

Crime and Policing Bill

FOURTH MARSHALLED LIST OF AMENDMENTS TO BE MOVED ON REPORT

The amendments have been marshalled in accordance with the Instruction of 11th February 2026, as follows –

Clauses 1 and 2	Schedule 12
Schedule 1	Clauses 108 to 132
Clauses 3 to 5	Schedule 13
Schedule 2	Clauses 133 to 137
Clause 6	Schedule 14
Schedule 3	Clauses 138 to 143
Clauses 7 to 18	Schedule 15
Schedule 4	Clauses 144 to 152
Clauses 19 to 56	Schedule 16
Schedule 5	Clauses 153 to 155
Clause 57	Schedule 17
Schedules 6 and 7	Clauses 156 to 161
Clause 58	Schedules 18 to 20
Schedule 8	Clauses 162 to 180
Clauses 59 to 70	Schedule 21
Schedule 9	Clauses 181 to 202
Clauses 71 to 77	Schedule 22
Schedule 10	Clause 203
Clauses 78 to 89	Schedule 23
Schedule 11	Clauses 204 to 220
Clauses 90 to 107	Title

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Before Clause 133

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY
BARONESS FOX OF BUCKLEY
BARONESS JONES OF MOULSECOOMB

369 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 133

LORD STRASBURGER
BARONESS JONES OF MOULSECOOMB
LORD PANNICK
LORD MARKS OF HENLEY-ON-THAMES

369A Clause 133, page 176, line 10, leave out subsection (2) and insert –

- “(2) It is a defence for a person charged with an offence under this section to show that they had a reasonable excuse for wearing or otherwise using the item at the material time.”

Member's explanatory statement

This amendment would provide a defence of reasonable excuse to the offence of concealing identity at protests, thereby putting the burden of proof on police officers to justify why they believe that wearing a face covering at a protest made the suspect arrestable.

Clause 137

LORD PARKINSON OF WHITLEY BAY
LORD BLENCATHRA

370 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

371 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.

LORD WALNEY
LORD PANNICK
LORD GOLDSMITH
LORD HOGAN-HOWE

371A After Clause 137, insert the following new Clause –

“Designation and restriction of Extreme Criminal Protest Groups

- (1) The Secretary of State may by regulations designate a group as an Extreme Criminal Protest Group (“ECPG”) where the Secretary of State reasonably believes that –
- (a) the group has as its purpose and practice the deliberate commission of one or more of the following offences –
 - (i) an offence under section 1 of the Public Order Act 1986 (riot),
 - (ii) an offence under section 2 of the Public Order Act 1986 (violent disorder),
 - (iii) an offence under section 1 of the Criminal Damage Act 1971 (destroying or damaging property), or
 - (iv) an offence under section 7 of the Public Order Act 2023 (interference with the use or operation of key national infrastructure),
 - (b) such offences are carried out with the intention of influencing public policy, parliamentary debate, ministerial decision-making, or the exercise of democratic functions, and
 - (c) the activities of the group create a risk of serious harm to public safety, democratic institutions, or the rights of others.
- (2) A designation under subsection (1) does not amount to proscription for the purposes of the Terrorism Act 2000.
- (3) The following are offences in relation to group designated as an ECPG under subsection (1) –
- (a) membership of a designated ECPG;

- 25 (b) promotion of a designated ECPG, including public advocacy, recruitment,
or dissemination of the group’s materials;
- (c) fundraising for a designated ECPG, including soliciting or providing funds
or financial benefit;
- 30 (d) organising, directing or coordinating activities of the group;
- (e) providing material support, training, funds or equipment to the group
where the person knows or ought reasonably to know that the recipient
is a designated ECPG.
- (4) A person does not commit an offence under subsection (3) solely by expressing
an opinion or belief that is supportive of a designated ECPG, where that expression
35 does not amount to encouragement or assistance of criminal conduct.
- (5) An offence under subsection (3) is punishable on conviction –
- (a) on indictment, by imprisonment for a term not exceeding three years, or
a fine, or both;
- 40 (b) on summary conviction, by imprisonment for a term not exceeding six
months, or a fine, or both.
- (6) Before making regulations under subsection (1), the Secretary of State must lay
before Parliament a statement of reasons explaining why the designation is
considered appropriate.
- 45 (7) The statement under subsection (6) may exclude material the disclosure of which
would, in the opinion of the Secretary of State, be contrary to the public interest,
including on grounds of national security or the prevention or detection of crime.”

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

As an amendment to Amendment 371A

371B★ In subsection (1), leave out paragraphs (a) to (c) and insert “Condition 1 has been met
and that one of either –

- (a) Condition 2, or
- (b) Condition 3,
has been met.
- (1A) Condition 1 is that the group has as its purpose and practice the deliberate
commission of one or more of the following offences –
- (a) an offence under section 1 of the Public Order Act 1986 (riot),
- (b) an offence under section 2 of the Public Order Act 1986 (violent disorder),
- (b) an offence under section 1 of the Criminal Damage Act 1971 (destroying
or damaging property), or
- (d) an offence under section 7 of the Public Order Act 2023 (interference with
the use or operation of key national infrastructure).
- (1B) Condition 2 is that the offences mentioned in Condition 1 are carried out with the
intention of influencing public policy, parliamentary debate, ministerial
decision-making or the exercise of democratic functions.

- (1C) Condition 3 is that the activities of the group create a risk of serious harm to public safety, democratic institutions, or the rights of others.”

Schedule 14

LORD PARKINSON OF WHITLEY BAY
LORD BLENCATHRA

372 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 139

BARONESS JONES OF MOULSECOOMB

372ZA Clause 139, page 180, line 9, leave out “in the vicinity” and insert “within 50 metres from the outer perimeter”

Member's explanatory statement

This amendment seeks to clarify the wording of sections 12 and 14 of the Public Order Act 1986 to provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD MARKS OF HENLEY-ON-THAMES
LORD STRASBURGER

372A Clause 139, page 180, line 9, after “and” insert “it is directed at, or connected with, the place of worship or persons likely to worship there, and”

BARONESS JONES OF MOULSECOOMB

372AA Clause 139, page 180, line 10, leave out “may intimidate” and insert “has the purpose of intimidating individuals accessing that place of worship to carry out religious activities and would intimidate”

Member's explanatory statement

This amendment seeks to clarify the wording of sections 12 and 14 of the Public Order Act 1986 to provide the police with greater clarity on the threshold for imposing conditions on protests.

BARONESS JONES OF MOULSECOOMB

372AB Clause 139, page 180, line 20, leave out “in the vicinity” and insert “within 50 metres from the outer perimeter”

Member's explanatory statement

This amendment seeks to clarify the wording of sections 12 and 14 of the Public Order Act 1986 to provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD MARKS OF HENLEY-ON-THAMES
LORD STRASBURGER

372B Clause 139, page 180, line 20, after “and” insert “it is directed at, or connected with, the place of worship or persons likely to worship there, and”

BARONESS JONES OF MOULSECOOMB

372BA Clause 139, page 180, line 21, leave out “may intimidate” and insert “has the purpose of intimidating individuals accessing that place of worship to carry out religious activities and would intimidate”

Member's explanatory statement

This amendment seeks to clarify the wording of sections 12 and 14 of the Public Order Act 1986 to provide the police with greater clarity on the threshold for imposing conditions on protests.

BARONESS JONES OF MOULSECOOMB

372BB Clause 139, page 180, line 30, leave out “in the vicinity” and insert “within 50 metres from the outer perimeter”

Member's explanatory statement

This amendment seeks to clarify the wording of sections 12 and 14 of the Public Order Act 1986 to provide the police with greater clarity on the threshold for imposing conditions on protests.

LORD MARKS OF HENLEY-ON-THAMES
LORD STRASBURGER

372C Clause 139, page 180, line 30, after “and” insert “it is directed at, or connected with, the place of worship or persons likely to worship there, and”

BARONESS JONES OF MOULSECOOMB

372D Clause 139, page 180, line 31, leave out “may intimidate” and insert “has the purpose of intimidating individuals accessing that place of worship to carry out religious activities and would intimidate”

Member's explanatory statement

This amendment seeks to clarify the wording of sections 12 and 14 of the Public Order Act 1986 to provide the police with greater clarity on the threshold for imposing conditions on protests.

Clause 140

LORD MARKS OF HENLEY-ON-THAMES
BARONESS DOOCEY
LORD STRASBURGER

373 Leave out Clause 140

Clause 141

BARONESS DOOCEY
LORD CLEMENT-JONES
BARONESS FOX OF BUCKLEY
BARONESS JONES OF MOULSECOOMB

374 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

375 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

376

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
LORD GODSON
LORD HOGAN-HOWE
LORD DAVIES OF GOWER

377 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.

LORD WALNEY
BARONESS CASH
LORD GOODMAN OF WYCOMBE

377A After Clause 142, insert the following new Clause –

“Cumulative impact of protests on policing resources

- (1) The Public Order Act 1986 is amended as follows.

- (2) In section 12 (imposing conditions on public processions), after subsection (1) insert –
- “(1A) In determining whether to give directions under this section, and what directions to give, the senior police officer may, in particular, have regard to –
- (a) the resources required to police the procession, taken together with other public processions or public assemblies which have recently taken place, or are reasonably expected to take place, in the same police area or an adjoining police area, and
 - (b) the need to ensure that the deployment of police resources to the procession does not disproportionately impair the ability of the police force to meet other demands on its resources and to discharge its other duties.
- (1B) Directions under this section may, in particular, include directions as to the date, time or frequency of processions organised by the same person, or by persons connected with that person, where the senior police officer reasonably believes that such directions are necessary to manage the cumulative impact on policing resources mentioned in subsection (1A).”
- (3) In section 13 (prohibiting public processions), after subsection (1) insert –
- “(1A) In considering whether the powers conferred by this section ought to be exercised, the chief officer of police may have regard to –
- (a) the cumulative impact on policing resources of repeated public processions or public assemblies in the police area,
 - (b) whether the deployment of resources required for the proposed procession, when taken together with that cumulative impact, would substantially impair the ability of the police force to discharge its other essential duties, and
 - (c) whether such impairment could not reasonably be mitigated by the exercise of powers under section 12.”
- (4) In section 14 (imposing conditions on public assemblies), after subsection (1A) insert –
- “(1B) In determining whether to give directions under this section, and what directions to give, the senior police officer may, in particular, have regard to –
- (a) the resources required to police the assembly, taken together with other public assemblies or public processions which have recently taken place, or are reasonably expected to take place, in the same police area or an adjoining police area, and
 - (b) the need to ensure that the deployment of police resources to the assembly does not disproportionately impair the ability of the police force to meet other demands on its resources and to discharge its other duties.
- (1C) Directions under this section may, in particular, include directions as to the date, time, duration or frequency of assemblies organised by the same

person, or by persons connected with that person, where the senior police officer reasonably believes that such directions are necessary to manage the cumulative impact on policing resources mentioned in subsection (1B).”

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

377B★ After Clause 142, insert the following new Clause –

“Removal of reasonable excuse defence for wilful obstruction of the highway

In section 137(1) of the Highways Act 1980 (penalty for wilful obstruction), omit “or excuse”.

Member's explanatory statement

This amendment would remove the defence of reasonable excuse for the offence of wilful obstruction of the highway.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

377C★ After Clause 142, insert the following new Clause –

“Extension of notice period for public processions

- (1) Section 11 of the Public Order Act 1986 (advance notice of public processions) is amended as follows.
- (2) In subsection (5) for “6” substitute “28”.
- (3) In subsection (6) for “6” substitute “28”.

Member's explanatory statement

This amendment would extend the notice period that is required for public processions to take place from 6 to 28 days.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

377D★ After Clause 142, insert the following new Clause –

“Prohibition of protests

- (1) Section 13 of the Public Order Act 1986 (prohibiting public processions) is amended as follows.
- (2) For subsection (1) substitute –
 - “(1) The chief officer of police may apply to the Secretary of State for an order to prohibit the holding of all public processions (or any class of public

processions so specified) for a period of not more than 3 months in any district or part of a district if either of the following conditions are met.

- (1A) The first condition is that the chief officer of police reasonably believes that the powers under section 12 will not be sufficient to prevent a public procession in the district or part of the district from resulting in –
 - (a) serious public disorder,
 - (b) serious damage to property, or
 - (c) serious disruption to the life of the community.
- (1B) The second condition is that the procession would place undue demands on the police.”
- (3) In subsection (2) –
 - (a) omit “a council may with the consent of”;
 - (b) after the first “Secretary of State” insert “may”.”

Clause 154

LORD HANSON OF FLINT

- 378** 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

- 379** 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
BARONESS JONES OF MOULSECOOMB
LORD STRASBURGER

380 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

381 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

382 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

383 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

LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER

384 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
LORD JACKSON OF PETERBOROUGH

385 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) Where a constable has exercised the power under subsection (1), the constable may also require the person to remove the face covering.
- (4) 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.
- (5) 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).”

LORD BAILEY OF PADDINGTON

386 After Clause 160, insert the following new Clause –

“Direction to exit vehicle following a lawful stop

- (1) Where a constable in uniform, or a traffic officer, has required a vehicle to stop under section 163 of the Road Traffic Act 1988 (power of police to stop vehicles), the constable may direct the driver and any passenger to –
 - (a) exit the vehicle, and
 - (b) remain outside the vehicle for so long as is reasonably necessary for the exercise of the constable’s functions.
- (2) A person commits an offence if, without reasonable excuse, that person fails to comply with a direction given under subsection (1).
- (3) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A constable may use reasonable force, where necessary and proportionate, to secure compliance with a direction given under subsection (1) for the purposes of officer safety, public safety, or prevention of escape or interference with evidence.
- (5) The Secretary of State may issue codes of practice or guidance relating to the exercise of powers under this section and such codes may be incorporated into Codes of Practice issued under the Police and Criminal Evidence Act 1984.
- (6) In this section “vehicle” has the same meaning as in section 185 of the Road Traffic Act 1988.”

Member's explanatory statement

This amendment closes an operational safety gap created by keyless and electric vehicles, where removing a key no longer disables a car. It provides a modest, post-stop direction power so officers can safely manage encounters outside a live vehicle. Safeguards are built in through reasonableness, proportionality and PACE-linked guidance.

LORD YOUNG OF ACTON
LORD HOGAN-HOWE
LORD STRASBURGER

387 After Clause 160, insert the following new Clause –

“Abolition of non-crime hate incidents

- (1) Non-crime hate incidents shall not be recognised as a category of incident by any police authority in the United Kingdom.
- (2) No police authority or police officer may record, retain or otherwise process any personal data relating to a non-crime hate incident.
- (3) Subsection (2) does not mean a police authority or police officer cannot record information they regard as relevant about a suspect’s motives in the course of an ongoing criminal investigation or prosecution.
- (4) Within three months of the coming into force of this section, any police authority which has retained any record of a non-crime hate incident, save in accordance with the provisions of subsection (3), must delete such record.
- (5) For the purposes of this section –
 - “non-crime hate incident” means any incident or alleged incident which does not constitute a criminal offence, but is perceived, by any person, to have been motivated (wholly or partly) by hostility or prejudice towards a person or group on the grounds of race, religion, sexual orientation, disability, sex or transgender identity;
 - “police authority” means a body specified in section 174(1);
 - “police officer” means any person acting under the authority of a police authority.”

Member's explanatory statement

This amendment would end the investigation and recording of non-crime hate incidents.

BARONESS BUSCOMBE

387A★ After Clause 160, insert the following new Clause –

“Duration of closure notices and orders: extension

- (1) The Anti-social Behaviour, Crime and Policing Act 2014 is amended as follows.
- (2) In section 77 (duration of closure notices) –

- (a) in subsection (2), for “48 hours” substitute “7 days”, and
 - (b) in subsection (3), for “48 hours” substitute “7 days”.
- (3) In section 80(6) (power of court to make closure order), for “3” substitute “12”.
- (4) In section 82 (extension of closure orders) –
- (a) in subsection (7), for “3” substitute “12”, and
 - (b) for subsection (8) substitute –
- “(8) The period of a closure order may be extended for another 12 months after the original extended 12 month period has elapsed, and there is no maximum duration of the closure order.””

Member's explanatory statement

This amendment would extend the period in which the police and the magistrates' courts may make closure notices and closure orders, to 7 days and 12 months respectively.

Schedule 18

LORD HANSON OF FLINT

388 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 HANSON OF FLINT

388A After Clause 164, insert the following new Clause –

“Notification requirements for child cruelty offenders

- (1) The Secretary of State may by regulations require child cruelty offenders to notify specified matters to the police.
- (2) “Child cruelty offender” means a person who, in England and Wales –
 - (a) is convicted of a child cruelty offence,
 - (b) is found not guilty of a child cruelty offence by reason of insanity,
 - (c) is found to be under a disability and to have done the act charged against the person in respect of a child cruelty offence, or

- (d) is cautioned in respect of a child cruelty offence after the person has admitted the offence,
on or after the day on which the regulations come into force.
- (3) A “child cruelty offence” means an offence listed in Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*).
- (4) The regulations may in particular make provision —
- (a) about the period for which a child cruelty offender is subject to notification requirements (which may be an indefinite period);
 - (b) about the occasions on which, or intervals at which, a child cruelty offender is required to give notifications;
 - (c) about the time limits for giving a notification;
 - (d) about how notifications are to be given to the police (which may include provision for notifications to be given to persons authorised by the police in accordance with the regulations);
 - (e) requiring a child cruelty offender to allow photographs and fingerprints to be taken for the purposes of verifying the offender’s identity;
 - (f) requiring or authorising a person with parental responsibility for a child cruelty offender to give notifications, where the offender is under 18;
 - (g) for specified notification requirements to apply to a child cruelty offender only if the offender has been given notice by a police officer, in accordance with the regulations, that those requirements apply;
 - (h) for reviews of whether a child cruelty offender should remain subject to notification requirements, or to specified notification requirements;
 - (i) for a child cruelty offender to cease to be subject to notification requirements, or to specified notification requirements, following a review.
- (5) If the regulations make provision for a child cruelty offender to be subject to notification requirements for an indefinite period, they must make provision under which the child cruelty offender may cease to be subject to the notification requirements following a review.
- (6) The matters which may be specified in the regulations as matters which must be notified include, in particular, any matter a relevant offender is required to notify to the police by or under Part 2 of the Sexual Offences Act 2003 (as it has effect in England and Wales).
- (7) Before making regulations under this section the Secretary of State must consult —
- (a) the National Police Chiefs’ Council, and
 - (b) any other persons the Secretary of State considers appropriate.
- (8) In this section —
“notification requirements” means requirements imposed by the regulations;
“specified” means specified in the regulations.”

Member’s explanatory statement

This new clause gives the Secretary of State power to make regulations imposing notification requirements on persons who commit child cruelty offences.

LORD HANSON OF FLINT

388B After Clause 164, insert the following new Clause —

“Notification requirements for child cruelty offenders: enforcement

- (1) Regulations under section (*Notification requirements for child cruelty offenders*) may provide for a person to commit an offence if, without reasonable excuse, they —
 - (a) fail to comply with a specified notification requirement, or
 - (b) in purported compliance with a specified notification requirement, notify information that they know to be false.
- (2) The maximum penalty specified for an offence must not exceed (but may be less than) —
 - (a) on summary conviction, imprisonment for a term of the general limit in a magistrates’ court or a fine (or both);
 - (b) on conviction on indictment, imprisonment for a term of 5 years or a fine (or both).
- (3) Regulations under section (*Notification requirements for child cruelty offenders*) may confer on a constable power to enter and search relevant premises.
- (4) The regulations must provide for the power to be exercisable only —
 - (a) under the authority of a warrant issued by a justice of the peace (which may authorise the use of reasonable force),
 - (b) where it is necessary for a constable to enter and search the premises for the purpose of assessing the risks posed by a child cruelty offender who is subject to notification requirements, and
 - (c) where a constable has sought, and been unable to obtain, entry to the premises for that purpose on at least two occasions.
- (5) Premises are “relevant premises” if there are reasonable grounds to believe (because of a notification given under the regulations or otherwise) that the child cruelty offender resides, or may regularly be found, at the premises.
- (6) In this section —

“notification requirements” means requirements imposed by regulations under section (*Notification requirements for child cruelty offenders*);

“specified” means specified in the regulations.”

Member's explanatory statement

This new clause allows regulations under my previous new clause to create offences, and to confer powers of entry on constables.

LORD HANSON OF FLINT

388C After Clause 164, insert the following new Clause—

“Notification requirements for child cruelty offenders: power to amend Schedule
(Notification requirements for child cruelty offenders: child cruelty offences)

- (1) The Secretary of State may by regulations amend—
 - (a) Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*) (child cruelty offences);
 - (b) section (*Notification requirements for child cruelty offenders: interpretation*) for the purposes of that Schedule.
- (2) Regulations under subsection (1) may add an offence to Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*) only if—
 - (a) the Secretary of State considers it appropriate to do so, having regard to the nature and seriousness of the harm that may be caused to persons under 18 by conduct constituting the offence, and
 - (b) the offence is not listed in Schedule 3 to the Sexual Offences Act 2003 (offences to which Part 2 of that Act applies) (disregarding for this purpose any condition subject to which an offence is listed in that Schedule).
- (3) Where an offence is capable of being committed against a person aged 18 or over, an amendment adding it to Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*) must include a condition that the victim was under 18.
- (4) An amendment of Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*) or section (*Notification requirements for child cruelty offenders: interpretation*) within subsection (5) does not apply to convictions, findings and cautions before the amendment takes effect.
- (5) An amendment is within this subsection if it—
 - (a) adds an offence,
 - (b) removes a condition relating to an offence, or
 - (c) changes a condition in such a way as to cause an offence committed by or against a person of a particular age in certain circumstances, or resulting in a particular disposal, to be within the Schedule when it would not otherwise be.
- (6) Before making regulations under this section the Secretary of State must consult—
 - (a) the National Police Chiefs’ Council, and
 - (b) any other persons the Secretary of State considers appropriate.”

Member's explanatory statement

This new clause confers powers to amend the list of child cruelty offences in my new Schedule inserted before Schedule 21.

LORD HANSON OF FLINT

388D After Clause 164, insert the following new Clause —

“Notification requirements for child cruelty offenders: interpretation

- (1) In section (*Notification requirements for child cruelty offenders*)(2), a reference to a conviction includes a reference to a finding of a magistrates’ court, where the court makes an order under section 37(3) of the Mental Health Act 1983, that the accused did the act charged.
- (2) The following provisions do not apply for the purposes of section (*Notification requirements for child cruelty offenders*)(2) —
 - (a) section 82(2) of the Sentencing Code, and
 - (b) section 187(1) of the Armed Forces Act 2006,(conviction with absolute or conditional discharge deemed not to be a conviction).
- (3) A reference in Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*) to an offence (“offence A”) includes —
 - (a) an attempt or conspiracy to commit offence A;
 - (b) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime) in relation to which offence A is the offence (or one of the offences) which the person believed would be committed;
 - (c) aiding, abetting, counselling or procuring the commission of offence A.
- (4) References in Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*) to a person’s age are to the person’s age at the time of the offence.
- (5) References in Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*) to imprisonment include —
 - (a) a period of detention which a person is liable to serve under a detention and training order;
 - (b) a sentence of detention in a young offender institution;
 - (c) a sentence of detention under section 250 of the Sentencing Code or section 209 of the Armed Forces Act 2006;
 - (d) a sentence of custody for life under section 272 of the Sentencing Code (including one passed as a result of section 210A of the Armed Forces Act 2006);
 - (e) an extended sentence under section 254 of the Sentencing Code (including one passed as a result of section 221A of the Armed Forces Act 2006).”

Member's explanatory statement

This new clause makes provision about the interpretation of my new clauses and new Schedule about notification requirements for child cruelty offenders.

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

389 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.

LORD BLACK OF BRENTWOOD
LORD BLENCATHRA

390 After Clause 164, insert the following new Clause —

“Animal 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.

- (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 4 of the Animal Welfare Act 2006 (causing the unnecessary suffering of an animal);
 - (b) an offence under section 5 of the Animal Welfare Act 2006 (carrying out or causing the carrying out of a prohibited procedure on a protected animal);
 - (c) an offence under section 7 of the Animal Welfare Act 2006 (administering poisonous or injurious drugs or substances to a protected animal);
 - (d) an offence under paragraph (a) of section 8(1) of the Animal Welfare Act 2006 (causing or attempts to cause an animal fight to take place);
 - (e) an offence under paragraph (d) of subsection 7 of section 63 of the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images of an animal);
 - (f) an offence under section 1 of the Criminal Damage Act 1971, where the offence is committed against a protected animal;
 - (g) intentionally engaging in sexual activity with an animal, whether penetrative or non-penetrative;
 - (h) causing, coercing or permitting another person (including a child) to engage in such activity with an animal;
 - (i) causing, coercing or permitting an animal to be used for the purpose of sexual gratification, whether their own or another's.
- (7) The Criminal Justice Act 2003 is amended in accordance with subsections (8) to (11).
- (8) In section 325(1) after “violent offender” insert “, “relevant animal cruelty offender”.
- (9) In section 325(2), after paragraph (aa) insert –

“(ab) relevant animal cruelty offenders;”
- (10) In Section 327, after subsection (4G) insert –

“(4H) For the purposes of section 325, a person is a relevant animal cruelty offender if the person falls within subsection (4I).

(4I) A person falls within this subsection if the person has been convicted of and sentenced for –

 - (a) an offence under section 4 of the Animal Welfare Act 2006 (causing the unnecessary suffering of an animal);
 - (b) an offence under section 5 of the Animal Welfare Act 2006 (carrying out or causing the carrying out of a prohibited procedure on a protected animal);
 - (c) an offence under section 7 of the Animal Welfare Act 2006 (administering poisonous or injurious drugs or substances to a protected animal);

- (d) an offence under paragraph (a) of section 8(1) of the Animal Welfare Act 2006 (causing or attempts to cause an animal fight to take place);
 - (e) an offence under paragraph (d) of subsection 7 of section 63 the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images of an animal);
 - (f) an offence under section 1 of the Criminal Damage Act 1971, where the offence is committed against a protected animal
 - (g) intentionally engaging in sexual activity with an animal, whether penetrative or non-penetrative;
 - (h) causing, coercing or permitting another person (including a child) to engage in such activity with an animal
 - (i) causing, coercing or permitting an animal to be used for the purpose of sexual gratification, whether their own or another's."
- (11) In section 327A –
- (a) in the title, after “sex offenders” insert “and animal cruelty offenders”;
 - (b) in subsection (1), after “child sex offender” insert “or animal cruelty offender”;
 - (c) in subsection (3) –
 - (i) in paragraph (a) –
 - “(a) for “and” substitute “or”, and
 - (b) at end insert –
 - “(aa) an animal cruelty offender managed by it poses a risk in that or any other area of causing serious harm to any particular animal or person of any particular description, and”;
 - (ii) in paragraph (b) after “that description” insert “or a particular animal,”;
 - (d) in subsection (10), after “offender” insert “or animal cruelty offender”.
- (12) The Domestic Abuse Act 2021 is amended in accordance with subsection (13).
- (13) In section 77 (1), after “domestic abuse” insert “, animal abuse, or serious harm to any particular individual”.
- (14) In this section “sexual” has the meaning as defined in section 78 of the Sexual Offences Act 2003.”

Member's explanatory statement

This new clause would create notification requirements for people convicted of animal 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 animals and people from future offences.

After Clause 167

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
LORD HOGAN-HOWE

391 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.

LORD BAILEY OF PADDINGTON

392 After Clause 167, insert the following new Clause —

“Scrutiny of investigation timeliness

- (1) The Police (Complaints and Misconduct) Regulations 2020 (S.I.2020/2) are amended as follows.
- (2) After Regulation 13 (timeliness of investigations), insert —

“Scrutiny of investigation timeliness

13A.—(1) A legally qualified person must be appointed to scrutinise any investigations of misconduct or gross misconduct which have not been completed within 12 months.

(2) The legally qualified person must determine whether there is good and sufficient reason for the time already taken, and how much time is anticipated to be needed for completion of the investigation.

(3) In determining whether there is good and sufficient reason, the legally qualified person may have regard to any relevant matter, and must have particular regard to —

- (a) whether the investigation has been efficient and effective;
- (b) whether there has been unnecessary or unreasonable delay, having regard to the complexity and seriousness of the case;
- (c) the impact upon the officer and others;
- (d) any anticipated further delay;
- (e) the public interest and effect on confidence in the police disciplinary system;
- (f) representations made on behalf of any person entitled to receive a copy of the information provided.

(4) If the legally qualified person determines that there is good and sufficient reason to continue the investigation, then the legally qualified person must set a date for the conclusion of all proceedings.

(5) Nothing in this provision shall have any effect in relation to any criminal investigation.”

- (3) The Police (Conduct) Regulations 2020 (S.I.2020/4) are amended as follows.

- (4) After Regulation 19 (timeliness of investigation), insert –

“Scrutiny of investigation timeliness

19A.—(1) A legally qualified person must be appointed to scrutinise any investigations of misconduct or gross misconduct which have not been completed within 12 months.

(2) The legally qualified person must determine whether there is good and sufficient reason for the time already taken, and how much time is anticipated to be needed for completion of the investigation.

(3) In determining whether there is good and sufficient reason, the legally qualified person may have regard to any relevant matter, and must have particular regard to –

- (a) whether the investigation has been efficient and effective;
- (b) whether there has been unnecessary or unreasonable delay, having regard to the complexity and seriousness of the case;
- (c) the impact upon the officer and others;
- (d) any anticipated further delay;
- (e) the public interest and effect on confidence in the police disciplinary system;
- (f) representations made on behalf of any person entitled to receive a copy of the information provided.

(4) If the legally qualified person determines that there is good and sufficient reason to continue the investigation, then the legally qualified person must set a date for the conclusion of all proceedings.

(5) Nothing in this provision shall have any effect in relation to any criminal investigation.””

Member's explanatory statement

This amendment proposes a 12-month limit, unless extraordinary circumstances reviewed by a legally qualified person dictate otherwise, which would encourage forces and external bodies to complete misconduct and gross misconduct processes quicker, allowing officers to resume duties and limiting the negative impact on their health and wellbeing.

BARONESS DOOCEY

393

After Clause 167, insert the following new Clause –

“Suspension of chief constables

- (1) The Police Reform and Social Responsibility Act 2011 is amended as follows.
- (2) In section 38 (appointment, suspension and removal of chief constables), after subsection (2) insert –
 - “(2A) Before suspending a chief constable under this section, the police and crime commissioner (or their successor) must –

- (a) be satisfied on reasonable grounds that the chief constable's continued exercise of their functions would present a serious risk to the efficiency or effectiveness of the police force, or seriously undermine public confidence in the policing of the area, and
- (b) consult His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (or any relevant successor inspectorate) and have regard to its views.””

Member's explanatory statement

This amendment would require a police and crime commissioner (or their successor) before suspending a chief constable under section 38 of the Police Reform and Social Responsibility Act 2011, to consult His Majesty's Inspectorate of Constabulary and Fire and Rescue Services and to be satisfied that suspension is necessary to avoid a serious risk to the efficiency or effectiveness of the force or to public confidence.

BARONESS O'LOAN

393A After Clause 167, insert the following new Clause –

“Police disciplinary proceedings: use of force

- (1) Schedule 2 of The Police (Conduct) Regulations 2020 (S.I. 2020/4) (standards of professional behaviour) is amended as follows.
- (2) In the “Use of Force” standard, at end insert –
 “Where a police officer uses force on the basis of an honestly held but mistaken belief, they can rely on that belief as justification for the use of force only if the mistake was an objectively reasonable one to have made.””

Member's explanatory statement

This amendment seeks to (1) codify the decision in W(80) UKSC 24, that in police disciplinary proceedings involving use of force, an officer may rely on a mistaken belief only if that belief was both honestly held and objectively reasonable, and (2) and enable parliamentary consideration of the appropriate test in this context.

Clause 168

LORD PANNICK
 LORD BLACK OF BRENTWOOD
 LORD FAULKS
 BARONESS CASH

393B Clause 168, page 219, line 13, leave out subsections (3) and (4) and insert –

- “(3) The court may, on application by or on behalf of D and on notice to the media, make an order –
 - (a) withholding from the public in proceedings before the court –
 - (i) D's name,
 - (ii) D's address,

- (iii) D's date of birth,
 - (b) giving a reporting direction (see section 170) in respect of D (if one does not already have effect), or
 - (c) making an anonymity order (see section 171) in respect of D.
- (4) To make an order under subsection (3) the court must—
 - (a) be satisfied that the order is necessary—
 - (i) to protect against a real risk to the safety of D or another person arising from D being identified as the person alleged to have committed the offence, or
 - (ii) to prevent real harm to the public interest, and
 - (b) be satisfied that the order includes the least restrictive measures possible to address the conditions in (a)(i) or (ii) and is proportionate having regard to the principle of open justice.
- (4A) Where the court considers that giving notice under subsection (3) would defeat the purpose of the application, it may make a temporary order without notice, which must be reconsidered at the earliest opportunity after notice has been given to the media.”

Member's explanatory statement

The amendment would replace the presumption of anonymity for firearms officers in Clause 168 with a power for the Court to grant anonymity where it is necessary to protect against a real risk to the safety of the officer or another person arising from D being identified as the person alleged to have committed the offence, or to prevent real harm to the public interest, having regard to proportionality and the principle of open justice.

Clause 169

LORD PANNICK
LORD BLACK OF BRENTWOOD
LORD FAULKS
BARONESS CASH

- 393C** Clause 169, page 221, line 10, leave out from “that” to the end of line 11 and insert “the criteria in section 168(4) are met”

Member's explanatory statement

This amendment ensures that the criteria for imposing restrictions are the same after conviction and pending an appeal.

LORD PANNICK
LORD BLACK OF BRENTWOOD
LORD FAULKS
BARONESS CASH

- 393D** Clause 169, page 221, line 20, leave out from “that” to the end of line 21 and insert “the criteria in section 168(4) are met”

Member's explanatory statement

This amendment ensures that the criteria for imposing restrictions are the same after conviction and during an appeal.

Clause 170

LORD PANNICK
LORD BLACK OF BRENTWOOD
LORD FAULKS
BARONESS CASH

393E Clause 170, page 222, line 30, leave out subsection (6) and insert –

“(6) Without prejudice to section 168(5), the court may vary or revoke a reporting direction at any time, either on application or of its own motion (but in any case on notice to the media), having regard to whether the direction remains necessary and proportionate in light of any continuing or diminished real risk to safety or real harm to the public interest, and to the principle of open justice.”

Member's explanatory statement

The amendment would ensure that courts have flexible powers to vary or revoke reporting directions in light of any change to the real risk to safety, harm to the public interest, or the open justice balance.

Clause 171

LORD PANNICK
LORD BLACK OF BRENTWOOD
LORD FAULKS
BARONESS CASH

393F Clause 171, page 223, line 22, leave out subsection (4) and insert –

“(4) The court that made an anonymity order may vary or discharge the order, either on application or of its own motion (but in any case on notice to the media), having regard to whether the order remains necessary and proportionate in light of any continuing or diminished real risk to safety or real harm to the public interest, and to the principle of open justice.”

Member's explanatory statement

This amendment ensures that courts retain flexible powers to vary or revoke anonymity orders in light of any change to the real risk to safety, harm to the public interest, or the open justice balance.

After Clause 171

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL
LORD HOGAN-HOWE

394 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

395 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.

Before Schedule 21

LORD HANSON OF FLINT

395A Before Schedule 21, insert the following new Schedule –

“SCHEDULE

NOTIFICATION REQUIREMENTS FOR CHILD CRUELTY OFFENDERS: CHILD CRUELTY OFFENCES

PART 1

CHILD CRUELTY OFFENCES

Offences Against the Person Act 1861 (c.100)

- 1 An offence under section 27 of the Offences Against the Person 1861 (abandoning or exposing a child), if the offender –
 - (a) was 18 or over, and
 - (b) is sentenced in respect of the offence to imprisonment for a term of at least 12 months.

Children and Young Persons Act 1933 (c.12)

- 2 An offence under section 1 of the Children and Young Persons Act 1933 (child cruelty) if the offender –
- (a) was 18 or over, or
 - (b) is sentenced in respect of the offence to imprisonment for a term of at least 12 months.

Infanticide Act 1938 (c. 36)

- 3 An offence under section 1 of the Infanticide Act 1938 (infanticide).

Female Genital Mutilation Act 2003 (c. 31)

- 4 An offence under section 1 of the Female Genital Mutilation Act 2003 (female genital mutilation), if –
- (a) the victim was under 18, and
 - (b) the offender –
 - (i) was 18 or over, or
 - (ii) is sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 5 An offence under section 2 of that Act (assisting a girl to mutilate her own genitalia), if –
- (a) the victim was under 18, and
 - (b) the offender –
 - (i) was 18 or over, or
 - (ii) is sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 6 An offence under section 3 of that Act (assisting a non-UK person to mutilate overseas a girl's genitalia), if –
- (a) the victim was under 18, and
 - (b) the offender –
 - (i) was 18 or over, or
 - (ii) is sentenced in respect of the offence to imprisonment for a term of at least 12 months.

Domestic Violence, Crime and Victims Act 2004 (c. 28)

- 7 (1) An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 of causing or allowing a person's death, if the victim was under 18.
- (2) An offence under that section of causing or allowing a person to suffer serious physical harm, if –
- (a) the victim was under 18, and
 - (b) the offender –
 - (i) was 18 or over, or

- (ii) is sentenced in respect of the offence to imprisonment for a term of at least 12 months.

PART 2

CORRESPONDING SERVICE OFFENCES

- 8 (1) An offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales (within the meaning given by that section) is an offence listed in Part 1 of this Schedule.
- (2) Section 48 of that Act (attempts, conspiracy, encouragement and assistance and aiding and abetting outside England and Wales) applies for the purposes of this paragraph as if the reference in subsection (3)(b) to any of the following provisions of that Act were a reference to this paragraph.”

Member's explanatory statement

This new Schedule lists offences which are child cruelty offences for the purposes of my first new clause inserted after clause 164.

Schedule 21

LORD HANSON OF FLINT

- 396 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

- 397 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

398

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

399 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

400 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

401

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

402 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

403 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

404 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

405 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

406 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
LORD STRASBURGER

407 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).”

LORD BAILEY OF PADDINGTON

408 After Clause 182, insert the following new Clause—

“Police covenant: mandatory reporting on suicide and attempted suicide

- (1) The Secretary of State must ensure the collection and publication of data on suicide and attempted suicide among police officers and police staff for the purposes of supporting mental health and wellbeing under the police covenant (see section 1 of the Police, Crime, Sentencing and Courts Act 2022).
- (2) Each police force in England and Wales must collect and submit annually to the Secretary of State—
 - (a) the number of confirmed suicides by serving police officers and police staff;
 - (b) the number of attempted suicides by serving police officers and police staff;
 - (c) contextual information, where reasonably available, including duty status, length of service, role, rank, known occupational stressors, and access to mental health support.
- (3) The Secretary of State must, within 12 months of the day on which this Act is passed, and annually thereafter, lay a report before Parliament (to be known as the “Police Covenant Mental Health Report”) which must include, but is not limited to—
 - (a) national and force-level data trends,
 - (b) analysis of occupational contributory factors,
 - (c) assessment of the adequacy, usage and evidence-based outcomes of mental health and suicide prevention provisions under the police covenant,
 - (d) recommendations to address identified risks, and
 - (e) a statement from the Chief Medical Officer for England.
- (4) The report under subsection (3) must—
 - (a) be published and disseminated to all police personnel;
 - (b) include commentary from the College of Policing on compliance, data quality and best practice at force level;
 - (c) include contributions from staff representative bodies and trade unions.

- (5) Anonymised data, disaggregated by force area, must be published, subject to data protection and safeguarding.
- (6) Each Chief Constable must, at the end of every calendar year, provide a statement to the Secretary of State certifying that the requirements under this section have been met by their police force.
- (7) Where a Chief Constable fails to provide a certification under subsection (6) without reasonable excuse, the Secretary of State must notify HM Inspectorate of Constabulary and Fire & Rescue Services.
- (8) The Inspectorate must have regard to a notification under subsection (7) in the course of its inspection of that police force under the police effectiveness, efficiency and legitimacy (PEEL) programme.
- (9) The Secretary of State must establish an independent advisory board, to be known as the “Police Suicide Prevention and Mental Health Advisory Board”.
- (10) The Board must consist of persons with expertise in clinical care, occupational health, staff representation and academic research.
- (11) The functions of the Board are to —
 - (a) advise the Secretary of State on guidance relating to suicide prevention and mental health in the police workforce,
 - (b) set standards for the collection and reporting of relevant data, and
 - (c) review and make recommendations on force-level responses to risks identified through data and inspections.
- (12) The Secretary of State may by regulations make provision about the operation of the Police Suicide Prevention and Mental Health Advisory Board, including provision about —
 - (a) the Board’s procedures,
 - (b) its terms of reference, and
 - (c) its reporting duties.
- (13) The Secretary of State may by regulations make provision about —
 - (a) data collection standards,
 - (b) statutory guidance,
 - (c) audit mechanisms, and
 - (d) such further oversight as may be considered necessary.
- (14) In this section, “police officer” and “police staff” have the same meanings as in section 1 of the Police, Crime, Sentencing and Courts Act 2022.”

LORD HOGAN-HOWE

409

After Clause 182, insert the following new Clause —

“Police data: suicide

Police forces in England and Wales must —

- (a) collect,
 - (b) share with the Home Office, and
 - (c) publish,
- annual data on suicides and suicide attempts by police officers and police support staff.”

BARONESS SMITH OF LLANFAES
LORD THOMAS OF CWMGIEDD

409A After Clause 182, insert the following new Clause —

Policing: devolution to Wales

- (1) Schedule 7A of the Government of Wales Act 2006 is amended as follows.
- (2) In section B5 (crime, public order and policing) —
 - (a) omit “and policing”, and
 - (b) omit line 41 “policing”.
- (3) The Secretary of State may by regulations make further provision under this section.”

Member's explanatory statement

This new clause seeks to devolve policing to Wales, by removing it from the list of reserved matters in the Government of Wales Act 2006.

BARONESS SMITH OF LLANFAES
LORD THOMAS OF CWMGIEDD

409B After Clause 182, insert the following new Clause —

“Youth justice: devolution to Wales

- (1) Schedule 7A of the Government of Wales Act 2006 (reserved matters) is amended as set out in subsection (2).
- (2) In paragraph 175 (prisons and offender management), omit sub-paragraph (2)(b).
- (3) The Secretary of State may by regulations make further provision under this section.”

Member's explanatory statement

This new clause seeks to devolve youth justice to Wales, by removing it from the list of reserved matters in the Government of Wales Act 2006.

BARONESS JONES OF MOULSECOOMB

409C After Clause 182, insert the following new Clause –

“Enforceable policing duties in relation to domestic abuse and rape and serious sexual offences

- (1) Chief officers of police must ensure that officers under their direction and control comply with –
 - (a) the Believe, React, Fast (BRF) duty, and
 - (b) the Gaia Principle duty,
 when receiving, responding to, or investigating reports of domestic abuse and rape and serious sexual offences.
- (2) The BRF duty is a duty to respond promptly and appropriately to reports, including adequate risk assessment, accurate recording, and safeguarding/escalation where indicators of high risk or repeat contact are present.
- (3) The Gaia Principle duty is a duty to diligently search for, and consider, all relevant intelligence relating to the suspect.
- (4) The Secretary of State must, within six months of the day on which this Act is passed –
 - (a) amend the Police (Conduct) Regulations 2020 to ensure that failure to comply with either duty is capable of amounting to a breach of the Standards of Professional Behaviour (and therefore capable of constituting misconduct), and
 - (b) issue statutory guidance on the operation of both duties.
- (5) HMICFRS must have regard to the duties in subsections (2) and (3) in the exercise of its inspection functions.
- (6) The Secretary of State must, within nine months of the day on which this Act is passed, lay before Parliament a report describing steps taken to implement this section and arrangements for monitoring compliance with this section.”

Clause 186

LORD HANSON OF FLINT

410 Clause 186, page 238, line 40, leave out “which made the order” and insert “to which the application under section 183 was made”

Member's explanatory statement

This amendment clarifies that the relevant court for determining the police area is the one to which the application for a youth diversion order was made.

Clause 193

LORD HANSON OF FLINT

- 411** Clause 193, page 242, line 25, leave out “a youth court made the youth diversion order” and insert “the respondent was under the age of 18 when the application under section 183 was made”

Member's explanatory statement

This amendment clarifies which court an application for variation should be made to.

LORD HANSON OF FLINT

- 412** Clause 193, page 242, line 27, leave out from first “court” to end of line 28 and insert “in any other case;”

Member's explanatory statement

This amendment clarifies which court an application for variation should be made to.

Clause 194

LORD HANSON OF FLINT

- 413** Clause 194, page 243, line 25, leave out subsections (3) and (4)

Member's explanatory statement

This amendment removes provision for an appeal to the Court of Appeal from a decision made by the Crown Court on an appeal under clause 194(1). The effect is that there will be an appeal by way of case stated to the High Court under section 28 of the Senior Courts Act 1981.

LORD HANSON OF FLINT

- 414** Clause 194, page 243, line 35, leave out subsection (6)

Member's explanatory statement

This amendment removes provision which is superseded by my amendments to clauses 186 and 193.

Clause 196

LORD HANSON OF FLINT

- 415** 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

416 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

417 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
BARONESS LUDFORD
LORD POLAK

418 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 MENDELSON
 LORD WALNEY

419 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.”

BARONESS CHAKRABARTI
 VISCOUNT HAILSHAM
 LORD STRASBURGER
 BARONESS JONES OF MOULSECOOMB

420 After Clause 207, insert the following new Clause —

“Amendment of section 3 (proscription) of the Terrorism Act 2000

In section 3(3)(a) of the Terrorism Act 2000, at end insert “, provided that only one organisation per order may be added”.

Member's explanatory statement

This new clause would require that any order made under section 3 of the Terrorism Act 2000 relates to a single organisation. This would enhance the ability of both Houses of Parliament to scrutinise the proscription process by allowing the possibility of voting against some Secretary of State proscription decisions, without jeopardising others.

LORD BLENCATHRA

421 After Clause 207, insert the following new Clause —

“Limits on court's power to allow appeals against proscription

After section 6 of the Terrorism Act 2000 (further appeal), insert —

“6A Limits on court's power to allow appeals against proscription

- (1) This section applies where —
 - (a) the Secretary of State decides to make a proscription order under section 3 in respect of an organisation (“O”), and
 - (b) O appeals that proscription to the relevant tribunal under section 6.
- (2) So far as the appeal is by reference to the right to a fair trial, the relevant tribunal must dismiss the appeal unless it considers that proscribing O as

a terrorist organisation would result in a breach of the right to a fair trial so fundamental as to amount to a nullification of that right.””

Member's explanatory statement

This amendment would insert an “ouster clause” into the Terrorism Act 2000, requiring the courts to dismiss all appeals against proscription orders issued by the Secretary of State under section 3 of that Act, unless the court considers that the order would result in a breach of the right to a fair trial so fundamental as to amount to a nullification of that right.

LORD BLENCATHRA

422 After Clause 207, insert the following new Clause —

“Prosecution of terrorism offences where an organisation is later de-proscribed

After section 13 of the Terrorism Act 2000 (uniform and publication of images), insert —

“13A Prosecution of offences where an organisation is later de-proscribed

A person arrested on suspicion of committing an offence under this Act in relation to acting on behalf of an organisation which was proscribed at the time of the alleged offence, but de-proscribed after the alleged offence was committed, shall be treated as having acted on behalf of a proscribed organisation for the purposes of prosecution.””

Member's explanatory statement

This amendment seeks to ensure that supporters of any proscribed group who were arrested after that group was proscribed and before it was de-proscribed can be prosecuted for such an offence.

VISCOUNT HAILSHAM
LORD STRASBURGER

422A After Clause 207, insert the following new Clause —

“Support for terrorism: intention

- (1) The Terrorism Act 2000 is amended as follows.
- (2) In section 12 (support) after subsection (4), insert —
 - “(4A) A person is not guilty of an offence under this section unless the conduct alleged was done by that person with the intent of encouraging, inciting, facilitating or enabling another to commit an act of terrorism.”
- (3) In section 13 (uniform and publication of images), after subsection (1B), insert —
 - “(1C) A person is not guilty of an offence under this section unless the conduct alleged was done by that person with the intent of encouraging, inciting, facilitating or enabling another to commit an act of terrorism.”
- (4) Subject to subsection (5) a person may not be arrested in respect of an offence alleged to have been committed under sections 12 and 13 of the Terrorism Act

2000, unless that arrest has been authorised by a police officer of the rank of superintendent or above.

- (5) When determining whether to authorise the arrest under subsection (4), that police officer must have regard to the provisions of sections 12(4A) and 13(1C) of that Act.
- (6) Subject to subsection (7), subsections (4) and (5) of this section shall not apply where an arrest has not been authorised by a police officer of the rank of superintendent or above, but a police officer, having regard to the urgency or gravity of the relevant circumstances, reasonably believes that it is necessary to arrest a person in respect of an offence alleged to have been committed under sections 12 and 13 of the Terrorism Act 2000.
- (7) When determining whether to make an arrest under subsection (6), that police officer must have regard to the provisions of sections 12(4A) and 13(1C) of that Act.”

Member's explanatory statement

The amendments are designed to ensure that arrests under sections 12 and 13 of the Terrorism Act are in general confined to cases where a person is reasonably suspected of encouraging, inciting, facilitating or enabling another to commit an act of terrorism.

VISCOUNT HAILSHAM
LORD STRASBURGER
BARONESS JONES OF MOULSECOOMB

422B After Clause 207, insert the following new Clause —

“Proscription process: parliamentary involvement

- (1) Section 3 of the Terrorism Act 2000 (proscription) is amended as follows.
- (2) After subsection (3), insert —
 - “(3A) Subject to subsection (3B) the Secretary of State may not make an order under subsection (3) unless prior to making such an order, the Secretary of State has placed before the Intelligence and Security Committee (the ISC) or any committee which by statute may have replaced the ISC (the replacement committee), a statement of the reasons for making the order and the ISC or the replacement committee has published a report regarding that order.
 - (3B) Subsection (3A) does not apply if the Secretary of State is of the opinion that by reason of urgency the requirements of subsection (3A) cannot reasonably be complied with and the Secretary of State has made a statement to Parliament to that effect.
 - (3C) If subsection (3B) applies, the Secretary of State must within seven days of the making of the order, place before the ISC or the replacement committee, a statement of the reasons for making the order and within a

reasonable period thereafter, the ISC or the replacement committee must make a report to Parliament.””

Member's explanatory statement

This amendment and another in name of Viscount Hailsham are designed to ensure that the Secretary of State informs the Intelligence and Security Committee of the facts that justify making a proscription order and the Intelligence and Security Committee is in a position to publish a relevant report for the assistance of Parliament.

Clause 208

VISCOUNT HAILSHAM

423 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 BARKER

423A★ Clause 208, page 254, line 26, at end insert –

- “(2) No investigation may be carried out, and no criminal proceedings may be brought or continued, in respect of any offence under the law related to abortion (whenever committed) by a woman acting in relation to her own pregnancy.”

Member's explanatory statement

This amendment would expand the provisions of clause 208 to women whose alleged offences were committed prior to the change in law, ensuring that ongoing investigations and prosecutions

against women under abortion law cease. This retrospective provision is the same as passed by Parliament in relation to Northern Ireland abortion law in 2019.

BARONESS MONCKTON OF DALLINGTON FOREST
BARONESS SMITH OF NEWNHAM
BARONESS HOLLINS

424 Leave out Clause 208

After Clause 208

BARONESS STROUD
BARONESS DAVIES OF DEVONPORT
BARONESS D'SOUZA
BARONESS FALKNER OF MARGRAVINE

425 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.

LORD BAILEY OF PADDINGTON

426 After Clause 208, insert the following new Clause –

“Mandatory investigation of abortions performed on females under the age of 16

- (1) Where a termination of pregnancy is performed or facilitated in respect of a female under the age of 16, the relevant authority must initiate a mandatory investigation to determine –
 - (a) whether the pregnancy resulted from criminal conduct, including but not limited to sexual offences under the Sexual Offences Act 2003,
 - (b) whether the female was subject to coercion, exploitation, or abuse,
 - (c) whether appropriate safeguarding measures were taken prior to and following the termination, and
 - (d) whether any person involved in the pregnancy or termination may be liable for prosecution under applicable criminal law.
- (2) For the purposes of subsection (1), “relevant authority” means –
 - (a) the police force for the area in which the termination was performed,

- (b) any safeguarding board or child protection agency with jurisdiction over the female concerned, and
 - (c) any other body designated by the Secretary of State.
- (3) The investigation shall be initiated within 7 days of notification of the termination and shall be conducted in accordance with safeguarding protocols and the welfare interests of the female concerned.
 - (4) Nothing in this section shall prevent the provision of medical care or termination services in accordance with existing legal and medical standards.
 - (5) Any registered medical practitioner or healthcare provider who performs or facilitates a termination of pregnancy in respect of a female under the age of 16 shall, within 48 hours, notify the relevant authority.
 - (6) Failure by a relevant authority to initiate an investigation under subsection (1), or failure by a medical professional to report under subsection (5), may constitute misconduct and shall be subject to disciplinary proceedings or other sanctions as prescribed by regulations made by the Secretary of State.
 - (7) All investigations conducted under this section shall ensure the confidentiality, dignity, and welfare of the female concerned, and shall be carried out in a trauma-informed manner.”

Member's explanatory statement

Under UK law, abortion is regulated by the Abortion Act 1967, which outlines the conditions under which a pregnancy may be legally terminated. While abortion is legal under specific criteria, the involvement of minors – particularly those under 16 – raises additional legal and safeguarding concerns.

LORD FALCONER OF THOROTON

426A After Clause 208, insert the following new Clause –

“Providing assistance under assisted dying legislation in Crown Dependencies: criminal liability

In the Suicide Act 1961, after section 2A (acts capable of encouraging or assisting suicide) insert –

“2AA Assistance provided in Crown Dependencies

- (1) In sections 2(1) and 2A(1), a reference to an act that is capable of encouraging or assisting suicide or attempted suicide does not include –
 - (a) participating in acts that facilitate the provision of a medically assisted death in Scotland or the Crown Dependencies (the “jurisdictions”) under or in connection with legislation in those jurisdictions (“relevant legislation”),
 - (b) performing any other function under that relevant legislation in accordance with that relevant legislation, or
 - (c) assisting a person seeking to end their own life in accordance with that relevant legislation to access that relevant legislation.

- (2) It is a defence for a person charged with an offence under section 2 to prove that they –
 - (a) reasonably believed they were acting in accordance with relevant legislation in those jurisdictions, and
 - (b) took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.””

BARONESS THORNTON
BARONESS WATKINS OF TAVISTOCK
LORD HUNT OF KINGS HEATH

426B★ After Clause 208, insert the following new Clause –

“Provisions for pardons and criminal records of women prosecuted under abortion law

- (1) The Policing and Crime Act 2017 is amended as followed.
- (2) After section 165 (Other pardons for convictions etc of certain abolished offences: England and Wales), insert –

“165A Pardon and expungement of records for women under the law related to abortion

- (1) Subsections (2) and (3) apply in respect of a woman (whether living or deceased) who, when acting in relation to her own pregnancy, was convicted of, cautioned for, arrested for, or investigated on suspicion of, an offence under the law related to abortion, including sections 58 and 59 of the Offences Against the Person Act 1861, and the Infant Life (Preservation) Act 1929.
 - (2) Where the woman has been convicted of, or cautioned for, an offence detailed in subsection (1), she is pardoned for the offence.
 - (3) The Secretary of State must by notice direct the relevant data controller to delete details, contained in relevant official records, of a conviction, caution, arrest, or investigation detailed in subsection (1).
 - (4) Expressions used in this section or section 167(1) (so far as relating to this section) and in Chapter 4 of Part 5 of the Protection of Freedoms Act 2012 have the same meaning in this section or (as the case may be) section 167(1) as in that Chapter (see section 101 of that Act).”
- (3) In section 167 (Sections 164 to 166: supplementary) –
 - (a) in subsection (1) after “165” insert “ or 165A”;
 - (b) in subsection (2) after “165” insert “ or 165A”.”

Member's explanatory statement

Abortion offences are classed as violent crimes meaning they will permanently be disclosed as part of a DBS check. This amendment seeks to pardon women who have a conviction or caution for an offence which Clause 208 applies to. It would also ensure the removal of women's details from police systems, regardless of the outcome of their case.

BARONESS WOLF OF DULWICH
BARONESS FALKNER OF MARGRAVINE

426C★ After Clause 208, insert the following new Clause –

“Offence of obtaining abortifacients by false representation

- (1) A person commits an offence if they dishonestly makes a false representation and intend by making the representation to obtain any abortifacient drugs for use either by themselves or another, whether such drugs have been lawfully prescribed in good faith based on the false representation or not.
- (2) A person guilty of the offence is liable on conviction on indictment to imprisonment for a term not exceeding 12 months or a fine or both, or on summary conviction to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both.”

Clause 209

LORD CLEMENT-JONES
BARONESS DOOCEY

427 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

428 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

429 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.

Clause 212

LORD CARTER OF HASLEMERE
BARONESS BRINTON
LORD DAVIES OF GOWER

429ZA Leave out Clause 212

After Clause 212

BARONESS LEVITT

429A After Clause 212, insert the following new Clause –*“OFCOM’s notices to providers of internet services***OFCOM’s notices to providers of internet services**

- (1) In Chapter 5 of Part 1 of the Coroners and Justice Act 2009 (coroners: further provision to do with investigations and deaths), before section 32 insert –

“31A Duty to notify OFCOM of certain child deaths

- (1) A senior coroner who is made aware that the body of a deceased child is within that coroner’s area must notify the Office of Communications (OFCOM) of that fact within 5 working days of being made aware of the body, unless –
- (a) the coroner decides that the death is not one into which the coroner has a duty under section 1(1) to conduct an investigation, or
 - (b) the coroner is satisfied that no purpose would be served by OFCOM giving a notice under section 101(C1) of the Online Safety Act 2023 requiring the retention of information about use of internet services by the child who has died, because such information is of no relevance to the child’s death.
- (2) In this section “child” means a person who, at the time of death, was (to the best of the coroner’s knowledge) aged between 5 and 17.
- (3) In this section “working day” means any day other than –
- (a) Saturday or Sunday,
 - (b) Christmas Day or Good Friday, or
 - (c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales.”
- (2) The Online Safety Act 2023 is amended in accordance with subsections (3) and (4).
- (3) In section 101 (information in connection with an investigation into the death of a child) –
- (a) in subsection (A1)(a), after “child,” insert “or (in England and Wales) notifies OFCOM of the death of a child as required by section 31A of the Coroners and Justice Act 2009,”;
 - (b) after subsection (G1) insert –
- “(H1) Regulations under subsection (E1)(a) may make provision by reference to a document as amended from time to time.”

- (4) In section 102 (information notices), in subsection (5A)(c), for “for the period of one year beginning with the date of the notice,” substitute “—
- (i) where the investigating authority is a senior coroner (in England and Wales), for the period of six months beginning with the date of the notice, or
 - (ii) in other cases, for the period of one year beginning with the date of the notice.”

Member's explanatory statement

This new clause concerns OFCOM's notices under the Online Safety Act 2023 requiring providers of internet services to retain information about use of a service by a child who has died. It requires coroners to notify OFCOM of child deaths and makes changes to the notice provisions in that Act.

LORD HANSON OF FLINT

429B After Clause 212, insert the following new Clause—

“Power to amend Online Safety Act 2023

Power to amend Online Safety Act 2023: AI

- (1) The Online Safety Act 2023 is amended as follows.
- (2) After section 216 insert—

“Power to amend Act: illegal AI-generated content etc

216A Power to amend Act in relation to illegal AI-generated content etc

- (1) Subject to subsection (14)(b), the Secretary of State may by regulations amend any provision of this Act for or in connection with the purposes of minimising or mitigating the risks of harm to individuals in the United Kingdom presented by—
 - (a) illegal AI-generated content;
 - (b) the use of AI services for the commission or facilitation of priority offences.
- (2) In this section, “AI service” means an internet service that is capable (or part of which is capable) of generating AI-generated content (no matter what proportion of content on the service is AI-generated).
- (3) The provision that may be made by regulations includes provision securing that any or all of the duties set out in subsection (4) are imposed on providers of AI services in relation to—
 - (a) illegal AI-generated content;
 - (b) the design, operation or use of AI services so far as relating to illegal AI-generated content;
 - (c) the use of AI services for the commission or facilitation of priority offences.

- (4) The duties referred to in subsection (3) are –
 - (a) duties imposed on providers of regulated user-to-user services by section 9 or 10 (illegal content and activity) or any of sections 20 to 23 so far as relating to section 9 or 10;
 - (b) duties imposed on providers of regulated search services or combined services by section 26 or 27 (search content that is illegal content) or any of sections 31 to 34 so far as relating to section 26 or 27;
 - (c) duties corresponding or similar to the duties in paragraph (a) or (b).
- (5) The provision that may be made by regulations by virtue of subsection (3) includes provision imposing duties on providers of AI services in relation to illegal AI-generated content of all kinds even where a corresponding or similar duty imposed on providers of regulated user-to-user or search services relates only to priority illegal content.
- (6) The provision that may be made by regulations includes provision securing that the duties imposed on providers of Category 1 services and Category 2A services by section 38 or 39 (fraudulent advertising), or duties corresponding or similar to those duties, are imposed on providers of AI services in relation to fraudulent advertisements (whether or not AI-generated).
- (7) The provision that may be made by regulations includes provision securing that the requirements imposed on providers of Part 3 services by section 66 (reporting CSEA content), or requirements corresponding or similar to those requirements, are imposed on providers of AI services in relation to AI-generated CSEA content (and if such corresponding or similar requirements are imposed, regulations may amend section 67(1) so as to refer to the provision imposing them, as well as to section 66).
- (8) The provision that may be made by regulations includes provision securing any of the following –
 - (a) that providers of AI services are subject to the requirements imposed on providers of regulated services by, or by OFCOM under, Part 6 (fees), or are subject to requirements corresponding or similar to those requirements;
 - (b) that duties imposed on OFCOM in relation to Part 3 services by Chapter 3 of Part 7 (OFCOM's register of risks, and risk profiles), or duties corresponding or similar to those duties, are imposed on OFCOM in relation to AI services, so far as relating to illegal AI-generated content generated by such services or their use for the commission or facilitation of priority offences;
 - (c) that functions conferred on OFCOM in relation to regulated services under the following provisions, or functions corresponding or similar to those functions, are conferred on OFCOM in relation to AI services, so far as relating to provision made by the regulations –
 - (i) Chapter 4 of Part 7 (information);

- (ii) Chapter 6 of Part 7 (enforcement), including provisions of that Chapter conferring power for OFCOM to impose monetary penalties;
 - (d) that powers conferred on OFCOM in relation to Part 3 services under Chapter 5 of Part 7 (notices to deal with terrorism content and CSEA content), or powers corresponding or similar to those powers, are conferred on OFCOM in relation to AI services, so far as relating to AI-generated terrorism content or AI-generated CSEA content;
 - (e) that OFCOM have power to make provision in guidance or a code of practice relating to provision made by the regulations.
- (9) The provision that may be made by regulations includes provision securing that any provision of this Act that applies in relation to illegal content or illegal content of a particular kind applies (with or without modifications), or does not apply, in relation to illegal AI-generated content or illegal AI-generated content of a particular kind.
- (10) The provision that may be made by regulations includes provision amending any definition in this Act, including (but not limited to) –
- (a) provision securing that AI services fall within the definition of “regulated user-to-user service”, “regulated search service”, “combined service”, “Part 3 service” or “regulated service” (so far as that is not already the case) or are excluded from any of those definitions;
 - (b) provision giving the meaning of any defined term in relation to AI services, AI-generated content or AI-generated content of a particular kind.
- (11) Regulations may make provision securing that providers of specified kinds of AI services are exempt from the requirement to comply with specified duties or requirements imposed by the regulations.
- (12) The provision that may be made by regulations includes –
- (a) provision in relation to AI services that corresponds or is similar to provision in Chapter 2 of Part 7 (register of categories of services);
 - (b) provision conferring power on the Secretary of State to make regulations containing provision in relation to AI services that corresponds or is similar to provision that may be made by regulations under paragraph 1 of Schedule 11 (“threshold conditions”).
- (13) Regulations may make provision having the effect that AI services provided from outside the United Kingdom are regulated by this Act (as well as AI services provided from within the United Kingdom), but, if they do so, must contain equivalent provision to that made in relation to user-to-user services and search services by section 4(5) and (6) (UK links).
- (14) Regulations –

- (a) may (among other things) amend any provision of this Act that mentions an automated tool or a bot (including section 59(12));
 - (b) may not amend section 234 (“harm” etc).
- (15) Regulations –
 - (a) may make different provision with regard to AI services of different kinds;
 - (b) may make provision with regard to AI services generally or any one or more specified kinds of AI service;
 - (c) may make different provision with regard to AI-generated content generated by different kinds of automated tools or functionalities available on AI services;
 - (d) may make provision with regard only to AI-generated content generated by specified kinds of automated tools or functionalities available on AI services.
- (16) Regulations may make provision as to the meaning of any reference to “AI-generated”, or “AI-generated content”, inserted by the regulations into this Act.
- (17) In this section –
 - “AI” is short for artificial intelligence;
 - “AI-generated CSEA content” means CSEA content that is AI-generated, and “CSEA content” here has the same meaning as in Part 3 (see section 59) except that section 59(14)(a) is to be disregarded;
 - “AI-generated terrorism content” means terrorism content that is AI-generated, and “terrorism content” here has the same meaning as in Part 3 (see section 59) except that section 59(14)(a) is to be disregarded;
 - “amend” includes repeal and apply (with or without modifications);
 - “fraudulent advertisement” has the meaning given by section 38 or 39 (depending on the kind of AI service in question), disregarding the fact that the definition in those sections applies in relation only to a Category 1 service or a Category 2A service;
 - “illegal AI-generated content” means illegal content that is AI-generated;
 - “illegal content” has the same meaning as in Part 3 (see section 59), except that where that term is used in the definition of “illegal AI-generated content”, section 59(14)(a) is to be disregarded;
 - “priority illegal content” has the same meaning as in Part 3 (see section 59);
 - “priority offence” has the same meaning as in Part 3 (see section 59);
 - “regulations”, except in subsection (12)(b), means regulations under subsection (1);
 - “specified” means specified in regulations.”

- (3) In section 225 (Parliamentary procedure for regulations), in subsection (1), after paragraph (f) insert—

“(fa) regulations under section 216A(1),”.

Member’s explanatory statement

This new clause inserts into the Online Safety Act 2023 a power for the Secretary of State to make regulations amending that Act in order to minimise or mitigate the risks of harm to individuals presented by illegal AI-generated content.

After Clause 213

LORD CLEMENT-JONES
BARONESS DOOCEY

430

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

431 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

432

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.”
- (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

433 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

434 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

435 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

436 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

437 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
EARL RUSSELL
LORD JACKSON OF PETERBOROUGH

438 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

439 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

440

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.

BARONESS CHAKRABARTI
THE LORD BISHOP OF MANCHESTER
BARONESS BUTLER-SLOSS
LORD BURNETT OF MALDON

441 After Clause 213, insert the following Clause –

“Age of criminal responsibility

In section 50 of the Children and Young Persons Act 1933 (age of criminal responsibility), for “ten” substitute “12”.

Member's explanatory statement

This new clause would raise the age of criminal responsibility in England and Wales from ten to 12 years so that no child under that age could be tried for or convicted of a criminal offence.

BARONESS KIDRON
BARONESS MORGAN OF COTES
VISCOUNT COLVILLE OF CULROSS

441A After Clause 213, insert the following new Clause –

“AI search services safety: offence

- (1) It is an offence for the provider of a generative AI search service to allow the creation, viewing, listening to, sharing, broadcasting or storing, using that service, of content –
 - (a) that would be illegal content, as defined by section 59 of the Online Safety Act 2023 (“illegal content” etc),
 - (b) that would be content that is harmful to children, as defined by section 60 of that Act (“content that is harmful to children”), if the user is a child,
 - (c) that has an exploitative design, such that it –
 - (i) is presented with the intent, or
 - (ii) has the effect,
 of detrimentally or coercively extending the user’s engagement with the service, if the user is a child, or
 - (d) that is a photograph or film covered by section 66A of the Sexual Offences Act 2003 (sending etc photograph or film of genitals), that is based on a real person, and could reasonably be assumed to be sexual in nature and likely to demean or humiliate the featured person.
- (2) For the purposes of this section, a generative AI search service means a deep or large language model able to generate text, images and other content based on the data on which they were trained and user prompts.

- (3) For the purposes of this section, “content” has the meaning given in section 236 (interpretation: general) of the Online Safety Act 2023, and includes both content generated by an AI search service and content generated by a user.
- (4) A provider which commits an offence under this section is liable —
 - (a) to the application of the enforcement powers set out in Part 7, Chapter 6 (enforcement powers) of the Online Safety Act 2023, where the provider is a regulated service under section 4 of the Online Safety Act 2023 (“regulated service”, “Part 3 service” etc.);
 - (b) to a penalty notice, issued by the National Crime Agency and not exceeding £18 million, where the provider is not a regulated service under section 4 of that Act.”

Member's explanatory statement

This amendment is intended to ensure that all generative AI large language models do not produce illegal content, and are under duties to keep their users safe.

LORD WALNEY
LORD POLAK
BARONESS FOSTER OF AGHADRUUMSEE

441B After Clause 213, insert the following new Clause —

“Access to public funds for organisations supporting criminal conduct

- (1) An organisation or group will not be eligible for public funding if there is evidence that it —
 - (a) promotes, supports, encourages or condones the commission of criminal conduct in the United Kingdom or conduct elsewhere which would be criminal in the United Kingdom, or
 - (b) seeks to subvert, undermine or replace the constitutional integrity or democratic institutions of the United Kingdom through violent or illegal means.
- (2) For the purposes of subsection (1)(b), this includes (but is not limited to) organisations which advance or advocate through violent or illegal means —
 - (a) Islamist extremism or any ideology seeking to establish an alternative constitutional, legal or governance system in place of the United Kingdom’s democratic and constitutional framework, or
 - (b) other extremist ideologies seeking the erosion or replacement of democratic institutions, parliamentary sovereignty or the rule of law.”

LORD MENDELSON

441C After Clause 213, insert the following new Clause —

“Crown Prosecution Service unit for offences motivated by antisemitism

The Director of Public Prosecutions must appoint staff from within the Crown Prosecution Service to create a dedicated unit to support the prosecution of offences motivated by antisemitism and collect data related to such prosecutions.”

BARONESS KIDRON

This amendment is intended to replace Amendment 433

441D★ 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 (4).
- (2) It is an offence to fail to suitably and sufficiently risk assess an AI chatbot which produces content available in subsection (4).
- (3) It is an offence for a provider of an AI chatbot which produces content available in subsection (4) to fail to effectively mitigate and manage the risks of harm to individuals.
- (4) 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,
 - (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,
 - (iv) content that is detrimental to equality of treatment, or
 - (v) content which is detrimental to the risks to the privacy of individuals and security of personal information.
- (5) A risk assessment under subsection (2) is suitable and sufficient if it —
 - (a) identifies and understands the risk of harm, including through product testing and red teaming,
 - (b) is kept up-to-date, including when changes are made to the chatbot’s design or operation,
 - (c) takes into account matters listed in sections 10(4) and 11(6) of the Online Safety Act 2023 (safety and risk assessment duties),

- (d) has regard to any guidance produced by Ofcom on risk assessment under the Online Safety Act 2023,
 - (e) assesses the risks to equality of treatment of individuals,
 - (f) assesses the risks to the privacy of individuals and security of personal information,
 - (g) assesses the risks arising from the choice of underlying models, data sets and computational tools, and
 - (h) is in an easily understandable written format and includes details about how the assessment was carried out and its findings.
- (6) As well as the requirements of subsection (5), a risk assessment under subsection (2) for a companion chatbot is suitable and sufficient if it –
- (a) assesses the risk of harms arising from its use in relation to –
 - (i) addictive design,
 - (ii) deception
 - (iii) sycophancy,
 - (iv) scheming,
 - (v) emotional manipulation, and
 - (vi) disinformation;
 - (b) takes account of the characteristics and vulnerabilities of different end-user groups and takes appropriate mitigating steps in relation to each of those risks;
 - (c) ensures that there are clear technical or functional boundaries in the companion chatbots limiting emotional intimacy,
 - (d) ensures that the chatbot has language and framing suggesting that engagement with the companion chatbot is or should be exclusive of other relationships;
 - (e) ensures that the chatbot periodically encourages human interactions, provides information about local, age-appropriate activities and refers where relevant end-users to appropriate professional support;
 - (f) prohibits design patterns that simulate the permanence or irreplaceability of the chatbot.
- (7) A provider of an AI chatbot effectively mitigates and manages the risks of harm to individuals under subsection (3) if they –
- (a) implement moderation systems to prevent the chatbot from generating or endorsing illegal content or, where the chatbot is accessible by children, content harmful to children,
 - (b) design the system to recognise and handle ambiguous, illegal inputs, or inputs harmful to children inputs appropriately,
 - (c) implement systems to provide appropriate fall back responses and escalation procedures,
 - (d) introduce processes or systems that allow end-users or affected persons within the meaning of section 20(5) of the Online Safety Act 2023 to flag inappropriate content,
 - (e) update dialogue management and content control systems based on new data and emerging risks,

- (f) provide and enforce terms of service,
 - (g) ensure —
 - (i) where a chatbot is asked for information on health matters, the chatbot refers the end-user to the relevant NHS website;
 - (ii) where a chatbot is asked for information about a current UK election, the chatbot refers the end-user to the Electoral Commission;
 - (iii) where a chatbot is asked for information about suicide or self-harm, the chatbot refers the end-user to the Samaritans or other appropriately qualified service;
 - (iv) a chatbot indicates uncertainty when reliable sources disagree or information is incomplete or unavailable;
 - (v) where a chatbot is asked for information by an end-user about child sexual abuse imagery, the chatbot refers the end-user to Stop It Now or Report Remove as appropriate;
 - (vi) where a chatbot is asked about experience of child abuse, the chatbot refers the end-user to Childline,
 - (h) provide highly effective age assurance for chatbots which are capable of producing primary priority content, and
 - (i) keep a written record of any measures taken or in use to comply with paragraphs (a) to (h).
- (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 5 years or a fine (or both).
- (9) Providers of regulated chatbots must publish annual transparency reports that include data showing how they are complying with their duties under subsections (5) to (7).
- (10) 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;
 - an “companion chatbot” is a regulated chatbot which is designed to mimic human relationships or foster emotional engagement and personal or social connection or which can be used in that way.”

Clause 214

LORD HANSON OF FLINT

442 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

443 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

444 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 WALNEY

LORD PANNICK

LORD GOLDSMITH

444ZA Clause 215, page 260, line 14, after “137,” insert “(*Designation and restriction of Extreme Criminal Protest Groups*),”

LORD HANSON OF FLINT

- 444A** Clause 215, page 260, line 14, after “149(7)” insert “, (Notification requirements for child cruelty offenders), (Notification requirements for child cruelty offenders: power to amend Schedule (Notification requirements for child cruelty offenders: child cruelty offences)),”

Member's explanatory statement

This amendment provides for regulations under the specified provisions to be subject to the affirmative procedure.

LORD CLEMENT-JONES
BARONESS DOOCEY

- 445** 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

- 446** Clause 215, page 260, line 14, at end insert “or (Submarine Telegraph Act 1885: potential amendment of penalties)”

Clause 217

LORD HANSON OF FLINT

- 447** Clause 217, page 261, line 30, at end insert —
“(fa) section 65(3);”

Member's explanatory statement

This amendment gives the specified provision (which amends Schedule 3 to the Sexual Offences Act 2003) UK extent.

BARONESS LEVITT

- 448** 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

449 Clause 217, page 261, line 34, at end insert –

“(ja) section (*Purported intimate image generators*)(5);”

Member's explanatory statement

The amendment gives the specified provision (which amends Schedule 3 to the Sexual Offences Act 2003) UK extent.

BARONESS LEVITT

450 Clause 217, page 261, line 35, at end insert –

“(ka) section (*Pornographic images of sex between relatives*)(7);”

Member's explanatory statement

This amendment gives the specified provision (which amends the Online Safety Act 2023) UK extent.

BARONESS LEVITT

451 Clause 217, page 261, line 36, at end insert –

“(la) section (*Sexual activity with an animal*)(5);”

Member's explanatory statement

This amendment gives the specified provision (which amends Schedule 3 to the Sexual Offences Act 2003) UK extent.

LORD HANSON OF FLINT

452 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

453 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

454 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.

BARONESS LEVITT

454A Clause 217, page 262, line 10, after “Part” insert “(except section (OFCOM’s notices to providers of internet services)(1))”

Member's explanatory statement

This amendment is needed because otherwise the amendment made by subsection (1) of my new clause inserted after clause 212 would have UK extent (it should extend only to England and Wales).

BARONESS LEVITT

455 Clause 217, page 262, line 11, leave out “paragraph” and insert “paragraphs 15,”

Member's explanatory statement

This amendment gives paragraph 15 of Schedule 11 (which amends Schedule 3 to the Sexual Offences Act 2003) UK extent.

BARONESS LEVITT

456 Clause 217, page 262, line 11, after “19” insert “and 23”

Member's explanatory statement

This amendment gives the new paragraph of Schedule 11 inserted by my amendment to Schedule 11, page 330, line 21 (which amends the Online Safety Act 2023) UK extent.

LORD HANSON OF FLINT

457 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.

BARONESS LEVITT

458 Clause 217, page 262, line 13, after “90(1) to (3),” insert “(Pornographic images of sex between relatives)(2) and (3),”

Member's explanatory statement

This amendment provides that the specified provisions (which amend the Criminal Justice and Immigration Act 2008) extend to England and Wales and Northern Ireland.

LORD HANSON OF FLINT

- 459** 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

- 460** 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

- 461** 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

- 462** 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

463 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

464 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.

BARONESS LEVITT

465 Clause 217, page 262, line 30, at end insert –

“(ia) section 95(2);”

Member's explanatory statement

This amendment provides for the amendments made by the specified provision to have the same extent as the provisions they amend.

LORD HANSON OF FLINT

466 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.

LORD HANSON OF FLINT

466A Clause 217, page 263, line 3, leave out paragraph (v)

Member's explanatory statement

This amendment removes a provision which is not needed, as the extent of clause 212 is provided for by clause 217(2)(z).

BARONESS LEVITT

467 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

BARONESS BERTIN
LORD CLEMENT-JONES
BARONESS KIDRON

467A Clause 218, page 263, line 27, leave out “and 76” and insert “, 76, 89, (*Amendment of possession of extreme pornographic images provision to cover incest*), (*Pornographic content: online harmful content*), (*Pornographic content: duty to verify age*), (*Amendment of Protection of Children Act 1978*), (*Pornographic images of sex between relatives*), and (*Offences relating to intimate photographs or films and voyeurism*).”

LORD HANSON OF FLINT

467AA Clause 218, page 263, line 28, at end insert —

“(ba) sections (*Notification requirements for child cruelty offenders*), (*Notification requirements for child cruelty offenders: enforcement*), (*Notification requirements for child cruelty offenders: power to amend Schedule (Notification requirements for child cruelty offenders: child cruelty offences)*) and (*Notification requirements for child cruelty offenders: interpretation*) and Schedule (*Notification requirements for child cruelty offenders: child cruelty offences*);”

Member's explanatory statement

This amendment provides for the specified provisions to come into force on Royal Assent.

BARONESS LEVITT

467AB Clause 218, page 263, line 31, after “212” insert “, (*OFCOM’s notices to providers of internet services*)”

Member's explanatory statement

This amendment has the effect that commencement of my new clause inserted after clause 212 will be by regulations.

BARONESS BERTIN
LORD CLEMENT-JONES
BARONESS KIDRON

467B Clause 218, page 263, line 31, at end insert—

“(f) schedule 11.”

Member's explanatory statement

This amendment seeks to ensure that various provisions related to sexual offences and online harms come into force on the day on which the Act is passed. These provisions are included in (1) some existing clauses in the Bill, (2) amendments in the name of Baroness Bertin, and (3) an amendment in the name of Baroness Levitt.

LORD HANSON OF FLINT

468 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

469 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

470 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

471 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

472 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

473 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

FOURTH MARSHALLED LIST OF AMENDMENTS TO BE MOVED ON REPORT

5 March 2026

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