits an offence if—
(a) the crossbow or part of a crossbow is finally delivered by that person or another person acting on C's behalf, and
(b) it is not delivered"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 54, line 9, after "conviction" insert "in England and Wales"

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 54, line 9, at end insert—

"(b) on summary conviction in Scotland, to a fine not exceeding the statutory maximum;
(c) on conviction on indictment in Scotland, to a fine."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 34, page 54, line 11, after "(3)" insert "or (4)"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 54, line 12, at end insert—

"(6A) It is a defence for a person charged with an offence under subsection (3) or (4) who did not finally deliver the crossbow or part of a crossbow to show that the person took all reasonable precautions, and exercised all due diligence, to avoid commission of the offence."

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 54, leave out lines 15 and 16

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 54, line 18, leave out "the person was delivering" and insert "what was delivered was"

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

LORD HANSON OF FLINT

Clause 34, page 54, line 19, at end insert—

"(8) For the purposes of this section a person acts on C's behalf if the person acts in relation to the crossbow or part of a crossbow pursuant to a relevant arrangement with—

(a) C, or

(b) a person who acts on C's behalf.

(9) A "relevant arrangement" is an arrangement entered into before the sale or letting on hire of the crossbow or part of a crossbow by which the person agreed to finally deliver, or to arrange for the final delivery of, crossbows or parts of crossbows (whether or not the person was aware that the arrangement covered crossbows or parts of crossbows)."

Member's explanatory statement
This amendment, along with other amendments to inserted section 1I, ensure that offences relating to the delivery of crossbows to residential premises can be committed by all contractors in the delivery chain.

Clause 35

LORD HANSON OF FLINT

Clause 35, page 54, line 23, at end insert—

"(1A) "Relevant national authority" means—
(a) in relation to England and Wales, the Secretary of State;
(b) in relation to Scotland, the Scottish Ministers."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 35, page 54, line 29, at end insert—

"(2A) A person other than an individual—
(a) is within the United Kingdom at any time, if the person carries on a business of selling or letting on hire articles of any kind from premises in any part of the United Kingdom at that time;
(b) is outside the United Kingdom at any time, if the person does not carry on a business of selling or letting on hire articles of any kind from premises in any part of the United Kingdom at that time."

Member's explanatory statement
This amendment defines when a person is within or outside the United Kingdom for the purposes of the crossbow provisions.

LORD HANSON OF FLINT

Clause 35, page 55, line 6, leave out from beginning to "unless" in line 7 and insert "regulations under this Act, other than regulations under section 1B(5)(d),"

Member's explanatory statement
This amendment provides for regulations made by the Secretary of State prescribing the steps that may be taken to verify a buyer's age (as well as regulations under the provisions already specified in inserted section 6A(2)) to be subject to the affirmative procedure.

LORD HANSON OF FLINT

Clause 35, page 55, line 9, leave out "Any other" and insert "A"

Member's explanatory statement
This amendment is consequential on my amendment to clause 35, page 55, line 6.

LORD HANSON OF FLINT

Clause 35, page 55, line 10, leave out "this Act" and insert "section 1B(5)(d)"

Member's explanatory statement
This amendment is consequential on my amendment to clause 35, page 55, line 6.

LORD HANSON OF FLINT

Clause 35, page 55, line 11, at end insert—

"(4) Regulations made by the Scottish Ministers under this Act, other than regulations under section 1B(5)(d), are subject to the affirmative procedure.

(5) Regulations made by the Scottish Ministers under section 1B(5)(d) are subject to the negative procedure.

(6) For the meaning of "affirmative procedure" and "negative procedure" see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

LORD HANSON OF FLINT

Clause 35, page 55, line 17, at end insert—

"(4) In section 66(2) of that Act (guidance by Scottish Ministers), after paragraph (a) insert—

"(aa) any of sections 1 to 3 of the Crossbows Act 1987 as they have effect in relation to Scotland,"."

Member's explanatory statement
See my amendment to clause 33, page 45, line 32.

After Clause 35

LORD HANSON OF FLINT

After Clause 35, insert the following new Clause—

"Remote sale and letting of crossbows: Northern Ireland

(1) The Crossbows (Northern Ireland) Order 1988 (S.I. 1988/794 (N.I. 5)) is amended as follows.

(2) In Article 3 omit ", unless he believes him to be eighteen years of age or older and has reasonable ground for the belief".

(3) After Article 3 insert—

"Defence to offence under Article 3

3A. Except where Article 3B applies, it is a defence for a person charged with an offence under Article 3 to show that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

Defence to offence under Article 3: remote sales etc

3B.—(1) This Article applies if—

(a) a person ("A") is charged with an offence under Article 3, and

(b) A was not in the presence of the person ("B") to whom the crossbow or part of a crossbow was sold or let on hire at the time of the sale or letting on hire.

(2) It is a defence for A to show that the following conditions are met.

(3) Condition 1 is that, before the sale or letting on hire—

(a) A either—

(i) obtained from B a copy of an identity document issued to B in a physical form and a photograph of B, or

(ii) took such steps to verify B's age as may be prescribed in regulations made by the Department of Justice, and

(b) on the basis of that copy and photograph or those steps, a reasonable person would have been satisfied that B was aged 18 or over.

(4) For the purposes of paragraph (3) an "identity document" means—

(a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

(b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation;

(c) a licence to drive a motor vehicle granted under Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)) or Part 3 of the Road Traffic Act 1988;

(d) any other document specified in regulations made by the Department of Justice.

(5) Condition 2 is that when the package containing the crossbow or part of a crossbow was dispatched by A, it was clearly marked to indicate—

(a) that it contained a crossbow or part of a crossbow, and

(b) that, when finally delivered, it should only be delivered into the hands of B.

(6) Condition 3 is that A took all reasonable precautions and exercised all due diligence to ensure that, when finally delivered, the package would be delivered into the hands of B.

(7) Condition 4 is that A did not deliver the package, or arrange for its delivery, to a locker.

(8) Where the crossbow or part of a crossbow was dispatched by A to a place from which it was to be collected by B, references in paragraphs (5) and (6) to its final delivery are to be read as its supply to B from that place.

(9) In paragraph (7) "locker" means a lockable container to which the package is delivered with a view to its collection by B, or a person acting on behalf of B, in accordance with arrangements made between A and B.".”

Member's explanatory statement
This amendment makes provision about crossbows for Northern Ireland similar to that made by clause 33 for England and Wales.

LORD HANSON OF FLINT

After Clause 35, insert the following new Clause—

“Delivery of crossbows: Northern Ireland

In the Crossbows (Northern Ireland) Order 1988 (S.I. 1988/794 (N.I. 5)), after Article 3B (inserted by section (*Remote sale and letting of crossbows: Northern Ireland*)) insert—

“Offence of seller etc delivering crossbows or parts of crossbows to residential premises

3C.—(1) This Article applies if—

(a) a person (“A”) sells or lets on hire a crossbow or part of a crossbow to another person (“B”), and

(b) A and B are not in each other's presence at the time of the sale.

(2) A commits an offence if, for the purposes of supplying the crossbow or part of a crossbow to B, A—

(a) delivers the crossbow or part of a crossbow to residential premises, or

(b) arranges for its delivery to residential premises.

(3) A commits an offence if, for the purposes of supplying the crossbow or part of a crossbow to B, A—

(a) delivers the crossbow or part of a crossbow to a locker, or

(b) arranges for its delivery to a locker.

(4) In paragraph (3) "locker" means a lockable container to which the crossbow or part of a crossbow is delivered with a view to its collection by B, or a person acting on B's behalf, in accordance with arrangements made between A and B.

Defences to offences under Article 3C

3D.—(1) It is a defence for a person charged with an offence under Article 3C(2)(a) to show that the delivery conditions were met.

(2) It is a defence for a person charged with an offence under Article 3C(2)(b) to show that—

(a) the arrangement required the person with whom it was made not to finally deliver the crossbow or part of a crossbow unless the delivery conditions were met, and

(b) the person charged with the offence took all reasonable precautions and exercised all due diligence to ensure that the crossbow or part of a crossbow would not be finally delivered unless the delivery conditions were met.

(3) It is a defence for a person charged with an offence under Article 3C(3) to show that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(4) For the purposes of this Article the delivery conditions are that—

(a) the person finally delivering the crossbow or part of a crossbow—

(i) was shown by the person ("P") into whose hands it was finally delivered an identity document issued to P in a physical form, or

(ii) took such steps to verify P's age and identity as may be prescribed in regulations made by the Department of Justice, and

(b) on the basis of that document or those steps, a reasonable person would have been satisfied—

(i) that P was aged 18 or over, and

(ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire was an individual, that P was that individual.

(5) "Identity document" has the same meaning as in Article 3B(4).

Offence of contractor delivering crossbows or parts of crossbows to residential premises on behalf of UK seller

3E.—(1) This Article applies if—

(a) a person ("A") sells or lets on hire a crossbow or part of a crossbow to another person ("B"),

(b) A and B are not in each other's presence at the time of the sale or letting on hire and A is within the United Kingdom at that time,

(c) before the sale or letting on hire A entered into an arrangement with a person ("C") by which C agreed—

(i) to deliver crossbows or parts of crossbows for A, or

(ii) to arrange for the delivery of crossbows or parts of crossbows for A,

(d) C was aware when they entered into the arrangement that it covered delivering, or arranging the delivery of, crossbows or parts of crossbows, and

(e) pursuant to that arrangement, the crossbow or part of a crossbow is finally delivered to residential premises by C or a person acting on C's behalf.

(2) C commits an offence if, when the crossbow or part of a crossbow is finally delivered to residential premises by C or a person acting on C's behalf, it is not delivered into the hands of a person who—

(a) is aged 18 or over, and

(b) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(3) A person acting on C's behalf commits an offence if—

(a) the crossbow or part of a crossbow is finally delivered to residential premises by that person or another person acting on C's behalf, and

(b) it is not delivered into the hands of a person who—

(i) is aged 18 or over, and

(ii) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(4) It is a defence for a person charged with an offence under paragraph (2) or (3) to show that the delivery conditions (within the meaning of Article 3D(4)) were met.

(5) It is a defence for a person charged with an offence under paragraph (2) or (3) who did not finally deliver the crossbow or part of a crossbow to residential premises to show that the person took all reasonable precautions, and exercised all due diligence, to avoid commission of the offence.

(6) It is a defence for a person charged with an offence under paragraph (3) to show that the person did not know, and a reasonable person would not have known, that what was delivered was a crossbow or part of a crossbow.

(7) For the purposes of this Article a person acts on C's behalf if the person acts in relation to the crossbow or part of a crossbow pursuant to a relevant arrangement with—

(a) C, or

(b) a person who acts on C's behalf.

(8) A "relevant arrangement" is an arrangement entered into before the sale or letting on hire of the crossbow or part of a crossbow by which the person agreed to finally deliver, or to arrange for the final delivery of, crossbows or parts of crossbows (whether or not the person was aware that the arrangement covered crossbows or parts of crossbows).

Offence of UK seller delivering crossbows or parts of crossbows to collection point

3F.—(1) This Article applies if—

(a) a person ("A") sells or lets on hire a crossbow or part of a crossbow to another person ("B"), and

(b) A and B are not in each other's presence at the time of the sale or letting on hire and A is within the United Kingdom at that time.

(2) A commits an offence if, for the purposes of supplying the crossbow or part of a crossbow to B, A—

(a) delivers the crossbow or part of a crossbow to a collection point, or

(b) arranges for the crossbow or part of a crossbow to be delivered to a collection point.

(3) It is a defence for a person charged with an offence under paragraph (2)(a) to show that—

(a) when the package containing the crossbow or part of a crossbow was delivered to the collection point, it was clearly marked to indicate that it contained a crossbow or part of a crossbow and should only be given into the hands of a person who—

(i) is aged 18 or over, and

(ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual, and

(b) the person charged with the offence took all reasonable precautions and exercised all due diligence to ensure that the package containing the crossbow or part of a crossbow would be given into the hands of such a person.

(4) It is a defence for a person charged with an offence under paragraph (2)(b) to show that—

(a) when the package containing the crossbow or part of a crossbow was given to the person with whom the arrangement was made, it was clearly marked to indicate that it contained a crossbow or part of a crossbow and should only be given into the hands of a person who—

(i) is aged 18 or over, and

(ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual, and

(b) the person charged with the offence took all reasonable precautions and exercised all due diligence to ensure that the package containing the crossbow or part of a crossbow would be given into the hands of such a person.

(5) "Collection point" means a place—

(a) from which the crossbow or part of a crossbow may be collected by the person to whom the crossbow or part of a crossbow was sold or let on hire or a person acting on that person's behalf, and

(b) where on collection the crossbow or part of a crossbow is given by an individual to the person to whom the crossbow or part of a crossbow was sold or let on hire, or a person acting on that person's behalf.

Offence of contractor delivering crossbows or parts of crossbows to collection point

3G.—(1) This Article applies if—

(a) a person ("A") sells or lets on hire a crossbow or part of a crossbow to another person ("B"),

(b) A and B are not in each other's presence at the time of the sale or letting on hire and A is within the United Kingdom at that time,

(c) before the sale or letting on hire A entered into an arrangement with a person ("C") by which C agreed—

(i) to deliver crossbows or parts of crossbows for A, or

(ii) to arrange the delivery of crossbows or parts of crossbows for A, and

(d) C was aware when they entered into the arrangement that it covered delivering, or arranging the delivery of, crossbows or parts of crossbows.

(2) C commits an offence if, pursuant to the arrangement, C or a person acting on C's behalf delivers the crossbow or part of a crossbow to a collection point.

(3) A person acting on C's behalf commits an offence if, pursuant to the arrangement, that person or another person acting on C's behalf delivers the crossbow or part of a crossbow to a collection point.

(4) It is a defence for a person charged with an offence under this Article to show that—

(a) when they delivered the package containing the crossbow or part of a crossbow to the collection point or a person acting on C's behalf, the package was clearly marked to indicate that it contained a crossbow or part of a crossbow and should only be given into the hands of a person who—

(i) is aged 18 or over, and

(ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual, and

(b) they took all reasonable precautions and exercised all due diligence to ensure that the package containing the crossbow or part of a crossbow would be given into the hands of such a person.

(5) It is a defence for a person charged with an offence under this Article to show that the person did not know, and a reasonable person would not have known, that the product was a crossbow or part of a crossbow.

(6) For the purposes of this Article, a person acts on C's behalf if the person acts in relation to the crossbow or part of a crossbow pursuant to a relevant arrangement with—

(a) C, or

(b) a person who acts on C's behalf.

(7) A "relevant arrangement" is an arrangement entered into before the sale or letting on hire of the crossbow or part of a crossbow by which the person agreed to deliver, or to arrange for the delivery of, crossbows or parts of crossbows (whether or not the person was aware that the arrangement covered crossbows or parts of crossbows).

(8) "Collection point" has the meaning given in Article 3F.

Offence of handing over crossbows or parts of crossbows at collection point

3H.—(1) This Article applies if—

(a) a person ("A") sells or lets on hire a crossbow or part of a crossbow to another person ("B"),

(b) A and B are not in each other's presence at the time of the sale or letting on hire and A is within the United Kingdom at that time,

(c) the crossbow or part of a crossbow is delivered to a collection point, and

(d) condition A or condition B is satisfied.

(2) Condition A is that—

(a) the delivery is pursuant to an arrangement entered into before the delivery by—

(i) the person operating the collection point ("the operator"), and

(ii) A or the person delivering the crossbow or part of a crossbow to the collection point, and

(b) the operator was aware when they entered into the arrangement that it covered the delivery to the collection point of crossbows or parts of crossbows.

(3) Condition B is that A is the operator.

(4) The operator commits an offence if the operator (or a person acting on the operator's behalf)—

(a) gives the crossbow or part of a crossbow to a person collecting it, but

(b) does not give it into the hands of an eligible person.

(5) A person acting on the operator's behalf commits an offence if they—

(a) give the crossbow or part of a crossbow to a person collecting it, but

(b) do not give it into the hands of an eligible person.

(6) "Eligible person" means a person who—

(a) is aged 18 or over, and

(b) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual.

(7) It is a defence for a person charged with an offence under paragraph (4) or (5) to show that the collection conditions were met.

(8) The collection conditions are that—

(a) the individual giving the crossbow or part of a crossbow to the person ("P") collecting it —

(i) was shown by P an identity document issued to P in a physical form, or

(ii) took such steps to verify P's age and identity as may be prescribed in regulations made by the Department of Justice, and

(b) on the basis of that document or those steps, a reasonable person would have been satisfied—

(i) that P was aged 18 or over, and

(ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire was an individual, that P was that individual.

(9) It is a defence for a person charged with an offence under paragraph (4) or (5) to show that the person did not know, and a reasonable person would not have known, that the product was a crossbow or part of a crossbow.

(10) In this Article—

"collection point" has the meaning given in Article 3F;

"identity document" has the meaning given in Article 3B(4).

Offence of contractor delivering crossbows or parts of crossbows on behalf of non-UK seller

3I.—(1) This Article applies if—

(a) a person ("A") sells or lets on hire a crossbow or part of a crossbow to another person ("B"),

(b) A and B are not in each other's presence at the time of the sale or letting on hire and A is outside the United Kingdom at that time,

(c) before the sale or letting on hire A entered into an arrangement with a person ("C") by which C agreed—

(i) to deliver crossbows or parts of crossbows for A, or

(ii) to arrange the delivery of crossbows or parts of crossbows for A,

(d) C was aware when they entered into the arrangement that it covered delivering, or arranging the delivery of, crossbows or parts of crossbows, and

(e) the crossbow or part of a crossbow is finally delivered by C or a person acting on C's behalf.

(2) C commits an offence if, when the crossbow or part of a crossbow is finally delivered by C or a person acting on C's behalf, it is not delivered into the hands of a person who—

(a) is aged 18 or over, and

(b) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(3) A person acting on C's behalf commits an offence if —

(a) the crossbow or part of a crossbow is finally delivered by that person or another person acting on C's behalf, and

(b) it is not delivered into the hands of a person who—

(i) is aged 18 or over, and

(ii) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(4) It is a defence for a person charged with an offence under paragraph (2) or (3) to show that the delivery conditions (within the meaning of Article 3D(4)) were met.

(5) It is a defence for a person charged with an offence under paragraph (2) or (3) who did not finally deliver the crossbow or part of a crossbow to show that the person took all reasonable precautions, and exercised all due diligence, to avoid commission of the offence.

(6) It is a defence for a person charged with an offence under paragraph (3) to show that the person did not know, and a reasonable person would not have known, that what was delivered was a crossbow or part of a crossbow.

(7) For the purposes of this Article a person acts on C's behalf if the person acts in relation to the crossbow or part of a crossbow pursuant to a relevant arrangement with—

(a) C, or

(b) a person who acts on C's behalf.

(8) A "relevant arrangement" is an arrangement entered into before the sale or letting on hire of the crossbow or part of a crossbow by which the person agreed to finally deliver, or to arrange for the final delivery of, crossbows or parts of crossbows (whether or not the person was aware that the arrangement covered crossbows or parts of crossbows).""

Member's explanatory statement

This amendment makes provision about crossbows for Northern Ireland similar to that made by clause 34 for England and Wales.

LORD HANSON OF FLINT

After Clause 35, insert the following new Clause—

"Sale and delivery of crossbows: Northern Ireland: supplementary provision

(1) After Article 3I of the Crossbows (Northern Ireland) Order 1988 (S.I. 1988/794 (N.I. 5)) (inserted by section (*Delivery of crossbows: Northern Ireland*)) insert—

"Interpretation of Articles 3A to 3I

3J.—(1) This Article applies for the interpretation of Articles 3A to 3I.

(2) A person ("A") is not in the presence of another person ("B") at any time if—

(a) where A is an individual, A or a person acting on behalf of A is not in the presence of B at that time;

(b) where A is not an individual, a person acting on behalf of A is not in the presence of B at that time.

(3) A person other than an individual—

(a) is within the United Kingdom at any time if the person carries on a business of selling or letting on hire articles of any kind from premises in any part of the United Kingdom at that time;

(b) is outside the United Kingdom at any time, if the person does not carry on a business of selling or letting on hire articles of any kind from premises in any part of the United Kingdom at that time.

(4) "Residential premises" means premises used solely for residential purposes.

(5) The circumstances where premises are not residential premises include, in particular, where a person carries on a business from the premises.

(6) A person charged with an offence is to be taken to have shown a matter if—

(a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.

Power to create other defences by regulations

3K. The Department of Justice may by regulations provide for other defences for a person charged with an offence under any of Articles 3C, 3E, 3F, 3G or 3H.".

(2) In Article 8 of the Crossbows (Northern Ireland) Order 1988 (S.I. 1988/794 (N.I. 5)) (punishments)—

(a) in paragraph (1) for "this Order" substitute "Article 3, 4 or 5";

(b) after paragraph (1) insert—

"(1A) A person guilty of an offence under Article 3C is liable on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).

(1B) A person guilty of an offence under Article 3E, 3F, 3G, 3H or 3I is liable on summary conviction to a fine not exceeding level 5 on the standard scale."

(3) After Article 8 of the Crossbows (Northern Ireland) Order 1988 (S.I. 1988/794 (N.I. 5)) insert—

"Regulations

9.—(1) Regulations made by the Department of Justice under Article 3B(4)(d) are subject to negative resolution.

(2) Regulations under any other provision of this Order may not be made by the Department of Justice unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly.".

(4) In section 66(3) of the Offensive Weapons Act 2019 (guidance on offences relating to offensive weapons etc), after paragraph (d) insert—

"(da) any of Articles 3 to 3I of the Crossbows (Northern Ireland) Order 1988 (S.I. 1988/794 (N.I. 5)) (sale etc of crossbows),"."

Member's explanatory statement
This amendment makes provision about crossbows for Northern Ireland similar to that made by clause 35 for England and Wales.

Clause 36

LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 36, page 55, line 25, at end insert—

"(1A) Regulations made under subsection (1) must include provision requiring that any reportable sale must be notified to the person specified in the regulations in real time, or as soon as is reasonably practicable, and in any event no later than the delivery of the bladed articles or the end of the day on which the seller became aware that the sale constituted a reportable sale."

Member's explanatory statement
This amendment requires regulations to ensure that reportable sales are made as soon as possible.

After Clause 37

LORD HANSON OF FLINT

After Clause 37, insert the following new Clause—

"Application of Firearms Acts to sound moderators etc

(1) The Firearms Act 1968 is amended as follows.

(2) After section 2 insert—

"2A Possession of a sound moderator or flash suppressor

(1) Subject to any exemption under this Act, it is an offence for a person to have in their possession a relevant accessory unless the person holds a firearm certificate or a shot gun certificate.

(2) "Relevant accessory" means an accessory to a firearm to which section 1 applies which is designed or adapted to diminish the noise or flash caused by firing the firearm."

(3) In section 57 (interpretation)—

(a) in subsection (1)—

(i) omit paragraph (d);

(ii) in the words after paragraph (d) omit ", and accessories to,";

(b) in subsection (4)—

(i) after the definition of "registered" insert—

""relevant accessory" has the meaning given in section 2A;"

(ii) in the definition of "shot gun", omit the words from "and any" to the end.

(4) In Schedule 6 (prosecution and punishment of offences) after the entry for section 2(2) insert—

"Section 2A	Possession of relevant accessory without certificate under this Act	Summary	A fine of level 3 on the standard scale".

(5) Schedule (*Sound moderators etc: exemptions*) amends the exemptions in the Firearms Act 1968 and the Firearms (Amendment) Act 1988 to the requirement to hold a firearm or shot gun certificate."

Member's explanatory statement
This amendment removes sound moderators and flash suppressors from the definitions of "firearm" and "shot gun" in the Firearms Act 1968 and creates an offence of possessing a sound moderator or flash suppressor without having a valid firearm or shotgun certificate, or without an exemption applying.

Clause 40

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

Leave out Clause 40

Member's explanatory statement
This amendment would ensure that low-value shoplifting is to remain as a summary only offence, so as to not introduce greater burdens for the Crown Court.

Clause 41

LORD HANSON OF FLINT

Clause 41, page 62, line 17, after "person" insert "(D)"

Member's explanatory statement
This amendment is made for the purposes of my amendment at line 19.

LORD HANSON OF FLINT

Clause 41, page 62, line 19, leave out paragraphs (a) and (b) and insert—

"(a) D engages in conduct towards or in respect of a child (C), and
(b) D does so with the intention of—
(i) causing C to commit an offence,

(ii) causing C to do anything outside the relevant part of the United Kingdom which would constitute an offence if done in that part, or

(iii) facilitating the causing of C, in future, to commit an offence or do anything outside the relevant part of the United Kingdom which would constitute an offence if done in that part.

It is irrelevant whether or not D knows or suspects that C is a child."

Member's explanatory statement
This amendment removes the requirement that the child is under 13 or the person does not reasonably believe them to be aged 18 or over, and spells out that the person's state of mind in relation to whether the other person is a child is irrelevant.

Clause 42

LORD HANSON OF FLINT

Clause 42, page 63, line 31, leave out "a person (D) intended to cause a child" and insert "D intended to cause C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 63, line 32, leave out "the child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 63, line 34, leave out "a person (D) intended to cause a child" and insert "D intended to cause C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 63, line 37, leave out "the child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 63, line 39, leave out "a person (D) intended to facilitate the causing of a child" and insert "D intended to facilitate the causing of C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 64, line 4, leave out "the child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 64, line 23, leave out "a child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 64, line 24, leave out "the child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 64, line 25, leave out "the child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 64, line 27, leave out "a child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 64, line 29, leave out "the child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

LORD HANSON OF FLINT

Clause 42, page 64, line 31, leave out "the child" and insert "C"

Member's explanatory statement
This is consequential on my amendment to Clause 41 at line 19 of page 62.

Before Schedule 5

LORD HANSON OF FLINT

Before Schedule 5, insert the following new Schedule—

"SCHEDULE

SOUND MODERATORS ETC: EXEMPTIONS

Firearms Act 1968

1 (1) The Firearms Act 1968 is amended as follows.

(2) In section 7(1)—

(a) the words from "a firearm" to the end become paragraph (a);

(b) at the end insert—

"(b) a relevant accessory."

(3) In section 8—

(a) in subsection (1) for the words from ", have" to "ammunition" substitute—

"(a) have in their possession, purchase or acquire, a firearm or ammunition, or

(b) have a relevant accessory in their possession,";

(b) in subsection (1A)—

(i) after "ammunition", in the first place it occurs, insert ", or the possession of a relevant accessory,";

(ii) for "or ammunition", in the second place it occurs, substitute ", ammunition or relevant accessory";

(iii) after "of, or" insert "firearm or ammunition is".

(4) In section 9(1) for "or ammunition" substitute ", ammunition or a relevant accessory".

(5) In section 11—

(a) in subsection (1) for "or ammunition"—

(i) in the first place it occurs, substitute “, ammunition or a relevant accessory”;

(ii) in the second and third places it occurs, substitute “, ammunition or relevant accessory”;

(b) in subsection (4)—

(i) omit the “and” at the end of paragraph (a);

(ii) at the end of paragraph (b) insert “and

(c) a relevant accessory,”.

(6) In section 11A at the end insert—

“(7) Where a rifle is borrowed on any premises in reliance on subsection (1), the borrower may, without holding a certificate under this Act, borrow and have in their possession on those premises a relevant accessory for the period for which the rifle is borrowed.”

(7) In section 12(1) after “firearm” insert “or relevant accessory”.

(8) In section 13(1)—

(a) in paragraph (a)—

(i) for “or ammunition”, in the first place it occurs, substitute “, ammunition or a relevant accessory”;

(ii) for “or ammunition therefor” substitute “, or ammunition or a relevant accessory therefor,”;

(b) in paragraph (b)—

(i) for “or ammunition”, in the first place it occurs, substitute “, or ammunition or a relevant accessory”;

(ii) for “or ammunition”, in the second place it occurs, substitute “, or ammunition or relevant accessory”;

(iii) omit the “and” at the end;

(c) after paragraph (c) insert—

“(d) having obtained a permit under paragraph (c), remove any relevant accessory from or to a ship, aircraft or aerodrome, to or from the place specified in the permit.”

Firearms (Amendment) Act 1988

2 (1) The Firearms (Amendment) Act 1988 is amended as follows.

(2) In section 15—

(a) in subsection (1) for “and ammunition” substitute “, ammunition and a relevant accessory”;

(b) in subsection (2) for “or ammunition” substitute “, ammunition or relevant accessories”.

(3) In section 16A(1) for “and ammunition” substitute “, ammunition and a relevant accessory”.

(4) In section 16B(1) for “and ammunition” substitute “, ammunition and a relevant accessory”.

(5) In section 17 after subsection (1) insert—

"(1ZA) The holder of a visitor's firearm permit may, without holding a firearm certificate, have in their possession a relevant accessory.""

(6) In section 25(4) (interpretation), for "or ammunition" substitute ", ammunition or relevant accessory".

(7) In paragraph 1 of the Schedule, in sub-paragraphs (2)(a), (3) and (4) for "and ammunition" substitute ", ammunition and relevant accessories"."

Member's explanatory statement
This new Schedule adds sound moderators and flash suppressors to exemptions from the requirement in the Firearms Act 1968 to hold a firearm or shot gun certificate.

Clause 58

BARONESS JONES OF MOULSECOOMB
LORD RANDALL OF UXBRIDGE

Clause 58, page 74, line 15, after "(A)" insert ", who is aged 18 or over,"

Member's explanatory statement
This amendment, and others in the name of Baroness Jones of Moulsecoomb, seeks to ensure children are not held criminally responsible for cuckooing or coerced internal concealment offences.

Schedule 8

LORD POLAK

★ Schedule 8, page 320, line 39, at end insert—

"17A Activities of a person in connection with education, including—
(a) schools,
(b) sixth form colleges,
(c) colleges of further education,
(d) pupil referral units,
(e) residential special schools,
(f) hospital education trusts,
(g) settings of education other than at schools, or
(h) private tuition centres.

17B Activities of a person in connection with the provision of healthcare, including in—
(a) hospitals,
(b) hospices,
(c) GP surgeries,
(d) walk-in clinics, or
(e) outpatient clinics.

17C Activities of a person in connection with the following—

(a) child nurseries and kindergarten provision,

(b) childminders and childcare providers registered on the early years register or the compulsory or voluntary part of the childcare register,

(c) registered social care providers and managers for children,

(d) children's homes,

(e) children's hospices,

(f) youth offender institutions,

(g) the Probation Service,

(h) private institutions contracted by public bodies to provide services to children,

(i) organisations providing activities to children, such as sports clubs, music, dance or drama groups, youth clubs, and Ministry of Defence cadet forces including Sea Cadets, the Volunteer Cadet Corps, the Army Cadet Force, the Air Training Corps and the Combined Cadet Force, Fire Cadets,

(j) organisations providing holidays for children or supervising children while on holiday,

(k) churches, mosques, synagogues, temples, and other places of worship and religious organisations, and other organisations holding non-religious worldviews,

(l) services offered to children by local authorities outside their statutory duties,

(m) services offered to children by the police outside their statutory duties, or

(n) transport services including taxis and coaches commissioned by the providers of the regulated activities in this Schedule."

Clause 61

BARONESS JONES OF MOULSECOOMB
LORD RANDALL OF UXBRIDGE

Clause 61, page 76, line 19, after "(A)" insert ", who is aged 18 or over,"

Member's explanatory statement
This amendment, and others in the name of Baroness Jones of Moulsecoomb, seeks to ensure children are not held criminally responsible for cuckooing or coerced internal concealment offences.

BARONESS JONES OF MOULSECOOMB
LORD RANDALL OF UXBRIDGE

Clause 61, page 76, line 30, after "(A)" insert ", who is aged 18 or over,"

Member's explanatory statement
This amendment, and others in the name of Baroness Jones of Moulsecoomb, seeks to ensure children are not held criminally responsible for cuckooing or coerced internal concealment offences.

Clause 62

BARONESS JONES OF MOULSECOOMB

Clause 62, page 78, line 10, leave out from "State" to end of line 11 and insert "must issue guidance to public authorities in England and Wales with statutory responsibilities to safeguard and promote the welfare of children under section 16E ofthe Children Act 2004 (local arrangements for safeguarding and promoting welfare of children) about—"

Member's explanatory statement
This amendment would ensure the Bill is accompanied by statutory guidance for all agencies with statutory safeguarding responsibilities for children and young people.

Clause 65

BARONESS KIDRON
LORD RUSSELL OF LIVERPOOL
LORD CLEMENT-JONES
BARONESS MORGAN OF COTES

Clause 65, page 84, line 42, at end insert—

"46D Child sexual abuse image-generation risk assessment

(1) A provider of an online service, including but not limited to a generative AI large language model, must risk assess the likelihood of their service being used to create or facilitate the creation of a CSA image or images as defined by section 46A.

(2) If a risk is identified in a CSA image-generation risk assessment—
  (a) where the provider is regulated by the Online Safety Act 2023, a provider must report the risk within two working days to OFCOM, and agree to steps to reduce, mitigate and manage the risks within 14 days;
  (b) where the provider is not regulated by the Online Safety Act 2023, a provider must notify the National Crime Agency within two working days and agree to steps to reduce, mitigate and manage the risks of the online service being used to create or facilitate the creation of CSA images within 14 days.

(3) Where a provider regulated by the Online Safety Act 2023 fails to agree to or implement steps to reduce, mitigate and manage the risks with OFCOM (see subsection (2)(a)), they can be subjected to OFCOM's enforcement powers as set out in Part 7, Chapter 6 (enforcement powers) of that Act.

(4) Where a provider not regulated by the Online Safety Act 2023 fails to agree to or implement steps to reduce, mitigate and manage the risks with the National Crime Agency (see subsection (2)(b)), they commit an offence.

(5) A provider that commits an offence under this section is liable to be issued with a penalty notice by the National Crime Agency.

(6) In this section a "penalty notice" means a notice requiring its recipient to pay a penalty of an amount not exceeding whichever is the greater of—
   (a) £18 million, or
   (b) 10% of a provider's qualifying worldwide revenue for the most recent complete accounting period.

(7) A penalty notice may be reissued where a provider continues to commit an offence under this section.

(8) In carrying out its duties set out in this section, the National Crime Agency may consult with OFCOM."

Member's explanatory statement
The Bill includes amendments which prohibit the creation of Gen-AI models specifically designed to create CSA images, but it is still possible for general-purpose models to be used to create CSA images. The Government has committed to allow providers of other Gen-AI services to risk assess how their services could be used for this purpose. This amendment makes that a requirement.

Schedule 9

BARONESS LEVITT

Schedule 9, page 315, line 33, at end insert—

"(ia) sections 8A to 8C (rape and other offences against children under 16);"

Member's explanatory statement
This amendment is consequential on my new clause (Sexual offences against children under 16), inserted after clause 73.

After Clause 73

BARONESS LEVITT

After Clause 73, insert the following new Clause—

"Sexual offences against children under 16

(1) The Sexual Offences Act 2003 is amended as follows.

(2) After section 8 insert—

"Rape and other offences against children under 16

8A Rape of a child under 16

(1) A person aged 18 or over (A) commits an offence if—
  (a) A intentionally penetrates the vagina, anus or mouth of another person (B) with A's penis, and
  (b) either—
    (i) B is under 16 and A does not reasonably believe that B is 16 or over, or
    (ii) B is under 13.

(2) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.

8B Assault of a child under 16 by penetration

(1) A person aged 18 or over (A) commits an offence if—
  (a) A intentionally penetrates the vagina or anus of another person (B) with a part of A's body or anything else,
  (b) the penetration is sexual, and
  (c) either—
    (i) B is under 16 and A does not reasonably believe that B is 16 or over, or
    (ii) B is under 13.

(2) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.

8C Causing or inciting a child under 16 to engage in sexual activity involving penetration

(1) A person aged 18 or over (A) commits an offence if—
  (a) A intentionally causes or incites another person (B) to engage in an activity within subsection (2),
  (b) the activity is sexual, and
  (c) either—
    (i) B is under 16 and A does not reasonably believe that B is 16 or over, or
    (ii) B is under 13.

(2) An activity is within this subsection if it involves—
  (a) penetration of B's anus or vagina,
  (b) penetration of B's mouth with a person's penis,
  (c) penetration of a person's anus or vagina with a part of B's body or by B with anything else, or

(d) penetration of a person's mouth with B's penis.

(3) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life."

(3) In section 73(2) (exceptions to aiding, abetting and counselling) after paragraph (a) insert—

"(aa) an offence under section 8A or 8B (offences against children under 16);".

(4) Schedule (*Sexual offences against children under 16: consequential amendments*) contains minor and consequential amendments."

Member's explanatory statement
This new Clause creates new offences of rape, assault by penetration, and causing or inciting a sexual activity involving penetration, in relation to children under 16.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

After Clause 73, insert the following new Clause—

"Rape of a child

Before section 9 of the Sexual Offences Act 2003 (sexual activity with a child) insert—

"8A Rape of a child

(1) A person over the age of 18 (A) commits an offence if—
(a) A intentionally penetrates the vagina, anus or month, of another person (B) with A's penis,
(b) B is under 16 and not under 13, and
(c) A does not reasonably believe that B is 16 or over.

(2) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.""

Member's explanatory statement
This amendment would ensure that any adult who has sexual intercourse with a child under the age of 16 will always be charged with rape.

Clause 75

BARONESS LEVITT

Clause 75, page 102, line 9, at end insert—

"(ca) an offence under any of sections 8A to 8C of that Act (rape and other offences against children under 16),"

Member's explanatory statement
This amendment is consequential on my new clause (Sexual offences against children under 16), inserted after clause 73.

After Clause 76

LORD NASH

★ After Clause 76, insert the following new Clause—

"Action to forestall the sexual exploitation of children by combating CSAM

(1) Within 12 months of the day on which this Act is passed the Secretary of State must, for the purpose of forestalling the sexual exploitation of children, make and bring into force regulations which require manufacturers, importers and distributors of relevant devices to satisfy the CSAM requirement specified in subsection (2).

(2) The 'CSAM requirement' is that any relevant device supplied for use in the UK must have installed tamper-proof system software which is highly effective at preventing the recording, transmitting (by any means, including livestreaming) and viewing of CSAM using that device.

(3) The duties of manufacturers, importers and distributors to comply with the CSAM requirement specified by regulations under subsection (1) must be subject to enforcement as if the CSAM requirement was a security requirement for the purposes of Part 1 of the Product Security and Telecommunications Infrastructure Act 2022.

(4) Regulations under subsection (1) must enable the Secretary of State, by further regulations, to expand the definition of 'relevant devices' to include other categories of device which may be used to record, transmit or view CSAM.

(5) For the purposes of this section—

"CSAM" means images, video recordings or live videos involving child sexual abuse, including—

(a) any indecent photograph or pseudo-photograph of a child within the meaning of the Protection of Children Act 1978, and

(b) any prohibited image of a child, within the meaning of section 62 of the Coroners and Justice Act 2009, that is not an excluded image within the meaning of section 63 of that Act;

"relevant devices" are smartphones or tablet computers which are either internet-connectable products or network-connectable products for the purposes of section 5 of the Product Security and Telecommunications Infrastructure Act 2022;

"manufacturer", "importer", "distributor" and "supply" is each as defined in the Product Security and Telecommunications Infrastructure Act 2022."

Member's explanatory statement
This new clause would require the Secretary of State to take action to forestall the sexual exploitation of children by mandating the installation of software which prevents the creation, viewing and sharing of child sexual abuse material on smartphones, tablets, and subsequently other devices, which are supplied for use in the UK.

Before Schedule 10

BARONESS LEVITT

Before Schedule 10, insert the following new Schedule—

"SCHEDULE

SEXUAL OFFENCES AGAINST CHILDREN UNDER 16: CONSEQUENTIAL AMENDMENTS

Firearms Act 1968 (c.27)

1 (1) Paragraph 6 of Schedule 1 to the Firearms Act 1968 (offences to which section 17(2) applies) is amended as follows.

(2) In paragraph (f), for "(3)(a) to (d)" substitute "(2)(a) to (d)".

(3) After paragraph (f) insert—

"(fa) section 8A (rape of a child under 16);

(fb) section 8B (assault of a child under 16 by penetration);

(fc) section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration), where the activity was caused;".

Internationally Protected Persons Act 1978 (c.17)

2 (1) Section 1(1A) of the Internationally Protected Persons Act 1978 (offences for purposes of section 1) is amended as follows.

(2) In paragraph (e), for "(3)(a) to (d)" substitute "(2)(a) to (d)".

(3) After paragraph (e) insert—

"(ea) an offence under section 8A or 8B of that Act;

(eb) an offence under section 8C of that Act, where the activity involving penetration was caused;".

Suppression of Terrorism Act 1978 (c.26)

3 (1) Paragraph 9 of Schedule 1 to the Suppression of Terrorism Act 1978 is amended as follows.

(2) In paragraph (d), for "(3)(a) to (d)" substitute "(2)(a) to (d)".

(3) After paragraph (d) insert—

"(da) section 8A or 8B (rape of a child under 16; assault of a child under 16 by penetration);

(db) section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration), where the activity was caused;".

Criminal Justice Act 1982 (c. 48)

4 (1) Part 2 of Schedule 1 to the Criminal Justice Act 1982 (early release of prisoners: excluded offences) is amended as follows.

(2) In the entry for section 8 of the Sexual Offences Act 2003, for "(3)(a) to (d)" substitute "(2)(a) to (d)".

(3) After the entry for section 8 of the Sexual Offences Act 2003 insert—

"Section 8A (rape of a child under 16).

Section 8B (assault of a child under 16 by penetration).

Section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration), where the activity was caused."

Children Act 1989 (c. 41)

5 In Schedule ZA1 to the Children Act 1989 (serious sexual offences for the purposes of section 10C), in paragraph 3 after paragraph (h) insert—

"(ha) section 8A (rape of a child under 16);

(hb) section 8B (assault of a child under 16 by penetration);

(hc) section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration);".

Criminal Justice and Public Order Act 1994 (c. 33)

6 (1) Section 25(2) of the Criminal Justice and Public Order Act 1994 (offences to which bail restrictions apply) is amended as follows.

(2) In paragraph (k), for "(3)(a) to (d)" substitute "(2)(a) to (d)".

(3) After paragraph (k) insert—

"(ka) an offence under section 8A of that Act (rape of a child under 16);

(kb) an offence under section 8B of that Act (assault of a child under 16 by penetration);

(kc) an offence under section 8C of that Act (causing or inciting a child under 16 to engage in sexual activity involving penetration), where the activity was caused;".

Criminal Injuries Compensation Act 1995 (c. 53)

7 In section 11(9) of the Criminal Injuries Compensation Act 1995 (definition of "rape"), for "or 5" substitute ", 5 or 8A".

Crime (Sentences) Act 1997 (c. 43)

8 In section 32ZAB(1) of the Crime (Sentences) Act 1997 (specified offences for purposes of section 32ZAA), after paragraph (f) insert—

"(fa) an offence under section 8A of that Act (rape of a child under 16);".

Criminal Justice Act 2003 (c. 44)

9 (1) The Criminal Justice Act 2003 is amended as follows.

(2) In section 256AZBB(1) (specified offences for purposes of section 256AZBA), after paragraph (e) insert—

"(ea) an offence under section 8A of that Act (rape of a child under 16);".

(3) In Schedule 4 (qualifying offences for purposes of section 62), after paragraph 16 insert—

"Rape of a child under 16

16A An offence under section 8A of the Sexual Offences Act 2003.

Attempted rape of a child under 16

16B An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence under section 8A of the Sexual Offences Act 2003.

Assault of a child under 16 by penetration

16C An offence under section 8B of the Sexual Offences Act 2003.

Causing a child under 16 to engage in sexual activity involving penetration

16D An offence under section 8C of the Sexual Offences Act 2003 where it is alleged that the activity was caused."

(4) In Schedule 5 (qualifying offences for purposes of Part 10) after paragraph 15 insert—

"Rape of a child under 16

15A An offence under section 8A of the Sexual Offences Act 2003.

Attempted rape of a child under 16

15B An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence under section 8A of the Sexual Offences Act 2003.

Assault of a child under 16 by penetration

15C An offence under section 8B of the Sexual Offences Act 2003.

Causing a child under 16 to engage in sexual activity involving penetration

15D An offence under section 8C of the Sexual Offences Act 2003 where it is alleged that the activity was caused."

(5) In Part 2 of Schedule 15 (specified sexual offences for purposes of sections 244ZA and 325) after paragraph 109 insert—

"109A An offence under section 8A of that Act (rape of a child under 16).

109B An offence under section 8B of that Act (assault of a child under 16 by penetration).

109C An offence under section 8C of that Act (causing or inciting a child under 16 to engage in sexual activity involving penetration)."

(6) In paragraph 7 of Schedule 34A (child sex offences for purposes of section 327A), after paragraph (a) insert—

"(aa) sections 8A to 8C of that Act (rape and other offences against children under 16);".

Anti-social Behaviour, Crime and Policing Act 2014 (c.12)

10 In section 116(8)(a) of the Anti-social Behaviour, Crime and Policing Act 2014 (offences constituting child sexual exploitation), after the entry for sections 5 to 8 of the Sexual Offences Act 2003 insert—

"sections 8A to 8C (rape and other offences against children under 16);".

Modern Slavery Act 2015 (c.30)

11 In paragraph 33 of Schedule 4 to the Modern Slavery Act 2015 (sexual offences to which defence in section 45 does not apply), after the entry for section 8 insert—

"section 8A (rape of child under 16)
section 8B (assault of child under 16 by penetration)
section 8C (causing or inciting child under 16 to engage in sexual activity involving penetration)".

Sentencing Act 2020 (c. 17)

12 (1) The Sentencing Code is amended as follows.

(2) In Part 1 of Schedule 14 (extended sentences: the earlier offence condition: offences), in the table in paragraph 9, after the entry for section 8 of the Sexual Offences Act 2003 insert—

"(ga) Section 8A (rape of a child under 16)

(gb) Section 8B (assault of a child under 16 by penetration)

(gc) Section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration)".

(3) In Part 1 of Schedule 15 (life sentence for second offence: listed offences), in paragraph 9, after the entry for section 8 of the Sexual Offences Act 2003 insert—

"(ga)	section 8A (rape of a child under 16)	The date on which section 8A comes into force
(gb)	section 8B (assault of a child under 16 by penetration)	The date on which section 8B comes into force
(gc)	section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration)	The date on which section 8C comes into force"

(4) In Part 2 of Schedule 18 (specified sexual offences for purposes of section 306), in paragraph 38 after paragraph (h) insert—

"(ha) section 8A (rape of a child under 16);

(hb) section 8B (assault of a child under 16 by penetration);

(hc) section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration);".

(5) In Schedule 19 (specified offences carrying maximum sentence of imprisonment for life), in the table in paragraph 20, after the entry for section 8 of the Sexual Offences Act 2003 insert—

"(fa) Section 8A (rape of a child under 16)

(fb) Section 8B (assault of a child under 16 by penetration)

(fc) Section 8C (causing or inciting a child under 16 to engage in sexual activity involving penetration)"."

Member's explanatory statement

This new Schedule makes minor and consequential amendments in relation to my new clause (Sexual offences against children under 16) inserted after clause 73.

Schedule 10

BARONESS LEVITT

Schedule 10, page 318, line 35, at end insert—

"(ia) sections 8A to 8C (rape and other offences against children under 16);"

Member's explanatory statement
This amendment is consequential on my new clause (Sexual offences against children under 16), inserted after clause 73.

LORD HANSON OF FLINT

Schedule 10, page 319, line 33, leave out "unsupervised"

Member's explanatory statement
This amendment extends paragraph 7 of Schedule 10 to cover supervised activities.

LORD HANSON OF FLINT

Schedule 10, page 319, line 37, leave out "unsupervised"

Member's explanatory statement
This amendment extends paragraph 8 of Schedule 10 to cover supervised activities.

LORD HANSON OF FLINT

Schedule 10, page 320, line 26, leave out "unsupervised"

Member's explanatory statement
This amendment extends paragraph 14 of Schedule 10 to cover supervised activities.

LORD HANSON OF FLINT

Schedule 10, page 320, line 38, leave out "unsupervised"

Member's explanatory statement
This amendment extends paragraph 17 of Schedule 10 to cover supervised activities.

LORD HANSON OF FLINT

Schedule 10, page 321, line 2, leave out "unsupervised"

Member's explanatory statement
This amendment extends the definition of looking after a child on an individual basis, in paragraph 18 of Schedule 10, to cover supervised contact.

LORD HANSON OF FLINT

Schedule 10, page 321, line 7, leave out first "unsupervised"

Member's explanatory statement
This amendment is consequential on my amendments extending paragraphs of Schedule 10 to cover supervised activities.

LORD HANSON OF FLINT

Schedule 10, page 321, line 7, leave out "regular unsupervised"

Member's explanatory statement
This amendment is consequential on my amendments extending paragraphs of Schedule 10 to cover supervised activities.

LORD HANSON OF FLINT

Schedule 10, page 321, line 8, at end insert "on more than 3 days in any period of 30 days"

Member's explanatory statement
This amendment defines "regular contact" for the purposes of Part 2 of Schedule 10.

Clause 84

LORD POLAK

★ Leave out Clause 84 and insert the following new Clause—

"Offence of intentionally concealing a child sex offence

(1) A person "(P)" commits an offence if they—
  (a) are working or volunteering in a setting outlined in paragraphs 17A to 17C of Schedule 10,
  (b) do an act capable of hindering, preventing or deterring a child sex offence from being reported or investigated, which P suspects has taken place, and
  (c) with the intention of hindering, preventing or deterring that child sex offence from being reported or investigated.

(2) It is for these purposes immaterial—
  (a) whether the child sex offence in fact has taken place,
  (b) when the child sex offence took place, or
  (c) whether P's act in fact has the effect of delaying, hindering, or preventing that child sex offence from being investigated.

(3) An act capable of delaying, hindering, or preventing a suspected child sex offence from being investigated does not include—

(a) P failing to comply with any duty owed under section 77;

(b) P, who was not subject to a duty owed under section 77, failing to report a child sex offence;

(c) P discouraging another person "(A)" from disclosing the alleged child sex offence to another person where P reasonably believes that the act of discouraging A from disclosing the alleged child sex offence is appropriate because—

(i) the suspected perpetrator is a child, and

(ii) P does this having regard (among other things) to the risk of harm to each relevant child.

(4) It is a defence for a person charged with an offence under this section to show that the conduct alleged to constitute the offence consisted only of making representations about the timing of a notification under section 77 in light of the best interests of any person whom they reasonably believe to be a relevant child (at any time).

(5) Subsections (3)(b) and (4) impose an evidential burden upon the defendant.

(6) The Secretary of State may, following consultation, by regulations amend the settings and roles set out in Schedule 8 Part 3.

(7) In this section—

"investigated" means investigated by any local authority or police force in England and Wales;

"local authority" has the same meaning as in the Children Act 2004 (see section 77).

(8) A person who commits an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);

(b) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine (or both)."

Member's explanatory statement

This amendment seeks to replace Clause 84, expanding its remit to cover all acts that could conceal reports and investigations of abuse, and removing the caveat that the person being deterred has to be a mandated reporter. This would apply to anyone working or volunteering in specified settings laid out in the Schedule.

After Clause 85

LORD HANSON OF FLINT

After Clause 85, insert the following new Clause—

"Guidance

(1) The Secretary of State may issue guidance about the duty under section 77 to persons who engage in relevant activities.

(2) Those persons must have regard to the guidance.

(3) Before issuing guidance under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate.

(4) The Secretary of State must publish any guidance issued under this section.

(5) The Secretary of State may revise any guidance issued under this section.

(6) Subsections (2) to (4) apply to revised guidance, except that subsection (3) does not apply if the Secretary of State considers that the revisions are not substantial."

Member's explanatory statement
This new clause provides for the Secretary of State to issue guidance about the duty to report child sex abuse.

Clause 86

LORD HANSON OF FLINT

Clause 86, page 110, line 10, leave out paragraph (a)

Member's explanatory statement
This amendment removes the Secretary of State's power to make regulations changing the persons to whom a notification under clause 77 is to be given.

LORD HANSON OF FLINT

Clause 86, page 110, line 12, leave out "add or"

Member's explanatory statement
This amendment removes the Secretary of State's power to make regulations adding further exceptions to the duty under clause 77.

LORD HANSON OF FLINT

Clause 86, page 110, line 14, leave out paragraph (c) and insert—

"(c) Part 1 of Schedule 10 (child sex offences);

(d) Part 2 of Schedule 10 (further relevant activities) so as to add or change an activity."

Member's explanatory statement
This amendment limits the Secretary of State's power to make regulations amending Part 2 of Schedule 10 so that it may only be used to add or change an activity (not remove one).

Clause 87

BARONESS LEVITT

Clause 87, page 111, leave out lines 31 to 39

Member's explanatory statement
This amendment removes a provision which requires the courts to dismiss certain actions in respect of personal injuries attributable to child sex abuse if there would be substantial prejudice to the defendant and it would not be equitable for the action to proceed.

After Clause 89

BARONESS OWEN OF ALDERLEY EDGE

After Clause 89, insert the following new Clause—

"Duty to make deprivation and deletion orders (non-consensual intimate images)

Where a person is convicted of an offence involving sharing or threatening to share intimate images without consent, as described by sections 66A and 66H of the Sexual Offences Act 2003 (intimate images), the court must—

(a) order the destruction of any content used to commit the offence on any device or data store containing such images;

(b) order the defendant to disclose any password, key or authenticator necessary to access accounts or devices containing such images;

(c) order verified deletion of such images from all locations, including cloud services;

(d) direct the prosecutor to lodge a deletion verification report within 28 days."

BARONESS OWEN OF ALDERLEY EDGE

After Clause 89, insert the following new Clause—

"Hashing

(1) No later than 12 months from the day on which this Act is passed, the Secretary of State must by regulations made by statutory instrument provide for the generation and lawful sharing of hashes of intimate images shared without consent in contravention of section 66B of the Sexual Offences Act 2023 (sharing or threatening to share intimate photograph or film), for the purpose of preventing re-upload , subject to safeguards.

(2) The Secretary of State must make the regulations in cooperation with industry standard initiatives (such as StopNCII)."

Member's explanatory statement
This amendment works in conjunction with others in the name of Baroness Owen regarding a mandatory removal period or de-indexing period of 48 hours for non-consensual intimate images and the establishment of a statutory Non-Consensual Intimate Image Register. This allows the

Revenge Porn Helpline (who would be the preferred register holders) to share the verified hashes to internet infrastructure providers to ensure content is removed and blocked in cases where removal is not possible.

BARONESS OWEN OF ALDERLEY EDGE

After Clause 89, insert the following new Clause—

"Content removal reporting and enforcement

(1) Within 12 months of the day on which this Act is passed, the Secretary of State must by regulations made by statutory instrument make provision for—
   (a) the way in which offences under section 66B of the Sexual Offences Act 2003 (sharing or threatening to share intimate photograph or film) can be reported to the relevant internet service as defined in section 228 of the Online Safety Act 2023 (internet service), and
   (b) the mechanism by which content created as a result of offences under that section must be removed by the relevant internet service.

(2) The regulations must include—
   (a) a mandatory removal period or de-indexing period, as the case may be, for content that the reporting party reasonably believes to be in breach of section 66B of the Sexual Offences Act 2003 of 48 hours,
   (b) a requirement that the reporting process must be clear and accessible, and guidance on what constitutes clear and accessible reporting,
   (c) sanctions for malicious reporting,
   (d) sanctions for internet services for the failure to remove duplicates of offending material,
   (e) a review period after the initial 48 hours for assessing suspected offending content, and
   (f) a statement of which internet services are within scope of this section, produced after consultation with the Revenge Porn Helpline and other relevant stakeholders."

BARONESS OWEN OF ALDERLEY EDGE

After Clause 89, insert the following new Clause—

"Register of intimate images shared without consent

(1) No later than 12 months from the day on which this Act is passed, the Secretary of State must by regulations made by statutory instrument establish a statutory Non-Consensual Intimate Image Register for the purpose of preventing access to and dissemination of material shared online in contravention of section 66B of the Sexual Offences Act 2003 (sharing or threatening to share intimate photograph or film) ("NCII material").

(2) The Register must contain hashes of verified NCII material.

(3) The Secretary of State must appoint a regulator for the Register to be responsible for oversight, enforcement, and coordination with internet service providers and online platforms.

(4) Providers designated by the appointed regulator must use the Register to prevent the re-upload or distribution of NCII material.

(5) The Secretary of State must issue guidance on governance, accuracy, proportionality, and privacy safeguards.

(6) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament."

Member's explanatory statement
For the purposes of this amendment, the Revenge Porn Helpline is the preferred body to manage the register. The service currently runs a voluntary hashing register and has indicated that they would be able to operate it. The register would be the authoritative source for platforms, search engines, and ISPs to block, delist and prevent access to NCII content.

Schedule 11

BARONESS OWEN OF ALDERLEY EDGE

Schedule 11, page 322, line 8, at end insert—

"(4A) In this section, "taking" in relation to a photograph or film, means filming, recording, taking or otherwise capturing the photograph or video."

Member's explanatory statement
This amendment seeks to bring screenshotting into scope of the taking offence. For instance when a person screenshots intimate images without consent, such as on snapchat where consent has been given for a time limited period or on video calls.

BARONESS OWEN OF ALDERLEY EDGE

Schedule 11, page 324, line 40, at end insert—

"(3A) In subsection (5)—

(a) in paragraph (d), omit "or";

(b) after subsection (5)(e) insert ", or

"(f) the person depicted with semen (or a substance that to a reasonable person appears to be or is intended to appear to be semen) on any part of their body, including clothed body.""

BARONESS OWEN OF ALDERLEY EDGE

Schedule 11, page 325, line 11, at end insert—

"5A (1) Section 66F (requesting the creation of purported intimate image of adult) of the Sexual Offences Act 2003 is amended as follows.

(2) After subsection (2), insert—

"(2A) A person (A) commits an offence if—

(a) A intentionally requests the creation of a purported intimate image of another person (B) with the intention of causing B alarm, distress or humiliation,

(b) B does not consent to A requesting the creation of the purported intimate image, and

(c) A does not reasonably believe that B consents."

(3) For subsection (8) substitute—

"(8) A person who commits an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);

(b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.""

Member's explanatory statement

This amendment builds on the pre-exisiting consent based offence and seeks to ensure that a person who has non-consensually requested the creation of an intimate image with the additional aim of causing harm, distress or humiliation to the victim receives a higher level of sentence. This means that this offence would work in the same way as the sharing offence.

After Clause 97

BARONESS GOUDIE

After Clause 97, insert the following new Clause—

"Prohibition of pimping

(1) A person commits an offence if—

(a) the person (C) assists, facilitates, controls, or incites, by any means, another person (B) to engage in sexual activity with another person (A) in exchange for payment or other benefit, anywhere in the world, and

(b) the circumstances are that—

(i) the person (C) knows or ought to know that the other person (B) is engaging in sexual activity for payment and the person (C) assists, facilitates, controls, or incites the other person (B) to engage in sexual activity with another person (A), or

(ii) the person (C) causes or allows to be displayed or published, including digitally, any advertisement in respect of activity prohibited by subsections (1)(a) or (1)(b)(i).

(2) A person (C) commits an offence under subsection (1) regardless of whether they secure personal financial gain, or personally benefits in any way, from facilitating person (B) engaging in sexual activity with person (A) in exchange for payment or other benefit.

(3) A person (D) commits an offence under subsection (1) if they knowingly secure financial gain, or benefits in any way, from person (B) engaging in sexual activity with person (A) in exchange for payment or other benefit, anywhere in the world, regardless of whether person (D) facilitated the exchange between persons B and A.

(4) A person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding ten years.

(5) In considering the seriousness of an offence committed under subsection (1)(b)(ii), the court must treat the following as aggravating factors—

(a) the annual financial turnover of the digital or physical platform (the platform) used to facilitate and or advertise activity prohibited in subsection (1)(a) and (1)(b)(i);

(b) the number of prostitution related offences, under subsection (1), facilitated by the platform in question;

(c) whether the platform has facilitated trafficking for sexual exploitation.

(6) A person who is a UK national commits an offence under this section regardless of where the offence takes place.

(7) A person who is not a UK national commits an offence under this section if any part of the offence takes place in the UK.

(8) The Secretary of State must, within six months of the day on which this Act is passed, make regulations to appoint a public body (the designated body) to monitor and enforce compliance by online platforms with this section.

(9) Regulations made under subsection (8) may provide the designated body with the powers, contained in section 144 of the Online Safety Act 2023, to apply to the court for a Service Restriction Order.

(10) The designated body must, within six months of it being appointed under regulations made by subsection (8), lay before Parliament a report outlining its plan for monitoring compliance with, and enforcement of, the provisions of this section of the Act.

(11) The designated body must lay before Parliament an annual report outlining its progress in ensuring compliance with the provisions of this Act, including information on enforcement activity relating to these provisions."

Member's explanatory statement
This new clause would make it a criminal offence to enable or profit from the prostitution of another person, including by operating a website hosting adverts for prostitution.

BARONESS GOUDIE

After Clause 97, insert the following new Clause—

"Paying for sex acts

(1) A person (A) who gives, offers, or promises payment to a person (B) to engage in sexual activity with person (A) is guilty of an offence.

(2) A person (A) who gives, offers, or promises payment to a person (B) to engage in sexual activity with any other person (C) is guilty of an offence.

(3) For the purpose of subsections (1) and (2)—
  (a) a "payment" includes money, a benefit, or any other consideration;
  (b) an activity is sexual if a reasonable person would consider that—
    (i) whatever its circumstances or any person's purpose in relation to it, it is because of its nature sexual, or
    (ii) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual;
  (c) no offence is committed by a person (A) unless the sexual activity with the other person (B) involves—
    (i) the person (A or C) being in the other person (B)'s presence and physical contact between the person (A or C) and the other person (B), or
    (ii) the person (B) touching themselves for the sexual gratification of the other person (A or C);
  (d) it is immaterial whether the payment is given, offered, or promised by a person (A) engaging in the sexual activity, or a third party.

(4) A person guilty of an offence under subsections (1) or (2) is liable—
  (a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both), and a requirement to complete an offender behaviour programme at the offender's expense;
  (b) on conviction on indictment, to imprisonment for a term not exceeding ten years or a fine not exceeding the statutory maximum (or both).

(5) A person who is not a UK national commits an offence under subsections (1) or (2) if any part of the offence takes place in the UK."

Member's explanatory statement
This new clause makes it an offence to pay for, or attempt to, pay for sex either for themselves or on behalf of others.

BARONESS GOUDIE

After Clause 97, insert the following new Clause—

"Abolition of offence of loitering or soliciting for the purposes of prostitution

(1) The Street Offences Act 1959 is amended as follows.

(2) Omit sections 1, 1A and 2."

Member's explanatory statement
This new clause ends sanctions against victims of commercial sexual exploitation by repealing the offence of "Loitering or soliciting for purposes of prostitution" and relevant related parts of the Street Offences Act 1959.

BARONESS GOUDIE

After Clause 97, insert the following new Clause—

"Power of Secretary of State to disregard convictions or cautions

(1) The Protection of Freedoms Act 2012 is amended as follows.

(2) In section 92(1) after "same sex" insert ", or for an offence committed under section 1 of the Street Offences Act 1959,".

(3) In section 92(2) after "met" insert, ", or, for a conviction or caution for an offence committed under Section 1 of the Street Offences Act 1959, B alone is met"."

Member's explanatory statement
This new clause would disregard historical cautions or convictions against victims of commercial sexual exploitation for loitering or soliciting for the purpose of prostitution.

After Clause 105

BARONESS MACLEAN OF REDDITCH
LORD JACKSON OF PETERBOROUGH

After Clause 105, insert the following new Clause—

"Restriction on applying for gender recognition certificate

Any offender who has been convicted of a sexual offence under the Sexual Offences Act 2003 may not obtain a gender recognition certificate."

Clause 108

LORD HANSON OF FLINT

Clause 108, page 147, line 4, at end insert—

"(b) in subsection (1), after "satisfied" insert "on the balance of probabilities";

(c) in subsection (2), after "satisfied" insert "on the balance of probabilities"."

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to make a stalking protection order, or whether to include a particular prohibition or requirement, is the civil standard.

LORD HANSON OF FLINT

Clause 108, page 147, line 18, after "satisfied" insert "on the balance of probabilities"

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to make a stalking protection order is the civil standard.

LORD HANSON OF FLINT

Clause 108, page 147, line 25, after "(4)" insert—

"(i) in paragraph (a), after "satisfied" insert "on the balance of probabilities";

(ii)"

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to impose an additional prohibition or requirement on the variation or renewal of a stalking protection order is the civil standard.

Clause 109

LORD HANSON OF FLINT

Clause 109, page 150, line 8, after "satisfied" insert "on the balance of probabilities"

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to make a stalking protection order is the civil standard.

LORD HANSON OF FLINT

Clause 109, page 150, line 16, after "satisfied" insert "on the balance of probabilities"

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to include a particular prohibition or requirement in a stalking protection order is the civil standard.

LORD HANSON OF FLINT

Clause 109, page 151, line 20, after "satisfied" insert "on the balance of probabilities"

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to impose an additional prohibition or requirement on the variation or renewal of a stalking protection order is the civil standard.

Clause 110

LORD HANSON OF FLINT

Clause 110, page 155, line 13, at end insert—

"(ii) after "satisfied" insert "on the balance of probabilities";

(c) in subsection (3), after "satisfied" insert "on the balance of probabilities"."

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to make a stalking protection order, or whether to include a particular prohibition or requirement, is the civil standard.

LORD HANSON OF FLINT

Clause 110, page 155, line 16, at end insert—

"(aa) in subsection (3)(a), after "satisfied" insert "on the balance of probabilities";"

Member's explanatory statement
This amendment provides that the standard of proof which applies when a court is deciding whether to impose an additional prohibition or requirement on the variation or renewal of a stalking protection order is the civil standard.

Clause 111

BARONESS BRINTON
BARONESS DOOCEY
LORD HANSON OF FLINT

Clause 111, page 157, line 12, leave out "may" and insert "must"

Member's explanatory statement
This amendment would require the issuance of stalking guidance by the Secretary of State, mirroring the provisions for guidance within the Domestic Abuse Act 2021.

After Clause 116

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 116, insert the following new Clause—

"Consultation on guidance for serious self-harm offences

(1) The Secretary of State must issue guidance regarding the application of sections 115 and 116 (encouraging or assisting serious self-harm).

(2) Before issuing or revising any guidance under subsection (1), the Secretary of State must consult extensively with the following persons and organisations—
  (a) representatives of self-harm support charities and organisations;
  (b) mental health professionals, including those providing trauma-informed care and support;
  (c) legal experts, including prosecutors and defence practitioners, regarding the application of the specific intent requirement;
  (d) such other persons as the Secretary of State considers appropriate.

(3) The guidance issued under this section must—
  (a) clearly differentiate between conduct falling within the criminal offence under section 102 (which requires specific intention to encourage or assist serious self-harm) and legitimate, supportive, or therapeutic activity;
  (b) include instruction for law enforcement and relevant agencies on identifying and engaging with vulnerable individuals in a trauma-informed manner.

(4) The Secretary of State must lay before both Houses of Parliament a copy of any guidance issued or revised under this section."

Member's explanatory statement
This amendment requires the Secretary of State to issue guidance on the serious self-harm sections of this Bill.

After Clause 121

LORD HANSON OF FLINT

After Clause 121, insert the following new Clause—

"Aggravated offences

(1) The Crime and Disorder Act 1998 is amended as follows.

(2) For section 28 substitute—

"28 Meaning of "aggravated"

(1) For the purposes of sections 29 to 32 an offence is aggravated if it is aggravated by—

(a) racial hostility,
(b) religious hostility,
(c) hostility related to disability,
(d) hostility related to sexual orientation, or
(e) hostility related to transgender identity.

(2) For the purposes of the following provisions an offence is aggravated if it is aggravated by hostility related to sex—
(a) section 29,
(b) section 30,
(c) section 31(1)(a) and (c), and
(d) section 32.

(3) An offence is aggravated by hostility of one of the kinds mentioned in subsection (1) if—
(a) at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on—
(i) the victim's membership (or presumed membership) of a racial group,
(ii) the victim's membership (or presumed membership) of a religious group,
(iii) a disability (or presumed disability) of the victim,
(iv) the sexual orientation (or presumed sexual orientation) of the victim, or (as the case may be)
(v) the victim being (or being presumed to be) transgender, or
(b) the offence is motivated (wholly or partly) by—
(i) hostility towards members of a racial group based on their membership of that group,
(ii) hostility towards members of a religious group based on their membership of that group,
(iii) hostility towards persons who have a disability or a particular disability,
(iv) hostility towards persons who are of a particular sexual orientation, or (as the case may be)
(v) hostility towards persons who are transgender.

(4) An offence is aggravated by hostility related to sex if—
(a) at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on the sex (or presumed sex) of the victim, or
(b) the offence is motivated (wholly or partly) by hostility towards persons who are of a particular sex.

(5) For the purposes of subsections (3) and (4), it is immaterial whether or not the offender's hostility is also based, to any extent, on any other factor not mentioned in that subsection.

(6) In this section—

(a) references to a racial group are to a group of persons defined by reference to race, colour, nationality (including citizenship) or ethnic or national origins;

(b) references to a religious group are to a group of persons defined by reference to religious belief or lack of religious belief;

(c) "membership" in relation to a racial or religious group, includes association with members of that group;

(d) "disability" means any physical or mental impairment;

(e) references to being transgender include references to being transsexual, or undergoing, proposing to undergo or having undergone a process or part of a process of gender reassignment;

(f) "presumed" means presumed by the offender."

(3) In the italic heading before section 28, for "Racially or religiously aggravated offences" substitute "Offences aggravated by racial or other hostility".

(4) In section 29 (aggravated assaults)—

(a) in the heading for "Racially or religiously aggravated" substitute "Aggravated";

(b) in subsection (1) for "racially or religiously aggravated for the purposes of this section" substitute "aggravated (see section 28(1) and (2))".

(5) In section 30 (aggravated criminal damage)—

(a) in the heading for "Racially or religiously aggravated" substitute "Aggravated";

(b) in subsection (1) for "racially or religiously aggravated for the purposes of this section" substitute "aggravated (see section 28(1) and (2))";

(c) in subsection (3) for "28(1)(a)" substitute "28(3)(a) and (4)(a)".

(6) In section 31 (aggravated public order offences)—

(a) in the heading for "Racially or religiously aggravated" substitute "Aggravated";

(b) in subsection (1) for "racially or religiously aggravated for the purposes of this section" substitute "aggravated (see section 28(1) and (2))";

(c) in subsection (7) for "28(1)(a)" substitute "28(3)(a) and (4)(a)".

(7) In section 32 (aggravated harassment)—

(a) in the heading for "Racially or religiously aggravated" substitute "Aggravated";

(b) in subsection (1) for "racially or religiously aggravated for the purposes of this section" substitute "aggravated (see section 28(1) and (2))".

(8) In section 66 of the Sentencing Code (hostility as aggravating factor in sentencing)—

(a) in subsection (1), after "subsection (3)" insert "and subsection (3A)";

(b) after subsection (3) insert—

"(3A) So far as it relates to hostility related to disability, sexual orientation and transgender identity, this section does not apply in relation to an offence under sections 29 to 32 of the Crime and Disorder Act 1998 committed on or after the day on which section (*Aggravated offences*)(2) of the Crime and Policing Act 2026 comes into force."

(9) In the Armed Forces Act 2006, for sections 240 and 241 substitute—

"240 Increase in sentence for offences aggravated by hostility

(1) This section applies where a court or officer dealing with an offender for a service offence (other than an offence mentioned in subsection (7)) is considering the seriousness of the offence.

(2) If the offence is aggravated by hostility of one of the kinds mentioned in subsection (3) the court or officer—

(a) must treat that fact as an aggravating factor, and

(b) must state in open court that the offence is so aggravated.

(3) The kinds of hostility are—

(a) racial hostility,

(b) religious hostility,

(c) hostility related to disability,

(d) hostility related to sexual orientation, or

(e) hostility related to transgender identity.

(4) An offence is aggravated by hostility of one of the kinds mentioned in subsection (3) if—

(a) at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on—

(i) the victim's membership (or presumed membership) of a racial group,

(ii) the victim's membership (or presumed membership) of a religious group,

(iii) a disability (or presumed disability) of the victim,

(iv) the sexual orientation (or presumed sexual orientation) of the victim, or (as the case may be)

(v) the victim being (or being presumed to be) transgender, or

(b) the offence is motivated (wholly or partly) by—

(i) hostility towards members of a racial group based on their membership of that group,

(ii) hostility towards members of a religious group based on their membership of that group,

(iii) hostility towards persons who have a disability or a particular disability,

(iv) hostility towards persons who are of a particular sexual orientation, or (as the case may be)

(v) hostility towards persons who are transgender.

(5) It is immaterial whether or not the offender's hostility is also based, to any extent, on any other factor not mentioned in subsection (4).

(6) In this section—

(a) references to a racial group are to a group of persons defined by reference to race, colour, nationality (including citizenship) or ethnic or national origins;

(b) references to a religious group are to a group of persons defined by reference to religious belief or lack of religious belief;

(c) "membership" in relation to a racial or religious group, includes association with members of that group;

(d) "disability" means any physical or mental impairment;

(e) references to being transgender include references to being transsexual, or undergoing, proposing to undergo or having undergone a process or part of a process of gender reassignment;

(f) "presumed" means presumed by the offender.

(7) This section does not apply in relation to an offence under section 42 as respects which the corresponding offence under the law of England and Wales is an offence under any of sections 29 to 32 of the Crime and Disorder Act 1998 (offences aggravated by racial and other hostility).""

Member's explanatory statement

This new clause expands the grounds on which offences may be aggravated under sections 28 to 32 of the Crime and Disorder Act 1998 (racial and religious hostility) to include hostility related to disability, sexual orientation, transgender identity and (except for section 31(1)(b)) sex. It also makes consequential amendments.

BARONESS MCINTOSH OF PICKERING

After Clause 121, insert the following new Clause—

"Review: misuse of electric scooters

(1) The Secretary of State must undertake a review of the misuse of electric scooters, including but not limited to—

(a) the likely impact of dangerous use of electric scooters on the safety of drivers and pedestrians on public roads,

(b) the ways in which privately-owned electric scooters may pose different risks to other road users in comparison to rental electric scooters, and

(c) an assessment of whether it would be appropriate to legalise the use of privately-owned electric scooters in public spaces in order to regulate their safe use.

(2) In preparing the review under subsection (1), the Secretary of State must consult such persons as they think appropriate.

(3) The review under subsection (1) must be laid before Parliament within 12 months of the passing of this Act."

BARONESS MCINTOSH OF PICKERING

After Clause 121, insert the following new Clause—

"Annual report: cycling offences

(1) The Secretary of State must publish an annual report on the number of people charged with offences related to dangerous, careless or inconsiderate cycling in the 12 months prior to the report's preparation.

(2) "Cycling" in subsection (1) has the same meaning as "a cycle" in section 32A of the Road Traffic Act 1988.

(3) The report under subsection (1) must set out the proportion of offences which went on to be heard in court.

(4) The report under subsection (1) must be published within 18 months of the day on which Section 106 is commenced, and annually thereafter.

(5) The report under subsection (1) must be laid before Parliament."

Clause 122

LORD HANSON OF FLINT

Clause 122, page 168, line 12, leave out "racially or religiously hostile towards E" and insert "hostile towards E, within the meaning of section 124(3)"

Member's explanatory statement
This amendment is consequential on my amendment to clause 124, page 169, line 20.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

Leave out Clause 122

Clause 123

LORD HANSON OF FLINT

Clause 123, page 169, line 2, leave out "racially or religiously hostile towards E" and insert "hostile towards E, within the meaning of section 124(3)"

Member's explanatory statement
This amendment is consequential on my amendment to clause 124, page 169, line 20.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

Leave out Clause 123

Clause 124

LORD HANSON OF FLINT

Clause 124, page 169, line 20, leave out subsection (3) and insert—

"(3) The conduct of a person ("D") is hostile towards another person ("E") if—

(a) at the time of that conduct, or immediately before or after that time, D demonstrates towards E hostility based on—

(i) E's membership (or presumed membership) of a racial group,

(ii) E's membership (or presumed membership) of a religious group,

(iii) a disability (or presumed disability) of E,

(iv) the sexual orientation (or presumed sexual orientation) of E,

(v) E being (or being presumed to be) transgender, or

(vi) the sex (or presumed sex) of E, or

(b) D's conduct is motivated (wholly or partly) by—

(i) hostility towards members of a racial group based on their membership of that group,

(ii) hostility towards members of a religious group based on their membership of that group,

(iii) hostility towards persons who have a disability or a particular disability,

(iv) hostility towards persons who are of a particular sexual orientation,

(v) hostility towards persons who are transgender, or

(vi) hostility towards persons who are of a particular sex."

Member's explanatory statement
This amendment expands the kinds of hostility relevant to an offence under clauses 122 and 123 to include hostility related to disability, sexual orientation, transgender identity and sex.

LORD HANSON OF FLINT

Clause 124, page 169, line 30, leave out subsection (5) and insert—

"(5) In subsection (3)—

(a) references to a racial group are to a group of persons defined by reference to race, colour, nationality (including citizenship) or ethnic or national origins;

(b) references to a religious group are to a group of persons defined by reference to religious belief or lack of religious belief;

(c) "membership", in relation to a racial or religious group, includes association with members of that group;

(d) "disability" means any physical or mental impairment;

(e) references to being transgender include references to being transsexual, or undergoing, proposing to undergo or having undergone a process or part of a process of gender reassignment;

(f) "presumed" means presumed by D."

Member's explanatory statement

This amendment defines terms used in my amendment to clause 124, page 169, line 20.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

Leave out Clause 124

After Clause 124

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY

After Clause 124, insert the following new Clause—

"Controlling or coercive behaviour by persons providing psychotherapy or counselling services

(1) A person ("A") commits an offence if—

(a) A is a person providing or purporting to provide psychotherapy or counselling services to another person ("B"),

(b) A repeatedly or continuously engages in behaviour towards B that is controlling or coercive,

(c) the behaviour has a serious effect on B, and

(d) A knows or ought to know that the behaviour will or may have a serious effect on B.

(2) A's behaviour has a "serious effect" on B if—

(a) it causes B to fear, on at least two occasions, that violence will be used against B, or

(b) it causes B psychological harm which has a substantial adverse effect on B's usual day-to-day activities.

(3) For the purposes of subsection (1)(d) A "ought to know" that which a reasonable person in possession of the same information would know.

(4) In proceedings for an offence under this section it is a defence for A to show that—

(a) in engaging in the behaviour in question, A believed that he or she was acting in B's best interests, and

(b) the behaviour was in all the circumstances reasonable.

(5) A is to be taken to have shown the facts mentioned in subsection (4) if—
  (a) sufficient evidence of the facts is adduced to raise an issue with respect to them, and
  (b) the contrary is not proved beyond reasonable doubt.

(6) The defence in subsection (4) is not available to A in relation to behaviour that causes B to fear that violence will be used against B.

(7) A person guilty of an offence under this section is liable—
  (a) on conviction on indictment, to imprisonment for a term not exceeding five years, or a fine, or both;
  (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or a fine, or both."

Member's explanatory statement
This amendment creates an offence of controlling or coercive behaviour by providing psychotherapy or counselling services.

BARONESS STOWELL OF BEESTON
LORD HENDY
BARONESS HARDING OF WINSCOMBE
LORD HOGAN-HOWE

After Clause 124, insert the following new Clause—

"Assault of public-facing worker

(1) A person who assaults a public-facing worker at work commits an offence under this section.

(2) For the purposes of this section—
  "public-facing worker at work" means a person who is providing a service or facilitating a transaction to the public in a public building or space, on public transport, or in a commercial property which is accessible to the public to buy or receive such services;
  "worker" includes an unpaid employee.

(3) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding the maximum term for summary offences or to a fine (or both).

(4) In subsection (3) "the maximum term for summary offences" means—
  (a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales) comes into force, six months;
  (b) if the offence is committed after that time, 51 weeks.

(5) In section 40(3) of the Criminal Justice Act 1988 (power to join in indictment count for common assault etc) after paragraph (ac) insert—

"(ad) an offence under section (*Assault of a public-facing worker*) of the Crime and Policing Act 2025 (assault of public-facing worker).""

Member's explanatory statement
This amendment would expand the provisions of Clauses 38 and 39 (assault of a retail worker) to include all public-facing workers.

LORD JACKSON OF PETERBOROUGH

After Clause 124, insert the following new Clause—

"Offences of causing harassment, alarm or distress: amendments

(1) The Public Order Act 1986 is amended as follows.

(2) In section 4A (intentional harassment, alarm or distress) omit ", alarm" in each place where it occurs (including the heading) and omit ", alarmed" in subsection.

(3) In section 5 (harassment, alarm or distress) omit ", alarm" in each place where it occurs (including the heading)."

Clause 129

LORD HANSON OF FLINT

Clause 129, page 173, line 35, leave out from "means" to end of line 37 and insert—

"(a) a device which is capable of using five or more SIM cards simultaneously or interchangeably, for a purpose mentioned in subsection (1A), or

(b) an article specified in regulations made by the Secretary of State.

(1A) The purposes are—"

Member's explanatory statement
This amendment allows the Secretary of State to specify different articles as SIM farms in regulations.

LORD HANSON OF FLINT

Clause 129, page 174, line 1, at end insert ", or

(b) an article specified in regulations made by the Secretary of State."

Member's explanatory statement
This amendment allows the Secretary of State to specify different articles as SIM cards in regulations.

LORD HANSON OF FLINT

Clause 129, page 174, line 5, leave out subsection (4) and insert—

"(4) Regulations under subsection (1) may specify only articles which the Secretary of State considers are capable of being used for a purpose mentioned in subsection (1A) in a way which is a similar to a device within subsection (1)(a).

(4A) Regulations under subsection (2) may specify only articles which the Secretary of State considers have a similar function to removable physical subscriber identity modules.

(4B) "Article" includes information in electronic form.

(4C) Before making regulations under this section, the Secretary of State must consult such persons appearing to the Secretary of State to be likely to be affected by the regulations as the Secretary of State considers appropriate."

Member's explanatory statement
This amendment removes the Secretary of State's power to make regulations amending clause 129 and inserts a restriction on the kind of articles that may be specified by the new powers inserted by my amendments to clause 129, page 173 line 35 and page 174 line 1. It also requires the Secretary of State to consult before exercising those powers.

Clause 132

LORD HANSON OF FLINT

Clause 132, page 175, line 24, leave out from "that" to "by" in line 26 and insert "it is made or adapted for use in perpetrating fraud"

Member's explanatory statement
This amendment restricts the kind of articles that the Secretary of State may specify under clause 132.

After Clause 132

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 132, insert the following new Clause—

"Digital identity theft

(1) A person commits an offence of digital identity theft if—
  (a) the person obtains, or attempts to obtain, personal or sensitive information relating to an individual, including but not limited to passwords, identification numbers, credit card numbers, national insurance numbers, biometric data, or other unique digital identifiers, and
  (b) the person intends to use this personal or sensitive information to impersonate that individual, or to enable another person to impersonate

that individual, with the purpose of carrying out any transaction, activity, or communication in their name without their consent or lawful authority.

(2) For the purposes of subsection (1)—

(a) "personal or sensitive information" refers to any data, whether digital, physical, or otherwise, that can be used to identify, authenticate, or impersonate an individual;

(b) "obtains" includes acquiring, accessing, collecting, or otherwise coming into possession of such information.

(3) A person guilty of an offence under this section is liable—

(a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or to a fine, or both;

(b) on conviction on indictment in England and Wales, to imprisonment for a term not exceeding five years or to a fine, or both."

Member's explanatory statement
This amendment creates an offence of digital identity theft.

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 132, insert the following new Clause—

"Defences to charges under the Computer Misuse Act 1990

(1) The Computer Misuse Act 1990 is amended as follows.

(2) In section 1, after subsection (2) insert—

"(2A) It is a defence to a charge under subsection (1) to prove that—

(a) the person's actions were necessary for the detection or prevention of crime, or

(b) the person's actions were justified as being in the public interest."

(3) In section 3, after subsection (5) insert—

"(5A) It is a defence to a charge under subsection (1) to prove that—

(a) the person's actions were necessary for the detection or prevention of crime, or

(b) the person's actions were justified as being in the public interest.""

Member's explanatory statement
This amendment creates defences to charges under the Computer Misuse Act 1990.

LORD JACKSON OF PETERBOROUGH
BARONESS NEVILLE-ROLFE

After Clause 132, insert the following new Clause—

"Consumer cloud-based service provider access restrictions: lost or stolen devices

(1) A provider of consumer cloud-based services referred to in subsection (7)(a) that are accessed from a device must, upon receiving verified notification from a relevant person that a device has been lost or stolen, take reasonable and timely steps aimed at preventing any person who is not the device owner from accessing the provider's consumer cloud-based services from that device, in order to discourage, where possible, the resale of devices obtained unlawfully.

(2) In subsection (1) "relevant person" means—
  (a) a consumer who is the device owner,
  (b) a person that is a legitimate seller of the device, or
  (c) a relevant authority.

(3) The provider must, so far as it is technically possible for the provider to do so in accordance with the technical standards referred to in subsection (7)(a), block access to the provider's consumer cloud-based services from the device identified in the relevant verified notification.

(4) The provider must inform, as soon as practically possible, the National Crime Agency and the police service in the area in which the theft or loss of the device was first reported.

(5) Providers must, subject to appropriate safeguards, establish a process for relevant persons to appeal or reverse a block on a device in cases of error, fraud, or device recovery.

(6) A provider shall not be liable for any loss or damage suffered in consequence of any action taken under this section.

(7) The Secretary of State must by regulations make provision for—
  (a) the technical standards required to enforce the steps outlined in subsections (1) and (3),
  (b) the categories of consumer cloud-based services in relation to which providers will be required to take the steps outlined in subsections (1) and (3),
  (c) the implementation timeline for providers, and
  (d) sanctions for non-compliance.

(8) In this section—
  "consumer" has the meaning given by section 2(3) of the Consumer Rights Act 2015;
  "consumer cloud-based service" means a digital service which—
    (a) is a cloud computing service (as defined in the Network and Information Systems Regulations 2018 (S.I. 2018/506)),
    (b) is supplied directly to consumers in the United Kingdom, and

(c) is used by those consumers solely for personal use.

"device" means a mobile telephone device with an IMEI number;

"device owner" means—

(a) a person that—

(i) is a consumer in the United Kingdom,

(ii) has purchased a device through a contract or transfer of ownership of the device, or

(b) a legal person that can demonstrate legitimate ownership through supply chain documentation.

"legitimate seller" means—

(a) a manufacturer or trader of the device,

(b) an online marketplace provider or legal person that sells the device, or

(c) a trader operating on an online marketplace provided they can trace the origin of the device.

"provider" means a person who enters into a contract directly with a consumer in the United Kingdom for the provision of consumer cloud-based services;

"verified notification" means a written notification that a device has been lost or stolen, which includes all of the following information—

(a) details of the relevant device that has been lost or stolen, including its IMEI number,

(b) evidence demonstrating that the person who has submitted the notification is a relevant person, such as proof of purchase or supply chain documentation, and

(c) any other information that the provider reasonably requires in order for it to comply with its obligations under this section."

Before Clause 133

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY
BARONESS FOX OF BUCKLEY

Before Clause 133, insert the following new Clause—

"The right to protest

Before section 11 of the Public Order Act 1986 (advance notice of public processions), 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 137

LORD PARKINSON OF WHITLEY BAY
LORD BLENCATHRA

★ Clause 137, page 179, line 10, at end insert—

"(d) a war memorial which has been listed under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 or scheduled under the provisions of the Ancient Monuments and Archaeological Areas Act 1979."

Member's explanatory statement
This amendment broadens the current definition of "specified memorials" to include any listed or scheduled war memorial, not just those which happen to be Grade I listed at present.

After Clause 137

LORD HANSON OF FLINT

After Clause 137, insert the following new Clause—

"Protests outside public office-holder's home

(1) A person ("P") commits an offence if—
(a) P (alone or with other persons) carries on a protest outside, or in the vicinity of, premises that are used by a public office-holder as a dwelling,
(b) P carries on the protest for the purpose of representing to, or persuading, the public office-holder that they—
(i) should or should not do something, or
(ii) should or should not have done something, and

(c) P carries on the protest because of, or in connection with, the public officer-holder being a public officer-holder.

(2) Subsection (1) does not apply to premises that are an official residence.

(3) It is a defence for a person charged with an offence under this section to show that they did not know the premises were used by the public office-holder as a dwelling.

(4) A person is to be taken to have shown the matter referred to in subsection (3) if—

(a) sufficient evidence is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.

(5) A person who commits an offence under this section is liable, on summary conviction, to imprisonment for a term not exceeding the maximum term for summary offences or a fine not exceeding level 4 on the standard scale (or both).

(6) In subsection (5) "the maximum term for summary offences" means—

(a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 comes into force, six months;

(b) if the offence is committed after that time, 51 weeks.

(7) The following definitions apply for the purposes of this section.

(8) "Public office-holder" means—

(a) a Minister of the Crown (within the meaning of the Ministers of the Crown Act 1975);

(b) any of the Welsh Ministers;

(c) any of the Deputy Welsh Ministers (within the meaning of the Government of Wales Act 2006);

(d) the Counsel General to the Welsh Government;

(e) a member of the House of Lords;

(f) a member of the House of Commons;

(g) a member of Senedd Cymru;

(h) a member of a local authority;

(i) an elected mayor of a local authority within the meaning given by section 9H (elected mayors: England) or section 39(4) (elected mayors: Wales) of the Local Government Act 2000;

(j) a mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

(k) a mayor for the area of a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;

(l) the Mayor of London or an elected member of the London Assembly;

(m) a police and crime commissioner;

(n) a candidate at an election for an office mentioned in any of paragraphs (f) to (m).

(9) "Local authority" means—

(a) in England—
(i) a county council;
(ii) a district council;
(iii) a London borough council;
(iv) a parish council;
(v) the Common Council of the City of London;
(vi) the Council of the Isles of Scilly;
(b) in Wales—
(i) a county council;
(ii) a county borough council;
(iii) a community council.

(10) "Dwelling" has the meaning given by section 8 of the Public Order Act 1986.

(11) "Official residence" means—
(a) 10, 11 and 12 Downing Street, London;
(b) Admiralty House, Whitehall, London;
(c) 1 Carlton Gardens, London;
(d) the Palace of Westminster, London;
(e) Chequers, Missenden Road, Aylesbury, Buckinghamshire;
(f) Dorneywood, Dorneywood Road, Burnham, Buckinghamshire;
(g) Chevening House, Chevening, Sevenoaks, Kent.".

Member's explanatory statement
This amendment creates a new offence relating to protests outside the homes of public office-holders.

Schedule 14

LORD PARKINSON OF WHITLEY BAY
LORD BLENCATHRA

★ Schedule 14, page 348, line 20, at end insert—

"25 Monument to the Women of World War II, Whitehall, London.

26 Holocaust Memorial Garden, Hyde Park, London."

Member's explanatory statement
This amendment adds two significant memorials which are not Grade I listed and which are not currently specified in the Bill.

Clause 140

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY

★ Leave out Clause 140

Clause 141

BARONESS DOOCEY
LORD CLEMENT-JONES
BARONESS FOX OF BUCKLEY

Clause 141, page 182, line 42, at end insert—

"(4) After section 14, insert—

"14ZZA Imposition of conditions: live facial recognition

Prior to imposing conditions under either section 12 (imposing conditions on public processions) or 14 (imposing conditions on public assemblies), the senior officer of the police force in question must confirm that live facial recognition will not be in use, unless a new statutory code of practice for the use of live facial recognition surveillance in public spaces in England and Wales has previously been presented to, and approved by, both Houses of Parliament.""

Member's explanatory statement
This amendment ensures that police cannot use live facial recognition technology when imposing conditions on public assemblies or processions under sections 12 or 14, unless a new, specific code of practice governing its use in public spaces has first been formally approved by both Houses of Parliament. It is intended to safeguard public privacy and civil liberties by requiring democratic oversight before this surveillance technology is deployed in such contexts.

After Clause 142

LORD HANSON OF FLINT

After Clause 142, insert the following new Clause—

"Return to unauthorised encampments: prohibited period

(1) The Criminal Justice and Public Order Act 1994 is amended as follows.

(2) In section 60C(3) (offence relating to residing on land without consent in or with a vehicle) for "12" substitute "three".

(3) In section 61 (power to remove trespassers on land)—
  (a) in subsection (4)(b) for "prohibited period" substitute "period of three months beginning with the day on which the direction was given";
  (b) omit subsection (4ZA).

(4) In section 62 (supplementary powers of seizure)—
  (a) in subsection (1)(b) for "prohibited period" substitute "period of three months beginning with the day on which the direction was given";
  (b) omit subsection (1A).

(5) In section 62B(2) (failure to comply with direction under section 62A: offences) for "twelve" substitute "three".

(6) In section 62C(2) (failure to comply with direction under section 62A: seizure) for "twelve" substitute "three"."

Member's explanatory statement
This new clause changes the period within which a person directed to leave an unauthorised encampment must not return from twelve months to three.

LORD HANSON OF FLINT

After Clause 142, insert the following new Clause—

"Harassment of a person in their home

(1) The Criminal Justice and Police Act 2001 is amended as follows.

(2) In section 42 (police directions stopping harassment etc of a person in their home), in subsection (1)(b)—
  (a) omit the "or" at the end of sub-paragraph (i);
  (b) after sub-paragraph (ii) insert—
    "(iii) that they should not have done something they were entitled or required to do; or
    (iv) that they should have done something they were not under any obligation to do;".

(3) In section 42A (offence of harassment etc of a person in their home), in subsection (1)(b)—
  (a) omit the "or" at the end of sub-paragraph (i);
  (b) after sub-paragraph (ii) insert—
    "(iii) that they should not have done something they were entitled or required to do; or
    (iv) that they should have done something they were not under any obligation to do;"."

Member's explanatory statement
This amendment expands sections 42 and 42A of the Criminal Justice and Police Act 2001 (protests outside homes) to cover protests about something done in the past.

LORD FAULKS

★ After Clause 142, insert the following new Clause—

"Lawful or reasonable excuse defence for public order offences

(1) This section applies to any offence that makes conduct unlawful unless there is an excuse for it and specifies either that the excuse must be a lawful excuse or that it must be a reasonable one.

(2) A person has no excuse for the conduct if—

(a) it is intended to intimidate, provoke, inconvenience or otherwise harm members of the public by interrupting or disrupting their freedom to carry on a lawful activity, or

(b) it is designed to influence the government or public opinion by subjecting any person, or their property, to a risk, or increased risk, of loss or damage.

(3) It is immaterial that there are or may be other excuses or reasons for the conduct or that its main purpose may be different.

(4) In this section "conduct" includes any act or omission.

(5) For the purposes of the Human Rights Act 1998, this section must be treated as necessary in a democratic society for the protection of the rights and freedoms of others."

Member's explanatory statement
This amendment clarifies when a person has a lawful or reasonable excuse to a public order offence.

Clause 154

LORD HANSON OF FLINT

Clause 154, page 200, line 19, leave out from beginning to "for" and insert—

"(1) The Criminal Justice and Court Services Act 2000 is amended as follows.

(2)"

Member's explanatory statement
This amendment is consequential on my amendment to clause 154, page 205, line 6.

LORD HANSON OF FLINT

Clause 154, page 201, line 13, at end insert—

"(5A) The requirement in subsection (5) may be satisfied by consultation carried out wholly or partly before this section comes into force."

Member's explanatory statement
This amendment provides that the Secretary of State's duty to consult before making regulations under section 71 of the Criminal Justice and Court Services Act 2000 (inserted by clause 154) may be satisfied by pre-commencement consultation.

BARONESS DOOCEY
LORD CLEMENT-JONES

Clause 154, page 201, line 24, at end insert—

"(7A) Authorised persons listed in section 71A may not use the information referenced in subsection (1) for the purposes of biometric searches using facial recognition technology."

Member's explanatory statement
This amendment ensures that the DVLA database cannot be used for searches using live facial recognition.

LORD HANSON OF FLINT

Clause 154, page 204, line 23, at end insert—

"(3A) The requirement in subsection (3) may be satisfied by consultation carried out wholly or partly before this section comes into force."

Member's explanatory statement
This amendment provides that the Secretary of State's duty to consult in preparing a code of practice under section 71B of the Criminal Justice and Court Services Act 2000 (inserted by clause 154) may be satisfied by pre-commencement consultation.

LORD HANSON OF FLINT

Clause 154, page 205, line 6, at end insert—

"(3) In section 76 (subordinate legislation), after subsection (5) insert—

"(5A) A statutory instrument containing regulations under section 71 may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.""

Member's explanatory statement
This amendment provides for regulations made by the Secretary of State under section 71 of the Criminal Justice and Court Services Act 2000 (inserted by clause 154) to be subject to affirmative resolution procedure.

After Clause 154

LORD HANSON OF FLINT

After Clause 154, insert the following new Clause—

"Code of practice relating to non-criminal hate incidents

In the Police, Crime, Sentencing and Courts Act 2022, omit—

(a) sections 60 and 61 (code of practice about police processing of personal data relating to hate incidents), and

(b) the italic heading before section 60."

Member's explanatory statement
This amendment repeals sections 60 and 61 of the Police, Crime, Sentencing and Courts Act 2022.

After Clause 160

EARL ATTLEE
LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER

After Clause 160, insert the following new Clause—

"Police charges for escorting vehicles or trailers carrying a load of exceptional dimensions

(1) Within six months of the day on which this Act is passed, the Secretary of State must, by regulations, establish a framework to regulate the fees charged to hauliers by police forces for escorting a vehicle or trailer carrying a load of exceptional dimensions.

(2) The framework under subsection (1) must—
  (a) include criteria to specify when a police escort is required for vehicles or trailers carrying a load of exceptional dimensions, as opposed to a private self-escort, and
  (b) set out the fees police forces may charge for escorting vehicles or trailers carrying a load of exceptional dimensions.

(3) Police forces may submit applications in writing to the Secretary of State to disapply the fees set by the regulatory framework in extenuating circumstances.

(4) The Secretary of State must make a determination within ten days of receiving an application submitted under subsection (3).

(5) In this section "vehicle or trailer carrying a load of exceptional dimensions" means a vehicle or trailer the use of which is authorised by an order made under section 44(1)(d) of the Road Traffic Act 1988 (authorisation of use on roads of special vehicles not complying with regulations under section 41)."

Member's explanatory statement
This amendment seeks to require the Secretary of State to establish a regulatory framework to manage the fees charged to hauliers by police forces for escorting a vehicle or trailer carrying a load of exceptional dimensions.

BARONESS NEVILLE-ROLFE

After Clause 160, insert the following new Clause—

"Wearing a face covering while cycling

(1) A constable may stop any person to whom subsection (2) applies.

(2) This subsection applies to a person who wears a face covering while cycling or riding a scooter in such a way as to conceal their identity.

(3) A person who fails to stop when required to do so by a constable in the exercise of their powers under this section commits an offence.

(4) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding one month or a fine not exceeding level 3 on the standard scale (or both)."

Schedule 18

LORD HANSON OF FLINT

Schedule 18, page 420, line 9, at end insert—

"51A In section 161E(5) (making an income reduction order) (as inserted by section 3 of the Sentencing Act 2026), for paragraph (b) substitute—

"(b) section 15A (where court sentences before confiscation proceedings).""

Member's explanatory statement
This amendment adds, to the list of amendments that are consequential on the confiscation order provisions in the Bill, an amendment of a provision inserted by the Sentencing Act 2026 into the Sentencing Code.

After Clause 164

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

After Clause 164, insert the following new Clause—

"Child cruelty offences: notification and offender management requirements

(1) A person ("relevant offender") is subject to the notification requirements of subsections (2) and (3) for the period set out in subsection (4) if the relevant offender is convicted of an offence listed in subsection (6).

(2) A relevant offender must notify to the police within the three days of the time of their conviction or their release from custody, and annually thereafter, providing—
  (a) the relevant offender's date of birth,
  (b) their national insurance number,
  (c) their name on the notification date and, where using one or more other names on that date, each of those names,
  (d) their place of residence on the date of notification,
  (e) the address of any other premises in the United Kingdom at which, at the time the notification is given, they regularly reside or stay, and
  (f) any information that may be prescribed in regulations by the Secretary of State.

(3) A relevant offender must notify to the police, within the period of three days beginning with the event occurring, about—
  (a) their use of a name which has not been notified to the police under subsection (2);

(b) a change to their place or residence;

(c) any other prescribed change of circumstances as defined in regulations made under this section.

(4) The dates of discharge from notification requirements under this section are the same as those set out in section 88B of the Sexual Offences Act 2003 (review of indefinite notification requirements).

(5) The information required by subsections (2) and (3), once received, must be—

(a) monitored regularly by the police and probation service, and

(b) retained for the purposes of offender management.

(6) The relevant offences are—

(a) an offence under section 1 of the Children and Young Persons Act 1933 (cruelty to persons under sixteen);

(b) an offence under section 1 of the Infanticide Act 1938 (infanticide);

(c) an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing the death of a child or vulnerable adult, or allowing them to suffer serious harm);

(d) an offence under section 27 of the Offences Against the Person Act 1861 (exposing children whereby life is endangered);

(e) an offence under sections 4, 18, 20, 21, 22, 23 or 47 of the Offences Against the Person Act 1861, if the victim is under the age of 16;

(f) an offence under any of the following provisions of the Female Genital Mutilation Act 2003—

(i) section 1 (female genital mutilation);

(ii) section 2 (assisting a girl to mutilate her own genitalia);

(iii) section 3 (assisting a non-UK person to mutilate overseas a girl"s genitalia)."

Member's explanatory statement

This new clause would create notification requirements for people convicted of child cruelty, analogous to the Sex Offenders Register. Their information and personal details would be kept on record by the police for the purposes of offender management, with the aim of reducing the risk to children from future offences.

After Clause 167

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
LORD HOGAN-HOWE

After Clause 167, insert the following new Clause—

"Misconduct investigations where officer acquitted

(1) The Police Reform Act 2002 is amended as follows.

(2) In section 13B –

(a) in subsection (1), at end insert "but this is subject to the exception in section 13BA.", and

(b) in subsection (2), at the beginning, leave out "The" and insert "Unless the exception in section 13BA applies, the".

(3) After section 13B, insert—

"13BA No re-investigation on acquittal for the same conduct

(1) Where this section applies, the Director-General may not make a determination under section 13B(2) to re-investigate the complaint, recordable conduct matter or DSI matter.

(2) This section applies where—

(a) the Director-General, appropriate authority or relevant review body (as the case may be) has made a determination under paragraphs 23(2)(c), 24(2)(b) or 25(4G) of Schedule 3,

(b) as a result of the determination mentioned in paragraph (a), the Director of Public Prosecutions has brought criminal proceedings against the relevant person, and

(c) the relevant person has been acquitted in those criminal proceedings.

(3) The exception in subsection (1) does not apply only if—

(a) the relevant authority has come into possession of substantial new evidence relating to the conduct that was the subject of the investigation, and

(b) the relevant authority is of the reasonable opinion that the new evidence would, if considered, be significantly likely to lead to a finding of misconduct or gross misconduct.

(4) In this section—

(a) "relevant person" means the person to whose conduct the investigation related;

(b) "relevant authority" means the Director-General, appropriate authority, local policing body or relevant review body (as the case may be)."

(4) After paragraph 24C of Schedule 3, insert—

"Investigation where person acquitted in criminal proceedings

24D(1) This paragraph applies where—

(a) an investigation of a complaint, conduct matter or DSI matter ("the index investigation") has concluded and the final report has been submitted to the relevant authority,

(b) the relevant authority has made a determination under paragraphs 23(2)(c), 24(2)(b) or 25(4F),

(c) as a result of the determination mentioned in sub-paragraph (b), the Director of Public Prosecutions has brought criminal proceedings against the relevant person, and

(d) the relevant person has been acquitted in those criminal proceedings.

(2) In this paragraph—

(a) "relevant person" means the person to whose conduct the index investigation related;

(b) "relevant authority" means the Director-General, appropriate authority, local policing body or relevant review body (as the case may be).

(3) Where this paragraph applies, the relevant authority may not initiate a new investigation, re-open an investigation or order a re-investigation against the relevant person in relation to the same complaint, conduct matter or DSI matter that was the subject of the index investigation.

(4) Sub-paragraph (3) does not apply only if—

(a) the relevant authority has come into possession of substantial new evidence relating to the conduct that was the subject of the index investigation, and

(b) the relevant authority is of the reasonable opinion that the new evidence would, if considered, be significantly likely to lead to a finding of misconduct or gross misconduct."

(6) In paragraph 25 of that Schedule—

(a) after sub-paragraph (4D) insert—

"(4DA) The Director-General may not direct that the complaint be re-investigated under sub-paragraph (4C)(b) if paragraph 24D applies in relation to that investigation.", and

(b) after sub-paragraph (4E) insert—

"(4EA) The local policing body may not make a recommendation to the appropriate authority that the complaint be re-investigated under sub-paragraph (4E)(a) if paragraph 24D applies in relation to the conduct to which the investigation related.""

Member's explanatory statement

This amendment would prevent the Independent Office for Police Conduct from investigating an officer where that officer has already been investigated and acquitted in court for the same conduct matter.

After Clause 171

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
LORD HOGAN-HOWE

After Clause 171, insert the following new Clause—

"Presumption against prosecution for alleged conduct by authorised firearms officers

(1) Where a relevant prosecutor makes a decision to which this section applies, the prosecutor must, in making the decision—
   (a) apply the principle set out in subsection (4), and
   (b) comply with subsection (5).

(2) This section applies to a decision of a relevant prosecutor as to—
   (a) whether or not proceedings should be brought against a person ("D") for a relevant offence, or
   (b) whether or not any proceedings against D for a relevant offence should be continued,

   in England and Wales.

(3) In this section, an offence is a "relevant offence" if—
   (a) it is alleged to have been committed by D acting in the exercise of functions as an authorised firearms officer,
   (b) the conduct alleged to constitute the offence involved the use by D of a lethal barrelled weapon to discharge a conventional round, and
   (c) D was, at the time of the alleged offence, authorised by the relevant authority to use that weapon with that round.

(4) The principle referred to in subsection (1) is that it is to be exceptional for a relevant prosecutor making a decision to which this section applies to determine that proceedings should be brought against D for the offence or, as the case may be, that the proceedings against the person for the offence should be continued.

(5) In making a decision to which this section applies, a relevant prosecutor must give particular weight to the following matters—
   (a) the exceptional demands and stresses to which authorised firearms officers are subjected to in the course of their duties, and
   (b) the exceptional difficulties of making time-sensitive judgments as are required by the nature of D's functions as an authorised firearms officer.

(6) The following are "relevant prosecutors" for the purposes of this section—
   (a) the Director of Public Prosecutions,
   (b) a Crown Prosecutor, or
   (c) any person to whom the institution or taking over of proceedings for a relevant offence mentioned has been assigned under section 5(1) of the Prosecution of Offences Act 1985 (conduct of prosecutions on behalf of the CPS).

(7) In this section, "authorised firearms officer" means—

(a) a member of a relevant police force who is authorised by the relevant chief officer to use a lethal barrelled weapon with a conventional round in the exercise of functions as a constable,

(b) a National Crime Agency officer who is authorised by the Director General of the National Crime Agency to use a lethal barrelled weapon with a conventional round in the exercise of functions as a National Crime Agency officer,

(c) a member of the Police Service of Scotland or the Police Service of Northern Ireland who—

(i) is provided under section 98 of the Police Act 1996 (cross-border aid of one police force by another) for the assistance of a police force in England and Wales, and

(ii) is authorised by the relevant authority to use a lethal barrelled weapon with a conventional round in the exercise of functions as a constable, or

(d) a member of the armed forces who—

(i) is deployed in support of a relevant police force or the National Crime Agency, and

(ii) is authorised by the Secretary of State to use a lethal barrelled weapon with a conventional round for the purposes of that deployment.

(8) In this section—

"conventional round" means any shot, bullet or other missile other than one designed to be used without its use giving rise to a substantial risk of causing death or serious injury;

"lethal barrelled weapon" has the meaning given by section 57(1B) of the Firearms Act 1968;

"member of the armed forces" means a person who is subject to service law (see section 367 of the Armed Forces Act 2006);

"relevant authority" means—

(a) in relation to a member of a relevant police force, the relevant chief officer;

(b) in relation to a National Crime Agency officer, the Director General of the National Crime Agency;

(c) in relation to a member of the Police Service of Scotland, the Chief Constable of the Police Service of Scotland;

(d) in relation to a member of the Police Service of Northern Ireland, the Chief Constable of the Police Service of Northern Ireland;

(e) in relation to a member of the armed forces, the Secretary of State;

"relevant chief officer" means—

(a) in relation to a police force in England and Wales, the chief officer of police of that police force;

(b) in relation to the British Transport Police Force, the Chief Constable of the British Transport Police Force;

(c) in relation to the Ministry of Defence Police, the Chief Constable of the Ministry of Defence Police;

(d) in relation to the Civil Nuclear Constabulary, the Chief Constable of the Civil Nuclear Constabulary;

"relevant police force" means—

(a) a police force in England and Wales,

(b) the British Transport Police Force,

(c) the Ministry of Defence Police, or

(d) the Civil Nuclear Constabulary."

Member's explanatory statement
This amendment would apply a presumption against prosecution for armed police officers where they discharge their weapons, and requires prosecutors to consider the unique burdens placed on armed officers.

Clause 179

LORD HANSON OF FLINT

Clause 179, page 231, line 37, at end insert—

""law enforcement employer" has the meaning given by section 174(1);"

Member's explanatory statement
This amendment applies the definition of "law enforcement employer" in clause 174 to all of clauses 173 to 178.

Schedule 21

LORD HANSON OF FLINT

Schedule 21, page 467, line 28, leave out "or Condition 2"

Member's explanatory statement
This amendment removes a requirement to add civilian employees to the Civil Nuclear Constabulary and British Transport Police advisory lists, where allegations are made against them after they resign or retire. This reflects the position for civilian employees of territorial police forces under section 88I of the Police Act 1996.

LORD HANSON OF FLINT

Schedule 21, page 469, line 13, after "3A" insert "(1A) or (1B)"

Member's explanatory statement
This amendment adjusts the meaning of "disciplinary proceedings" in relation to the Ministry of Defence Police.

After Clause 182

BARONESS DOOCEY
LORD MARKS OF HENLEY-ON-THAMES

After Clause 182, insert the following new Clause—

"Police training: independent review

(1) Within six months of the day on which this Act is passed, the Secretary of State must establish an independent review of the quality of in-service police officer training within police forces in England and Wales.

(2) The review must—
  (a) assess the consistency, effectiveness and outcomes of all training provided to police officers after completion of their initial entry-level training, including all—
    (i) in-service training,
    (ii) workforce development programmes,
    (iii) refresher courses, and
    (iv) specialist training;
  (b) consider the extent to which training equips officers with the necessary skills, knowledge and professional standards to reflect the demands of modern policing, including—
    (i) digital skills,
    (ii) investigative skills,
    (iii) trauma awareness and conflict management, and
    (iv) processes by which police officers are informed of, and trained in, changes to the law, and
  (c) make recommendations for improvement, where appropriate.

(3) The review established under subsection (1) must complete its work within 12 months of its establishment.

(4) Within three months of receiving the review, the Secretary of State must lay a statement before Parliament containing their response and proposals to take forward the recommendations in the review."

Member's explanatory statement
This amendment requires the Secretary of State to establish an independent review on police training.

BARONESS DOOCEY
BARONESS BRINTON

After Clause 182, insert the following new Clause—

"Mandatory mental health training for police officers

(1) Every police force in England and Wales must ensure that all frontline police officers receive regular training in dealing with incidents involving individuals experiencing mental health crises.

(2) The training provided under subsection (1) must—
  (a) be developed and delivered in consultation with NHS mental health trusts, clinical commissioning groups, and other relevant health and social care bodies,
  (b) reflect the principles of the Right Care, Right Person approach,
  (c) include instruction in de-escalation techniques, legal obligations under the Mental Health Act 1983, communication with vulnerable persons, and referral pathways to appropriate healthcare services, and
  (d) be trauma-informed and culturally competent.

(3) Initial training must be completed within six months of an officer's commencement of frontline duties.

(4) Refresher training must be undertaken at least once every two years.

(5) Each police force must publish an annual statement on compliance with this section, including the number of officers trained and steps taken to evaluate the effectiveness of the training.

(6) The Secretary of State must by regulations make provision for—
  (a) minimum standards for training content and delivery,
  (b) procedures for monitoring and enforcement, and
  (c) sanctions for non-compliance."

Member's explanatory statement
This new clause would require every police force in England and Wales to ensure that all frontline police officers receive regular training in dealing with incidents involving individuals experiencing mental health crises.

BARONESS DOOCEY
LORD CLEMENT-JONES

After Clause 182, insert the following new Clause—

"Duty to record algorithmic tools

(1) Each police force in England and Wales must disclose its use of any algorithmic tool used in the exercise of its functions that may affect the rights, entitlements or obligations of individuals by completing entries in the Algorithmic Transparency Recording Standard (ATRS).

(2) Under subsection (1) "algorithmic tool" means a product, application or device that supports or solves a specific problem using complex algorithms."

Member's explanatory statement
This amendment places a duty on police forces to disclose any algorithmic tool used in the exercise of its functions.

BARONESS DOOCEY
LORD CLEMENT-JONES

After Clause 182, insert the following new Clause—

"National plan on police data intelligence systems

(1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish and lay before Parliament a national plan to modernise police data and intelligence systems in England and Wales.

(2) The plan must include steps to be taken to further the aims of—
  (a) replacing any antiquated police technology;
  (b) closing capability gaps identified in the National Audit on Group-Based Child Sexual Exploitation and Abuse;
  (c) enabling real-time secure information exchange between police forces and partner agencies;
  (d) supporting improved—
    (i) risk identification,
    (ii) early intervention, and
    (iii) co-ordinated action,
  to protect children.

(3) The national plan must set out clear milestones of how to achieve the aims set out in subsection (2) within five years of the plan being published.

(4) Every 12 months after publication of the plan under subsection (1), the Secretary of State must lay a further report before Parliament outlining the progress to date in achieving the aims set out in subsection (2), until those aims have been completed."

Member's explanatory statement
This amendment aims to take forward part of Recommendation 7 of Baroness Casey's National Audit on Group-Based Child Sexual Exploitation and Abuse, relating to updating police information systems.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
BARONESS FOX OF BUCKLEY

After Clause 182, insert the following new Clause—

"Exception of the police from the public sector equality duty

In schedule 18 (public sector equality duty: exceptions) of the Equality Act 2010, after paragraph 3 insert—

"The Police

3A (1) Section 149 does not apply to any police force when exercising policing or law enforcement functions.

(2) For the purposes of this paragraph, "police force" includes—
(a) a police force maintained by a local policing body,
(b) the British Transport Police,
(c) the Civil Nuclear Constabulary, and
(d) the Ministry of Defence Police.""

Member's explanatory statement
This amendment seeks to exempt the police from the public sector equality duty under the Equality Act 2010, so as to ensure they are solely committed to effectively carrying out their policing functions.

LORD CARTER OF HASLEMERE

After Clause 182, insert the following new Clause—

"Authorised firearms officers charged with murder

(1) Where subsection (2) applies, an authorised firearms officer who kills a person shall not be convicted of murder but shall be convicted of manslaughter.

(2) This subsection applies where the authorised firearms officer has an honest but mistaken belief that the amount of force used was necessary and reasonable—
(a) in defence of himself or others,
(b) in the prevention of crime, or
(c) in effecting or assisting in the lawful arrest of offenders or suspected offenders, or persons unlawfully at large.

(3) In this section, "authorised firearms officer" has the same meaning as in section 152 (6)."

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS BARRAN
BARONESS MORGAN OF COTES

After Clause 182, insert the following new Clause—

"Police protocols when investigating the death of a child

(1) The Criminal Procedure and Investigations Act 1996 is amended as follows.

(2) After section 27 (common law rules as to criminal investigations), insert—

"27A Inclusion of guidance on collecting digital data when investigating the death of a child

(1) Within six months of the day on which the Crime and Policing Act 2026 is passed, the code of practice under section 23 must include protocols that a person must adhere to when investigating the death of a child.

(2) These protocols must include the treatment of potential online harm as a primary line of enquiry.

(3) In order to treat a potential online harm as a primary line of enquiry, an investigating person must—

(a) seize and forensically examine digital devices as soon as is reasonably possible;

(b) take all reasonable steps to capture early digital evidence and account data, taking into account that online services delete user data after a short period of inactivity;

(c) document a child's activity on all known online services, including recommended content, interactions with other users, content viewed, content uploaded, and any relevant metadata.

(4) Where an investigation gives evidence that a service regulated by the Online Safety Act 2023 may have breached the terms of that Act, OFCOM must be notified and supplied with the evidence.""

Member's explanatory statement

This amendment seeks to update statutory guidance issued to police to include guidance on effective evidence-collecting related to potential digital harm during an investigation into the death of a child. Currently, there is no statutory guidance for police to follow regarding investigating digital harm.

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS BARRAN
BARONESS MORGAN OF COTES

After Clause 182, insert the following new Clause—

"Awareness of police protocols when investigating the death of a child

(1) Within six months of the day on which this Act is passed, the Secretary of State must write a letter setting out the steps that police are expected to take during an investigation into the death of a child.

(2) The letter must include—
  (a) reference to any relevant information, including any changes to the Criminal Procedure and Investigations Code of Practice;
  (b) guidance on the immediate seizure and preservation of all relevant devices, including but not limited to phones, tablets, laptops, wearable technological devices, and routers;
  (c) guidance on the rapid identification of online accounts, handles, email addresses, and contact lists;
  (d) guidance on early engagement with coroners to enable OFCOM to issue data preservation notices;
  (e) a requirement for the establishment of a digital specialist and point of contact for coordination with OFCOM in every force.

(3) The letter must be addressed to—
  (a) Police and Crime Commissioners;
  (b) Chief Constables;
  (c) the Commissioner of the Metropolitan Police;
  (d) the College of Policing;
  (e) relevant non-governmental organisations and parent groups;
  (f) any other persons the Secretary of State deems relevant."

Member's explanatory statement
This amendment, consequential on another amendment in the name of Baroness Kidron, seeks to require the Secretary of State to take steps to raise awareness of the consequences of that amendment and wider expectations of police forces to investigate digital harm when conducting an investigation into a child's death.

BARONESS CASH
LORD WALNEY
LORD GOODMAN OF WYCOMBE

★ After Clause 182, insert the following new Clause—

"Recording of ethnicity in police crime data

(1) The chief officer of police of each police force in England and Wales must ensure that the ethnicity of each person to whom this section applies is recorded in accordance with this section.

(2) This section applies to any person who—
  (a) is recorded as a victim of a notifiable offence, or
  (b) is arrested, charged, cautioned (including conditionally cautioned), issued with a penalty notice for disorder, or otherwise recorded as a suspect or offender in relation to a notifiable offence.

(3) The record must include the person's ethnicity as self-identified by that person, determined by reference to the 18-category ethnicity classification used in the most recent Census for England and Wales.

(4) Where—
  (a) the person declines, or is unable, to state their ethnicity, or
  (b) a constable considers that the person's observed ethnicity differs from that recorded under subsection (3),

  the record must also include the observed ethnicity, recorded separately and identified as such.

(5) Ethnicity recorded under subsection (4) must not replace or be treated as ethnicity recorded under subsection (3) for statistical or reporting purposes.

(6) The Secretary of State may by regulations amend subsection (3) so as to refer to a revised classification published by the Office for National Statistics."

Member's explanatory statement
This amendment requires police forces to record self-identified ethnicity, using the ONS census classification, for victims as well as suspects and offenders, with any officer-observed ethnicity recorded separately, to ensure consistent and comparable crime data.

BARONESS CASH

★ After Clause 182, insert the following new Clause—

"Recording of sex in police data

(1) Every police force in England and Wales must record the sex of each individual in respect of whom it collects personal data for policing purposes as a suspect, arrested person, charged person, cautioned person, convicted offender or victim.

(2) For the purposes of this section, "sex" means biological sex, being male or female only, as determined by sex at birth.

(3) If official documents proffered at the point of arrest do not reflect the sex of the individual as defined in subsection (2), the discrepancy may be noted separately but should not alter the data recorded under subsection (2).

(4) The Secretary of State must issue guidance to ensure consistency of recording sex and to prevent reliance on data from administrative records or documents that have been altered to show the person as the opposite sex to their sex as defined by subsection (2)."

Clause 196

LORD HANSON OF FLINT

Clause 196, page 245, line 29, leave out subsection (4)

Member's explanatory statement
This amendment removes provision that is superseded by the new subsection inserted by my amendment to clause 196, page 245, line 34.

LORD HANSON OF FLINT

Clause 196, page 245, line 33, leave out first "to" and insert "and"

Member's explanatory statement
This amendment is consequential on my amendment to clause 196, page 245, line 29.

LORD HANSON OF FLINT

Clause 196, page 245, line 34, at end insert—

"(6A) The Secretary of State must lay before Parliament—

(a) any guidance or revisions issued under this section, and

(b) in the case of revisions, a statement of whether the Secretary of State considers them to be substantial and, if not, of the reasons why."

Member's explanatory statement
This amendment requires the Secretary of State to lay all revisions of guidance before Parliament, even where the revisions are not considered to be substantial.

After Clause 201

BARONESS FOSTER OF AGHADRUMSEE

After Clause 201, insert the following new Clause—

"Glorification of terrorism: removal of emulation requirement

(1) Section 1 (encouragement of terrorism) of the Terrorism Act 2006 is amended as follows.

(2) In subsection (3), before paragraph (a) insert—

"(za) relates to one or more organisations which are at the time of the statement proscribed as terrorist organisations, and".

(3) Omit subsection (3)(b) and the "and" before it."

After Clause 207

LORD GOODMAN OF WYCOMBE
BARONESS DEECH
LORD MENDELSOHN

After Clause 207, insert the following new Clause—

"Counter-extremism strategy

Within six months of the day on which this Act is passed, the Secretary of State must publish and lay before Parliament a counter-extremism strategy which must thereafter be published annually."

Clause 208

VISCOUNT HAILSHAM

Clause 208, page 254, line 26, at end insert "provided that at the time of her actions—

(a) the balance of the woman's mind was then disturbed by reason of her pregnancy, or

(b) the woman was the victim of domestic abuse within the meaning of section 1 of the Domestic Abuse Act 2021 (definition of "domestic abuse") and such abuse contributed to her actions.

(2) Where evidence is adduced by or on behalf of the woman, which is capable of providing a defence under either or both of subsection (1)(a) and (b), it shall be for the prosecution to disprove that defence beyond a reasonable doubt.

(3) An investigation into an allegation that an offence has been committed by a woman acting in relation to her own pregnancy, shall only be undertaken in accordance with an authorisation, issued or renewed under the provisions of subsections (4) and (5).

(4) A police officer of the rank of superintendent or above may issue an authorisation for investigation into an allegation that an offence has been committed for a period not exceeding 14 days.

(5) The authorisation may be renewed, by a police officer of the rank of superintendent or above, for two further periods, each not exceeding seven days.

(6) When issuing or renewing an authorisation under this section, the police officer must take account of the provisions of subsections (1) and (2)."

BARONESS MONCKTON OF DALLINGTON FOREST

Leave out Clause 208

After Clause 208

BARONESS STROUD

After Clause 208, insert the following new Clause—

"Abortion: requirement for in-person consultation

In section 1(3D) of the Abortion Act 1967 (medical termination of pregnancy), omit ", by telephone or by electronic means"."

Member's explanatory statement
This new clause would mean that a pregnant woman would need to have an in-person consultation before lawfully being prescribed medicine for the termination of a pregnancy.

Clause 209

LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 209, page 255, line 8, at end insert—

"(3A) Before the appropriate national authority makes regulations under subsection (1) for the purpose of implementing a new international agreement, or significantly altering an existing agreement, the authority must conduct and publish a comprehensive Privacy Impact Assessment.

(3B) The Privacy Impact Assessment required under subsection (3A) must analyse and report on—

(a) the necessity and proportionality of the information sharing arrangements,

(b) the mechanism by which individual rights, including those under Article 8 of the Human Rights Act 1998, will be safeguarded,

(c) the risks of non-compliance with the data protection legislation or of unintended consequences arising from the sharing of personal data, and

(d) the nature and volume of personal data intended to be shared or accessed under the agreement.

(3C) The appropriate national authority must lay before Parliament, no later than 12 months after the first regulations are made under this section, and annually thereafter, a report on the operation of regulations made under this section.

(3D) The annual report required under subsection (3C) must include, in particular—

(a) an assessment of the overall volume and categories of information shared under the regulations,

(b) a detailed analysis of the impact of the regulations on the privacy and data protection rights of individuals, and

(c) a summary of any internal reviews, audits, or legal challenges relating to information sharing under the agreements implemented by the regulations."

Member's explanatory statement
This amendment requires a privacy impact assessment to be carried out before regulations are made under this section.

After Clause 211

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 211, insert the following new Clause—

"Enhanced protective measures for sensitive data transfers

(1) Where regulations under section 209 authorise the transfer or processing of highly sensitive personal data, the regulations must include enhanced protective measures.

(2) For the purposes of this section, "highly sensitive personal data" includes, but is not limited to, information concerning an individual's—
  (a) racial or ethnic origin;
  (b) biometric data processed for the purpose of unique identification;
  (c) genetic data;
  (d) physical or mental health conditions or data related to sexual life;
  (e) political, philosophical, or religious opinions or beliefs.

(3) Enhanced protective measures under subsection (1) must include provisions which ensure that—
  (a) the international transfer has an explicit legal basis set out in the regulations, which is demonstrated to be strictly necessary and proportionate for the stated law enforcement purpose;
  (b) a comprehensive assessment of the risk to the fundamental rights and freedoms of the data subjects (a Privacy Impact Assessment) has been completed for the specific transfer arrangement;
  (c) the recipient country or international organisation is legally and technically capable of ensuring a standard of protection for the data equivalent to that afforded by the data protection legislation.

(4) The Secretary of State must lay before Parliament the Privacy Impact Assessment required by subsection (3)(b) prior to the relevant regulations being made."

Member's explanatory statement
This amendment requires enhanced protective measures to be used when highly sensitive data is transferred or processed under Clause 209.

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 211, insert the following new Clause—

"Annual report on international law enforcement information-sharing

(1) The Secretary of State must, in relation to each calendar year, prepare a report on the operation of international information-sharing agreements implemented by regulations made under section 209.

(2) The report must detail the effectiveness and impact of information sharing including, but not limited to, the following information—
   (a) the number of international agreements in operation and the total volume of information exchanged under section 209;
   (b) an assessment of the effectiveness of the information sharing in achieving law enforcement purposes (being the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including safeguarding against, and the prevention of, threats to public security);
   (c) a comprehensive analysis of the impact of the transfer and processing of personal data on the privacy and civil liberties of individuals, including any disproportionate application on the basis of protected characteristics;
   (d) details of any findings that information sharing under section 209 has contravened the data protection legislation.

(3) The Secretary of State must publish each report and lay a copy before Parliament no later than 1 July in the year following the year to which the report relates."

Member's explanatory statement
This amendment requires an annual report to be produced on international law enforcement information sharing.

After Clause 213

LORD CLEMENT-JONES
BARONESS DOOCEY

After Clause 213, insert the following new Clause—

"Safeguards for the use of facial recognition technology in public spaces

(1) The use of live facial recognition technology for real-time biometric identification, by any public or private authorities, shall be prohibited unless one or more of the following conditions are met—
   (a) it is used for the purpose of preventing, detecting, or investigating serious crimes as defined under the Serious Crime Act 2007,
   (b) the deployment has received prior judicial authorisation specifying the scope, duration, and purpose of its use,

(c) it is necessary and proportionate for preventing an imminent and substantial threat to public safety, such as a terrorist attack, or

(d) it is deployed for the purpose of locating missing persons or vulnerable individuals at risk.

(2) Any public authority deploying live facial recognition technology must—

(a) conduct and publish a Data Protection Impact Assessment before deployment,

(b) ensure that use is compliant with the principles of necessity and proportionality as outlined in the Human Rights Act 1998,

(c) maintain clear and publicly available records of deployments, including justification for use and any safeguards implemented,

(d) inform the public of deployments, unless exceptional circumstances apply, and

(e) create, implement and follow nationwide statutory guidance for using the technology.

(3) The use of live facial recognition technology for mass surveillance, profiling, or automated decision-making without human oversight, is an offence.

(4) The Information Commissioner's Office and an independent oversight body shall be responsible for monitoring compliance with the provisions of this section, conducting audits, and investigating complaints.

(5) Within six months of the passing of this Act, the Secretary of State must ensure that a motion is tabled, and moved, in each House of Parliament to approve the appointment of the independent oversight body specified in subsection (4).

(6) A public authority or private entity guilty of an offence under this section will be liable—

(a) on summary conviction, to a fine;

(b) on conviction on indictment, to a fine.

(7) A private individual found guilty of an offence under this section will be liable—

(a) on summary conviction, to a fine;

(b) on conviction on indictment, to a fine or imprisonment (or both).

(8) The Secretary of State must lay before both Houses of Parliament an annual report detailing the use of live facial recognition technology, including instances of authorisation and compliance measures undertaken, and ensure that a motion is tabled, and moved, in each House to approve the report.

(9) The motion specified in subsection (8) must include proposals to strengthen the role of the Office of the Biometrics and Surveillance Camera Commissioner in overseeing the impact of relevant emerging technology such as facial recognition and its impact on civil liberties."

Member's explanatory statement

This new clause limits the use of live facial recognition in public to serious cases like preventing major crimes, finding missing people, or responding to threats and requires prior judicial approval.

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS BARRAN
BARONESS MORGAN OF COTES

After Clause 213, insert the following new Clause—

"Awareness of information in connection with an investigation into the death of a child

(1) The Secretary of State must, within three months of the day on which this Act is passed, write a letter setting out the powers of coroners to request Data Preservation Notices and Coroner Information Notices under section 101 of the Online Safety Act 2023 (information in connection with an investigation into the death of a child) in order to support the investigation of any potential related crime.

(2) The letter must set out—
  (a) the requirement of the coroner to inform OFCOM when a child has died, in accordance with section 101 of that Act;
  (b) the powers a coroner has to request the preservation of data in connection with an investigation into the death of a child, as set out in section 101 of that Act;
  (c) the powers a coroner has to request information in connection with the death of a child, as set out in section 101 of that Act;
  (d) an example of the template setting out the scope and range of information that may be relevant to the death of a child, in accordance with section 101 of that Act.

(3) The letter must be addressed to—
  (a) the Chief Coroner;
  (b) the Coroners' Society of England and Wales;
  (c) area coroners;
  (d) Police and Crime Commissioners;
  (e) Chief Constables;
  (f) the Commissioner of the Metropolitan Police;
  (g) the College of Policing;
  (h) relevant non-governmental organisations and parent groups;
  (i) any other persons the Secretary of State deems relevant."

Member's explanatory statement
This is an amendment consequential on another amendment in the name of Baroness Kidron which seeks to require the Secretary of State to ensure that all coroners and the police are aware of their new responsibilities under the other amendment, and their broader powers for data collection under section 101 of the Online Safety Act.

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS BARRAN
BARONESS MORGAN OF COTES

After Clause 213, insert the following new Clause—

"Regulation of information retained by providers of internet services in connection with death of child

(1) Section 101 of the Online Safety Act 2023 (information in connection with an investigation into the death of a child) is amended as follows.

(2) Before subsection (A1), insert—

"(ZA1) A senior coroner (in England and Wales), a procurator fiscal (in Scotland) or a coroner (in Northern Ireland) must, when notified of the death of a child aged five to seventeen years, inform OFCOM no more than five working days after such a notification, to enable OFCOM to require the retention of information to enable the investigating authority to—

(a) detect whether a crime may have been committed, or

(b) establish information and activities relevant to the circumstances of a child's death in case any offence may have been involved."

(3) In subsection (A1)(a), omit "that they are conducting an investigation in connection with" and insert "of".

(4) In subsection (A1)(b), after "with" insert "one or more of".

(5) At the end of subsection (B1), insert—

"(e) anything else that the investigating authority deems relevant."

(6) In subsection (C1), after "OFCOM" insert "must promptly return to the investigating authority a standard template, for completion by that authority, covering what data the authority may require in relation to the death of the child, and then, using the information provided by the investigating authority in the template—".

(7) After subsection (D1), insert—

"(D1A) The standard template mentioned in subsection (C1) must include sections providing suggestions on what information the investigating authority may require, including—

(a) information from a list of common applications, services and online spaces likely to be accessed by a child as indicated by OFCOM's research, including but not limited to the most recent Media Use and Attitudes reports,

(b) content uploaded, generated, shared or viewed by the child online, including messages, comments, reactions, videos, pictures, or any other content that forms part of a child's profile or activity,

(c) content that a child had received online, including direct messages, comments, reactions, views, videos and pictures,

(d) content recommended to a child online,

(e) content stored by a child online,

(f) content flagged for moderation either by the child or which the child had engaged with online, and any actions taken in response to that flagging,

(g) metadata associated with the content set out in paragraphs (a) to (f), including time, data, account details of users who messaged a child or uploaded, generated or shared content encountered by a child, how long a child paused on content, how long a child spent on a service, and any other metadata that may be relevant,

(h) online search requests entered by the child (and metadata associated with those requests such as date and time),

(i) connection lists and channels that the child followed online,

(j) online networks that the child was a part of,

(k) any other content that OFCOM deems relevant for a coroner to consider, and

(l) any data that is categorised or labelled differently but can be reasonably considered equivalent to data as set out in paragraphs (a) to (k) above and is necessary for the coroner to perform their duties,

and including an open box in which the coroner may formulate additional questions and requirements to be put to the provider of a service within subsection (E1).

(D1B) The notice supplied under subsection (C1)(a) or (b), which will be a form based upon the template completed by the investigating authority, must stipulate—

(a) that the service or person is expected to complete each section of the form,

(b) that it is permissible for an online service to complete a section of the form with a nil response if it does not have that information, and

(c) that the service or person should also supply any other information that they might consider would impact on the authority's investigation.

(D1C) The standard template must be updated every 24 months and shared with—

(a) the Chief Coroner;

(b) the Coroners' Society of England & Wales;

(c) Chief Constables;

(d) child safety experts;

(e) relevant non-governmental organisations and parent groups;

(f) any other persons OFCOM deem relevant.""

Member's explanatory statement
This amendment seeks to make data preservation notices automatic upon a child's death and requires OFCOM to provide a template which includes basic data coroners will need, and allows a coroner to request any further information that they deem necessary to their investigation. This information is key to conducting an investigation into a child's death and determining whether a criminal investigation is necessary. The amendment seeks to make data preservation notices fast, consistent and effective.

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS MORGAN OF COTES
VISCOUNT COLVILLE OF CULROSS

After Clause 213, insert the following new Clause—

"AI chatbots: offence

(1) It is an offence to create, supply, or otherwise make available an AI chatbot which produces content specified in subsection (2).

(2) Content is covered by this section if it consists of—
  (a) illegal content, as defined by section 59 of the Online Safety Act 2023; or
  (b) where the content is presented to a user aged under 18—
    (i) content or activity which is harmful to children, as defined by section 60 of the Online Safety Act 2023;
    (ii) content or activity which is presented by an AI chatbot that mimics a human in a manner likely to mislead a child as to its non-human nature; or
    (iii) content with an exploitative design, where content is presented with the intent or effect of detrimentally or coercively extending the user's engagement with the AI chatbot.

(3) A person who commits an offence under this section is liable--
  (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
  (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).

(4) For the purposes of this Act, an AI chatbot is a generative AI system, including a deep or large language model, able to generate text, images and other content based on the data on which it was trained, and which has been designed to respond to user commands in a way that mimics a human, or engage in conversations with a user that mimic human conversations."

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS MORGAN OF COTES
VISCOUNT COLVILLE OF CULROSS

After Clause 213, insert the following new Clause—

"AI chatbots offence committed by provider of a regulated service under the Online Safety Act 2023

(1) The condition in this subsection is met where an offence under section (*AI chatbots: offence*) is committed—
   (a) by a provider of a regulated service as defined by section 4 of the Online Safety Act 2023; and
   (b) materially in relation to the provision of that regulated service.

(2) Where the condition in subsection (1) is met, the provider of the regulated service shall, in addition to being liable for the offence under section (*AI chatbots: offence*), be deemed to be in breach of an enforceable requirement for the purposes of Part 7, Chapter 6 of the Online Safety Act 2023.

(3) Where the condition in subsection (1) is met and the AI chatbot which is the subject matter of the offence under section (*AI chatbots: offence*) is available to users in the United Kingdom, OFCOM may apply to the court for the business disruption measures listed in Part 7, Chapter 6 of the Online Safety Act 2023 in the relation to the AI chatbot which is the subject matter of the offence.

(4) OFCOM must consider using its power under subsection (3) expeditiously where there is an imminent risk to life as a result of the ongoing availability of the AI chatbot in question to users in the United Kingdom."

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS MORGAN OF COTES
VISCOUNT COLVILLE OF CULROSS

After Clause 213, insert the following new Clause—

"Liability for offence under section (*AI chatbots: offence*) committed by a body

(1) This section applies where an offence under section (*AI chatbots: offence*) is committed by a body.

(2) If the offence is committed with the consent or connivance of—
   (a) a relevant person in relation to the body, or
   (b) a person purporting to act in the capacity of a relevant person in relation to the body,

   the person (as well as the body) commits the offence and is liable to be proceeded against and punished accordingly.

(3) In this section—

"body" means a body corporate, a partnership or an unincorporated association other than a partnership;

"relevant person", in relation to a body, means—

(a) in the case of a body corporate other than one whose affairs are managed by its members, a director, manager, secretary or other similar officer of the body;

(b) in the case of a limited liability partnership or other body corporate whose affairs are managed by its members, a member who exercises functions of management with respect to it;

(c) in the case of a limited partnership, a general partner (within the meaning given by section 3 of the Limited Partnerships Act 1907);

(d) in the case of any other partnership, a partner;

(e) in the case of an unincorporated association other than a partnership, a person who exercises functions of management with respect to it."

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS MORGAN OF COTES
VISCOUNT COLVILLE OF CULROSS

After Clause 213, insert the following new Clause—

"Defences to the AI chatbots offence

It is a defence for any person charged with an offence under section (*AI chatbots: offence*) to prove that they—

(a) created, supplied or otherwise made available an AI chatbot which breached the provisions in subsection (1) of that section for the purposes of the prevention, detection or investigation of crime, or for the purposes of criminal proceedings, in any part of the world,

(b) were a member of, employed by, or engaged by OFCOM and created, supplied or otherwise made available an AI chatbot which breached the provisions in subsection (1) of that section in the exercise of OFCOM's online safety functions under the Online Safety Act 2023,

(c) were red-teaming or testing the product, for the purposes of ensuring its compatibility with applicable legislation or guidance, or

(d) both—

(i) took reasonable steps to avoid committing the offence, including conducting a written risk assessment on the likelihood of the AI chatbot in question producing content specified in subsection (2) of that section, and

(ii) provided accessible and transparent means with which users could report content produced by the AI chatbot in question of the kind specified in subsection (2) of that section."

BARONESS KIDRON
LORD CLEMENT-JONES
BARONESS MORGAN OF COTES
VISCOUNT COLVILLE OF CULROSS

After Clause 213, insert the following new Clause—

"Right not to be subject to serious harm and injunctive relief

(1) A person ("P") has a right not to be subject to serious harm as a result of the making available to them, through an AI chatbot, of content of the type described in subsection (2) of section (*AI chatbots: offence*).

(2) If, on an application by P, a court is satisfied that there has been, or there is a serious and imminent risk of, an infringement of their right under subsection (1), a court may make an order for the purposes of securing compliance with that right, which requires the provider of the AI chatbot in question—
   (a) to take steps specified in the order, or
   (b) to refrain from taking steps specified in the order.

(3) The order may, in relation to each step, specify the time at which, or the period within which, it must be taken.

(4) For the purposes of this section—
   (a) the provider of an AI chatbot is the entity that has control over which content is published or displayed on or through it;
   (b) if no entity has control over which content is published or displayed on or through the AI chatbot, but an individual or individuals have control over the same, the provider of the AI chatbot is that individual or those individuals;
   (c) the provider of an AI chatbot that is generated by a machine is the entity that controls the machine (and that entity alone); and
   (d) if no entity controls the machine, but an individual or individuals control it, the provider of the AI chatbot is that individual or those individuals."

BARONESS NEVILLE-ROLFE

★ After Clause 213, insert the following new Clause—

"Submarine Telegraph Act 1885: potential amendment of penalties

(1) The Secretary of State may by regulations amend section 3(2)(a) of the Submarine Telegraph Act 1885 (punishment for violation of Article 2 of Convention) to substitute for the current penalty a term of imprisonment not exceeding 15 years and a fine at level 5 on the standard scale.

(2) Regulations under subsection (1) may make such incidental, supplementary, consequential, transitional or saving provision as the Secretary of State considers appropriate.

(3) The Secretary of State must, within one year of the day on which this Act is passed, lay before Parliament a report—

(a) assessing whether the penalties under section 3 of the Submarine Telegraph Act 1885 remain appropriate in light of the risk posed by sabotage of undersea cables forming part of the United Kingdom's critical national infrastructure,

(b) setting out the government's decision on whether to exercise the power under subsection (1), and

(c) if the government decides not to exercise that power, explaining whether it instead intends to bring forward alternative legislation to update the Submarine Telegraph Act 1885, including in relation to matters such as scope, extraterritorial application and interaction with other relevant enactments."

Member's explanatory statement

This amendment targets serious sabotage of critical national infrastructure by conferring a power to increase Submarine Telegraph Act 1885 penalties to 15 years' imprisonment and an unlimited fine, aligning penalties more closely to the parallel offences relating to power cables. It requires a one-year report to Parliament on exercising that power or instead to bring forward alternative legislation to modernise the 1885 Act more comprehensively.

EARL RUSSELL

★ After Clause 213, insert the following new Clause—

"Offence of failing to meet pollution performance commitment levels

(1) A water or water and sewerage company ("C") commits an offence where C has—

(a) failed to meet its pollution performance commitment level for three consecutive years, or

(b) experienced an increase in serious pollution levels for three consecutive years.

(2) For the purposes of this section—

"water or water and sewerage company" means companies which are responsible for the provision of water, or water and sewerage, services and which are regulated by Ofwat and the Environment Agency;

"pollution performance commitment level" means the level of performance on pollution that the company has committed to deliver, and which is reported against by Ofwat in its annual water company performance report;

"total pollution incidents per 10,000km²" and "serious pollution incidents" mean the relevant figures under those headings reported by the Environment Agency in its annual environmental performance report.

(3) If guilty of an offence under this section, C is liable—

(a) on summary conviction, to a fine;

(b) on conviction on indictment, to a fine."

Member's explanatory statement
This new clause creates an offence of failing to meet pollution performance commitment levels.

EARL RUSSELL

★ After Clause 213, insert the following new Clause—

"Senior manager liability for failure to meet pollution performance commitment levels

(1) A person ("P") commits an offence where—
  (a) P is a senior manager of a water or water and sewerage company ("C"),
  (b) C commits an offence under section (*Offence of failing to meet pollution performance commitment levels*), and
  (c) P has failed to take all reasonable steps to prevent that offence being committed by C.

(2) For the purposes of this section, "senior manager" means an individual who plays a significant role in—
  (a) the making of decisions about how C's relevant activities are to be managed or organised, or
  (b) the actual managing or organising of C's relevant activities.

(3) Where P is charged with an offence under this section, it is a defence for P to show that P was a senior manager of C for such a short time during the relevant period that P could not reasonably have been expected to take steps to prevent that offence being committed by C.

(4) Where P is guilty of an offence under this section, P is liable—
  (a) on summary conviction, to a fine;
  (b) on conviction on indictment, to a fine."

Member's explanatory statement
This new Clause creates senior manager liability for failure to meet pollution performance commitment levels.

Clause 214

LORD HANSON OF FLINT

Clause 214, page 259, line 23, at end insert—

"(za) section (*Remote sale of knives etc: Northern Ireland*);"

Member's explanatory statement
This amendment gives the Department of Justice in Northern Ireland power to make regulations containing amendments consequential on my new clause, (Remote sale of knives etc: Northern Ireland), inserted after clause 31.

LORD HANSON OF FLINT

Clause 214, page 259, line 23, at end insert—

"(za) sections (*Remote sale and letting of crossbows: Northern Ireland*), (*Delivery of crossbows: Northern Ireland*), and (*Sale and delivery of crossbows: Northern Ireland: supplementary provision*);"

Member's explanatory statement
This amendment gives the Department of Justice power to make regulations containing provision consequential on the specified new clauses, inserted after clause 35.

Clause 215

LORD NASH

★ Clause 215, page 260, line 13, after "70(6)," insert "(*Action to forestall the sexual exploitation of children by combating CSAM*),"

Member's explanatory statement
This amendment is connected with another in the name of Lord Nash. It would require the Secretary of State to take action to forestall the sexual exploitation of children by mandating the installation of software which prevents the creation, viewing and sharing of child sexual abuse material on smartphones, tablets, and subsequently other devices, which are supplied for use in the UK.

LORD CLEMENT-JONES
BARONESS DOOCEY

Clause 215, page 260, line 14, at end insert "or 209"

Member's explanatory statement
This amendment requires regulations under section 209 of the Bill to be made by the affirmative procedure.

BARONESS NEVILLE-ROLFE

★ Clause 215, page 260, line 14, at end insert "or (*Submarine Telegraph Act 1885: potential amendment of penalties*)"

Clause 217

BARONESS LEVITT

Clause 217, page 261, line 31, at end insert—

"(ga) section (*Sexual offences against children under 16*)(4);"

Member's explanatory statement
This amendment provides for the specified provision to have UK extent.

LORD HANSON OF FLINT

Clause 217, page 262, line 1, at end insert—

"(qa) section (*Aggravated Offences*)(9);"

Member's explanatory statement
This amendment provides that the specified provision (inserted after clause 121) extends to the UK.

LORD HANSON OF FLINT

Clause 217, page 262, line 7, after "162(2)" insert "to (4)"

Member's explanatory statement
This amendment provides for clause 162(3) and (4) to have UK extent.

LORD HANSON OF FLINT

Clause 217, page 262, line 7, at end insert—

"(wa) sections 168 to 171;"

Member's explanatory statement
This amendment provides for clauses 168 to 171 to have UK extent.

LORD HANSON OF FLINT

Clause 217, page 262, line 12, after "Sections" insert "33(1), (2A) and (3), 34, 35(1) and (2),"

Member's explanatory statement
This amendment provides for the specified provisions to extend to England and Wales, and Scotland.

LORD HANSON OF FLINT

Clause 217, page 262, line 16, after "Sections" insert "(*Remote sale of knives etc: Northern Ireland*),"

Member's explanatory statement
This amendment provides for my new clause (Remote sale of knives etc: Northern Ireland), inserted after clause 31, to extend to Northern Ireland only.

LORD HANSON OF FLINT

Clause 217, page 262, line 16, after "Sections" insert "(*Remote sale and letting of crossbows: Northern Ireland*), (*Delivery of crossbows: Northern Ireland*), (*Sale and delivery of crossbows: Northern Ireland: supplementary provision*)(1) to (3),"

Member's explanatory statement
This amendment provides for the specified provisions, inserted after clause 35, to extend to Northern Ireland only.

LORD HANSON OF FLINT

Clause 217, page 262, line 19, after "Sections" insert "(*Remote sale or letting of knives etc: Scotland*)"

Member's explanatory statement
This amendment provides for my new clause (Remote sale or letting of knives etc: Scotland), inserted after clause 31, to extend to Scotland only.

LORD HANSON OF FLINT

Clause 217, page 262, line 23, at end insert—

"(ba) sections 33(2B) and 35(3) and (4);"

Member's explanatory statement
This amendment provides for the specified provisions to have the same extent as the provisions they are amending.

LORD HANSON OF FLINT

Clause 217, page 262, line 23, at end insert—

"(ba) section (*Sale and delivery of crossbows: Northern Ireland: supplementary provision*)(4);"

Member's explanatory statement
This amendment provides for the specified provision to have the same extent as the provision amended.

LORD HANSON OF FLINT

Clause 217, page 262, line 25, at end insert—

"(da) section (*Application of Firearms Acts to sound moderators* etc) and Schedule (*Sound moderators etc: exemptions*);"

Member's explanatory statement
This amendment gives the amendments made by the specified provisions the same extent as the provisions they amend.

LORD HANSON OF FLINT

Clause 217, page 262, line 37, at end insert—

"(pa) section (*Return to unauthorised encampments: prohibited period*);"

Member's explanatory statement
This amendment gives the amendments made by my new clause inserted after clause 142 the same extent as the provisions they amend.

BARONESS LEVITT

Clause 217, page 263, line 3, at end insert—

"(va) Schedule (*Sexual offences against children under 16: consequential amendments*);"

Member's explanatory statement
This amendment provides for amendments made by the specified new Schedule to have the same extent as the provisions they amend.

Clause 218

LORD HANSON OF FLINT

Clause 218, page 263, line 38, at end insert—

"(ea) section (*Return to unauthorised encampments: prohibited period*);"

Member's explanatory statement
This amendment makes my new clause inserted after clause 142 commence 2 months after Royal Assent.

LORD HANSON OF FLINT

Clause 218, page 264, line 11, after "Sections" insert "32,"

Member's explanatory statement
This amendment provides for the specified provision to be commenced by the Scottish Ministers so far as extending to Scotland, and the Department of Justice so far as extending to Northern Ireland.

LORD HANSON OF FLINT

Clause 218, page 264, line 18, at end insert—

"(za) section (*Remote sale of knives etc: Northern Ireland*);"

Member's explanatory statement
This amendment provides for my new clause (Remote sale of knives etc: Northern Ireland), inserted after clause 31, to be commenced by order made by the Department of Justice in Northern Ireland.

LORD HANSON OF FLINT

Clause 218, page 264, line 18, at end insert—

"(za) sections (*Remote sale and letting of crossbows: Northern Ireland*) and (*Delivery of crossbows: Northern Ireland*);

(zb) section (*Sale and delivery of crossbows: Northern Ireland: supplementary provision*)(1) to (3), and section (*Sale and delivery of crossbows: Northern Ireland: supplementary provision*)(4) so far as extending to Northern Ireland;"

Member's explanatory statement
This amendment provides for the specified provisions, inserted after clause 35, to be commenced by an order made by the Department of Justice in Northern Ireland.

LORD HANSON OF FLINT

Clause 218, page 264, line 34, at end insert—

"(za) section (*Remote sale or letting of knives etc: Scotland*);"

Member's explanatory statement
This amendment provides for my new clause (Remote sale or letting of knives etc: Scotland), inserted after clause 31, to be commenced by regulations made by the Scottish Ministers.

LORD HANSON OF FLINT

Clause 218, page 264, line 34, at end insert—

"(za) sections 33 to 35, so far as extending to Scotland;"

Member's explanatory statement
This amendment provides for the specified provisions to be commenced by regulations made by the Scottish Ministers so far as extending to Scotland.

Crime and Policing Bill

RUNNING LIST OF ALL

AMENDMENTS ON REPORT

Tabled up to and including

19 February 2026

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