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Minister for
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Sir Charles Walker and Steve McCabe
Co-Chairs
Public Bill Committee - Police, Crime, Sentencing and Courts Bill
House of Commons
London
SW1A 0PW

9 June 2021

Dear Sir Charles and Steve,

POLICE, CRIME, SENTENCING AND COURTS BILL: GOVERNMENT AMENDMENTS FOR COMMITTEE

We are writing to let you have details of the Government amendments (copy attached) we have tabled for Commons Committee stage.

Amendment to the Rehabilitation of Offenders Act 1974 regarding the treatment of certain court orders (amendments to clause 163)

Clause 163 amends the Rehabilitation of Offenders Act 1974 (the ROA) by reducing the rehabilitation period for certain offences. The ROA enables most convictions to become disregarded or 'spent' which means they will not need to be disclosed when a person is applying for certain roles and positions after a set rehabilitation period has expired.

These amendments clarify the disclosure period for certain orders made on conviction, as follows:

- **Orders made on conviction which impose positive requirements, such as sexual harm prevention orders and the new serious violence reduction orders:** the amendments provide that orders which impose positive requirements should be disclosed for the duration they are in effect, in similar ways to orders which impose disqualifications or prohibitions.
- **Criminal orders on conviction which are of an indefinite duration:** the amendments clarify that orders which are imposed indefinitely should be disclosed for the duration they are in effect.

These amendments apply to England and Wales only.

Account freezing and forfeiture (amendment to clause 175 and new clause “Proceeds of crime: account freezing orders”)

Account freezing and forfeiture powers were introduced by the Criminal Finances Act 2017. The powers authorise law enforcement agencies to seek the freezing, and subsequent forfeiture, of monies or funds held in accounts maintained with banks and building societies that is recoverable property or is intended by any person for use in unlawful conduct.

The Financial Services Act 2021 ensures that these powers apply to e-money institutions, such as Revolut, and payment institutions, such as Paypal. The provisions included in the then Financial Services Bill on introduction were intended to apply throughout the United Kingdom. However, there was insufficient time for the Northern Ireland Executive to secure a Legislative Consent Motion for the Proceeds of Crime Act 2002 provisions and consequently the Bill was amended to narrow the application of these provisions to Great Britain. This new clause will make good this omission. The consequential amendment to clause 175 provides for the new clause to come into force two months after Royal Assent.

We are copying this letter to members of the Public Bill Committee and Gavin Robinson. We are also placing a copy of this letter and attachment in the library of the House.

Best wishes,



Victoria Atkins MP



Chris Philp MP