

Crime and Policing Bill

AMENDMENTS

TO BE MOVED

ON REPORT

[Supplementary to the Fourth Marshalled List]

**Amendment
No.**

Schedule 14

LORD PARKINSON OF WHITLEY BAY

LORD BLENCATHRA

This amendment, with another in the name of Lord Parkinson of Whitley Bay, is intended to replace Amendment 372

372ZZA★ Schedule 14, page 348, line 20, at end insert—

“24A Monument to the Women of World War II, Whitehall, London.”

Member's explanatory statement

This amendment adds the Monument to the Women of World War II to the list of war memorials in Part 1 of Schedule 14.

LORD PARKINSON OF WHITLEY BAY

LORD BLENCATHRA

This amendment, with another in the name of Lord Parkinson of Whitley Bay, is intended to replace Amendment 372

372ZZB★ Schedule 14, page 348, line 27, at end insert—

“27 Holocaust Memorial Garden, Hyde Park, London.”

Member's explanatory statement

This amendment adds the Holocaust Memorial Garden to the list of memorials in Part 3 of Schedule 14.

After Clause 160

LORD YOUNG OF ACTON

LORD STRASBURGER

LORD HOGAN-HOWE

This amendment is intended to replace Amendment 387

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

“Abolition of non-crime hate incidents (No.2)

- (1) Non-crime hate incidents (NCHIs) must 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 NCHI.
- (3) Subsection (2) does not mean a police authority or police officer cannot record, retain or otherwise process an incident that is relevant for the prevention or detection of a crime, or for another policing purpose, provided it complies with incident recording guidance issued by the College of Policing or the Secretary of State.
- (4) Guidance in relation to incident recording must have due regard to the right to freedom of expression.
- (5) Any historic records of NCHIs which do not meet the incident recording threshold as set out in guidance issued by the College of Policing or the Secretary of State, must –
 - (a) not be disclosed in a Disclosure and Barring Service check;
 - (b) be deleted upon discovery.
- (6) 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 and ensure that any future incident recording guidance has due regard to the right to freedom of expression.

After Clause 182

BARONESS NEVILLE-ROLFE

409D★ After Clause 182, insert the following new Clause –

“Police enforcement data

- (1) Police forces in England and Wales must publish annual data on the enforcement of the following offences –
 - (a) shoplifting,
 - (b) offences involving a blade,

- (c) phone theft,
 - (d) fare dodging on public transport, and
 - (e) offences involving bicycles and e-scooters.
- (2) In this section, “enforcement” means the investigation and collection of evidence in preparation for a prosecution.”

BARONESS NEVILLE-ROLFE

409E★ After Clause 182, insert the following new Clause –

“Review: police paperwork

Within six months of the day on which this Act is passed, the Secretary of State must undertake and publish a review of –

- (a) the volume of paperwork (or its online equivalent) which police officers need to complete as part of the prevention of, response to, and investigation of crime, and
- (b) how this could be reduced and simplified.”

BARONESS NEVILLE-ROLFE

409F★ After Clause 182, insert the following new Clause –

“Police data sharing

- (1) In the Data Protection Act 2018, after section 40 (the sixth data protection principle) insert –

“40A Processing of data in relation to a case file prepared by a police force for submission to the Crown Prosecution Service for a charging decision

- (1) Subsections (2) to (6) apply to a set of processing operations consisting of –
- (a) the preparation of a case file by a police force for submission to the Crown Prosecution Service for a charging decision,
 - (b) the making of a charging decision by the Crown Prosecution Service, and
 - (c) the return of the case file by the Crown Prosecution Service to the police force after a charging decision has been made.
- (2) A police force shall not be obliged to comply with the first data protection principle except insofar as that principle requires processing to be fair, or the third data protection principle, in preparing a case file for submission to the Crown Prosecution Service for a charging decision.
- (3) The Crown Prosecution Service shall not be obliged to comply with the first data protection principle except insofar as that principle requires processing to be fair, or the third data protection principle, in making a charging decision on a case file submitted for that purpose by a police force.

- (4) If the Crown Prosecution Service decides that a charge will not be pursued when it makes a charging decision on a case file submitted for that purpose by a police force it shall take all steps reasonably required to destroy and delete all copies of the case file in its possession.
- (5) If the Crown Prosecution Service decides that a charge will be pursued when it makes a charging decision on a case file submitted for that purpose by a police force it shall return the case file to the police force and take all steps reasonably required to destroy and delete all copies of the case file in its possession.
- (6) Where the Crown Prosecution Service decides that a charge will be pursued when it makes a charging decision on a case file submitted for that purpose by a police force and returns the case file to the police force under subsection (5), the police force shall be obliged to comply with the first data protection principle and the third data protection principle in relation to any subsequent processing of the data contained in the case file.
- (7) For the purposes of this section –
 - (a) the preparation or preparing of a case file by a police force for submission to the Crown Prosecution Service for a charging decision shall include the submission of the file, and
 - (b) a case file shall include all information obtained by a police force for the purpose of preparing a case file for submission to the Crown Prosecution Service for a charging decision.”
- (2) Within six months of the day on which this Act is passed, the Secretary of State must undertake a review of the –
 - (a) efficiency, and
 - (b) speed
 of data sharing in connection with the police national database and other tools used by police forces to share information.”

Clause 183

BARONESS DOOCEY

409G★ Clause 183, page 235, line 3, at end insert –

- “(2A) In determining whether to make a youth diversion order in respect of the respondent, the court must be provided with evidence relating to –
 - (a) the alternative interventions that have been considered or previously applied,
 - (b) the reasons why such interventions were considered inappropriate, unsuitable, or unsuccessful, and
 - (c) consultations undertaken by the police with relevant individuals, experts or agencies, which may include youth justice services.”

Member's explanatory statement

This amendment requires the court to be provided with evidence of any alternative interventions considered and any consultation undertaken with relevant individuals or agencies in respect of a child or young person subject to a youth diversion order application. This amendment strengthens the provision of multi-agency evidence to assist the court when undertaking the 'necessary' test and when making a youth diversion order.

Clause 185

BARONESS JONES OF MOULSECOOMB

409H★ Clause 185, page 237, line 12, at end insert—

- “(4A) For the purpose of determining whether a requirement or prohibition under subsection (2) is appropriate and proportionate, the court must consider—
- (a) evidence as to the suitability of the proposed requirement or prohibition to the respondent, having regard to the respondent’s age, maturity, and individual circumstances;
 - (b) evidence as to the practical availability of the proposed positive requirement;
 - (c) evidence as to the enforceability of the proposed requirement or prohibition;
 - (d) the compatibility of the proposed requirement or prohibition with any other requirement or prohibitions to be imposed.
- (4B) Prohibitions and requirements in a youth diversion order must, so far as practicable, be such as to avoid—
- (a) any interference with the times, if any, at which the respondent normally works or attends any educational establishments or health and support services;
 - (b) any conflict with the requirements of any other court order or injunction to which the respondent is subject.”

Member's explanatory statement

This amendment would require the court, before imposing any requirement or prohibition under a Youth Diversion Order, to consider evidence of its suitability, practical enforceability and impact on the child or young person’s access to education, health and support services, and to ensure that multiple conditions are compatible with one another.

BARONESS JONES OF MOULSECOOMB

409J★ Clause 185, page 238, line 2, at end insert—

- “(10A) The youth diversion order must be accompanied by an explanation of the terms of the order in language that the person can understand.”

Clause 199

BARONESS DOOCEY

417A★ Clause 199, page 246, line 32, at end insert –

- “(A1) The Secretary of State must, within 12 months of the day on which this Part comes into force and annually thereafter, publish a report with data relating to the operation of Youth Diversion Orders and any powers conferred under this Part.
- (A2) The report under subsection (A1) must, in particular, include –
- (a) the number of Youth Diversion Orders made,
 - (b) the number and nature of prohibitions and requirements imposed,
 - (c) the number of breaches of such orders,
 - (d) information relating to the protected characteristics (within the meaning of section 4 of the Equality Act 2010) of individuals subject to such orders, and
 - (e) any other information the Secretary of State considers appropriate for the purposes of assessing the effectiveness and equalities impact of such orders.”

Member's explanatory statement

This amendment requires the Secretary of State to publish annual data on the use and impact of Youth Diversion Orders and related powers under Part 14 of the Bill, including breach rates, the types of prohibitions and requirements imposed, and data relating to protected characteristics.

After Clause 207

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

422C★ After Clause 207, insert the following new Clause –

“Proscription status of Iran-related entities: review

The Secretary of State must, within four months of the Prime Minister’s oral statement to the House of Commons on Iran on 2 March 2026, review whether any organisations related to the Iranian government should be proscribed under section 3 of the Terrorism Act 2000 (proscription).”

After Clause 213

LORD DAVIES OF GOWER
LORD CAMERON OF LOCHIEL

441E★ After Clause 213, insert the following new Clause –

“Liability for use of force: detriment and dismissal

- (1) The Employment Rights Act 1996 is amended as follows.

- (2) After section 47G (employee shareholder status) insert –

“47H Use of force

An employee has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by the employee's employer done on the ground that the employee –

- (a) in accordance with, or
- (b) in a way which would have been unlawful were it not for, section 3 of the Criminal Law Act 1967 (use of force in making arrest).”

- (3) In section 48 (complaints to employment tribunals), in subsection (1) for “or 47G” substitute “47G or 47H”.

- (4) After section 107 (pressure on employer to dismiss unfairly) insert –

“107A Use of force

An employee who is dismissed is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the employee acted –

- (a) in accordance with, or
- (b) in a way which would have been unlawful were it not for, section 3 of the Criminal Law Act 1967 (use of force in making arrest).”

Clause 218

LORD YOUNG OF ACTON

- 468A★** Clause 218, page 263, line 38, at end insert –

“(ea) section (*Abolition of non-crime hate incidents (No.2)*);”

Member's explanatory statement

This amendment ensures that provision inserted by an earlier amendment in the name of Lord Young of Acton comes into force two months after the Bill is passed.

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[Supplementary to the Fourth Marshalled List]

6 March 2026
