My Lords,

ASSAULTS ON EMERGENCY WORKERS – COASTGAURDS

My Lords, I write to clarify a point raised at Second Reading debate on the Assaults on Emergency Workers (Offences) Bill. The point raised by the Noble Lord Browne of Ladyton, and then again by Lord Kennedy about whether members of Her Majesty's Coastguard or members of the Royal National Lifeboat Institution (RNLI) would be covered by this Bill in England and Wales as well as in Scotland.

In the debate Lord Browne of Ladyton asked the important question about whether members of Her Majesty's Coastguard would be included in this Bill. He noted that in Scotland these important emergency workers are included in the Emergency Workers (Scotland) Act 2005, (by Clause 2 (3)(b) and (c)(i)&(ii)) and consequently that: “unless this Bill applies as an Act to members of Her Majesty’s Coastguard, we will be in the interesting situation whereby, for a UK service, if you serve in Scotland and are under that jurisdiction you have protection, but if you serve elsewhere, you will not have protection.”

I am pleased to assure the noble Lord that members of her Majesty’s Coastguard in England and Wales will be covered by this Bill. Clause 3, (1)(i) states that an “emergency worker” means “a person employed for the purposes of providing, or engaged to provide, search services or rescue services (or both);” Clause 3(2) states that “It is immaterial for the purposes of subsection (1) whether the employment or engagement is paid or unpaid.” I responded in my speech to Lord Browne to reassure him that the coastguard would be covered by this Bill.

Later in the debate the noble Lord Kennedy later raised the point that in replying to Lord Browne confirming that these workers would be covered I assumed that this Bill would also cover workers in Scotland when clause 4(1) of the Bill states that “This Act extends to England and Wales only.”
To clarify, when I responded to Lord Browne saying that the Bill would cover coastguards and RNLI workers I was confirming that these workers in England and Wales would be covered by the Assaults on Emergency Workers (Offences) Bill. Coastguards in Scotland will continue to be covered by the Emergency Workers (Scotland) Act 2005.

A copy will be placed in the House Library, and sent to all Peers who spoke during the Second Reading of the Bill.

[Signature]

BARONESS VERE OF NORBITON

Lord Kennedy of Southwark
Lord Browne of Ladyton
House of Lords