

Crime and Policing Bill – Committee stage

LORD HANSON OF FLINT

[OPC629]

Schedule 3, page 248, leave out lines 27 to 30

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

LORD HANSON OF FLINT

[OPC630]

Schedule 3, page 248, leave out lines 33 and 34

Member's explanatory statement

This amendment is consequential on my amendment to Schedule 3, page 248, leave out lines 27 to 30.

LORD HANSON OF FLINT

[OPC620]

Clause 7, page 16, leave out lines 26 to 29

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

LORD HANSON OF FLINT

[OPC621]

Clause 7, page 17, leave out lines 6 and 7

Member's explanatory statement

This amendment is consequential on my amendment to clause 7, page 16, leave out lines 26 to 29.

LORD HANSON OF FLINT

[OPC746]

Clause 40, page 59, line 27, after “over” insert “who is in a part of the United Kingdom (“the relevant part” of the United Kingdom)”

Member's explanatory statement

This amendment defines “the relevant part” of the United Kingdom for the purposes of this clause and Clause 41 as the part of the United Kingdom in which the person aged 18 or over engages in conduct towards or in respect of a child.

LORD HANSON OF FLINT

[OPC747]

Clause 40, page 59, line 31, leave out from second “the” to end of line 33 and insert “relevant part of the United Kingdom which would constitute an offence if done in that part, or”

Member's explanatory statement

This amendment amends sub-paragraph (ii) so that it covers the child doing anything outside the relevant part of the United Kingdom, if the child doing that thing in that relevant part would constitute an offence.

LORD HANSON OF FLINT

[OPC748]

Clause 40, page 59, line 35, leave out from “the” to end of line 37 and insert “relevant part of the United Kingdom which would constitute an offence if done in that part, and”

Member's explanatory statement

This amendment amends sub-paragraph (iii) so that it covers facilitating the causing of the child to do anything outside the relevant part of the United Kingdom, if the child doing that thing in that relevant part would constitute an offence.

LORD HANSON OF FLINT

[OPC762]

Clause 40, page 60, line 3, at end insert —

“(1A) In subsection (1)(a) “offence” means an offence under the law of a part of the United Kingdom.”

Member's explanatory statement

This amendment provides that in subsection (1)(a), references to an offence are to an offence under the law of a part of the United Kingdom.

LORD HANSON OF FLINT

[OPC749]

Clause 40, page 60, line 8, leave out paragraph (c) and insert —

- “(c) a reference to a “part” of the United Kingdom is to —
- (i) England and Wales,
 - (ii) Scotland, or
 - (iii) Northern Ireland.”

Member's explanatory statement

This amendment removes the definition of “offence” (in consequence of my amendment of this clause at page 60, line 3) and defines “part” of the United Kingdom for the purposes of this clause and Clause 41.

LORD HANSON OF FLINT

[OPC750]

Clause 41, page 60, line 40, after “the” insert “relevant part of the”

Member's explanatory statement

This amendment is consequential on my amendment of Clause 40 at page 59, line 31.

LORD HANSON OF FLINT

[OPC751]

Clause 41, page 61, line 1, leave out “any part of the United Kingdom” and insert “that part”.

Member's explanatory statement

This amendment is consequential on my amendment of Clause 40 at page 59, line 31.

LORD HANSON OF FLINT

[OPC752]

Clause 41, page 61, line 2, leave out “any part of the United Kingdom” and insert “that part”.

Member's explanatory statement

This amendment is consequential on my amendment of Clause 40 at page 59, line 31.

LORD HANSON OF FLINT

[OPC753]

Clause 41, page 61, line 7, leave out from “the” to end of line 8 and insert “relevant part of the United Kingdom which would constitute an offence if done in that part,”

Member's explanatory statement

This amendment is consequential on my amendment of Clause 40 at page 59, line 35.

LORD HANSON OF FLINT

[OPC754]

Clause 41, page 61, line 11, leave out “any” and insert “that”

Member's explanatory statement

This amendment is consequential on my amendment of Clause 40 at page 59, line 35.

LORD HANSON OF FLINT

[OPC352]

Clause 41, page 61, line 13, leave out from “which” to “amount” in line 14 and insert “would, or which would if done in a part of the United Kingdom,”

Member's explanatory statement

This amendment is partly a drafting change, and partly consequential on my amendments of Clause 40 at page 59, lines 31 and 35.

LORD HANSON OF FLINT

[OPC353]

Clause 41, page 61, line 26, at end insert –

“(7) In this section –

- (a) a reference to a child doing an act which would amount to the commission of an offence includes the child doing an act which would amount to the commission of the offence if the child were aged 10 or over (or, in Scotland, were aged 12 or over);
- (b) a reference to a child doing an act which, if done in a part of the United Kingdom, would amount to the commission of an offence includes the child doing an act which would amount to the commission of the offence if (in addition to it being done in that part of the United Kingdom) the child were aged 10 or over (or, in Scotland, were aged 12 or over).”

Member's explanatory statement

This amendment clarifies that an adult may commit an offence under clause 40 (child criminal exploitation) in respect of a child who is under the age of criminal responsibility.

LORD HANSON OF FLINT

[OPC344]

Clause 42, page 62, line 5, after “satisfied” insert “on the balance of probabilities”

Member's explanatory statement

This amendment spells out, on the face of the Bill, that “satisfied” here means satisfied on the balance of probabilities

LORD HANSON OF FLINT

[OPC668]

Clause 42, page 62, line 23, leave out “, in England and Wales, under section 40;” and insert “under section 40 (as it has effect in England and Wales), or

- (ii) doing anything in Scotland or Northern Ireland that would constitute an offence under section 40 (as it has effect in England and Wales) if done in England and Wales;”

Member's explanatory statement

This amendment expands the meaning of “engaging in child criminal exploitation” in the provisions about child criminal exploitation prevention orders in England and Wales, to encompass anything done anywhere in the UK that would be an offence under clause 40 if done in England and Wales.

LORD HANSON OF FLINT

[OPC773]

Clause 42, page 62, line 26, leave out from “anything” to end of line 27 and insert “, in any part of the United Kingdom, that is associated with the doing of anything within paragraph (a)(i) or (ii).”

Member's explanatory statement

This amendment changes the meaning of “engaging in conduct associated with child criminal exploitation”, in the provisions about child criminal exploitation prevention orders in England and Wales, to encompass conduct anywhere in the UK.

LORD HANSON OF FLINT

[OPC786]

Clause 48, page 65, line 25, leave out from “made” to “giving” in line 28 and insert “—

- (a) by attending at an appropriate police station and”

Member's explanatory statement

This amendment is related to my first amendment to clause 48, page 65, line 29.

LORD HANSON OF FLINT

[OPC787]

Clause 48, page 65, line 29, at end insert “, or

- (b) in a way specified in the CCE prevention order.”

Member's explanatory statement

This amendment allows for notifications to be made in a way specified in the CCE prevention order. This is likely to be used to provide for notifications other than in person when the defendant lives outside England and Wales in cases where in person notification is considered unreasonable.

LORD HANSON OF FLINT

[OPC788]

Clause 48, page 65, line 29, at end insert —

- “(5A) An “appropriate police station” is a police station in the police area in which —
 - (a) the defendant’s home address is situated, or
 - (b) the court which made the order is situated.”

Member's explanatory statement

This amendment is related to my first amendment to clause 48, page 65, line 29.

LORD HANSON OF FLINT

[OPC669]

Clause 48, page 65, line 32, leave out “England and Wales” and insert “the United Kingdom”

Member's explanatory statement

This amendment, together with my other amendment to this clause, changes the meaning of “home address” so that the home address of the subject of a CCE prevention order made in England and Wales may be anywhere in the UK.

LORD HANSON OF FLINT

[OPC670]

Clause 48, page 65, line 35, leave out “England or Wales” and insert “the United Kingdom”

Member's explanatory statement

This amendment, together with my other amendment to this clause, changes the meaning of “home address” so that the home address of the subject of a CCE prevention order made in England and Wales may be anywhere in the UK.

LORD HANSON OF FLINT

[OPC674]

Clause 51, page 68, line 12, leave out “a CCE prevention order” and insert “an order mentioned in subsection (1A)”

Member's explanatory statement

This amendment, together with my amendment inserting a new subsection (1A) into clause 51, makes the offence in this clause cover breaches of CCE prevention orders made in Scotland or Northern Ireland as well as England and Wales.

LORD HANSON OF FLINT

[OPC675]

Clause 51, page 68, line 13, at end insert—

“(1A) The orders are—

- (a) a CCE prevention order;
- (b) a CCE prevention order under Schedule (CCE prevention orders: Scotland) (CCE prevention orders in Scotland);
- (c) a CCE prevention order under Schedule (CCE prevention orders: Northern Ireland) (CCE prevention orders in Northern Ireland).”

Member's explanatory statement

This amendment, together with my amendment to clause 51(1), makes the offence in this clause cover breaches of CCE prevention orders made in Scotland or Northern Ireland as well as England and Wales.

LORD HANSON OF FLINT

[OPC684]

Clause 51, page 68, line 22, leave out “CCE prevention order” and insert “order mentioned in subsection (1A)”

Member's explanatory statement

This amendment is consequential on my other amendments to clause 51.

LORD HANSON OF FLINT

[OPC725]

Clause 51, page 68, line 30, at end insert—

- “(6) The Secretary of State may by regulations amend subsection (1A) so as to add to or remove from the list of orders any relevant UK order.
- (7) “Relevant UK order” means an order under the law of Scotland or Northern Ireland which appears to the Secretary of State to be equivalent or similar to a CCE prevention order.”

Member's explanatory statement

This amendment gives the Secretary of State power to amend the list of orders made by courts in Northern Ireland or Scotland, breach of which constitutes an offence.

LORD HANSON OF FLINT

[OPC679]

Clause 54, page 69, line 36, after “order””, in the first place it occurs, insert “, except in paragraphs (b) and (c) of section 51(1A),”

Member's explanatory statement

This amendment is consequential on my amendments to clause 51.

LORD HANSON OF FLINT

[OPC658]

After Clause 55, insert the following new Clause—

“CCE prevention orders: Scotland and Northern Ireland

Child criminal exploitation prevention orders: Scotland and Northern Ireland

- (1) Schedule (CCE prevention orders: Scotland) makes provision about child criminal exploitation prevention orders for Scotland.

- (2) Schedule (CCE prevention orders: Northern Ireland) makes provision about child criminal exploitation prevention orders for Northern Ireland.”

Member's explanatory statement

This amendment adds a new clause which introduces Schedules with provision about child criminal exploitation prevention orders for Scotland and Northern Ireland.

LORD HANSON OF FLINT

[OPC345]

Schedule 5, page 253, line 13, after “satisfied” insert “on the balance of probabilities”

Member's explanatory statement

This amendment spells out, on the face of the Bill, that “satisfied” here means satisfied on the balance of probabilities

LORD HANSON OF FLINT

[OPC671]

Schedule 5, page 253, line 32, leave out “, in England and Wales,”

Member's explanatory statement

This amendment is consequential on my amendment to Schedule 5, page 253, line 33.

LORD HANSON OF FLINT

[OPC776]

Schedule 5, page 253, line 33, at end insert “(as it has effect in England and Wales), or

- (ii) doing anything in Scotland or Northern Ireland that would constitute an offence under that section (as it has effect in England and Wales) if done in England and Wales.”

Member's explanatory statement

This amendment expands the meaning of “engaging in child criminal exploitation” in the provisions about child criminal exploitation prevention orders in England and Wales, to encompass anything done anywhere in the UK that would be an offence under clause 40 if done in England and Wales.

LORD HANSON OF FLINT

[OPC777]

Schedule 5, page 253, leave out lines 36 and 37 and insert “, in any part of the United Kingdom, that is associated with the doing of anything within paragraph (a)(i) or (ii).”

Member's explanatory statement

This amendment changes the meaning of “engaging in conduct associated with child criminal exploitation” in the provisions about child criminal exploitation prevention orders in England and Wales, to encompass anything done anywhere in the UK.

LORD HANSON OF FLINT

[OPC789]

Schedule 5, page 255, line 20, leave out from “made” to “giving” in line 25 and insert “—

- (a) by attending at an appropriate police station and”

Member's explanatory statement

This amendment is related to my amendments to Schedule 5, page 255, line 27.

LORD HANSON OF FLINT

[OPC790]

Schedule 5, page 255, line 27, at end insert “, or —

- (b) in a way specified in the CCE prevention order.”

Member's explanatory statement

This amendment allows for notifications to be made in a way specified in the CCE prevention order. This is likely to be used to provide for notifications other than in person when the offender lives outside England and Wales in cases where in person notification is considered unreasonable.

LORD HANSON OF FLINT

[OPC791]

Schedule 5, page 255, line 27, at end insert —

- “(5A) An “appropriate police station” is a police station in the police area in which —
 - (a) the offender’s home address is situated, or
 - (b) the court which made the order is situated.”

Member's explanatory statement

This amendment is related to my amendment to Schedule 5, page 255, line 20 and my other amendment to Schedule 5, page 255, line 27.

LORD HANSON OF FLINT

[OPC672]

Schedule 5, page 255, line 31, leave out “England and Wales” and insert “the United Kingdom”

Member's explanatory statement

This amendment, together with my other amendment to this paragraph, changes the meaning of “home address” so that the home address of the subject of a CCE prevention order made on conviction in England and Wales may be anywhere in the UK.

LORD HANSON OF FLINT

[OPC673]

Schedule 5, page 255, line 33, leave out “England or Wales” and insert “the United Kingdom”

Member's explanatory statement

This amendment, together with my other amendment to this paragraph, changes the meaning of “home address” so that the home address of the subject of a CCE prevention order made on conviction in England and Wales may be anywhere in the UK.

LORD HANSON OF FLINT

[OPC613]

After Schedule 5, insert the following new Schedule –

“SCHEDULE

CCE PREVENTION ORDERS: SCOTLAND

Power to make CCE prevention order

- 1 (1) This paragraph applies if –
 - (a) the Chief Constable of the Police Service of Scotland, in accordance with paragraph 3, makes an application to a sheriff for a CCE prevention order in respect of a person,
 - (b) the Sheriff Appeal Court or the High Court allows a person’s appeal against a conviction for any offence,
 - (c) a person is acquitted of any offence by or before a court by reason of the special defence set out in section 51A of the Criminal Procedure (Scotland) Act 1995,
 - (d) a court finds under section 53F of the Criminal Procedure (Scotland) Act 1995 that a person is unfit for trial and has done the act charged against them in respect of any offence, or
 - (e) a court deals with a person convicted of an offence for that offence.
- (2) The court may make an order under paragraph 2 (a “CCE prevention order”) in respect of the person (“the adult”) if they are aged 18 or over and the conditions in sub-paragraphs (3) to (5) are met.
- (3) The first condition is that –
 - (a) in any case, the court is satisfied on the balance of probabilities that the adult has engaged in child criminal exploitation or in conduct associated with child criminal exploitation, or
 - (b) in a case within paragraph (c), (d) or (e) of sub-paragraph (1), the offence in question is an offence under section 40.
- (4) The second condition is that the court considers that there is a risk that the adult will engage in child criminal exploitation.
- (5) The third condition is that the court considers that it is necessary to make the order to prevent the adult from engaging, or reduce the likelihood of the adult engaging, in child criminal exploitation.

- (6) In sub-paragraph (3) –
 - (a) in paragraph (a), the reference to engaging in anything includes engaging in it before (as well as after) the time when this paragraph comes into force;
 - (b) paragraph (b) applies in relation to findings made in respect of conduct occurring before (as well as after) that time.
- (7) In this paragraph –
 - (a) a reference to an adult “engaging in child criminal exploitation” is to the adult –
 - (i) doing anything that constitutes an offence under section 40 (as it has effect in Scotland), or
 - (ii) doing anything in England and Wales or Northern Ireland that would constitute an offence under section 40 (as it has effect in Scotland) if done in Scotland;
 - (b) a reference to an adult “engaging in conduct associated with child criminal exploitation” is to the adult doing anything, in any part of the United Kingdom, that is associated with the doing of anything within paragraph (a)(i) or (ii).

CCE prevention orders

- 2 (1) A CCE prevention order is an order which –
 - (a) prohibits the adult from doing anything described in the order;
 - (b) requires that adult to do anything described in the order.

The order may in particular require the adult to comply with paragraph 6 (notification requirements).
- (2) A court may include a prohibition or requirement only if it considers it necessary for the purpose of preventing the adult from engaging, or reducing the likelihood of the adult engaging, in child criminal exploitation.
- (3) Prohibitions and requirements must, so far as practicable, be such as to avoid –
 - (a) any conflict with any religious beliefs of the adult;
 - (b) any interference with the times, if any, at which the adult normally works or attends any educational establishment;
 - (c) any conflict with the prohibitions and requirements of any other court order or interdict to which the adult is subject.
- (4) A prohibition or requirement applies throughout the United Kingdom unless expressly limited to a particular area.
- (5) A CCE prevention order must –
 - (a) specify the period for which it has effect, which must be at least two years, or
 - (b) state that it has effect until further order.
- (6) Where, in a case within paragraph 1(1)(e) –
 - (a) the adult has been remanded in custody by an order of a court, or
 - (b) a custodial sentence has been imposed on the adult or the adult is serving or otherwise subject to a such a sentence,

a CCE prevention order may provide that it does not take effect until the adult is released from custody.

- (7) A CCE prevention order may specify periods for which particular prohibitions or requirements have effect.
- (8) Where a court makes a CCE prevention order in respect of a person who is already subject to such an order, the earlier order ceases to have effect.

Applications for CCE prevention orders

- 3 (1) The Chief Constable of the Police Service of Scotland may make an application for a CCE prevention order.
- (2) An application under this paragraph must be made to the sheriff in whose sheriffdom –
 - (a) the adult lives, or
 - (b) the Chief Constable of the Police Service of Scotland believes that adult is in or is intending to come to.

Interim CCE prevention orders

- 4 (1) This paragraph applies where the sheriff adjourns the hearing of an application for a CCE prevention order made under paragraph 3.
- (2) The sheriff may, if they consider it necessary to do so, make a CCE prevention order lasting for a fixed period or until the determination of the application (an “interim CCE prevention order”).
Paragraph 2(5) does not apply in relation to an interim CCE prevention order.
- (3) The only requirement that may be imposed by an interim CCE prevention order on the adult is a requirement to comply with paragraph 6 (notification requirements).
- (4) Subject to that, the sheriff has the same powers in relation to an interim CCE prevention order as in relation to an order made at a final hearing.
- (5) Nothing in sub-paragraph (2) prevents the variation of the duration of an interim CCE prevention order, or the discharge of such an order, under paragraph 7.

CCE prevention orders in criminal proceedings: procedural powers

- 5 (1) This paragraph applies in the circumstances mentioned in sub-paragraph (1)(b), (c), (d) or (e) of paragraph 1.
- (2) The court may make a CCE prevention order –
 - (a) at its own instance, or
 - (b) on the motion of the Lord Advocate, Crown Counsel or procurator fiscal (or any person duly authorised to represent or act for them).
- (3) For the purpose of deciding whether to make a CCE prevention order, the court may consider evidence led by the prosecution and evidence led by the adult.

- (4) It does not matter whether the evidence would have been admissible in the proceedings giving rise to the circumstances referred to in sub-paragraph (1).
- (5) The court may adjourn any proceedings relating to the making of a CCE prevention order.
- (6) If the adult does not appear for any adjourned proceedings, the court may –
 - (a) further adjourn the proceedings,
 - (b) issue a warrant for the adult's arrest, or
 - (c) hear the proceedings in the adult's absence.
- (7) The court may act under sub-paragraph (6)(b) only if satisfied that the adult has had adequate notice of the time and place of the adjourned proceedings.
- (8) The court may act under sub-paragraph (6)(c) only if satisfied that the adult –
 - (a) has had adequate notice of the time and place of the adjourned proceedings, and
 - (b) has been informed that if the adult does not appear for those proceedings, the court may hear the proceedings in the adult's absence.
- (9) Nothing in this paragraph limits any other powers of the court.

Notification requirements

- 6 (1) This paragraph applies where a CCE prevention order requires the adult to comply with this paragraph.
- (2) Before the end of the period of three days beginning with the day on which a CCE prevention order requiring the adult to comply with this paragraph is first served, the adult must notify to the police –
 - (a) the adult's name and, where the adult uses one or more other names, each of those names, and
 - (b) the adult's home address.
- (3) If, while the adult is required to comply with this paragraph, the adult –
 - (a) uses a name which has not been notified under the order, or
 - (b) changes home address,
 the adult must notify, to the police, the new name or the new home address.
- (4) A notification under sub-paragraph (3) must be given before the end of the period of three days beginning with the day on which the adult uses the name or changes home address.
- (5) A notification under this paragraph must be made –
 - (a) by attending at a police station for the time being specified in the document published under sub-paragraph (6) and giving an oral notification to a constable, or to a person authorised for the purpose by the officer in charge of the station, or
 - (b) in a way specified in the CCE prevention order.

- (6) The Chief Constable of the Police Service of Scotland must publish, in such manner as the Chief Constable thinks fit, a document containing the name and address of each police station at which a person may give a notification under this paragraph.
- (7) The Chief Constable of the Police Service of Scotland must keep under review a document published under this paragraph and may, from time to time, publish a revised version of the document in such manner as the Chief Constable thinks fit.
- (8) A notification under this paragraph must be acknowledged in writing.
- (9) In this paragraph “home address” means –
 - (a) the address of the adult’s sole or main residence in the United Kingdom, or
 - (b) where the adult has no such residence, the address or location of a place in the United Kingdom where the adult can regularly be found and, if there is more than one such place, such one of those places as the adult may select.
- (10) In determining the period of three days mentioned in sub-paragraph (2) or (4), no account is to be taken of any time when the adult is –
 - (a) lawfully detained or otherwise lawfully deprived of their liberty, in the United Kingdom, or
 - (b) outside the United Kingdom.

Variation and discharge of CCE prevention orders made on application

- 7 (1) This paragraph applies where a person mentioned in sub-paragraph (2) applies to the appropriate sheriff for the variation or discharge of a CCE prevention order made in the circumstances mentioned in paragraph 1(1)(a).
- (2) The persons are –
 - (a) the adult;
 - (b) the Chief Constable of the Police Service of Scotland.
- (3) On the application, the appropriate sheriff may (after hearing from the applicant and, if the other person mentioned in sub-paragraph (2) wishes to be heard, that person) make any order varying or discharging the order that the appropriate sheriff considers appropriate.
This is subject to sub-paragraph (7).
- (4) The power to vary an order includes power to –
 - (a) include an additional prohibition or requirement;
 - (b) extend the period for which a prohibition or requirement has effect;
 - (c) extend the period for which the order has effect.
- (5) The appropriate sheriff may make provision of a kind mentioned in sub-paragraph (4) only if they consider that the provision is necessary to prevent the adult from engaging, or reduce the likelihood of the adult engaging, in child criminal exploitation.
- (6) Sub-paragraphs (3), (4) and (7) of paragraph 2 apply to additional prohibitions or requirements included on a variation of an order.

- (7) The appropriate sheriff may not discharge an order before the end of the period of two years beginning with the day on which the order was made, without the consent of the adult and the Chief Constable of the Police Service of Scotland.

This sub-paragraph does not apply to an interim CCE prevention order.

- (8) In this paragraph “the appropriate sheriff” means –
- (a) the sheriff who made the order,
 - (b) a sheriff in the sheriffdom of that sheriff, or
 - (c) a sheriff in the sheriffdom –
 - (i) in which the adult is resident at the time of the application,
 - (ii) in which the chief constable believes that adult to be, or
 - (iii) to which the chief constable believes that adult intends to come.

Variation and discharge of CCE prevention orders made in criminal proceedings

- 8 (1) This paragraph applies where a person mentioned in sub-paragraph (2) applies to a relevant court for the variation or discharge of a CCE prevention order made in the circumstances mentioned in sub-paragraph (1)(b), (c), (d) or (e) of paragraph 1.

- (2) The persons are –
- (a) the adult;
 - (b) the Lord Advocate, Crown Counsel or procurator fiscal (and any person duly authorised to represent or act for them).

- (3) On the application, the court may (after hearing from the applicant and, if the other person mentioned in sub-paragraph (2) wishes to be heard, that person) make any order varying or discharging the order that the court considers appropriate.

This is subject to sub-paragraph (7).

- (4) The power to vary an order includes power to –
- (a) include an additional prohibition or requirement;
 - (b) extend the period for which a prohibition or requirement has effect;
 - (c) extend the period for which the order has effect.

- (5) The court may make provision of a kind mentioned in sub-paragraph (4) only if it considers that the provision is necessary to prevent the adult from engaging, or reduce the likelihood of the adult engaging, in child criminal exploitation.

- (6) Sub-paragraphs (3), (4) and (7) of paragraph 2 apply to additional prohibitions or requirements included on a variation of an order.

- (7) The court may not discharge an order before the end of the period of two years beginning with the day on which the order was made, without the consent of the adult and the Chief Constable of the Police Service of Scotland.

This sub-paragraph does not apply to an interim CCE prevention order.

- (8) In this paragraph “relevant court” means –
- (a) where the High Court made the order, that court;
 - (b) where the sheriff made the order, the sheriff.

Appeals

- 9 (1) The adult or the Chief Constable of the Police Service of Scotland may appeal to the relevant court against a decision made –
- (a) on an application under paragraph 3 (applications for CCE prevention orders);
 - (b) under paragraph 4 (interim CCE prevention orders);
 - (c) on an application under paragraph 7 (variation and discharge of CCE prevention orders made on application);
 - (d) on an application under paragraph 8 (variation and discharge of CCE prevention orders made in criminal proceedings).
- (2) In this paragraph “relevant court” means –
- (a) in the case of a decision of a sheriff court, the Sheriff Appeal Court;
 - (b) in the case of a decision of the High Court, the High Court.
- (3) On an appeal under sub-paragraph (1) the relevant court may make –
- (a) such orders as may be necessary to give effect to its determination of the appeal, and
 - (b) such incidental and consequential orders as appear to it to be appropriate.
- (4) Where a CCE prevention order is made by virtue of sub-paragraph (1)(b), (c), (d) or (e) of paragraph 1, the order is taken to be a sentence for the purposes of any appeal.
- (5) Where a CCE prevention order is made on appeal, for the purposes of this Schedule (other than this paragraph) the order is to be treated as made by the court from which the appeal was made.

Offence of breaching CCE prevention order

- 10 (1) A person who, without reasonable excuse, fails to comply with an order mentioned in sub-paragraph (2) commits an offence.
- (2) The orders are –
- (a) a CCE prevention order;
 - (b) a CCE prevention order under Chapter 1 of Part 4 (CCE prevention orders on application or acquittal etc. in England and Wales);
 - (c) a CCE prevention order under Chapter 2A of Part 11 of the Sentencing Code (CCE prevention orders on conviction in England and Wales);
 - (d) a CCE prevention order under Schedule (CCE prevention orders: Northern Ireland) (CCE prevention orders in Northern Ireland).
- (3) A person who commits an offence under this paragraph is liable –
- (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine (or both).
- (4) The Scottish Ministers may by regulations amend sub-paragraph (2) so as to add to or remove from the list of orders any relevant UK order.

- (5) In proceedings for an offence under this paragraph, a copy of the original order mentioned in sub-paragraph (2), certified by the proper officer of the court that made it, is admissible as evidence of its having been made and of its contents to the same extent that oral evidence of those matters is admissible in those proceedings.
- (6) “Relevant UK order” means an order under the law of England and Wales or Northern Ireland which appears to the Scottish Ministers to be equivalent or similar to a CCE prevention order.

Offences relating to notifications

- 11 (1) This paragraph applies where a CCE prevention order requires a person to comply with paragraph 6 (notification requirements).
- (2) The person commits an offence if –
 - (a) without reasonable excuse, they fail to comply with that paragraph, or
 - (b) in purported compliance with that paragraph, they notify to the police any information which they know to be false.
- (3) A person who commits an offence under this paragraph is liable –
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine (or both).
- (4) A person commits an offence under sub-paragraph (2)(a) on the day on which they first fail, without reasonable excuse, to comply with paragraph 6.
- (5) The person continues to commit the offence throughout any period during which the failure continues.
- (6) But the person may not be prosecuted more than once in respect of the same failure.
- (7) Paragraph 10(5) applies for the purposes of this paragraph.

Interpretation

- 12 In this Schedule –
 - “adult” has the meaning given by paragraph 1;
 - “CCE prevention order”, except in paragraph 10(2)(b) to (d), means an order under paragraph 2 (and accordingly includes an interim order made by virtue of paragraph 4);
 - “engaging in child criminal exploitation” has the meaning given by paragraph 1 (and related expressions are to be construed accordingly);
 - “High Court” means the High Court of Justiciary.”

Member's explanatory statement

This amendment inserts a new Schedule about CCE prevention orders in Scotland.

[OPC659]

After Schedule 5, insert the following new Schedule –

“SCHEDULE

CCE PREVENTION ORDERS: NORTHERN IRELAND

Power to make CCE prevention order

- 1 (1) This paragraph applies if –
 - (a) an application for a CCE prevention order in respect of a person is made to a magistrates’ court, in accordance with paragraph 3,
 - (b) a person is acquitted of any offence by or before a court,
 - (c) the County Court allows a person’s appeal against a conviction for any offence,
 - (d) a court deals with a person in respect of a finding that –
 - (i) the person is not guilty of any offence by reason of insanity, or
 - (ii) the person is unfit to plead and has done the act charged against them in respect of any offence, or
 - (e) a court deals with a person convicted of an offence for that offence.
- (2) The court may make an order under paragraph 2 (a “CCE prevention order”) in respect of the person (“the defendant”) if they are aged 18 or over and the conditions in sub-paragraphs (3) to (5) are met.
- (3) The first condition is that –
 - (a) in any case, the court is satisfied on the balance of probabilities that the defendant has engaged in child criminal exploitation or in conduct associated with child criminal exploitation, or
 - (b) in a case within paragraph (d) or (e) of sub-paragraph (1), the offence in question is an offence under section 40.
- (4) The second condition is that the court considers that there is a risk that the defendant will engage in child criminal exploitation.
- (5) The third condition is that the court considers that it is necessary to make the order to prevent the defendant from engaging, or reduce the likelihood of the defendant engaging, in child criminal exploitation.
- (6) In sub-paragraph (3) –
 - (a) in paragraph (a), the reference to engaging in anything includes engaging in it before (as well as after) the time when this paragraph comes into force;
 - (b) paragraph (b) applies in relation to findings made in respect of conduct occurring before (as well as after) that time.
- (7) In this paragraph –
 - (a) a reference to the defendant “engaging in child criminal exploitation” is to the defendant –
 - (i) doing anything that constitutes an offence under section 40 (as it has effect in Northern Ireland), or

- (ii) doing anything in England and Wales or Scotland that would constitute an offence under section 40 (as it has effect in Northern Ireland) if done in Northern Ireland;
- (b) a reference to the defendant “engaging in conduct associated with child criminal exploitation” is to the adult doing anything, in any part of the United Kingdom, that is associated with the doing of anything within paragraph (a)(i) or (ii).

CCE prevention orders

- 2 (1) A CCE prevention order is an order which –
 - (a) prohibits the defendant from doing anything described in the order;
 - (b) requires the defendant to do anything described in the order.

The order may in particular require the defendant to comply with paragraph 7 (notification requirements).
- (2) A court may include a prohibition or requirement only if it considers it necessary for the purpose of preventing the defendant from engaging, or reducing the likelihood of the defendant engaging, in child criminal exploitation.
- (3) Prohibitions and requirements must, so far as practicable, be such as to avoid –
 - (a) any conflict with any religious beliefs of the defendant;
 - (b) any interference with the times, if any, at which the defendant normally works or attends any educational establishment;
 - (c) any conflict with the prohibitions and requirements of any other court order or injunction to which the defendant is subject.
- (4) A prohibition or requirement applies throughout the United Kingdom unless expressly limited to a particular area.
- (5) A CCE prevention order must –
 - (a) specify the period for which it has effect, which must be –
 - (i) at least five years in a case within paragraph 1(1)(e);
 - (ii) at least two years in any other case, or
 - (b) state that it has effect until further order.
- (6) Where, in a case within paragraph 1(1)(e) –
 - (a) the defendant has been remanded in or committed to custody by an order of a court, or
 - (b) a custodial sentence has been imposed on the defendant or the defendant is serving or otherwise subject to a such a sentence,

a CCE prevention order may provide that it does not take effect until the defendant is released from custody or ceases to be subject to a custodial sentence.
- (7) A CCE prevention order may specify periods for which particular prohibitions or requirements have effect.
- (8) Where a court makes a CCE prevention order in respect of a defendant who is already subject to such an order, the earlier order ceases to have effect.

Applications for CCE prevention orders

- 3 An application for a CCE prevention order may be made by the Chief Constable of the Police Service of Northern Ireland.

Applications without notice

- 4 (1) An application for a CCE prevention order may be made without notice to the defendant.
- (2) If an application is made without notice the court must do one of the following –
- (a) adjourn the proceedings and make an interim CCE prevention order (see paragraph 5);
- (b) adjourn the proceedings without making an interim order;
- (c) dismiss the application.

Interim CCE prevention orders

- 5 (1) This paragraph applies where the court adjourns the hearing of an application (whether made with or without notice) for a CCE prevention order.
- (2) The court may, if it considers it necessary to do so, make a CCE prevention order lasting for a fixed period or until the determination of the application (an “interim CCE prevention order”). Paragraph 2(5) does not apply in relation to an interim CCE prevention order.
- (3) The only requirement that may be imposed by an interim CCE prevention order on the defendant is a requirement to comply with paragraph 7 (notification requirements).
- (4) Subject to that, the court has the same powers in relation to an interim CCE prevention order as in relation to an order made at a final hearing.
- (5) An interim CCE prevention order made at a hearing of which the defendant was not given notice takes effect on being served on the defendant.
- (6) Nothing in sub-paragraph (2) prevents the variation of the duration of an interim CCE prevention order, or the discharge of such an order, under paragraph 8.

Procedural powers where no application made

- 6 (1) This paragraph applies in the circumstances mentioned in sub-paragraph (1)(b), (c), (d) or (e) of paragraph 1.
- (2) For the purpose of deciding whether to make a CCE prevention order, the court may consider evidence led by the prosecution and evidence led by the defendant.
- (3) It does not matter whether the evidence would have been admissible in the proceedings giving rise to the circumstances referred to in sub-paragraph (1).
- (4) The court may adjourn any proceedings relating to the making of a CCE prevention order.

- (5) If the defendant does not appear for any adjourned proceedings, the court may –
 - (a) further adjourn the proceedings,
 - (b) issue a warrant for the defendant’s arrest, or
 - (c) hear the proceedings in the defendant’s absence.
- (6) The court may act under sub-paragraph (5)(b) only if satisfied that the defendant has had adequate notice of the time and place of the adjourned proceedings.
- (7) The court may act under sub-paragraph (5)(c) only if satisfied that the defendant –
 - (a) has had adequate notice of the time and place of the adjourned proceedings, and
 - (b) has been informed that if the defendant does not appear for those proceedings, the court may hear the proceedings in the defendant’s absence.
- (8) Nothing in this paragraph limits any other powers of the court.

Notification requirements

- 7 (1) This paragraph applies where a CCE prevention order requires the defendant to comply with this paragraph.
- (2) Before the end of the period of three days beginning with the day on which a CCE prevention order requiring the defendant to comply with this paragraph is first served, the defendant must notify to the police –
 - (a) the defendant’s name and, where the defendant uses one or more other names, each of those names, and
 - (b) the defendant’s home address.
- (3) If, while the defendant is required to comply with this paragraph, the defendant –
 - (a) uses a name which has not been notified under the order, or
 - (b) changes home address,
 the defendant must notify, to the police, the new name or the new home address.
- (4) A notification under sub-paragraph (3) must be given before the end of the period of three days beginning with the day on which the defendant uses the name or changes home address.
- (5) A notification under this paragraph is made –
 - (a) by attending at any police station in Northern Ireland and giving an oral notification to a constable, or to a person authorised for the purpose by the officer in charge of the station, or
 - (b) in a way specified in the CCE prevention order.
- (6) A notification under this paragraph must be acknowledged in writing.
- (7) In this paragraph “home address” means –
 - (a) the address of the defendant’s sole or main residence in the United Kingdom, or

- (b) where the defendant has no such residence, the address or location of a place in the United Kingdom where the defendant can regularly be found and, if there is more than one such place, such one of those places as the defendant may select.
- (8) In determining the period of three days mentioned in sub-paragraph (2) or (4), no account is to be taken of any time when the defendant is –
 - (a) lawfully detained or otherwise lawfully deprived of their liberty, in the United Kingdom, or
 - (b) outside the United Kingdom.

Variation and discharge of CCE prevention orders

- 8 (1) This paragraph applies where a person mentioned in sub-paragraph (2) applies to a relevant court for the variation or discharge of a CCE prevention order.
- (2) The persons are –
 - (a) the defendant;
 - (b) the Chief Constable of the Police Service of Northern Ireland.
- (3) On the application, the court may (after hearing from the applicant and any other person mentioned in sub-paragraph (2) who wishes to be heard) make any order varying or discharging the order that the court considers appropriate.
This is subject to sub-paragraph (7).
- (4) The power to vary an order includes power to –
 - (a) include an additional prohibition or requirement;
 - (b) extend the period for which a prohibition or requirement has effect;
 - (c) extend the period for which the order has effect.
- (5) The court may make provision of a kind mentioned in sub-paragraph (4) only if it considers that the provision is necessary to prevent the defendant from engaging, or reduce the likelihood of the defendant engaging, in child criminal exploitation.
- (6) Sub-paragraphs (3), (4) and (7) of paragraph 2 apply to additional prohibitions or requirements included on a variation of an order.
- (7) The court may not, without the consent of the defendant and the Chief Constable of the Police Service of Northern Ireland, discharge an order before the end of the period of –
 - (a) five years beginning with the day on which the order was made, in the case of an order made in the circumstances mentioned in paragraph 1(1)(e);
 - (b) two years beginning with the day on which the order was made, in any other case.

This sub-paragraph does not apply to an interim CCE prevention order.
- (8) In this paragraph “relevant court” means –
 - (a) where the Crown Court or Court of Appeal made the order, the Crown Court;
 - (b) in any other case, the magistrates’ court.

Appeals

- 9 (1) The defendant or the Chief Constable of the Police Service of Northern Ireland may appeal to the relevant court against a decision made –
- (a) on an application under paragraph 3 (applications for CCE prevention orders);
 - (b) under paragraph 5 (interim CCE prevention orders);
 - (c) on an application under paragraph 8 (variation and discharge of CCE prevention orders).
- (2) In this paragraph “relevant court” means –
- (a) in the case of a decision of the Crown Court, the Court of Appeal;
 - (b) in any other case, the County Court.
- (3) On an appeal under sub-paragraph (1) the relevant court may make –
- (a) such orders as may be necessary to give effect to its determination of the appeal, and
 - (b) such incidental and consequential orders as appear to it to be appropriate.
- (4) Where a CCE prevention order is made by virtue of sub-paragraph (1)(b), (c) or (d) of paragraph 1, the defendant may appeal against the making of the order (so far as they could not otherwise do) as if the defendant had been convicted of the offence and the order were a sentence passed on the defendant for the offence.
- (5) Where a CCE prevention order is made by virtue of sub-paragraph (1)(e) of paragraph 1, the defendant may appeal against the making of the order as if the order were a sentence passed on the defendant for the offence.
- (6) Where a CCE prevention order is made on appeal, for the purposes of this Schedule (other than this paragraph) the order is to be treated as made by the court from which the appeal was made.
- (7) Rules of court may provide that an appeal from a decision –
- (a) to dismiss an application for a CCE prevention order made without notice being given to the defendant, or
 - (b) to refuse to make an interim CCE prevention order when adjourning proceedings following such an application,
- may be made without notice being given to the defendant.

Offence of breaching CCE prevention order

- 10 (1) A person who, without reasonable excuse, fails to comply with an order mentioned in sub-paragraph (2) commits an offence.
- (2) The orders are –
- (a) a CCE prevention order;
 - (b) a CCE prevention order under Chapter 1 of Part 4 (CCE prevention orders on application or acquittal etc. in England and Wales);
 - (c) a CCE prevention order under Chapter 2A of Part 11 of the Sentencing Code (CCE prevention orders on conviction in England and Wales);

- (d) a CCE prevention order under Schedule (*CCE prevention orders: Scotland*) (CCE prevention orders in Scotland).
- (3) A person who commits an offence under this paragraph is liable –
 - (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine (or both).
- (4) Where a person is convicted of an offence under this paragraph, it is not open to the court by or before which the person is convicted to make, in respect of the offence, an order for conditional discharge.
- (5) In proceedings for an offence under this paragraph, a copy of the original order mentioned in sub-paragraph (2), certified by the proper officer of the court that made it, is admissible as evidence of its having been made and of its contents to the same extent that oral evidence of those matters is admissible in those proceedings.
- (6) The Department of Justice in Northern Ireland may by regulations amend sub-paragraph (2) so as to add to or remove from the list of orders any relevant UK order.
- (7) “Relevant UK order” means an order under the law of England and Wales or Scotland which appears to the Department of Justice to be equivalent or similar to a CCE prevention order.
- (8) In Article 4(1) of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24)) after “2015” insert “or paragraph 10 of Schedule (*CCE prevention orders: Northern Ireland*) to the Crime and Policing Act 2025”.

Offences relating to notifications

- 11 (1) This paragraph applies where a CCE prevention order requires a person to comply with paragraph 7 (notification requirements).
- (2) The person commits an offence if –
 - (a) without reasonable excuse, they fail to comply with that paragraph, or
 - (b) in purported compliance with that paragraph, they notify to the police any information which they know to be false.
- (3) A person who commits an offence under this paragraph is liable –
 - (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine (or both).
- (4) A person commits an offence under sub-paragraph (2)(a) on the day on which they first fail, without reasonable excuse, to comply with paragraph 7.
- (5) The person continues to commit the offence throughout any period during which the failure continues.
- (6) But the person may not be prosecuted more than once in respect of the same failure.

- (7) Paragraph 10(5) applies for the purposes of this paragraph.

Special measures for witnesses

- 12 (1) Part 2 of the Criminal Evidence (Northern Ireland) Order 1999 (S.I. 1999/2789 (N.I. 8))(special measures directions in the case of vulnerable and intimidated witnesses) applies to relevant proceedings under this Schedule as it applies to criminal proceedings, but with—
- (a) the omission of Articles 5(4) to (5), 9(4C)(e), 10A and 20 of that Order (which make provision appropriate only in the context of criminal proceedings), and
 - (b) any other necessary modifications.
- (2) Rules of court made under or for the purposes of Part 2 of that Order apply to relevant proceedings under this Schedule—
- (a) to the extent provided by rules of court, and
 - (b) subject to any modifications provided by rules of court.
- (3) In this paragraph “relevant proceedings under this Schedule” means any proceedings under this Schedule except proceedings relating to an offence under paragraph 10 or 11.

Interpretation and supplementary provision

- 13 (1) In this Schedule—
- “CCE prevention order”, except in paragraph 10(2)(b) to (d), means an order under paragraph 2 (and accordingly includes an interim order made by virtue of paragraph 5);
 - “defendant” has the same meaning as in paragraph 1;
 - “engaging in child criminal exploitation” has the meaning given by paragraph 1 (and related expressions are to be construed accordingly).
- (2) An application under this Schedule is to be made—
- (a) by complaint, where the application is made to a magistrates’ court;
 - (b) in accordance with rules of court, in any other case.
- (3) Article 78 of the Magistrates’ Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))(time limit for civil complaints) does not apply to a complaint under this Schedule.
- (4) On the hearing of an application under this Schedule, Article 118 of that Order (summons to witness and warrant for arrest) does not apply in relation to any person for whose protection the order is sought, except where the person has given oral or written evidence at the hearing.”

Member's explanatory statement

This amendment inserts a new Schedule about CCE prevention orders in Northern Ireland.

LORD HANSON OF FLINT

[OPC457]

Schedule 6, page 262, line 6, leave out from “under” to end and insert “any of the following provisions of this Act –

- (a) section 40 (child criminal exploitation);
- (b) section 59 (causing internal concealment of item for criminal purpose).”

Member's explanatory statement

This amendment adds the offence of causing internal concealment of an item for a criminal purpose, created by this Bill, to the list of offences that are relevant offences in England and Wales for the purpose of the offence of control over another's home for criminal purposes (clause 56).

LORD HANSON OF FLINT

[OPC445]

Schedule 6, page 264, line 7, at end insert –

“38A An offence under section 40 of this Act (child criminal exploitation).”

Member's explanatory statement

This amendment adds the offence of child criminal exploitation, created by this Bill, to the list of offences that are relevant offences in Scotland for the purpose of the offence of control over another's home for criminal purposes (clause 56).

LORD HANSON OF FLINT

[OPC446]

Schedule 6, page 265, line 39, at end insert –

“58A An offence under section 40 of this Act (child criminal exploitation).”

Member's explanatory statement

This amendment adds the offence of child criminal exploitation, created by this Bill, to the list of offences that are relevant offences in Northern Ireland for the purpose of the offence of control over another's home for criminal purposes (clause 56).

LORD HANSON OF FLINT

[OPC444]

Clause 57, page 71, line 29, at end insert –

“(4A) The circumstances in which A exercises control over B's dwelling include circumstances where –

- (a) A arranges for another person (C) to exercise control over B's dwelling (including by exercising control over any of the matters mentioned in subsection (4)), and
- (b) C does exercise that control.”

Member's explanatory statement

This amendment makes it clear that control over another's dwelling may be via another person, for the purposes of the offence in clause 56.

LORD HANSON OF FLINT

[OPC660]

Clause 61, page 75, line 10, at end insert –

“(c) CCE prevention orders under Schedule (CCE prevention orders: Northern Ireland).”

Member's explanatory statement

This amendment gives a power to the Department of Justice in Northern Ireland to issue guidance to the Chief Constable of the Police Service of Northern Ireland about the new CCE prevention orders for Northern Ireland.

BARONESS LEVITT

[OPC730]

After Clause 84, insert the following new Clause –

“Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland

(1) After section 67 of the Criminal Justice and Immigration Act 2008 insert –

“67A Possession or publication of pornographic images of strangulation or suffocation

- (1) It is an offence for a person to be in possession of an image if –
 - (a) the image is pornographic, within the meaning of section 63,
 - (b) the image portrays, in an explicit and realistic way, a person strangling or suffocating another person, and
 - (c) a reasonable person looking at the image would think that the persons were real.
- (2) It is an offence for a person to publish an image of the kind mentioned in subsection (1).
- (3) Publishing an image includes giving or making it available to another person by any means.
- (4) Subsections (1) and (2) do not apply to excluded images, within the meaning of section 64.
- (5) In this section “image” has the same meaning as in section 63.
- (6) Proceedings for an offence under this section may not be instituted –
 - (a) in England and Wales, except by or with the consent of the Director of Public Prosecutions;
 - (b) in Northern Ireland, except by or with the consent of the Director of Public Prosecutions for Northern Ireland.

67B Defences to offences under section 67A

- (1) Where a person is charged with an offence under section 67A(1), it is a defence for the person to prove any of the matters mentioned in subsection (2).
- (2) The matters are –
 - (a) that the person had a legitimate reason for being in possession of the image concerned;
 - (b) that the person had not seen the image concerned and did not know, nor had any cause to suspect, it to be an image of the kind mentioned in section 67A(1);
 - (c) that the person –
 - (i) was sent the image concerned without any prior request having been made by or on behalf of the person, and
 - (ii) did not keep it for an unreasonable time;
 - (d) that the person directly participated in the act portrayed and the act did not involve the infliction of any non-consensual harm on any person.
- (3) Where a person is charged with an offence under section 67A(2), it is a defence for the person to prove any of the matters mentioned in subsection (4).
- (4) The matters are –
 - (a) that the person had a legitimate reason for publishing the image concerned to the persons to whom they published it;
 - (b) that the person had not seen the image concerned and did not know, nor had any cause to suspect, it to be an image of the kind mentioned in section 67A(1);
 - (c) that the person directly participated in the act portrayed, the act did not involve the infliction of any non-consensual harm on any person, and the person only published the image to other persons who directly participated.
- (5) In this section “non-consensual harm” has the same meaning as in section 66.

67C Penalties for offences under section 67A

- (1) A person who commits an offence under section 67A(1) is liable –
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
 - (b) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine (or both);
 - (c) on conviction on indictment in England and Wales or Northern Ireland, to imprisonment for a term not exceeding two years or a fine (or both).
- (2) A person who commits an offence under section 67A(2) is liable –

- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
- (b) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine (or both);
- (c) on conviction on indictment in England and Wales or Northern Ireland, to imprisonment for a term not exceeding five years or a fine (or both).

67D Possession of extreme pornographic images: alternative verdict in magistrates' court

If on the trial of a person charged with an offence under section 63 a magistrates' court finds the person not guilty of the offence charged, the magistrates' court may find the person guilty of an offence under section 67A(1)."

- (2) In section 68 of that Act (special rules relating to providers of information society services) for "section 63" substitute "sections 63 and 67A".
- (3) In Schedule 14 to that Act (special rules relating to providers of information society services) –
 - (a) in paragraphs 3(1), 4(2) and 5(1) after "63" insert "or 67A";
 - (b) in paragraph 5(2) –
 - (i) after "possession" insert "or publication";
 - (ii) for "an offence under section 63" substitute "the offence in question".
- (4) In Schedule 34A to the Criminal Justice Act 2003 (child sex offences for purposes of section 327A), after paragraph 13 insert –

"13ZA An offence under section 67A of that Act (possession or publication of pornographic images of strangulation or suffocation) in relation to an image showing a person under 18."
- (5) In Schedule 7 to the Online Safety Act 2023 (priority offences), in paragraph 29 –
 - (a) for "section 63" substitute "any of the following provisions";
 - (b) for the words in brackets substitute –
 - “(a) section 63 (possession of extreme pornographic images);
 - (b) section 67A (possession or publication of pornographic images of strangulation or suffocation)”.

Member's explanatory statement

This amendment makes it an offence in England and Wales and Northern Ireland to possess or publish a pornographic image that portrays strangulation (often referred to as “choking porn”) or suffocation.

[OPC770]

After Clause 84, insert the following new Clause —

“Pornographic images of strangulation or suffocation: Scotland

- (1) After section 51C of the Civic Government (Scotland) Act 1982 insert —

“51D Pornographic images of strangulation or suffocation

- (1) It is an offence for a person to be in possession of an image if —
 - (a) the image is pornographic, within the meaning of section 51A,
 - (b) the image depicts, in an explicit and realistic way, a person strangling or suffocating another person, and
 - (c) a reasonable person looking at the image would think that the persons were real.
- (2) It is an offence for a person to publish an image of the kind mentioned in subsection (1).
- (3) Publishing an image includes giving or making it available to another person by any means.
- (4) Subsections (1) and (2) do not apply to excluded images, within the meaning of section 51B.
- (5) In this section “image” is to be construed in accordance with section 51A.

51E Defences to offences under section 51D

- (1) Where a person is charged with an offence under section 51D(1), it is a defence for the person to prove any of the matters mentioned in subsection (2).
- (2) The matters are —
 - (a) that the person had a legitimate reason for being in possession of the image concerned;
 - (b) that the person had not seen the image concerned and did not know, nor had any cause to suspect, it to be an image of the kind mentioned in section 51D(1);
 - (c) that the person —
 - (i) was sent the image concerned without any prior request having been made by or on behalf of the person, and
 - (ii) did not keep it for an unreasonable time;
 - (d) that the person directly participated in the act depicted and the act did not actually involve strangulation or suffocation of any person.
- (3) Where a person is charged with an offence under section 51D(2), it is a defence for the person to prove any of the matters mentioned in subsection (4).

- (4) The matters are –
 - (a) that the person had a legitimate reason for publishing the image concerned to the persons to whom they published it;
 - (b) that the person had not seen the image concerned and did not know, nor had any cause to suspect, it to be an image of the kind mentioned in section 51D(1);
 - (c) that the person directly participated in the act depicted, the act did not actually involve strangulation or suffocation of any person, and the person only published the image to other persons who directly participated.

51F Penalties for offences under section 51D

- (1) A person who commits an offence under section 51D(1) is liable –
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both).
- (2) A person who commits an offence under section 51D(2) is liable –
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine (or both).

51G Possession of extreme pornographic images: alternative verdict

If on the trial of a person charged with an offence under section 51A a court finds the person not guilty of the offence charged, the court may find the person guilty of an offence under section 51D(1)."

- (2) In the Extreme Pornography (Electronic Commerce Directive) (Scotland) Regulations 2011 (S.S.I. 2011/137) –
 - (a) in regulation 2(1), in the definition of "relevant offence" –
 - (i) after "51A" insert "(extreme pornography) or 51D (pornographic images of strangulation or suffocation)";
 - (ii) after "Act" omit "(extreme pornography)";
 - (b) in regulation 3(1) and (3) for "a relevant offence" substitute "an offence under section 51A of the 1982 Act";
 - (c) in regulation 6(2) –
 - (i) after "possession" insert "or publication";
 - (ii) for "a relevant offence" substitute "the relevant offence in question".

Member's explanatory statement

This amendment makes it an offence in Scotland to possess or publish a pornographic image that depicts strangulation (often referred to as "choking porn") or suffocation.

BARONESS LEVITT

[OPC341]

Schedule 9, page 275, line 38, at end insert –

“6A In section 66H (time limits for prosecuting summary offences) –

- (a) in subsection (1), for “under section 66E or 66F” substitute “to which this section applies”;
- (b) after subsection (1) insert –

“(1A) This section applies to offences under –

- (a) section 66AA(1);
- (b) section 66AC(1);
- (c) section 66B(1);
- (d) section 66E;
- (e) section 66F.”;
- (c) for the heading substitute “Intimate images: time limit for prosecution of summary offences”.

Member's explanatory statement

This amendment extends the time limit for prosecuting the summary only offences in existing section 66B(1) of the Sexual Offences Act 2003, and new sections 66AA(1) and 66AC(1) (added by Schedule 9 to the Bill).

BARONESS LEVITT

[OPC719]

Schedule 9, page 278, line 24, leave out sub-paragraph (2)

Member's explanatory statement

My amendments to Schedule 9 paragraph 18 amend section 177DA of the Armed Forces Act to add the provision the Bill currently inserts as section 177DZA. They also provide for images of breastfeeding recorded in circumstances which constitute an offence under section 67A(2B) of the Sexual Offences Act 2003 to be subject to deprivation orders.

BARONESS LEVITT

[OPC720]

Schedule 9, page 278, line 38, at end insert –

“(za) in the heading, omit “Purported”;

Member's explanatory statement

See my amendment to Schedule 9, page 278, line 24.

BARONESS LEVITT

[OPC721]

Schedule 9, page 279, line 1, leave out from “for” to end of line and insert “the words from “section 66E” to the end substitute “a provision of the Sexual Offences Act 2003 which is listed in column 1 of the table in subsection (3)””

Member's explanatory statement

See my amendment to Schedule 9, page 278, line 24.

BARONESS LEVITT

[OPC722]

Schedule 9, page 279, line 1, at end insert –

“(aa) in subsection (2) –

- (i) for “purported intimate image to which the offence relates” substitute “item specified in column 2 of the table in relation to the corresponding offence”;
- (ii) after “the offence”, in the second place it occurs, insert “under section 42”;

Member's explanatory statement

See my amendment to Schedule 9, page 278, line 24.

BARONESS LEVITT

[OPC723]

Schedule 9, page 279, leave out lines 3 to 12 and insert –

“(3) This is the table –

<i>Provision of the Sexual Offences Act 2003</i>	<i>Item</i>
Section 66AA(1), (2) or (3)	Photograph or film to which the offence relates
Section 66E	Purported intimate image to which the offence relates
Section 66F	Purported intimate image which is connected with the offence
Section 67A(2B)	Image to which the offence relates”

Member's explanatory statement

See my amendment to Schedule 9, page 278, line 24.

BARONESS LEVITT

[OPC724]

Schedule 9, page 279, line 13, at beginning insert “Where the corresponding offence is an offence under section 66F of the Sexual Offences Act 2003,”

Member's explanatory statement

See my amendment to Schedule 9, page 278, line 24.

[OPC718]

Schedule 9, page 280, line 3, leave out sub-paragraph (2) and insert –

“(2) In section 154A (purported intimate images to be treated as used for purposes of certain offences) –

- (a) in the heading, omit “Purported”;
- (b) for subsection (1) substitute –

“(1) This section applies where a person commits an offence under a provision of the Sexual Offences Act 2003 which is listed in column 1 of the table in subsection (2A).”;

- (c) in subsection (2), for “The purported intimate image to which the offence relates” substitute “The item specified in column 2 of the table in relation to that offence”;
- (d) after subsection (2) insert –

“(2A) This is the table –

<i>Provision of the Sexual Offences Act 2003</i>	<i>Item</i>
Section 66AA(1), (2) or (3)	Photograph or film to which the offence relates
Section 66E	Purported intimate image to which the offence relates
Section 66F	Purported intimate image which is connected with the offence
Section 67A(2B)	Image to which the offence relates”;

- (e) omit subsections (3) and (4).”

Member's explanatory statement

This amendment amends section 154A of the Sentencing Code to add the provision the Bill currently inserts as section 154ZA. It also provides for images of breastfeeding recorded in circumstances which constitute an offence under section 67A(2B) of the Sexual Offences Act 2003 to be subject to deprivation orders.

[OPC372]

After Clause 86, insert the following new Clause –

“Disregarding convictions and cautions for loitering or soliciting when under 18

- (1) Part 5 of the Protection of Freedoms Act 2012 is amended as follows.
- (2) In the heading of Chapter 4, omit “for buggery etc.”

- (3) For the italic heading before section 92, substitute “Sexual activity between persons of the same sex”.
- (4) After section 94 insert —

“Loitering or soliciting: under 18s

94A Automatic disregard of convictions or cautions for loitering or soliciting when under 18

- (1) A conviction or caution is a disregarded conviction or caution if —
 - (a) it was for an offence under section 1 of the Street Offences Act 1959 (loitering or soliciting for the purpose of prostitution), and
 - (b) the offender was aged under 18 at the time of the offence.
- (2) Sections 95 to 98 explain the effect of a conviction or caution being a disregarded conviction or caution.”
- (5) In section 95 (effect of disregard on police and other records) —
 - (a) before subsection (1) insert —

“(A1) Subsections (1) to (4) apply in respect of a conviction or caution disregarded under section 92.”;
 - (b) after subsection (4) insert —

“(4A) A relevant data controller must delete from relevant official records, as soon as reasonably practicable, any details of which they are aware of a conviction or caution disregarded under section 94A.”
- (6) In section 99 (appeal against refusal to disregard convictions or cautions) —
 - (a) in the heading, at the end insert “for sexual activity between persons of the same sex”;
 - (b) in paragraph (a), after “application” insert “made under section 92”.
- (7) In section 100 (advisers) —
 - (a) in the heading, at the end insert “on applications under section 92”;
 - (b) in subsection (1), after “case” insert “under section 92”.
- (8) In section 101 (interpretation) —
 - (a) in the definition of “disregarded caution”, after “which” insert “is or”;
 - (b) in the definition of “disregarded conviction”, after “which” insert “is or”.

Member's explanatory statement

This amendment provides for a conviction or caution for loitering or soliciting for the purpose of prostitution, where the offender was under 18 at the time of the offence, to be disregarded.

LORD HANSON OF FLINT

[OPC417]

After Clause 86, insert the following new Clause –

“Pardons for convictions and cautions for loitering or soliciting when under 18

- (1) The Policing and Crime Act 2017 is amended as follows.
- (2) After section 165 insert –

“165A Pardons for convictions etc for loitering or soliciting when under 18: England and Wales

- (1) Subsection (2) applies in respect of a person (whether living or deceased) who –
 - (a) was convicted of, or cautioned for, an offence under section 1 of the Street Offences Act 1959 (loitering or soliciting for the purpose of prostitution), and
 - (b) was aged under 18 at the time of the offence.
- (2) The person is pardoned for the offence.
- (3) 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) for “or 165” substitute “, 165 or 165A”;
 - (b) in subsection (2) for “or 165” substitute “, 165 or 165A”.

Member's explanatory statement

This amendment would provide for pardons for persons convicted of or cautioned for loitering or soliciting for the purpose of prostitution when they were under 18.

LORD HANSON OF FLINT

[OPC808]

Clause 94, page 120, line 20, leave out “driving licence” and insert “licence to drive a motor vehicle under Part 3 of the Road Traffic Act 1988”

Member's explanatory statement

This amendment, together with my amendment to clause 94, page 121, line 16, makes it possible for the regulations made by the Secretary of State to prevent a relevant offender getting a British driving licence in a new name as a replacement for a previous driving licence issued in Northern Ireland.

LORD HANSON OF FLINT

[OPC596]

Clause 94, page 121, leave out lines 4 to 8

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

LORD HANSON OF FLINT

[OPC600]

Clause 94, page 121, leave out lines 12 to 14

Member's explanatory statement

This amendment is consequential on my amendment to clause 94, page 121, leave out lines 4 to 8.

LORD HANSON OF FLINT

[OPC602]

Clause 94, page 121, line 16, at end insert “or under Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1))”

Member's explanatory statement

This amendment, together with my amendment to clause 94, page 120, line 20, makes it possible for the regulations made by the Secretary of State to prevent a relevant offender getting a British driving licence in a new name as a replacement for a previous driving licence issued in Northern Ireland.

LORD HANSON OF FLINT

[OPC745]

Clause 94, page 121, line 16, at end insert—

““section 93B relevant offender” means a relevant offender who is subject to the restriction in section 93B(1);”

Member's explanatory statement

This amendment inserts a definition of “section 93B relevant offender” into the new section about regulations restricting replacement of driving licences of sex offenders with new names in England and Wales and Scotland.

[OPC744]

Clause 94, page 121, line 17, at end insert –

“(3) After section 93I of the Sexual Offences Act 2003 (inserted by subsection (2)) insert –

“93J Restriction on granting replacement driving licences in new name (Northern Ireland)

- (1) The Department for Infrastructure in Northern Ireland (“the Department”) may by regulations make provision to prevent a person from being granted a licence to drive a motor vehicle under Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)) (a “replacement licence”) if –
 - (a) the person holds, or has held, a driving licence,
 - (b) the name to be specified in the replacement licence (“the new name”) is different from the name specified in the driving licence most recently granted to the person, and
 - (c) it appears to the Department, on the basis of information provided by the Chief Constable of the Police Service of Northern Ireland (“the Chief Constable”), that the person is a section 93B relevant offender who was not authorised to apply for a driving licence in the new name.
- (2) The regulations may, in particular, include provision for authorising or requiring –
 - (a) the Chief Constable to disclose specified information to the Department, and
 - (b) the Department to disclose specified information to the Chief Constable,where the disclosure falls within subsection (3).
- (3) A disclosure falls within this subsection if it is made –
 - (a) for the purposes of enabling the Department or the Chief Constable to carry out their functions under or by virtue of the regulations, or
 - (b) in connection with the detection or investigation of an offence under section 93B(3).
- (4) The regulations may, in particular, make provision about how the Department or the Chief Constable may or must use information disclosed to them by virtue of subsection (2).
- (5) The regulations may include provision amending Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)).
- (6) In this section –

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

“section 93B relevant offender” means a relevant offender who is subject to the restriction in section 93B(1);
“specified” means specified in regulations under this section.””

Member's explanatory statement

This amendment provides for the Department for Infrastructure to make regulations for Northern Ireland restricting replacement of driving licences of sex offenders in a new name.

LORD HANSON OF FLINT

[OPC610]

Schedule 10, page 285, line 40, at end insert—

“15A In section 136 (Part 2: Northern Ireland), in subsection (11), after “sections” insert “86B, 87A, 93A, 93H,”.”

Member's explanatory statement

This amendment ensures that the term “Secretary of State” is not read, in relation to Northern Ireland, as meaning the Department of Justice in provisions inserted into Part 2 of the Sexual Offences Act 2003 where there is different provision about Northern Ireland.

LORD HANSON OF FLINT

[OPC741]

Schedule 10, page 287, line 8, at end insert—

“(2A) In subsection (5) for “the Department of Justice in Northern Ireland” substitute “a Northern Ireland department”.”

Member's explanatory statement

This amendment is consequential on my amendment to clause 94, page 121, line 17.

LORD HANSON OF FLINT

[OPC742]

Schedule 10, page 287, line 10, after “93C(6)(b)” insert “, section 93J”

Member's explanatory statement

This amendment makes regulations of the Department for Infrastructure under section 93J inserted by my amendment to clause 94, page 121, line 17 subject to the affirmative resolution procedure.

LORD HANSON OF FLINT

[OPC743]

Schedule 10, page 287, line 10, at end insert—

“(b) for “the Department of Justice” substitute “a Northern Ireland department”.

(4) In subsections (8) and (9) for “the Department of Justice”, in each place it occurs, substitute “a Northern Ireland department”.”

Member's explanatory statement

This amendment is consequential on my amendment to clause 94, page 121, line 17.

BARONESS LEVITT

[OPC326]

After Clause 104, insert the following new Clause –

“Child abduction: Northern Ireland

- (1) The Child Abduction (Northern Ireland) Order 1985 (S.I. 1985/1638 (N.I. 17)) is amended as set out in subsections (2) and (3).
- (2) In Article 3 (offence of abduction of child by parent etc) –
 - (a) after paragraph (1) insert –

“(1A) Subject to paragraphs (2A) to (3A) and (7), a person connected with a child under the age of 16 commits an offence if –

 - (a) the child is taken or sent out of the United Kingdom with the appropriate consent, and
 - (b) at any time after the child is taken or sent, the person detains the child outside the United Kingdom without the appropriate consent.”;
 - (b) in paragraph (2A) –
 - (i) in the words before sub-paragraph (a), after “United Kingdom” insert “, or by detaining a child outside the United Kingdom,”;
 - (ii) in sub-paragraph (b) (before its substitution by paragraph 4(3) of Schedule 3 to the 2022 Act), after “United Kingdom” insert “, or detains the child outside the United Kingdom,”;
 - (iii) in each of sub-paragraphs (a) and (b) (as substituted by paragraph 4(3) of Schedule 3 to the 2022 Act), after “United Kingdom” insert “, or detains the child outside the United Kingdom,”;
 - (c) in paragraph (2B), after “United Kingdom” insert “, or detaining the child outside the United Kingdom,”;
 - (d) in paragraph (3A), in paragraph (b) after “out of the United Kingdom” insert “, or detaining the child outside the United Kingdom,”.
- (3) In the Schedule (modifications of Article 3 for children in certain cases), in each of the following provisions after “paragraph (1)” insert “or (1A)” –
 - (a) paragraph 1(2)(a);
 - (b) paragraph 3(2)(a) (before its substitution by paragraph 5(2) of Schedule 3 to the 2022 Act);
 - (c) paragraph 3(2)(a) (as substituted by paragraph 5(2) of Schedule 3 to the 2022 Act);
 - (d) paragraph 4(2)(a).
- (4) The amendments made by this section apply only in cases where the taking or sending of the child out of the United Kingdom takes place on or after the date on which this section comes into force.

- (5) In this section “the 2022 Act” means the Adoption and Children Act (Northern Ireland) 2022 (c. 18 (N.I.)).”

Member's explanatory statement

This amendment makes it an offence in Northern Ireland for a parent etc to detain a child under 16 outside the UK without appropriate consent.

LORD HANSON OF FLINT

[OPC321]

After Clause 105, insert the following new Clause –

“Safeguarding vulnerable groups: regulated activity (Northern Ireland)

- (1) Schedule 2 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (S.I. 2007/1351 (N.I. 11)) (regulated activity) is amended as follows.
- (2) In paragraph 1 omit –
 - (a) in sub-paragraph (2A)(b), the words “(disregarding paragraph 2(3A) and (3B)(b))”;
 - (b) in sub-paragraph (2B) –
 - (i) in paragraph (a)(ii), the words “(disregarding paragraph 2(3A) and (3B)(b))”;
 - (ii) paragraph (b) and the “or” immediately before it;
 - (c) sub-paragraph (2C);
 - (d) sub-paragraph (13).
- (3) In paragraph 2 omit –
 - (a) sub-paragraph (3A);
 - (b) in sub-paragraph (3B), paragraph (b) and the “and” immediately before it;
 - (c) sub-paragraph (3C).
- (4) Omit paragraph 5A and the italic heading before it.”

Member's explanatory statement

This amendment makes provision for Northern Ireland which is equivalent to that made by clause 105 for England and Wales.

LORD HANSON OF FLINT

[OPC733]

After Clause 124, insert the following new Clause –

“Public processions and assemblies: duty to take account of cumulative disruption

- (1) The Public Order Act 1986 is amended as follows.
- (2) In section 12 (power to impose conditions on public processions), after subsection (2B) insert –

“(2BA) In considering for the purposes of subsection (1)(a) whether a public procession in England and Wales may result in serious disruption to

the life of the community, a senior police officer must take into account any relevant cumulative disruption.

(2BB) In subsection (2BA) “relevant cumulative disruption” means the cumulative disruption to the life of the community resulting from—

- (a) the procession,
- (b) any other public procession in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under subsection (1) in relation to that other procession), and
- (c) any public assembly in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the procession mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under section 14(1A) in relation to that assembly),

and it does not matter whether or not the procession mentioned in paragraph (a) and any procession or assembly within paragraph (b) or (c) are organised by the same person, are attended by any of the same persons or are held or are intended to be held at the same time.

(2BC) In subsection (2BB) “area”, in relation to a public procession or public assembly, means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from the procession or assembly.”

(3) In section 14 (power to impose conditions on public assemblies) after subsection (2B) insert—

“(2BA) In considering for the purposes of subsection (1)(a) whether a public assembly in England and Wales may result in serious disruption to the life of the community, a senior police officer must take into account any relevant cumulative disruption.

(2BB) In subsection (2BA) “relevant cumulative disruption” means the cumulative disruption to the life of the community resulting from—

- (a) the assembly,
- (b) any other public assembly in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the assembly mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under subsection (1A) in relation to that other assembly), and
- (c) any public procession in England and Wales that was held, is being held or is intended to be held in the same area as the area in which the assembly mentioned in paragraph (a) is being held or is intended to be held (whether or not directions have been given under section 12(1) in relation to that procession),

and it does not matter whether or not the assembly mentioned in paragraph (a) and any assembly or procession within paragraph (b)

or (c) are organised by the same person, are attended by any of the same persons or are held or are intended to be held at the same time.

- (2BC) In subsection (2BB) “area”, in relation to a public assembly or public procession, means such area as the senior police officer considers appropriate, having regard to the nature and extent of the disruption that may result from the assembly or procession.””

Member's explanatory statement

This new clause amends sections 12 and 14 of the Public Order Act 1986 to require police officers, when deciding whether the serious disruption to the life of the community threshold is met in England and Wales, to take account of the cumulative effect of processions and assemblies in the same area.

LORD HANSON OF FLINT

[OPC570]

After Clause 126, insert the following new Clause—

“Harassment of and representations to 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;”.
- (4) After section 42A insert—

“42B Offence of making representations etc to public office-holder in their home

- (1) A person commits an offence if—
 - (a) the person is present outside or in the vicinity of any premises that—
 - (i) are used by a public office-holder as a dwelling, and
 - (ii) are not an official residence, and
 - (b) the person is present there for a prohibited purpose.

- (2) The first prohibited purpose is the purpose of representing to the public office-holder, or persuading the public office-holder (by the person's presence or otherwise) that the public office-holder –
 - (a) should or should not do something, or
 - (b) should or should not have done something,in connection with their role as a public office-holder.
- (3) The second prohibited purpose is the purpose of representing to the public office-holder, or persuading the public office-holder (by the person's presence or otherwise) that the public office-holder –
 - (a) should do something they are not under any obligation to do,
 - (b) should not do something that they are entitled or required to do,
 - (c) should have done something they were not under any obligation to do, or
 - (d) should not have done something they were entitled or required to do,otherwise than in connection with their role as a public office-holder.
- (4) It is a defence for a person charged with an offence under this section to show that they were not aware that the premises were used by a public office-holder as a dwelling.
- (5) A person is to be taken to have shown the matter referred to in subsection (4) if –
 - (a) sufficient evidence is adduced to raise an issue with respect to it, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (6) 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).
- (7) In subsection (6) “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.
- (8) The following definitions apply for the purposes of this section.
- (9) “Dwelling” has the same meaning as in Part 1 of the Public Order Act 1986.
- (10) “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).
- (11) “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.
- (12) “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 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. It also creates a new offence relating to protests outside the homes of public office-holders.

LORD HANSON OF FLINT

[OPC346]

Schedule 14, page 312, line 1, at end insert –

“(7A) In subsection (6), after “the power” insert “in subsection (1) or (1A)”.”

Member's explanatory statement

This amendment inserts a further consequential amendment to section 41 of the Police, Crime, Sentencing and Courts Act 2022.

LORD HANSON OF FLINT

[OPC698]

Clause 137, page 169, leave out lines 29 and 30 and insert “ –

- (i) has been authorised under a relevant power to access one or more online accounts, or
- (ii) is entitled by virtue of a relevant requirement to access one or more online accounts, and”

Member's explanatory statement

This amendment, together with my other amendment to this clause, authorise the interception of certain communications which are carried out for the purpose of accessing certain online accounts further to a prevention and investigation measure or youth diversion order.

LORD HANSON OF FLINT

[OPC699]

Clause 137, page 170, line 6, at end insert –

“(3A) A “relevant requirement” means a requirement imposed under –

- (a) paragraph 7(1) of Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011;
- (b) paragraph 8(1) of Schedule 7 to the National Security Act 2023;
- (c) section 169(2)(c) of the Crime and Policing Act 2025.”

Member's explanatory statement

See my other amendment to clause 137.

LORD HANSON OF FLINT

[OPC622]

Clause 138, page 171, leave out lines 12 to 16

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

LORD HANSON OF FLINT

[OPC623]

Clause 138, page 171, leave out lines 19 and 20

Member's explanatory statement

This amendment is consequential on my amendment to clause 138, page 171, leave out lines 12 to 16.

LORD HANSON OF FLINT

[OPC624]

Clause 166, page 204, leave out lines 15 to 20

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

LORD HANSON OF FLINT

[OPC554]

Clause 167, page 205, line 27, leave out paragraph (b) and insert –

- “(b) an attempt or conspiracy to commit an offence within paragraph (a),
- (c) an offence under Part 2 of the Serious Crime Act 2007 (England and Wales and Northern Ireland: encouraging or assisting crime) in relation to an offence within paragraph (a),
- (d) an offence under the law of Scotland of inciting the commission of an offence within paragraph (a), or
- (e) aiding, abetting, counselling or procuring the commission of an offence within paragraph (a).”

Member's explanatory statement

This amendment is a drafting change (aligning the approach taken in relation to inchoate offences with that taken in paragraph 1(1) of Schedule 11).

LORD HANSON OF FLINT

[OPC566]

Clause 169, page 207, line 19, at end insert –

“(da) the inspection of any online account accessed by means of a device;”

Member's explanatory statement

This amendment, together with my other amendments to this clause, provide that a youth diversion order may include conditions relating to the inspection of an online account accessed by means of an electronic communication device the use of which is restricted under the order.

LORD HANSON OF FLINT

[OPC697]

Clause 169, page 207, line 22, at end insert –

- “(5A) The “inspection” of a device, or an online account accessed by means of a device, includes –
- (a) accessing the device or the online account,
 - (b) examining information held on the device or accessed by means of the online account, and
 - (c) extracting such information.”

Member's explanatory statement

See my amendment to clause 169, page 207, line 19.

LORD HANSON OF FLINT

[OPC567]

Clause 169, page 208, line 3, at end insert –

““online account” means an account by means of which information held on a service provided by means of the internet is made accessible;”

Member's explanatory statement

See my amendment to clause 169, page 207, line 19.

LORD HANSON OF FLINT

[OPC700]

Clause 169, page 208, line 4, at end insert –

“(11) The reference in this section to “extracting” information includes reproducing it in any form.”

Member's explanatory statement

See my amendment to clause 169, page 207, line 19.

LORD HANSON OF FLINT

[OPC364]

Clause 182, page 216, line 11, leave out subsection (2) and insert –

- “(2) The following do not apply to a complaint under this Chapter –
- (a) section 127 of the Magistrates’ Courts Act 1980 (time limit for complaints etc);
 - (b) Article 78(1) of the Magistrates’ Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)) (time limit for complaints).”

Member's explanatory statement

This amendment disappplies the time limit for applications to a magistrates’ court in Northern Ireland (as well as in England and Wales).

[OPC565]

After Clause 190, insert the following new Clause—

“Prevention and investigation measures: online information

- (1) Paragraph 7 of Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011 (terrorism prevention and investigation measures: electronic communication devices) is amended as follows.
- (2) In sub-paragraph (4), after paragraph (e) insert—
 - “(ea) the inspection of any online account accessed by means of a device;”.
- (3) After sub-paragraph (4) insert—
 - “(4A) The “inspection” of a device, or an online account accessed by means of a device, includes—
 - (a) accessing the device or the online account,
 - (b) examining information held on the device or accessed by means of the online account, and
 - (c) extracting such information.”.
- (4) After sub-paragraph (6) insert—
 - “(7) An “online account” means an account by means of which information held on a service provided by means of the internet is made accessible.
 - (8) The reference in this paragraph to “extracting” information includes reproducing it in any form.”
- (5) Paragraph 8 of Schedule 7 to the National Security Act 2023 (prevention and investigation measures: electronic communication devices) is amended as follows.
- (6) In sub-paragraph (4), after paragraph (e) insert—
 - “(ea) the inspection of any online account accessed by means of a device;”.
- (7) After sub-paragraph (4) insert—
 - “(4A) The “inspection” of a device, or an online account accessed by means of a device, includes—
 - (a) accessing the device or the online account,
 - (b) examining information held on the device or accessed by means of the online account, and
 - (c) extracting such information.”.
- (8) After sub-paragraph (6)—
 - “(7) An “online account” means an account by means of which information held on a service provided by means of the internet is made accessible.

- (8) The reference in this paragraph to “extracting” information includes reproducing it in any form.””

Member's explanatory statement

This amendment provides that a measure imposed under Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011 or Schedule 7 to National Security Act 2023 may include conditions relating to the inspection of an online account accessed by means of an electronic communication device the use of which is restricted under the measure.

LORD HANSON OF FLINT

[OPC625]

Clause 192, page 223, line 24, leave out “subsections (3) and” and insert “subsection”

Member's explanatory statement

This amendment is consequential on my amendment to clause 192, page 223, line 27.

LORD HANSON OF FLINT

[OPC626]

Clause 192, page 223, line 27, leave out subsection (3)

Member's explanatory statement

This amendment removes provision that is no longer needed because of the general data protection override in section 183A of the Data Protection Act 2018, which was inserted by section 106(2) of the Data (Use and Access) Act 2025 and came into force on 20 August 2025.

LORD HANSON OF FLINT

[OPC627]

Clause 192, page 224, leave out lines 1 and 2

Member's explanatory statement

This amendment is consequential on my amendment to clause 192, page 223, line 27.

LORD HANSON OF FLINT

[OPC628]

Clause 192, page 224, leave out lines 7 and 8

Member's explanatory statement

This amendment is consequential on my amendment to clause 192, page 223, line 27.

LORD HANSON OF FLINT

[OPC654]

Clause 197, page 228, line 6, at end insert –

“(za) sections 40 and 41;

- (zb) section (*Child criminal exploitation prevention orders: Scotland and Northern Ireland*)(1) and Schedule (*CCE prevention orders: Scotland*);”

Member's explanatory statement

This amendment gives the Scottish Ministers power to make regulations containing provision consequential on the specified provisions.

BARONESS LEVITT

[OPC794]

Clause 197, page 228, line 7, at end insert –

- “(aa) section (*Pornographic images of strangulation or suffocation: Scotland*);”

Member's explanatory statement

This amendment gives the Scottish Ministers power to make regulations containing provision consequential on the specified new clause (inserted after clause 84).

LORD HANSON OF FLINT

[OPC661]

Clause 197, page 228, line 15, at end insert –

- “(za) sections 40 and 41;
(zb) section (*Child criminal exploitation prevention orders: Scotland and Northern Ireland*)(2) and Schedule (*CCE prevention orders: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing provision consequential on the specified provisions.

BARONESS LEVITT

[OPC783]

Clause 197, page 228, line 16, at end insert –

- “(aa) section (*Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing provision consequential on the specified new clause (inserted after clause 84).

BARONESS LEVITT

[OPC343]

Clause 197, page 228, line 18, at end insert –

- “(ca) section (*Child abduction: Northern Ireland*);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to make regulations containing provision consequential on the specified new clause (inserted after clause 104).

LORD HANSON OF FLINT

[OPC727]

Clause 198, page 228, line 38, after “section” insert “51(6),”

Member's explanatory statement

This amendment provides that the new power of the Secretary of State to amend the list of prevention orders in clause 51 (inserted by my amendment to clause 51, page 68, line 30) is subject to the affirmative resolution procedure.

LORD HANSON OF FLINT

[OPC726]

Clause 199, page 229, line 16, at end insert –

“(c) regulations under paragraph 10(4) of Schedule (CCE prevention orders: Scotland).”

Member's explanatory statement

This amendment provides that the new power of the Scottish Ministers to amend the list of prevention orders in paragraph 10 of the new Schedule about CCE prevention orders in Scotland (inserted after Schedule 5) is subject to the affirmative resolution procedure.

LORD HANSON OF FLINT

[OPC728]

Clause 199, page 229, line 29, at end insert –

“(c) regulations under paragraph 10(6) of Schedule (CCE prevention orders: Northern Ireland).”

Member's explanatory statement

This amendment provides that the new power of the Department of Justice to amend the list of prevention orders in paragraph 10 of the new Schedule about CCE prevention orders in Northern Ireland (inserted after Schedule 5) is subject to the affirmative resolution procedure.

LORD HANSON OF FLINT

[OPC806]

Clause 199, page 229, line 38, at end insert –

““regulations” means regulations under any provision of this Act except section 201.”

Member's explanatory statement

This amendment is consequential on my amendments to clause 201, page 232, lines 25 and 35.

LORD HANSON OF FLINT

[OPC769]

Clause 200, page 230, line 7, after “40” insert “(1) to (4)”

Member's explanatory statement

This amendment removes section 40(5), which should extend to England and Wales only, from a list of provisions having UK extent.

BARONESS LEVITT

[OPC779]

Clause 200, page 230, line 13, at end insert –

“(ja) section (Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland)(5);”

Member's explanatory statement

This amendment provides that the amendment to the Online Safety Act 2023 in the specified new clause (inserted after clause 84) extends to the whole of the UK.

BARONESS LEVITT

[OPC780]

Clause 200, page 230, line 30, after “(4),” insert “(Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland)(1) to (3),”

Member's explanatory statement

This amendment provides that the subsections of the specified new clause (inserted after clause 84) that amend the Criminal Justice and Immigration Act 2008 extend to England and Wales and Northern Ireland.

LORD HANSON OF FLINT

[OPC663]

Clause 200, page 230, line 33, after “Sections” insert “(Child criminal exploitation prevention orders: Scotland and Northern Ireland)(2),”

Member's explanatory statement

This amendment provides that the subsection introducing the new Schedule about CCE prevention orders for Northern Ireland (inserted after Schedule 5) extends to Northern Ireland only.

LORD HANSON OF FLINT

[OPC739]

Clause 200, page 230, line 33, after “61,” insert “94(3),”

Member's explanatory statement

This amendment provides that the new subsection inserted by my amendment to clause 94, page 121, line 17 extends to Northern Ireland only.

BARONESS LEVITT

[OPC327]

Clause 200, page 230, line 33, after “61,” insert “(Child abduction: Northern Ireland),”

Member's explanatory statement

This amendment provides that the specified new clause (inserted after clause 104) extends to Northern Ireland only.

LORD HANSON OF FLINT

[OPC320]

Clause 200, page 230, line 33, after “61” insert “(Safeguarding vulnerable groups: regulated activity (Northern Ireland))”

Member's explanatory statement

This amendment provides that the specified new clause (inserted after clause 105) extends to Northern Ireland only.

LORD HANSON OF FLINT

[OPC664]

Clause 200, page 230, line 33, after “188,” insert “Schedule (CCE prevention orders: Northern Ireland)”

Member's explanatory statement

This amendment provides that the new Schedule about CCE prevention orders for Northern Ireland (inserted after Schedule 5) extends to Northern Ireland only.

LORD HANSON OF FLINT

[OPC655]

Clause 200, page 230, line 35, after “Section” insert “(Child criminal exploitation prevention orders: Scotland and Northern Ireland)(1) and”

Member's explanatory statement

This amendment provides that the subsection introducing the new Schedule about CCE prevention orders for Scotland (inserted after Schedule 5) extends to Scotland only.

BARONESS LEVITT

[OPC781]

Clause 200, page 230, line 35, after “Section” insert “(Pornographic images of strangulation or suffocation: Scotland),”

Member's explanatory statement

This amendment provides that the specified new clause (inserted after clause 84) extends to Scotland only.

LORD HANSON OF FLINT

[OPC662]

Clause 200, page 230, line 35, after “145(3)” insert “, Schedule (CCE prevention orders: Scotland)”

Member's explanatory statement

This amendment provides that the new Schedule about CCE prevention orders for Scotland (inserted after Schedule 5) extends to Scotland only.

LORD HANSON OF FLINT

[OPC342]

Clause 201, page 232, line 3, leave out “section” and insert “sections 195 and”

Member's explanatory statement

This amendment removes clause 195 (extradition) from the list of provisions that come into force on Royal Assent. The effect is that it will be commenced by regulations under clause 201(1).

LORD HANSON OF FLINT

[OPC756]

Clause 201, page 232, line 22, after “94(2)” insert “and (3)”

Member's explanatory statement

This amendment is consequential on my amendment to clause 94, page 121, line 17.

LORD HANSON OF FLINT

[OPC799]

Clause 201, page 232, line 25, leave out “order” and insert “regulations”

Member's explanatory statement

This amendment provides for the Scottish Ministers to make commencement regulations rather than commencement orders.

LORD HANSON OF FLINT

[OPC665]

Clause 201, page 232, line 29, at end insert –

“(za) section (Child criminal exploitation prevention orders: Scotland and Northern Ireland)(2) and Schedule (CCE prevention orders: Northern Ireland);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to commence the new provisions about child criminal exploitation prevention orders for Northern Ireland.

LORD HANSON OF FLINT

[OPC740]

Clause 201, page 232, line 31, at end insert –

“(aa) section 94(3);”

Member's explanatory statement

This amendment gives the Department for Justice in Northern Ireland power to commence the provision inserted by my amendment to clause 94, page 121, line 17.

BARONESS LEVITT

[OPC784]

Clause 201, page 232, line 32, after “sections” insert “(Pornographic images of strangulation or suffocation: England and Wales and Northern Ireland)(1) to (3),”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to commence the subsections of the specified new clause (inserted after clause 84) that amend the Criminal Justice and Immigration Act 2008, in so far as they extend to Northern Ireland.

BARONESS LEVITT

[OPC328]

Clause 201, page 232, line 32, at end insert –

“(ba) section (Child abduction: Northern Ireland);”

Member's explanatory statement

This amendment gives the Department of Justice in Northern Ireland power to commence the specified new clause (inserted after clause 104).

LORD HANSON OF FLINT

[OPC322]

Clause 201, page 232, line 33, at end insert –

“(8A) Section (Safeguarding vulnerable groups: regulated activity (Northern Ireland)) comes into force on such day as the Department of Health in Northern Ireland may by order appoint.”

Member's explanatory statement

This amendment gives the Department of Health in Northern Ireland power to commence the specified new Clause (inserted after clause 105).

LORD HANSON OF FLINT

[OPC657]

Clause 201, page 232, line 34, after “Section” insert “(Child criminal exploitation prevention orders: Scotland and Northern Ireland)(1)”

Member's explanatory statement

This amendment gives the Scottish Ministers to commence the subsection introducing the new Schedule about CCE prevention orders for Scotland (inserted after Schedule 5).

BARONESS LEVITT

[OPC785]

Clause 201, page 232, line 34, after “Section” insert “(Pornographic images of strangulation or suffocation: Scotland),”

Member's explanatory statement

This amendment gives the Scottish Ministers power to commence the specified new clause (inserted after clause 84).

LORD HANSON OF FLINT

[OPC667]

Clause 201, page 232, line 34, after “145(3)” insert “, Schedule (CCE prevention orders: Scotland)”

Member's explanatory statement

This amendment gives the Scottish Ministers power to commence the new Schedule about CCE prevention orders (inserted after Schedule 5).

LORD HANSON OF FLINT

[OPC800]

Clause 201, page 232, line 35, leave out “order” and insert “regulations”

Member's explanatory statement

This amendment provides for the Scottish Ministers to make commencement regulations rather than commencement orders.

LORD HANSON OF FLINT

[OPC801]

Clause 201, page 232, line 36, after “order” insert “or regulations”

Member's explanatory statement

This amendment is consequential on my amendments to clause 201, page 232, lines 25 and 35.

LORD HANSON OF FLINT

[OPC436]

Clause 201, page 232, line 36, after “(8)” insert “(8A)”

Member's explanatory statement

This amendment is consequential on my amendment to clause 201, page 232, line 33, inserting a new subsection after subsection (8).

LORD HANSON OF FLINT

[OPC804]

Clause 201, page 233, line 1, leave out “an order” and insert “regulations”

Member's explanatory statement

This amendment is consequential on my amendments to clause 201, page 232, lines 25 and 35.

LORD HANSON OF FLINT

[OPC437]

Clause 201, page 233, line 4, after “(8)” insert “or (8A)”

Member's explanatory statement

This amendment is consequential on my amendment to clause 201, page 232, line 33, inserting a new subsection after subsection (8).

LORD HANSON OF FLINT

[OPC805]

Clause 201, page 233, line 13, leave out “an order” and insert “regulations”

Member's explanatory statement

This amendment is consequential on my amendment to clause 201, page 232, line 25.