UK Parliament

House of Commons

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Consideration of Bill, as amended in the Public Bill Committee

[Relevant documents: Second Report of the Justice Committee of Session 2022-23, Pre-legislative scrutiny of the draft Victims Bill, HC 304, and the Government response, HC 932; Third Report of the Justice Committee of Session 2022-23, IPP sentences, HC 266, and the Government response, HC 933; Oral evidence taken by the Justice Committee on 9 May and 16 May, on the Victims and Prisoners Bill, HC 1340; Correspondence from the Ministry of Justice, on the Victims and Prisoners Bill, reported to the House on 26 June and 28 November 2023; Correspondence from the Chair of the Justice Committee to the Lord Chancellor, on the Victims and Prisoners Bill, reported to the House on 6 June 2023.]

New Clause 20

Domestic abuse related death reviews

‘(1) The Domestic Violence, Crime and Victims Act 2004 is amended in accordance with subsections (2) to (4).

(2) After section 8 insert—

“Domestic abuse related death reviews

8A Establishment and conduct of reviews

(1) In this section “domestic abuse related death review” means a review of the circumstances of the death of a person which is held —

(a) where the death has, or appears to have, resulted from domestic abuse towards the person within the meaning of the Domestic Abuse Act 2021, and

(b) with a view to identifying the lessons to be learned from the death.

(2) The Secretary of State may in a particular case direct a specified person or body within subsection (6) to establish, or to participate in, a domestic abuse related death review.

(3) It is the duty of any person or body within subsection (6) establishing or participating in a domestic abuse related death review (whether or not held pursuant to a direction under subsection (2)) to have regard to any guidance issued by the Secretary of State as to the establishment and conduct of such reviews.

(4) A person or body within subsection (6) that establishes a domestic abuse related death review (whether or not held pursuant to a direction under subsection (2)) must send a copy of any report setting out the conclusions of the review to the Secretary of State and the Domestic Abuse Commissioner.

(5) The copy must be sent as soon as reasonably practicable after the report is completed.

(6) The persons and bodies within this subsection are—

chief officers of police for police areas in England and Wales;

local authorities;

NHS England;

integrated care boards established under section 14Z25 of the National Health Service Act 2006;

providers of probation services;

Local Health Boards established under section 11 of the National Health Service (Wales) Act 2006;

NHS trusts established under section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006.

(7) In subsection (6) "local authority" means—

(a) in relation to England, the council of a district, county or London borough, the Common Council of the City of London and the Council of the Isles of Scilly;

(b) in relation to Wales, the council of a county or county borough.

(8) The Secretary of State may by order amend subsection (6) or (7)."

(3) In section 9 (establishment and conduct of domestic homicide reviews)—

(a) in each of subsections (2) and (3)—

(i) for "Secretary of State" substitute "Department of Justice in Northern Ireland";

(ii) for "(4)" substitute "(4)(b)";

(b) omit subsections (3A), (3B), (3C), (4)(a), (5) and (6).

(4) In section 61 (orders), in subsection (3), for "9(6)" substitute "8A(8)".

(5) In section 26 of the Police, Crime, Sentencing and Courts Act 2022 (relationship of offensive weapons homicide reviews with other review requirements), in subsection (1)(b)—

(a) after "of a" insert "domestic abuse related death review or";

(b) for "section" substitute "sections 8A and".'—*(Edward Argar.)*

This new clause, to be inserted after clause 15, concerns reviews of deaths in England and Wales that may be related to domestic abuse.

Brought up, and read the First time.

6.10pm

The Minister of State, Ministry of Justice ›
(Edward Argar)

Share

I beg to move, That the clause be read a Second time.

Mr Deputy Speaker ›
(Mr Nigel Evans)

Share

With this it will be convenient to discuss the following:

Government new clause 21—*Information relating to victims: service police etc.*

Government new clause 22—*Meaning of "major incident" etc.*

Government new clause 23—*Appointment of standing advocate.*

Government new clause 24—*Publication of reports.*

Government new clause 25—*Part 2: consequential amendments.*

Government new clause 26—*Imprisonment or detention for public protection: termination of licences.*

Government new clause 37—*Restricting parental responsibility where one parent kills the other.*

New clause 1—*Re-sentencing those serving a sentence of imprisonment for public protection*—

'(1) The Lord Chancellor must make arrangements for, and relating to, the re-sentencing of all prisoners serving IPP sentences within 18 months beginning on the day on which this Act is passed.

(2) Those arrangements must include arrangements relating to the establishment of a committee to provide advice regarding the discharge of the Lord Chancellor's duty under subsection (1).

(3) The committee established by virtue of subsection (2) must include a judge nominated by the Lord Chief Justice.

(4) A court that imposed an IPP sentence has the power to re-sentence the prisoner in relation to the original offence.

(5) But the court may not impose a sentence that is a heavier penalty than the sentence that was imposed for the original offence.

(6) In relation to the exercise of the power in subsection (4)—

(a) that power is to be treated as a power to re-sentence under the Sentencing Code (see section 402(1) of the Sentencing Act 2020);

(b) the Code applies for the purposes of this section (and, accordingly, it does not matter that a person serving an IPP sentence was convicted of an offence before 1 December 2020).

(7) In this section—

"IPP sentence" means a sentence of imprisonment or detention in a young offender institution for public protection under section 225 of the Criminal Justice Act 2003 or a sentence of detention for public protection under section 226 of that Act (including such a sentence of imprisonment or detention passed as a result of section 219 or 221 of the Armed Forces Act 2006);

"original offence" means the offence in relation to which the IPP sentence was imposed.

(8) This section comes into force at the end of the period of two months beginning with the day on which this Act is passed."

This new clause would implement the recommendation of the Justice Committee's 2022 Report that there should be a resentencing exercise in relation to all IPP sentenced individuals, and to establish a time-limited expert committee, including a member of the judiciary, to advise on the practical implementation of such an exercise.

New clause 2—*Appointment of an advocate to represent IPP prisoners' interests*—

"(1) The Secretary of State may, by regulations, establish a list of advocates to further the interests of prisoners serving imprisonment for public protection (IPP) sentences.

(2) For the purposes of subsection (1), the Secretary of State may set out minimum qualifications for any person to be appointed as an IPP advocate.

(3) A person may only act as an IPP advocate if the Secretary of State considers that the following conditions are satisfied—

(a) they have had appropriate experience or training or an appropriate combination of experience and training;

(b) they are of integrity and good character; and

(c) they are able to act independently of any other person who is professionally concerned with the qualifying prisoner's continuing imprisonment.

(4) The Secretary of State may pay to, or in respect of, such a person—

(a) amounts by way of remuneration, pensions, allowances or gratuities, and

(b) sums in respect of the expenses of the IPP advocate.

(5) Regulations under this section are to be made by statutory instrument; and an instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of either House of Parliament.'

This new clause, and new clause NC3 would allow the Secretary of State to appoint a number of independent advocates to act on behalf of over-tariff prisoners sentenced to imprisonment for public protection.

New clause 3—*Functions of an IPP advocate*—

'(1) Any IPP prisoner who has exceeded their minimum tariff period is entitled to ask for the assistance of an IPP advocate.

(2) An IPP advocate may not provide legal services or advice to an IPP prisoner.

(3) An IPP advocate may—

(a) visit and advise an IPP prisoner at the facility where they are imprisoned;

(b) subject to subsection (2), appear before the Parole Board on behalf of an IPP prisoner;

(c) visit and advise an IPP prisoner who has been released on licence.

(4) For the purposes of this Act, "IPP prisoner" means a person sentenced to imprisonment for public protection under the Criminal Justice Act, or any successor Act.'

This new clause sets out the functions of an IPP advocate. They will not provide legal advice, but will provide practical advice, support them at the Parole Board and on release.

New clause 4—*Parole Board: victim personal statement*—

'(1) It is the duty of the Parole Board to ensure that victims are offered the opportunity to give their views in the criminal justice process by making a personal statement.

(2) Where a victim has opted-in to the Victim Contact Scheme, the Parole Board must record whether the victim has been offered the opportunity to provide a personal statement to the Parole Board before it makes a decision relevant to the victim.

(3) The Parole Board must report annually to the Secretary of State on the data recorded under subsection (2) and on its compliance with the duty under subsection (1).

(4) The Secretary of State must lay a copy of any reports received under this section before Parliament within 15 days of receipt.'

This new clause would place a duty on the Parole Board to ensure that victims are offered the opportunity to give their views in the criminal justice process and require it to report to the Secretary of State on its compliance with that duty.

New clause 5—*Duty to develop a single core data set of victims of child sexual abuse*—

'(1) The responsible authority must make arrangements to develop a shared, single core data set concerning victims of child sexual abuse and child sexual exploitation in England and Wales.

(2) In accordance with subsection (1) the responsible authority must direct children's social care and criminal justice agencies to collect consistent and compatible data which includes—

(a) the characteristics of victims and alleged perpetrators of child sexual abuse, including—

(i) age,

(ii) sex, and

(iii) ethnicity,

(b) the factors that make victims more vulnerable to child sexual abuse or exploitation, and

(c) the settings and contexts in which victims have experienced child sexual abuse or exploitation.

(3) The responsible authority must ensure that the data is published each month.

(4) For the purposes of this section, the responsible authority is—

(a) in England, the Secretary of State; and

(b) in Wales, the Welsh Ministers.'

New clause 6—*Assessment of numbers of independent domestic violence and sexual violence advisors, stalking advocates and specialist support services*—

'Within six months of the passing of this Act, and annually thereafter, the Secretary of State must—

(a) make an assessment of the adequacy of the number of independent domestic violence and sexual violence advisors, stalking advocates, and specialist support services in each region of England and Wales, having regard to the population in each region, and

(b) publish that assessment.'

This new clause would require the Secretary of State to make an assessment of the adequacy of the number of ISVAs, IDVAs, stalking advocates and specialist support services in each region of England and Wales.

New clause 7—*Improving accessibility and awareness of the Victims' Code*—

'(1) In preparing the draft of the victims' code under section 2, the Secretary of State must take all practicable steps to ensure that the code is fully accessible to all victims and to promote awareness of the code among those victims and associated services.

(2) For the purposes of this section the Secretary of State must by regulations prescribe—

(a) that criminal justice bodies must signpost victims to appropriate support services, and

(b) that appropriate training is delivered to staff in criminal justice bodies, including by specialist domestic abuse services.

(3) The steps taken under subsection (1) must include steps aimed at ensuring that victims who—

(a) are deaf,

(b) are disabled,

(c) are visually impaired, or

(d) do not speak English as their first language,

are able to understand their entitlements under the code.'

This new clause seeks to ensure that the victims' code is accessible to all victims and associated services.

New clause 8—*Access to services for victims with no recourse to public funds*—

'(1) Notwithstanding the provisions of any other enactment, a victim of domestic abuse who—

(a) has leave to enter or remain in the United Kingdom which is subject to a condition that they do not have recourse to public funds,

(b) requires leave to enter or remain in the United Kingdom but does not have it,

(c) has leave to enter or remain in the United Kingdom given as a result of a maintenance undertaking,

is entitled to be provided with services in accordance with the victims' code.

(2) The Secretary of State may by regulations make provision that is consequential on this section.

(3) For the purposes of this section—

"domestic abuse" has the same meaning as in section 1 of the Domestic Abuse Act 2020;

"victim" has the meaning given by section 1 of this Act.'

This new clause would ensure that victims of domestic abuse who do not have recourse to public funds are still entitled to be provided with services in accordance with the victims' code.

New clause 9—*Meaning of "honour-based abuse"* —

‘(1) The Secretary of State must by regulations made by statutory instrument define the meaning of “honour-based abuse” for the purposes of section 1.

(2) Before making regulations under this section, the Secretary of State must carry out a consultation about—

(a) what conduct should amount to “honour-based abuse” for the purposes of section 1, and

(b) any definition of the meaning of “honour-based abuse” proposed by the Secretary of State.

(3) In carrying out a consultation under subsection (2), the Secretary of State must consult—

(a) organisations that appear to the Secretary of State to represent those who have an interest in the meaning of “honour-based abuse” for the purposes of section 1;

(b) any other persons that the Secretary of State considers appropriate.

(4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.’

New clause 10—*Sewage Illness Victim Compensation Scheme*—

‘(1) The Secretary of State must by regulations provide for a compensation scheme for victims who have suffered harm as a direct result of criminal conduct in relation to sewage and waste water.

(2) Regulations under subsection (1) must—

(a) provide for the payment of compensation to people who have become unwell as a result of bathing in water contaminated by sewage,

(b) make provision in relation to the medical evidence required to support a claim for compensation under the regulations.

(3) Regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.’

New clause 13—*Duty to co-operate with Commissioner for Victims and Witnesses*—

‘(1) The Commissioner may request a specified public authority to co-operate with the Commissioner in any way that the Commissioner considers necessary for the purposes of monitoring compliance with the victims’ code.

(2) A specified public authority must, so far as reasonably practicable, comply with a request made to it under this section.

(3) In this section “specified public authority” means any of the following—

(a) a criminal justice body, as defined by subsection 6(6),

(b) the Parole Board,

(c) an elected local policing body,

(d) the British Transport Police Force,

(e) the Ministry of Defence Police.

(4) The Secretary of State may by regulations amend this section so as to—

(a) add a public authority as a specified public authority for the purposes of this section;

(b) remove a public authority added by virtue of paragraph (a);

(c) vary any description of a public authority.

(5) Before making regulations under subsection (4) the Secretary of State must consult the Commissioner for Victims and Witnesses.

(6) A statutory instrument containing regulations under subsection (4) may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament.’

This new clause would place a duty on specified public authorities to co-operate with the Commissioner for Victims and Witnesses.

New clause 14—*Major incidents: duty of candour*—

'(1) In discharging their duties in relation to a major incident, public authorities and public servants and officials must at all times act within their powers—

(a) in the public interest, and

(b) with transparency, candour and frankness.

(2) If a major incident results in a court proceeding, official inquiry or investigation, public authorities and public servants and officials have a duty to assist—

(a) relating to their own activities, or

(b) where their acts or omissions may be relevant.

(3) In discharging the duty under subsection (2), public authorities and public servants and officials shall—

(a) act with proper expedition;

(b) act with transparency, candour and frankness,

(c) act without favour to their own position,

(d) make full disclosure of relevant documents, material and facts,

(e) set out their position on the relevant matters at the outset of the proceedings, inquiry or investigation, and

(f) provide further information and clarification as ordered by a court or inquiry.

(4) In discharging their duty under subsection (2), public authorities and public servants and officials shall have regard to the pleadings, allegations, terms of reference and parameters of the relevant proceedings, inquiry or investigation but shall not be limited by them, in particular where they hold information which might change the ambit of the said proceedings, inquiry or investigation.

(5) The duties in subsections (1) and (2) shall—

(a) be read subject to existing laws relating to privacy, data protection and national security,

(b) apply in a qualified way with respect to private law and non-public functions as set out in subsection (6), and

(c) not be limited by any issue of insurance indemnity.

(6) The duties in subsections (1) and (2) shall be enforceable by application to the relevant court or inquiry chairperson by any person affected by the alleged breach, or the court or inquiry may act of its own motion. Where there are no extant court or inquiry proceedings, the duties may be enforced by judicial review proceedings in the High Court.'

This new clause would require public authorities and public servants and officials to act in the public interest and with transparency, candour and frankness when carrying out their duties in relation to major incidents.

New clause 15—*Referral of release decisions to the Court of Appeal: life prisoners*—

'After section 32ZA of the Crime (Sentences) Act 1997 insert—

"Referral of release decisions to Court of Appeal

327ZAA Referral of release decisions to Court of Appeal

(1) This section applies where—

(a) a prisoner is serving a life sentence imposed in respect of an offence specified or described in section 32ZAB (the "relevant sentence"),

(b) the Parole Board is required to make a public protection decision about the prisoner under section 28(6)(b) or 32(5A), and

(c) the public protection decision relates to the relevant sentence.

(2) Where the Parole Board has made a decision in a case to which this section applies—

(a) the Secretary of State may refer the decision to the criminal division of the Court of Appeal, or

(b) a victim may apply to the Secretary of State to request that the prisoner's case be referred to the criminal division of the Court of Appeal.

(3) Within [30 days] of an application being made under paragraph (2)(b), the Secretary of State must—

(a) exercise the power under subsection (2)(a) and refer the prisoner's case to the criminal division of the Court of Appeal, or

(b) provide to the victim a written statement explaining why they have decided not to exercise that power.

(4) This section applies in relation to a prisoner whose sentence was imposed before, as well as after, this section comes into force.

(5) But nothing in this section affects the duty of the Secretary of State to release a prisoner whose release has been directed by the Parole Board before this section comes into force.

(6) In this section, "public protection decision" has the meaning given by section 28ZA(2).

327ZAB Offences for purposes of Court of Appeal referral

(1) The offences specified or described in this section (for the purposes of section 32ZAA) are—

(a) murder;

(b) manslaughter;

(c) an offence under section 5 of the Domestic Violence, Crime 10 and Victims Act 2004, where a child has died as a result of the prisoner's unlawful act;

(d) an offence specified in any of paragraphs 41 to 43 of Schedule 18 to the Sentencing Code (specified terrorism offences other than inchoate offences);

(e) an offence that is not an inchoate offence and was determined to have a terrorist connection, within the meaning given by section 247A(7A) of the Criminal Justice Act 2003;

(f) an offence under section 1 of the Sexual Offences Act 2003 (rape);

(g) an offence under section 5 of that Act (rape of a child under 13);

(h) an offence under section 6 of that Act (assault of a child under 13 by penetration);

(i) an offence under section 8 of that Act (causing or inciting a child under 13 to engage in sexual activity);

(j) an offence under section 47 of that Act (paying for sexual services of a child) against a person aged under 16;

(k) an offence under section 1 of the Sexual Offences (Scotland) Act 2009 (asp 9) (rape);

(l) an offence under section 18 of that Act (rape of a young child);

(m) an offence under section 19 of that Act (sexual assault on a young child by penetration);

(n) an offence under section 20 of that Act (sexual assault on a young child);

(o) an offence under section 21 of that Act (causing a young child to participate in a sexual activity);

(p) an offence under Article 5 of the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2)) (rape);

(q) an offence under Article 12 of that Order (rape of a child under 13);

(r) an offence under Article 13 of that Order (assault of a child under 13 by penetration);

(s) an offence under Article 15 of that Order (causing or inciting a child under 13 to engage in sexual activity);

(t) an offence that—

(i) is abolished, and

(ii) would have constituted an offence referred to in paragraphs (a) to (s) if committed on or after the date on which it was abolished.

(2) A sentence in respect of a service offence is to be treated for the 35 purposes of section 32ZAA as if it were a sentence in respect of the corresponding offence.

(3) In subsection (2)—

(a) "service offence" means an offence under—

(i) section 42 of the Armed Forces Act 2006,

(ii) section 70 of the Army Act 1955 or the Air Force Act 1955, or

(iii) section 42 of the Naval Discipline Act 1957;

(b) "corresponding offence" means—

(i) in relation to an offence under section 42 of the Armed Forces Act 2006, the corresponding offence under the law of England and Wales within the meaning of that section;

(ii) in relation to an offence under section 70 of the Army Act 1955 or the Air Force Act 1955, the corresponding civil offence within the meaning of that Act;

(iii) in relation to an offence under section 42 of the Naval Discipline Act 1957, the civil offence within the meaning of that section.

327ZAC Powers of the Court of Appeal

(1) On a referral of a prisoner's case under section 32ZAA, the Court of Appeal may—

(a) direct the Secretary of State to release the prisoner on licence as soon as is reasonably practicable in all the circumstances including, in particular, the need to make arrangements in connection with any conditions that are to be included in the licence, or

(b) decide that the prisoner should remain confined and direct the Secretary of State accordingly.

(2) In making a decision under subsection (1), the Court of Appeal must have regard to whether there is no more than a minimal risk that, were the prisoner no longer confined, the prisoner would commit a further offence the commission of which would cause serious harm.

(2A) In making a decision under subsection (1), the Court of Appeal must consider—

(a) any statement made by the Parole Board as to the reasons for its decision,

(b) the evidence considered by the Parole Board in reaching its decision,

(c) any representations made to the Parole Board by the Secretary of State, by a victim, or on behalf of the prisoner,

(d) any transcript made of a Parole Board hearing in respect of the case.

(3) No judge shall sit as a member of the Court of Appeal on the hearing of a reference under this section in respect of a sentence they passed."'

New clause 16—*Referral of release decisions to the Court of Appeal: fixed-term prisoners*—

'(1) After section 256AZB of the Criminal Justice Act 2003 insert—

Referral of release decisions to the Court of Appeal

256AZBA Referral of release decisions to the Court of Appeal

(1) This section applies where—

(a) a prisoner is serving a fixed-term sentence imposed in respect of an offence specified or described in section 256AZBB (the "relevant sentence"),

(b) the Board is required to make a public protection decision about the prisoner under a relevant provision of this Chapter, and

(c) the public protection decision relates to the relevant sentence.

(2) Where the Parole Board has made a decision in a case to which this section applies—

(a) the Secretary of State may refer the decision to the criminal division of the Court of Appeal, or

(b) a victim may apply to the Secretary of State to request that the prisoner's case be referred to the criminal division of the Court of Appeal.

(3) Within [30 days] of an application being made under paragraph (2)(b), the Secretary of State must—

(a) exercise the power under subsection (2)(a) and refer the prisoner's case to the criminal division of the Court of Appeal, or

(b) provide to the victim a written statement explaining why they have decided not to exercise that power.

(4) This section applies in relation to a prisoner whose sentence was imposed before, as well as after, this section comes into force.

(5) But nothing in this section affects the duty of the Secretary of State to release a prisoner whose release has been directed by the Parole Board before this section comes into force.

(6) In this section—

"corresponding power of direction" , in relation to a relevant provision, is the power of the Board to direct the Secretary of State to release the prisoner, for the purposes of which the public protection decision is made (see section 237B);

"public protection decision" has the meaning given by section 237A(2);

"relevant provision" has the meaning given by section 237B.

256AZBB Offences for the purpose of Court of Appeal referral

(1) The offences specified or described in this section (for the purposes of section 256AZBA) are—

(a) manslaughter;

(b) an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004, where a child has died as a result of the prisoner's unlawful act;

(c) an offence specified in any of paragraphs 41 to 43 of Schedule 18 to the Sentencing Code (specified terrorism offences other than inchoate offences);

(d) an offence that is not an inchoate offence and was determined to have a terrorist connection, within the meaning given by section 247A(7A);

(e) an offence under section 1 of the Sexual Offences Act 2003 (rape);

(f) an offence under section 5 of that Act (rape of a child under 13);

(g) an offence under sections 6 to 51 of that Act;

(h) an offence under section 1 of the Sexual Offences (Scotland) Act 2009 (asp 9) (rape);

(i) an offence under section 18 of that Act (rape of a young child);

(j) an offence under sections 2 to 11 of that Act against a mentally disordered person, as defined by section 17 of that Act;

(k) an offence under Part 4 or Part 5 of that Act;

(l) an offence under Article 5 of the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2)) (rape);

(m) an offence under Article 12 of that Order (rape of a child under 13);

(n) an offence under Part 3 or Part 4 of that Order;

(p) an offence that—

(i) is abolished, and

(ii) would have constituted an offence referred to in paragraphs (a) to (o) if committed on or after the date on which it was abolished.

(2) A sentence in respect of a service offence is to be treated for the purposes of section 256AZBA as if it were a sentence in respect of the corresponding offence.

(3) In subsection (2)—

(a) "service offence" means an offence under—

(i) section 42 of the Armed Forces Act 2006,

(ii) section 70 of the Army Act 1955 or the Air Force Act 1955, or

(iii) section 42 of the Naval Discipline Act 1957;

(b) "corresponding offence" means—

(i) in relation to an offence under section 42 of the Armed Forces Act 2006, the corresponding offence under the law of England and Wales within the meaning of that section;

(ii) in relation to an offence under section 70 of the Army Act 1955 or the Air Force Act 1955, the corresponding civil offence within the meaning of that Act;

(iii) in relation to an offence under section 42 of the Naval Discipline Act 1957, the civil offence within the meaning of that section.

256AZBC Powers of the Court of Appeal

(1) On a referral of a prisoner's case under section 256AZBA, the Court of Appeal may—

(a) direct the Secretary of State to release the prisoner on licence as soon as is reasonably practicable in all the circumstances including, in particular, the need to make arrangements in connection with any conditions that are to be included in the licence, or

(b) decide that the prisoner should remain confined and direct the Secretary of State accordingly.

(2) In making a decision under subsection (1), the Court of Appeal must have regard to whether there is no more than a minimal risk that, were the prisoner no longer confined, the prisoner would commit a further offence the commission of which would cause serious harm.

(3) In making a decision under subsection (1), the Court of Appeal must consider—

(a) any statement made by the Parole Board as to the reasons for its decision,

(b) the evidence considered by the Parole Board in reaching its decision,

(c) any representations made to the Parole Board by the Secretary of State, by a victim, or on behalf of the prisoner,

(d) any transcript made of a Parole Board hearing in respect of the case.

(4) No judge shall sit as a member of the Court of Appeal on the hearing of a reference under this section in respect of a sentence they passed."'

New clause 17—*Monitoring compliance*—

‘(1) All agencies with responsibilities under the victims’ code have a duty to monitor and report how relevant services are provided in accordance with the victims’ code.

(2) In accordance with the duty in subsection (1), the agencies must provide an annual report to the Secretary of State on their assessment of their compliance with the code.

(3) The Secretary of State must make an annual statement to the House of Commons on the delivery of services provided in accordance with the victims’ code.’

This new clause would place a duty on the Secretary of State to make an annual statement on compliance with the victims’ code.

New clause 18—*Compliance with the code: threshold levels*—

‘(1) The Secretary of State must, by regulations, issue minimum threshold levels of compliance with each right of the victims’ code.

(2) If a minimum threshold is breached by an organisation in a particular area, the Secretary of State must commission an inspection of that body with regard to that breach.

(3) The Secretary of State must, as soon as is reasonably practicable, lay before Parliament the report of any such inspection.’

This new clause would require the Secretary of State to set minimum threshold levels of compliance with each right of the victims’ code.

New clause 19—*Non-disclosure of victims’ counselling records (No. 2)*—

‘(1) Subsection (3) of this clause applies where—

(a) in connection with any criminal investigation, access to records of a victim’s protected confidence in a counselling setting is sought (whether pre- or post-charge), or

(b) in any criminal proceedings records containing a protected confidence are to be served as evidence or disclosed by the prosecution to the defendant.

(2) In this section—

“protected confidence” means a communication made by a person in confidence to another person when the confidant was acting in a professional capacity providing counselling, psychological or mental health services;

“victim” has the same meaning as in section 1 of this Act.

(3) Permission for access to, service or disclosure of records containing a protected confidence may only be granted by the court.

(4) The court must direct that access should not be granted, or evidence should not be served or disclosed, if the court finds that doing so would disclose a protected confidence.

(5) Subsection (4) does not apply if the court finds—

(a) that the information is of substantial probative value, and

(b) that the public interest in disclosure substantially outweighs that of non-disclosure.

(6) In making a determination under subsection (5)(b), the court must take into account—

(a) the need to encourage victims of sexual offences to seek counselling,

(b) that the effectiveness of counselling is likely to be dependent on the maintenance of the confidentiality of the counselling relationship,

(c) the public interest in ensuring that victims of sexual offences receive effective counselling,

(d) that the disclosure of the protected confidence is likely to damage or undermine the relationship between the counsellor and the counselled person,

(e) whether disclosure of the protected confidence is sought on the basis of a discriminatory belief or bias, or

(f) that the adducing of the evidence is likely to infringe a reasonable expectation of privacy.'

New clause 27—*Compensation for victims of the infected blood scandal (No. 2)*—

'(1) In accordance with section 2(3C), the Secretary of State must, within three months of the passing of this Act, establish a body to administer the compensation scheme for victims of the infected blood scandal.

(2) The body created under this section must be chaired by a judge of High Court or Court of Session with status as sole decision maker.

(3) In exercising its functions, the body must—

(a) have regard to the need of applicants for speed of provision, simplicity or process, accessibility, involvement, proactive support, fairness and efficiency;

(b) involve potentially eligible persons and their representatives amongst those in a small advisory board, and in the review and improvement of the scheme;

(c) permit the hearing of applicants in person; and

(d) have an independent appeal body which will reconsider decisions of the scheme referred to it.

(4) The Secretary of State may by regulations make further provision about the body established under this section.

(5) For the purposes of this Act, a victim of the infected blood scandal means any infected or affected person whom the Second Interim Report of the Infected Blood Inquiry, as laid before Parliament on 19 April 2023, recommends should be admitted to a compensation scheme.

(6) This section comes into force on the day on which this Act is passed.'

New clause 28—*Report on impact on victims of the UK's reservation in respect of Article 59 of the Istanbul Convention*—

'(1) Within six months of the passing of this Act, the Secretary of State must lay before Parliament a report containing an assessment of the impact on victims of the UK's reservation in respect of Article 59 of the Council of Europe Convention on preventing and combating violence against women and domestic violence ("the Istanbul Convention").

(2) The report laid under subsection (1) must contain—

(a) an assessment of the impact on victims of domestic abuse,

(b) an assessment of the impact on the children of such victims, and

(c) an assessment of the merits of implementing the measures necessary for compliance with article 59 of the Istanbul Convention.'

New clause 29—*Mandatory training*—

'(1) The Secretary of State must by regulations require certain police officers and employees of the Crown Prosecution Service to receive training in respect of violence against women and girls.

(2) Regulations under subsection (1) must—

(a) make provision about the content of mandatory training, including training on the impact of trauma on victims of violence against women and girls, and

(b) make provision about the persons for whom this training is mandatory.

(3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.'

New clause 30—*Victims of specified offences: data-sharing for immigration purposes*—

'(1) The Secretary of State must make arrangements for ensuring that the personal data of a victim of a crime as specified in subsection (3), that is processed for the purpose of that person requesting or receiving support or assistance related to the crime, is not used for any immigration control purpose without the consent of that person.

(2) The Secretary of State must make arrangements for ensuring that the personal data of a witness to a crime as specified in subsection (3), that is processed for the purpose of that person giving information or evidence to assist the investigation or prosecution of the crime, is not used for any immigration control purpose without the consent of that person.

(3) The crimes referred to in subsections (1) and (2) are–

(a) domestic abuse as defined by section 1 of the Domestic Abuse Act 2021,

(b) an offence under any of sections 2, 2A, 4 or 4A of the Protection from Harassment Act 1997 or section 42A (1) of the Criminal Justice and Police Act 2001,

(c) an offence under any of sections 1, 2 or 4 of the Modern Slavery Act 2015,

(d) an offence under Part 1 of the Sexual Offences Act 2003, or

(e) such other offences as may be specified in regulations made by the Secretary of State.

(4) Paragraph 4 of Schedule 2 to the Data Protection Act 2018 shall not apply to personal data processed for the purposes of subsection (1) or (2).

(5) For the purposes of this section, the Secretary of State must issue guidance to those persons mentioned in subsection (10) about the effect of subsections (1) and (2).

(6) The Secretary of State may from time to time revise any guidance issued under this section.

(7) Before issuing or revising guidance under this subsection, the Secretary of State must consult–

(a) the Domestic Abuse Commissioner,

(b) the Victims' Commissioner,

(c) the Independent Anti-Slavery Commissioner, and

(d) such other persons as the Secretary of State considers appropriate.

(8) Subsection (7) does not apply in relation to any revisions of the guidance issued under this section if the Secretary of State considers the proposed revisions of the guidance are insubstantial.

(9) The Secretary of State must publish–

(a) any guidance issued under this section, and

(b) any revisions of that guidance.

(10) The persons mentioned in subsection (5) are—

(a) persons who are victims of or witnesses to the crimes in subsection (3),

(b) persons from whom support or assistance may be requested or received by a victim of crime in England and Wales,

(c) persons providing support to, or conducting investigations or prosecutions with the support of, witnesses of crime in England and Wales,

(d) persons exercising any function of the Secretary of State in relation to immigration, asylum or nationality and,

(e) persons exercising any function conferred by or by virtue of the Immigration Acts on an immigration officer.

(11) A person exercising public functions to whom guidance issued under this section relates must have regard to it in the exercise of those functions.

(12) For the purposes of this section–

"consent" means a freely given, specific, informed and unambiguous indication of the individual's wishes by which the individual, by a statement, signifies agreement to the processing of the personal data;

"immigration control" means the exercise of any functions of the Secretary of State and of immigration officers under the Immigration Acts within the meaning of section 61 of the UK Borders Act 2007;

"support or assistance" includes the provision of accommodation, banking services, education, employment, financial or social assistance, healthcare and policing services and any function of a court or prosecuting authority;

"victim", in relation to a crime, means the particular person who appears to have been affected by the crime, and their dependent, where that dependent is also affected by the crime.'

New clause 31—*Duty to notify school safeguarding lead of domestic abuse incident*—

'(1) The police must notify the designated safeguarding lead or officer of a child's school of any incident that meets the criteria in subsection (2).

(2) Those criteria are that—

(a) the police have attended an incident of domestic abuse, and

(b) the child is a child of an adult party involved in the incident.

(3) A notification under this section must occur before the start of the next school day following the incident.

(4) In this section, "domestic abuse" has the meaning given by section 1 of the Domestic Abuse Act 2021.'

New clause 32—*Victims' rights in relation to data*—

'(1) The UK GDPR is amended as follows.

(2) In Article 21 (right to object), after paragraph 1, insert—

"(1A) The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her, or a third party where that party is a child for whom they have parental responsibility, which is based on points (a) to (f) of Article 6(1), including profiling based on those provisions, if exceptional circumstances apply

(1B) The exceptional circumstances mentioned in paragraph 1B are—

(a) that the processing of the data was connected to, or reliant upon, conduct which could reasonably be suspected to constitute a criminal offence, or

(b) that the processing of the data was connected to, or reliant upon, conduct which could reasonably be considered as being intended to cause harassment, alarm or distress to the data subject or another living individual.

(1C) The Secretary of State may by regulations subject to the affirmative resolution procedure prescribe other exceptional circumstances where the right to object mentioned in paragraph 1A applies."

(3) In Article 17 (right to erasure ("right to be forgotten")), after paragraph 1(c), insert—

(ca) the data subject objects to the processing pursuant to Article 21(1A)."'

This new clause would allow victims of third party harassment to request the deletion of any personal data which was gathered or held as part of activity which could be considered criminal conduct – preventing third party reporting from causing ongoing distress to victims.

New clause 33—*Commissioner for Victims: enforcement of victims' code*—

'(1) The Commissioner for Victims ("the Commissioner") may investigate a complaint that a person to whom the code of practice under subsection 2(1) of this Act applies has failed to carry out their duties under the victims' code.

(2) Where the Commissioner upholds a complaint under subsection (1), the Commissioner may—

(a) recommend action to rectify the breach of the victims' code, or

(b) impose a fine on the person who has failed to comply with the victims' code.

(3) The Secretary of State may by regulations make further provision in connection with this section.'

New clause 34—*Funding for domestic abuse services: review*—

'(1) The Secretary of State must, within 3 months of this Act being passed, conduct a review into the level of funding and provision for domestic abuse services.

(2) The review must, in particular, consider—

(a) counselling and advocacy services, and

(b) refuges in the UK.

(3) Upon completion of the review, the Secretary of State must publish and lay before Parliament a report setting out—

(a) the findings of the review, and

(b) the action that the Secretary of State proposes to take in response to the review.'

New clause 35—*Experiences of victims of domestic abuse in the criminal justice system: review*—

'(1) The Secretary of State must, within 3 months of this Act being passed, conduct a review into the experiences of victims of domestic abuse in the criminal justice system.

(2) The review must consult, in particular—

(a) victims of domestic abuse who have been through the criminal justice system, specifically ensuring that views are sought from women with protected characteristics, and

(b) organisations, both inside and outside of the criminal justice system, who represent victims of domestic abuse.

(3) Upon completion of the review, the Secretary of State must publish and lay before Parliament a report setting out—

(a) the findings of the review, and

(b) the action that the Secretary of State proposes to take in response to the review.'

New clause 36—*Data collection in relation to children of prisoners*—

'The Secretary of State must collect and publish annual data identifying—

(a) how many prisoners are the primary carers of a child,

(b) how many children have a primary carer who is a prisoner, and

(c) the ages of those children.'

New clause 38—*Free independent legal advocates for rape victims*—

'(1) The Secretary of State must develop proposals for a scheme to give victims of rape access to free, independent legal advocates available in every police force area in England and Wales.

(2) For the purposes of this section—

"independent legal advocate for rape victims" means a person who is a qualified solicitor, with experience working with vulnerable people, who provides appropriate legal advice and representation to individuals who are victims of criminal conduct which constitutes rape.'

New clause 39—*Duty to inform victims and families of the Unduly Lenient Sentencing Scheme*—

'(1) The Criminal Justice Act 1988 is amended as follows.

(2) After section 36, insert—

"36A Duty to inform victims and families of the Unduly Lenient Sentencing Scheme

(1) The Secretary of State must nominate a Government Department ("relevant body") to inform victims and their families of their rights under the Unduly Lenient Sentencing Scheme, and such information must include the type of sentence and the time limit for application, and advise that applications must be made to the Attorney General."'

New clause 40—*Unduly lenient sentences: time limit*—

'(1) The Criminal Justice Act 1988 is amended as follows.

(2) In Schedule 3, paragraph 1, at end insert ", subject to paragraph 1A."

"(1A) The time limit of 28 days shall be extended in exceptional circumstances, where the relevant body has failed to inform the victim and families of their rights under the Unduly Lenient Sentencing Scheme."'

New clause 41—*Independent legal advice and representation for victims of rape and sexual assault*—

'(1) The Secretary of State must establish a Sexual Violence Complainants' Advocate scheme ("the scheme").

(2) The scheme must provide free legal advice and representation to victims of rape and sexual offences in England and Wales.

(3) The scheme must—

(a) provide legal advice to victims in relation to requests for access to their personal data;

(b) provide victims with advice on their rights under the Victims' Right to Review scheme, and assist them with making requests under that scheme;

(c) provide legal advice to victims in relation to sexual history applications under section 41 of the Youth Justice and Criminal Evidence Act 1999

(d) provide legal advice to victims in relation to complaints made to justice agencies

(e) provide legal advice to assist victims to negotiate fully informed consent to access to their personal data; or

(f) subject to subsection (4), provide legal representation of victims in relation to the police, prosecutors, or court, where that representation is necessary to prevent irrelevant or excessive material being accessed.

(4) Section 3(f) is limited to those circumstances in which a complainant has rights of audience, including hearings on disclosure of third-party materials where a court chooses to invite participation by a complainant under Criminal Procedure Rules 17.4-17.6

(5) The Secretary of State may by regulations make further provision about the scheme"'

New clause 42—*Statement on report of Infected Blood Inquiry*—

'(1) Within 25 sitting days of the publication of the final report of the Infected Blood Inquiry, the Secretary of State must make an oral statement to the House of Commons responding in full to the recommendations of the report, including—

(a) how victims of the infected blood scandal will be able to access compensation, and

(b) what steps will be taken to establish a body to administer the compensation scheme.

(2) In this section, 'sitting days' means days on which the House of Commons sits.'

New clause 43—*Victims of major incidents: registration of death*—

'(1) The Secretary of State must by regulations make provision for a relative to provide information in the connection with the registration of the death of a person who was a victim of a major incident, even if an investigation is conducted under Part 1 of the Coroners and Justice Act 2009.

(2) Regulations under this section must—

(a) amend form 13 in Schedule 2 of the Registration of Births and Deaths Regulations 1987 as follows—

(i) add an additional section, entitled "victims of major incidents", to include the name, qualification and usual address of the relative,

(ii) provide for the signature of the relative to be given under the statement "I certify that the particulars given by me above are true to the best of my knowledge and belief", and

(b) provide that the relative may provide these details during the five day period beginning with the day on which a registrar completes the form.

(3) The Secretary of State may by regulations make further provision consequential on this section.

(4) The power to make regulations under subsection (3) may (among other things) be exercised by modifying any provision made by or under an enactment.'

This new clause would enable a relative of a person who has died in a major incident to have their details included in the registration of the person's death.

Amendment 160, page 1, line 7, at end insert—

"(aa) witnessing criminal conduct,

(ab) having subsequent responsibility for care because of criminal conduct,

(ac) experiencing vicarious harm due to criminal conduct."

Amendment 1, page 1, line 16, at end insert—

"(e) where a person has entered into a non-disclosure agreement that has the effect of preventing that person from speaking about behaviour that may be criminal misconduct."

Amendment 2, page 1, line 16, at end insert—

"(e) where the person has experienced, or made allegations that they have experienced—

(i) sexual abuse, sexual harassment or sexual misconduct, or

(ii) bullying or harassment not falling within paragraph (i)."

Amendment 5, page 1, line 16, at end insert—

"(e) where the person has experienced adult sexual exploitation."

Amendment 7, page 1, line 16, at end insert—

"(e) where the person is the child of a person posing sexual risk to children."

This amendment would include children of a person posing a sexual risk to children (that is, paedophiles (including perpetrators of offences online), suspects or offenders) as victims.

Amendment 27, page 1, line 16, at end insert—

"(e) where the person is a victim of honour-based abuse (see section [Meaning of "honour-based abuse"])."

Amendment 28, page 1, line 16, at end insert—

"(e) where the person has suffered harm as a direct result of criminal conduct in relation to sewage and waste water"

Amendment 33, page 1, line 16, at end insert—

"(e) where the person has experienced anti-social behaviour, as defined by section 2 of the Anti-social Behaviour Act 2014, and the conditions necessary for an ASB case review under section 104 of that Act have been met."

This amendment would include victims of anti-social behaviour in the definition of a victim.

Amendment 144, page 1, line 16, at end insert—

"(e) where the person is a victim of the infected blood scandal, as defined in section (Compensation for victims of the infected blood scandal)(5) of this Act."

Amendment 147, page 1, Line 16, at end insert—

"(e) where the person has suffered significant harm as a result of, and knows or knew of any other victim of, criminal conduct."

This amendment would include those who suffer from vicarious trauma after a crime in the scope of the Victims Code.

Amendment 157, page 1, line 16, at end insert—

"(e) where the person has experienced child criminal exploitation;".

This amendment would include victims of child criminal exploitation in the definition of a victim.

Amendment 148, page 1, Line 16, at end insert—

"(3A) For the purposes of this section, it does not matter whether the criminal conduct happened within the United Kingdom or elsewhere."

This amendment would explicitly require that victims do not miss out on support as a result of the crime affecting them being carried out outside the UK.

Government amendment 34.

Amendment 8, page 2, line 5, after "that" insert—

"no report of the conduct has been made to a criminal justice body and that".

This amendment aims to ensure that a person could meet the definition of a victim without needing to make a report to a criminal justice body.

Amendment 6, page 2, line 6, at end insert—

"(c) "adult sexual exploitation" means conduct by which a person manipulates, deceives, coerces or controls another person to undertake sexual activity."

This amendment creates a statutory definition of adult sexual exploitation.

Amendment 158, page 2, line 6, at end insert—

"(c) "child criminal exploitation" means conduct by which a person manipulates, deceives, coerces or controls a person under 18 to undertake activity which constitutes a criminal offence;".

This amendment provides a definition for the term "child criminal exploitation".

Amendment 9, in clause 2, page 2, line 18, leave out paragraph (a) and insert—

"(a) should be provided with information from all state agencies with responsibilities under the victims' code, including the NHS, to help them understand the criminal justice process and beyond, including grant of leave or discharge."

This amendment would extend the principle that victims should be given information about the criminal justice process to explicitly include the NHS, in order to bring mental health tribunal decisions in line with the rest of the criminal justice system.

Amendment 10, page 2, line 19, at end insert—

"in a language or format that they can understand;".

Amendment 11, page 2, line 23, at end insert—

"and should be provided with appropriate support to communicate these views;".

Amendment 12, page 2, line 23, at end insert—

"and with all state agencies with responsibilities under the victims' code, including HMCTS and the NHS when considering leave or discharge;".

This amendment seeks to ensure that the NHS and HM Courts and Tribunals Service are included when victims have a right to be heard in the justice process, bringing mental health tribunals decisions in line with the rest of the criminal justice system.

Amendment 3, page 2, line 25, at end insert—

"(3A) The victims' code must make provision in relation to people who have experienced, or made allegations that they have experienced—

(a) sexual abuse, sexual harassment or sexual misconduct, or

(b) bullying or harassment not falling within paragraph (a).

(3B) Provision under subsection (3A) must include—

(a) provision relating to the enforcement of non-disclosure agreements signed by such victims, and

(b) provision about legal advice and other support for such victims in cases where they are asked to sign, or have signed, a non-disclosure agreement.

(3C) In this section—

"non-disclosure agreement" means an agreement which purports to any extent to preclude a victim from—

(a) publishing information about a relevant complaint, or

(b) disclosing information about the relevant complaint to any one or more other persons;

"misconduct" means—

(a) sexual abuse, sexual harassment or sexual misconduct, and

(b) bullying or harassment not falling within paragraph(a);

"relevant complaint" means a complaint relating to misconduct or alleged misconduct by any person."

This amendment would require the victims' code to include specific provision for people who have experienced, or made allegations that they have experienced, sexual abuse, sexual harassment or sexual misconduct, or other bullying or harassment.

Amendment 13, page 2, line 25 at end insert—

"(3A) In accordance with subsection (3)(e), the victims' code must include provision requiring that—

(a) all victims of child sexual abuse, including online-based abuse, are entitled to compensation under the Criminal Injuries Compensation Scheme,

(b) victims with unspent convictions, whose offences are linked to the circumstances of their sexual abuse as a child, are entitled to compensation under the Criminal Injuries Compensation Scheme, and

(c) victims of child sexual abuse may apply for compensation under the Criminal Injuries Compensation Scheme within a 7 year period of whichever of these two dates is the later—

(i) the date the offence was reported to the police, or

(ii) if the offence was reported whilst the victim was a child, the date the victim turned 18."

This amendment would provide that all victims of child sexual abuse (CSA), including online, are entitled to compensation under the CICS and that those with unspent convictions directly linked to the circumstances of their abuse can access compensation. It would also extend the period by which victims can apply.

Amendment 14, page 2, line 25, at end insert—

"(3A) The victims' code must—

(a) require criminal justice bodies to take all reasonable steps to identify and record any change of name by a perpetrator, and

(b) require criminal justice bodies to inform a relevant victim when a perpetrator changes their name.

(3B) For the purposes of subsection (3A)—

"perpetrator" means a person whose conduct or alleged conduct results in another person being a victim as defined by section 1 of this Act;

"relevant victim" means a person who becomes a victim as a result of the perpetrator's conduct."

This amendment would require criminal justice bodies to monitor name changes of perpetrators and inform victims of any name changes.

Amendment 15, page 2, line 25 at end insert—

"(3A) The victims' code must make provision about pre-trial therapy for victims, including—

(a) a requirement that all criminal justice agencies inform victims of their right to pre-trial therapy, and

(b) a requirement that the Crown Prosecution Service annually review their pre-trial therapy guidance and its implementation."

This amendment would include in the victims' code a requirement to inform all victims of their right to access pre-trial therapy, and require the CPS to annually review the implementation of pre-trial therapy guidance.

Amendment 29, page 2, line 25, at end insert—

"(3A) The victims' code must make provision about support for victims of burglaries.

(3B) Provision under subsection (3A) must include a requirement that a victim of a burglary must be visited by a police officer."

Amendment 142, page 2, line 25, at end insert—

"(3A) The victims' code must include provision requiring that all victims of the infected blood scandal, as defined in section (Compensation for victims of the infected blood scandal)(5) of this Act, are entitled to compensation.

(3B) Subject to subsection (3C), compensation must be administered by a body established for that purpose by the Secretary of State under section (Compensation for victims of the infected blood scandal).

(3C) The Secretary of State must ensure that an interim compensation payment of £100,000 is made within one month of the passing of this Act in the following circumstances—

(a) where an infected victim died as a child or died as an adult without a partner or child, the compensation payment should be made to their bereaved parents (split equally if separated);

(b) where an infected victim has died and there is no bereaved partner but there is a bereaved child or children (including any adopted child), the compensation payment should be paid to the child or children (split equally); and

(c) where an infected victim has died and there is no bereaved partner, child nor parent but there is a bereaved full sibling or siblings, the compensation payment should be paid to the sibling or siblings (split equally)."

Amendment 143, page 2, line 25, at end insert—

"(3A) Within one month of the passing of this Act, the victims' code must make specific provision for a bespoke psychological service in England for victims of the infected blood scandal, as defined in section (Compensation for victims of the infected blood scandal)(5) of this Act."

Amendment 146, page 2, line 25, at end insert—

"(3A) The victims' code must include provision about therapy and other support services for victims who are children.

(3B) Provision under subsection (3A) must include—

(a) a requirement that support must be provided to such victims within one month of a request for support being made,

(b) provision relating to the types of support to which such victims are entitled,

(c) minimum standards for the quality of support to which such victims are entitled,

(d) a requirement that support should be available to such victims—

(i) throughout the criminal justice process, and

(ii) after that process has been completed."

Amendment 159, page 2, line 25, at end insert—

"(3A) The victims' code must provide that, where a victim has signed a non-disclosure agreement relating to criminal conduct to which they have been subjected, nothing in that agreement may prevent them from accessing services to which they are entitled under the code."

Amendment 26, page 2, line 34, at end insert—

"(5A) Regulations under subsection (4) must make provision for a person to be able to obtain free of charge, on request, a transcript of a trial in which the person was involved as a victim."

Amendment 156, in clause 6, page 4, line 38, at end insert—

"(1A) The Secretary of State must publish and implement, in consultation with the Commissioner for Victims and Witnesses, a strategy for providing training on the impact of crime on victims and on victims' rights for relevant staff of the following organisations —

(a) the Police

(b) the Crown Prosecution Service;

(c) probation services;

(d) the Foreign and Commonwealth Office;

(e) health and social services;

(f) victim support services

(g) maintained and independent schools and colleges of further education; and

(h) such other bodies as the Secretary of State deems appropriate.

(1B) The Secretary of State must review and update the strategy published under subsection (1A) every three years."

Government amendments 35 to 46.

Amendment 4, in clause 12, page 10, line 22, at end insert "(d) stalking."

Amendment 16, page 10, line 22, at end insert "(d) modern slavery."

This amendment would extend the duty to collaborate to include victim support services for victims of modern slavery.

Government amendment 47.

Amendment 149, page 10, line 40, at end insert—

"(10) For the purposes of this section, the relevant authorities for a police area, as defined in subsection (2), must together conduct a joint strategic needs assessment.

(11) The Secretary of State must provide a National Statement every three years on support for victims of domestic abuse and sexual violence, including—

(a) volume of provision at the time at which the National Statement is provided,

(b) levels of need, including a breakdown of demographics, including victims with protected characteristics, and

(c) levels of investment in services.

(12) In preparing a National Statement under subsection (11), the Secretary of State must have regard to the joint strategic needs assessments prepared under subsection 10.

(13) The Secretary of State must ensure that sufficient funding is provided annually to ensure that the relevant authorities, as defined in subsection (2), are able to commission relevant victim support services, as defined in subsection (4).

(14) The Secretary of State must provide sufficient funding to enable 'by and for' services to deliver services to, and to increase the capacity for delivering services to, victims of domestic abuse and sexual violence.

(15) In this section, "'by and for' services" means services which—

(a) are designed for and delivered by those that share the same protected characteristic(s) as the victims they are intended to serve, and

(b) provide services to Black and minority ethnic, LGBT+, deaf or disabled victims and survivors of domestic abuse.

(16) The Secretary of State must issue guidance in relation to this section about—

(a) the production of Joint Strategic Needs Assessments by the relevant authorities,

(b) the identification of victims' need and of gaps in provision by the National Statement,

(c) the principles which must be followed in the application and allocation of funding,

(d) the conditions under which "by and for" organisations that do not have specialism in domestic abuse service provision may be eligible to apply for funding.

(17) In preparing guidance under subsection (16), the Secretary of State must consult—

(a) "by and for" organisations working with victims of domestic abuse and of violence against women and girls,

(b) the Domestic Abuse Commissioner,

(c) the Commissioner for Victims,

(d) the Children's Commissioner."

Government amendments 48 to 52.

Amendment 155, in clause 15, page 12, line 3, leave out "Secretary of State" and insert "responsible authority".

Amendment 17, page 12, line 5, at end insert "(c) independent stalking advocates."

Amendment 154, page 12, line 5, at end insert—

"(1A) For the purposes of this section, the responsible authority is—

(a) in England, the Secretary of State; and

(b) in Wales, the Welsh Ministers."

Amendment 19, page 12, line 5, at end insert—

"(c) any other specialist community-based services relevant to the criminal conduct ."

Amendment 18, page 12, line 12, at end insert—

"(c) "independent stalking advocate" means a person who provides a relevant service to individuals who are victims of criminal conduct which constitutes stalking."

This amendment ensures that the Secretary of State must also provide guidance around stalking advocates, in addition to guidance about ISVAs and IDVAs.

Amendment 20, page 12, line 12, at end insert—

"(c) specialist community-based service" means a person who provides a relevant service to individuals based on a protected characteristics under the Equality Act 2010 or the specific nature of the crime faced by the victim."

Amendment 21, page 12, line 13, leave out "or (b)" and insert ", (b) or (c)".

Amendment 22, page 12, line 16, leave out subsection (4) and insert—

"(4) Guidance under this section about service providers under subsection (1) must include provision about—

(a) the role of such providers;

(b) the services they provide to—

(i) victims, including (where relevant) victims who are children or have other protected characteristics, or

(ii) persons who are not victims, where that service is provided in connection with a service provided to a victim;

(c) how such providers and other persons who have functions relating to victims, or any aspect of the criminal justice system, should work together;

(d) appropriate training and qualifications for such providers."

Government amendment 53.

Amendment 23, page 12, line 28, leave out from beginning to "must" and insert— "The service providers listed in subsection (1)".

Amendment 24, in clause 22, page 18, line 26, at end insert—

"(d) is satisfied that the victim has been informed of their rights in relation to the request."

Government amendments 54 to 56.

Amendment 25, page 20, line 23, at end insert—

"(d) including a full statement of the victim's rights in relation to the request."

Government amendment 57.

Amendment 145, page 22, line 21, at end insert—

"44F Requirements for training in respect of victim information requests

(1) The Secretary of State must by regulations require certain persons to receive training in respect of victim information requests.

(2) Regulations under subsection (1) must—

(a) require authorised persons to undertake training relating to the making of victim information requests, including on the meaning of "reasonable line of enquiry",

(b) require certain employees of the Crown Prosecution Service to undertake training in respect of victim information requests, including training in the appropriate use of material obtained through such a request,

(c) require persons who provide services to victims and who may receive victim information requests to undertake training in relation to those requests,

(d) make provision about the content and delivery of the training required.

(3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament."

Government amendments 58 to 99, 150 and 100.

Amendment 152, page 35, line 28, leave out Clause 36.

Government amendments 101 to 112.

Amendment 153, page 38, line 10, leave out Clause 37.

Government amendments 113 to 135, and 151.

Government motion to transfer Clause 51.

Government amendments 136 to 141.

There is a lot of pressure on speakers for this debate, and I would be grateful if people could be conscious of that, particularly on the Front Benches. I am unlikely to impose a time limit from the start, but it would be helpful if those on the Front Benches also gave some consideration to that.

Edward Argar >

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It is a privilege to open this debate and bring the Bill to the House for Report. This important Bill has been long called for by Members across the House, and in progressing it we are delivering on our manifesto. Its central mission, and indeed that of this Government, is to ensure that victims are not just spectators in a criminal justice system, but are treated as participants in it. Victims tell us that they want to be treated fairly, properly, and with dignity. They want clear, timely, accurate information, and the opportunity and help to make their voice heard. The Bill aims to do just that. It will amplify victims' voices, ensure that they get the high-quality support they deserve, and make services more joined up better to support them. By putting the overarching principles of the victims code on a statutory footing, we will send a clear signal about the service that victims can expect. We will place a new duty on criminal justice agencies to promote awareness of the code so that victims are better informed. The Bill will also create an independent public advocate to speak up for those involved in major incidents such as the Grenfell or Hillsborough tragedies. It will deliver further safeguards to the parole system to protect the public.

Those are critical reforms, and in the spirit in which we conducted Committee and Second Reading, I take this opportunity to thank the Opposition and all Members for their constructive engagement. Although there may be areas on which we disagree, in some areas we were able to work constructively together. I particularly wish put on record my gratitude to the hon. Member for Rotherham (Sarah Champion) for her determination and engagement with a variety of amendments and issues, and for the depth of that engagement. Even where we were not able to agree, I am grateful for the tone and manner in which the debate has been conducted thus far.

Mr Toby Perkins >
(Chesterfield) (Lab)

Share

The Government are fond of saying that they are getting on with the people's priorities, however much opinion polls may suggest the opposite. I agree entirely that all parties believe that the Bill is needed, and all parties want to get it on to the statute book. Does the Minister share my concern that the sheer weight of amendments proposed, and the widespread group of people who are saying that a number of people are being missed by this glorious once-in-a-Parliament opportunity, mean that the Government should be much more ambitious about ensuring that more victims get the support they need?

Edward Argar >

Share

It will not surprise the hon. Gentleman to know that I do not share his characterisation of the Bill. We have sought to draw the definition of those entitled to support under the victims code as widely as possible, keeping it to those who are victims of crime, because that is the nature of the Bill, but not being specific in listing a range of different groups or categories of victims. That is precisely because we want the Bill to be inclusive, rather than inadvertently being too prescriptive and leaving people out, thereby excluding them from services. We have tried to be as broad based as possible in our definition and approach.

To return to that core definition, this is about victims of crime and of criminal acts. To conclude my comments about the tone of the debate, I am grateful to everyone, not just right hon. and hon. Members who have engaged with the Bill, but stakeholders across the criminal justice system, including many charities, campaigners and others. Again, although we may not have always reached the

same conclusion, the level of their engagement, and its tone, has been phenomenal and much appreciated, and I think it makes for a better Bill. Indeed, some victims have bravely shared their experiences. It is not easy for someone to share their experience of crime with anyone they do not know, particularly in the context of a much debated Bill, so again, I am grateful to each and every one of them.

6.15pm

The number of amendments tabled—that is the point made by the hon. Member for Chesterfield (Mr Perkins)—and the amount of interest that the Bill's provisions have generated, demonstrates how important it is. It is encouraging to see the number of right hon. and hon. Members who are in the Chamber for the Report stage, which I think speaks well of the House in that respect. It is, of course, vital that we deliver for victims, and for that reason, following points raised by hon. Members and other stakeholders, the Government will be tabling a number of amendments to strengthen the Bill further, to ensure that it delivers what we want it to, as well as reflecting the listening that we have done during its passage.

Part 1 deals with victims of criminal conduct. We will bring forward a legislative requirement for those under the duty to collaborate to carry out a joint assessment of the needs of victims when preparing their joint commissioning strategy for victim support services. That will require local commissioners to work together to assess the needs of victims in their local police area, the services that are available, and whether and how victims' needs are being met. There will be an explicit requirement to have regard to the particular needs of certain victims such as children. That was raised in Committee, and I am particularly grateful to the Domestic Abuse Commissioner and her office, who have continued to raise the importance of joint needs assessments to strengthen the duty to collaborate. I am pleased to accept her recommendations and proposals, and to table the relevant amendment.

We will clarify the drafting of the Bill so that it clearly states and is understood that a crime does not need to have been reported for an individual to be included within the definition of "victim". That was always our intent, but concerns were raised by stakeholders and parliamentarians that that was not explicit or clear enough, which is why we have tabled our new clause. Victims' views are vital if we are to ensure that support services meet their needs. We listened to feedback in Committee on how valuable such insight can be, and our amendment to clause 13 would place a requirement on local commissioners who are under the duty to collaborate to make reasonable efforts to obtain the views of victims when preparing their commissioning strategy. There are also instances where seeking a view from the Victims' Commissioner on those strategies will be useful, given their expertise and insight. However, we should also be conscious that that is not always the most appropriate use of the Victims' Commissioner's office, and may not be necessary in every case. The amendment clarifies that that will not be a requirement, but it is possible for such engagement to take place.

In Committee, the hon. Member for Birmingham, Yardley (Jess Phillips) raised concerns about support for those who are bereaved by suicide where the cause is domestic abuse. I see her in her place on the Back Bench. I very much enjoyed debating with her when she was on the Front Bench, and I suspect those debates will continue from her new seat. The content may be the same, it is just the seat that is different, and I welcome her back to the Back Benches and look forward to engaging with her further. I agree it is right that suicides are also recognised as fatalities following domestic abuse. For that reason, new clause 20 will change the name of domestic homicide reviews and the circumstances in which they can be carried out. Domestic homicide reviews are multiagency reviews that seek to identify and implement lessons learned from deaths that have, or appear to have resulted from domestic abuse. We will rename those "domestic abuse related death reviews", better to reflect the range of deaths that fall within the scope of a review. That name change will emphasise that all deaths linked to domestic abuse should be treated as seriously as a domestic homicide.

I also highlight the specialist support that is available for those bereaved under such circumstances. It may not go as far as the hon. Lady would wish, but I hope she will see it as another step forward. We are committed to developing the evidence base and interventions for suicides that follow domestic abuse, and we will also update current legislation for such reviews, to ensure that a domestic abuse related review is considered when a death has or appears to have resulted from domestic abuse, as defined by the Domestic Abuse Act 2021.

Government new clause 37 concerns Jade's law. In October this year, the Lord Chancellor announced that the Government would suspend parental rights from parents who murder their partner or ex-partner with whom they share children, and the new clause will give effect to that pledge. It will provide for the suspension of parental responsibility in the tragic situation where one partner has been convicted of killing a partner or ex-partner. The new clauses will allow the family court to review the suspension, which will be facilitated by placing a new duty on the local authority to rapidly initiate and bring such proceedings when there is likely to be no one else holding parental responsibility for a child.

I take this opportunity to offer my most sincere condolences to all families dealing with these tragic circumstances, including the family of Jade Ward, who lost their daughter, mother and friend in such a horrific way. Their tireless campaigning, along with that of the right hon. Member for Alyn and Deeside (Mark Tami), has led to and helped shape this amendment. It is important that where we make these changes, we recognise those in this House—from whichever side of the Chamber they come—who have put in the work to achieve them, and I do that now.

Our amendment will provide that where a parent is convicted of the murder or voluntary manslaughter of their co-parent, the Crown court will make a prohibited steps order. That will prevent that parent from exercising their parental responsibility in respect of any children they share at the point of sentencing. We must ensure that in any decision making, the family court considers the best interests of any children involved and the impact it may have on them. The convicted parent may also make representations. The family court will decide whether the order should remain.

There are some cases where an immediate suspension of parental responsibility by the Crown court would not be appropriate. We will therefore include provision for the Crown court not to suspend parental responsibility where it concludes that it would not be in the interests of justice. This important amendment will give a clear route to help protect families from additional trauma in their darkest moments.

Before moving on to part 2, I will address a number of other concerns that have been raised by Members and tabled as amendments to part 1. I will not pre-empt what may be said by those Members speaking to or moving those amendments—I wish to hear what they have to say—but I thank them for engaging with me over the summer on their concerns. After careful reflection, there are a number of amendments that we have not brought forward or have sought to address through non-legislative means. Some of them seek to expand the definition of a victim or expand support services to reference specific crime types. Although I understand the rationale for that, as I mentioned to the hon. Member for Chesterfield, and the positive impact on victims that recognising a specific crime in legislation can have, on careful consideration I remain of the view that it is right that the definition of victim in this Bill and for support services remains purposely broad and high-level, ensuring that it captures every victim of crime.

However, I recognise in particular the calls made for non-criminal antisocial behaviour to be referenced in this Bill. I also recognise, as I suspect does every Member of this House, the impact that persistent antisocial behaviour that does not reach a criminal threshold can have on individuals and whole communities. While we remain of the view that this is not the right Bill for these measures, I reassure the House that the Government are committed to supporting this cohort. For that reason, the Criminal Justice Bill—it is currently before the House, with its Second Reading so ably concluded by my hon. Friend the Member for Newbury (Laura Farris)—contains provisions related to tackling all antisocial behaviour, and we therefore consider it the most appropriate vehicle for any legislative changes and for this debate. It will be supplemented by a suite of non-legislative measures.

The Home Office, as the lead Department, recently relaunched its antisocial behaviour case review, formerly known as the community trigger, and raised awareness of the tool throughout ASB Awareness Week 2023. Additionally, the Department for Levelling Up, Housing and Communities is working on a one-stop shop reporting system for ASB, which will ensure that victims of ASB have easy and flexible ways of reporting antisocial behaviour and will receive an update on what has happened as a result. It is also important to remember that a large amount of antisocial behaviour is in fact criminal. While it may not be categorised as antisocial behaviour, the individual offences that are criminal often apply to many of these cases.

Sarah Champion >
(Rotherham) (Lab)

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The Minister is aware of the debate we had around child criminal exploitation. Does he believe that that part of the Criminal Justice Bill could cover that definition?

Edward Argar >

Share

The point that the hon. Lady raises does not directly relate to antisocial behaviour, because often what she is talking about is criminal in many ways. As I set out in Committee, we believe that where ASB is criminal, it would already be captured under this legislation. I suspect that she may develop that point in her remarks later.

Another area that has been raised, which my right hon. Friend the Member for Basingstoke (Dame Maria Miller) will speak to, is non-disclosure agreements and how they may prevent victims from being able to seek the support they need. I particularly thank her for her constructive engagement on this important topic. I also thank the hon. Member for Oxford West and Abingdon (Layla Moran),

although she is not her place. I recognise that non-disclosure agreements are misused if they prevent someone from speaking about what they have experienced, whether it is criminality or equivalent. While this Government recognise that NDAs, also known as confidentiality clauses, can and do serve a valid purpose to protect commercially sensitive information and deliver finality, they should never be used to stop victims of crime getting the support they need. I also note changes in this respect in higher education, if memory serves. I reassure the hon. Lady and my right hon. Friend that we continue to work closely with the Department for Business and Trade, which holds overall policy responsibility for NDAs, to carefully consider how best to address the issues they have raised, including, where appropriate, through legislative options as this legislation progresses.

I will touch on some of the concerns raised by Members that do not require legislation, which we will address by bringing forward non-legislative measures. On code compliance, we will set out a non-legislative notification process that shows clear consequences for non-compliance in guidance. We will publish more detail on that shortly. We will also make updates to the victims code, including adding further information on how victims can access pre-trial therapy and get more timely information about, for example, restorative justice and how victims of crime overseas can access support.

Elliot Colburn >

(Carshalton and Wallington) (Con)

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As chair of the all-party parliamentary group on restorative justice, I am grateful to the Minister for giving way. I appreciate that he has said that he does not want to use this Bill as a vehicle to take through legislative changes to access to RJ services, but could he set out in a bit more detail the non-legislative measures that he is planning to bring in to help improve access to restorative justice services for victims?

Edward Argar >

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I am grateful to my hon. Friend for his engagement on this issue. Thanks to his intervention and those of campaigners, and his tireless work to ensure that victims are given the right opportunities to participate in restorative justice, I am pleased today, at the Dispatch Box, to commit to the following changes. I will ensure that our new commissioning guidance for police and crime commissioners due to be published next year will include specific information on restorative justice services so that those responsible for funding services understand these services when considering how best to address local need. I will also consult on a new entitlement in the victims code for victims to be given information about restorative justice services at the point of sentence, rather than the point of reporting, which I appreciate may not be the right time for consideration by either the victims or offenders. I hope that those additional measures will improve awareness and provision of restorative justice, which I recognise can be extremely valuable for victims and offenders in appropriate cases. I am grateful to my hon. Friend for his work in driving forward this change.

Rachael Maskell >

(York Central) (Lab/Co-op)

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On the issue of pre-trial therapy, will the Minister be taking on board the recommendations from the Bluestar Project, which has been working to ensure that the victims code is up to date and that pre-trial therapy is readily accessible to all survivors of child sexual abuse?

Edward Argar >

Share

In respect of pre-trial therapy, and in addition to what I said, we will be bringing forward a revised victims code and consulting on the detail of it. I am happy to look into the specifics of what she proposes, but I do not want to pre-judge that consultation. I appreciate that on some occasions people may think that the consultations are pre-determined, but I want this to be genuine engagement and consultation. I am happy to read anything that she wants to send me, as always.

I also put on record my thanks to the hon. Member for Richmond Park (Sarah Olney) for raising the important issue of court transcripts. I recognise the cost challenge posed by transcription of every aspect of a case, and the full details of the case and all its proceedings. What I am happy to announce today is that, from next spring, we will run a one-year trial pilot that will enable victims

of rape and other serious sexual offences to request Crown court sentencing remarks, which contain a summary of the case and the points that have been made, free of charge. We believe that this approach strikes the right balance between supporting victims of these horrific crimes and providing something that is affordable and achievable, and I am grateful to the hon. Lady for her work on this issue.

I thank the hon. Member for Westmorland and Lonsdale (Tim Farron) for his amendments and for raising the issue of criminal conduct relating to sewage and wastewater. Like every Member of the House, I have every sympathy with those who are affected by these offences, and I have made it clear that individuals who have been harmed or impacted by these offences can access support services where the issue for which they are seeking support fits their eligibility. I will say no more than that at the moment, because I want to hear what he says when he speaks to his amendments. I will seek to address them in more detail in my winding-up speech, if that is acceptable to him, because I want to hear what he has to say.

I turn now to part 2 of the Bill, "Victims of Major Incidents," on which the Government will table a number of amendments relating to the Independent Public Advocate. Before turning to those amendments, I wish to put on the record my thanks for the time and dedication of Bishop James Jones, my right hon. Friend the Member for Maidenhead (Mrs May), the right hon. Lord Wills and, of course, the right hon. Member for Garston and Halewood (Maria Eagle), who is in her place and who has been phenomenally pragmatic throughout the process. While pushing for what she believes to be the right outcome, she has engaged constructively and pragmatically to try to make improvements, and I am very grateful for the way she has done that. In what I am about to say, she will see some of the fruits of what she has done in that space.

We have engaged with victims directly, we have heard from them about what they most need after a major incident, and we have sought to listen. First, we will establish a permanent Independent Public Advocate for victims of major incidents, who is referred to in the Bill as the standing advocate. This standing advocate will advise the Secretary of State on the interests of victims of major incidents and their treatment by public authorities in response to those major incidents. A major incident will still be declared by the Secretary of State, and I appreciate that some have called for the IPA to be self-deploying. However, we do not believe that would necessarily be the most appropriate or sustainable approach. The Secretary of State is accountable to Parliament, is responsible for spending public money, and can be challenged on their decisions in the courts.

Secondly, our amendments will allow the standing advocate to advise relevant Secretaries of State on the appropriate Government review mechanisms following a major incident. These could include a statutory inquiry or a non-statutory panel model, such as the Hillsborough independent model. Such advice can also cover the scope of any review, and the advocate will make representations for the questions to which victims want answers. Crucially, this advice will be informed by the views and needs of victims themselves, and it will place their voice at the heart of the process.

Continuing with the IPA, Government amendments 76 to 82 will introduce significant changes to the advocate's reporting function and abilities. They will place a duty on the standing advocate to report annually, and confer a discretion on an advocate to report on their own initiative, once appointed, in respect of a major incident. The amendments also make provision for the publication and laying of reports before Parliament.

The amendments will also clarify the grounds on which the Secretary of State can omit material from reports. I am aware that the ability of the Secretary of State to omit material from a report was a cause of concern for some, and I particularly appreciate this given the context of the IPA's establishment. For the avoidance of doubt, we have carefully considered the feedback and have brought forward measures to be more explicit about when a Secretary of State may omit material, and to be more specific than something simply being in the "public interest". We have used the Inquiries Act 2005 as our touchstone. The ability to omit material in certain circumstances is vital to ensure that sensitive materials, such as those relating to national security, are protected.

Amendment 64 will ensure that a lead advocate is appointed if more than one advocate is appointed for the same major incident, and I have reflected on the very helpful and constructive feedback from Lord Wills about the importance of having a clear structure in the Bill. Amendments 84 to 86 allow for the disclosure of information by an advocate, where appropriate, to any person exercising functions of a public nature, or by a person exercising functions of a public nature to an advocate, subject to the Data Protection Act 2018. This two-way flow of information is crucial to ensuring that advocates are able to support victims properly.

I want to make it clear that that does not provide the advocates with any data-compelling powers. We expect strong co-operation between public authorities and the advocates, and an advocate can report to the Secretary of State if they believe there has been a lack of co-operation. I appreciate that the right hon. Member for Garston and Halewood may try to nudge me to go a little further, but I note that the Hillsborough independent panel, which was rightly credited with securing disclosure of information that showed that fans were not responsible for the disaster, likewise did not have those data-compelling powers.

The final change that the amendments make is to remove the current restriction in the Bill whereby the advocate could share personal data only with the consent of the data subject. By removing that, the advocate now has greater freedom and can rely on a wider range of legal bases to process personal data, as outlined in data protection legislation.

I want to acknowledge the important issue raised by the Manchester Arena families and the hon. Member for—[Hon. Members: "South Shields."] I should have known that, because we have met on a number of occasions, although we may have called each other by our first names on those occasions. I am grateful to the hon. Member for South Shields (Mrs Lewell-Buck) and those families for their tireless campaigning. In respect of having a role for the bereaved in the registration of their loved one's death following an inquest, I will say a little more on this in my closing remarks, once the hon. Lady has had an opportunity to speak to her amendment in the course of this debate, but I want to reassure the House that I am sympathetic and understand what sits behind what the hon. Lady is campaigning for and seeking to do.

I turn to the final part of the Bill, part 3. The measures in respect of parole reforms are designed to protect the public and maintain confidence in the parole system by enabling the Secretary of State to intervene in the release of the most serious offenders. The first duty of any Government is to protect the public, and although the Parole Board has a very good record of assessing risk, this power will give the public additional confidence that when it comes to the release of those who have committed the gravest of crimes, there is an extra safeguard to ensure that prisoners are released only when it is safe to do so and that dangerous offenders remain behind bars.

During the passage of the Bill, I have heard support for that important principle, but I have also heard concerns from parliamentary colleagues and other stakeholders about how the proposed reform will be implemented, and from victims' representatives about the potential for unnecessary delay in the process. I have therefore tabled amendments that will streamline the process to ensure that cases are dealt with as quickly and efficiently as possible, while still guaranteeing that the Secretary of State retains a power to intervene on behalf of the public whenever necessary to do so.

The amendments mean that instead of Ministers being required to carry out the full assessment as to whether a prisoner meets the release test, which will be an onerous process requiring a full review of hundreds of pages of evidence, only for a prisoner to almost certainly challenge that decision in court, Ministers will now be able to send a case directly to a superior court for a judicial decision. In most cases, it will be the upper tribunal. We are also making it clear that the Secretary of State will refer cases that particularly affect public confidence, and where they believe that the court may reach different decisions from those of the board. The amendments will make the exercising of the power quicker and more cost-effective, removing the need to create a shadow Parole Board within the Ministry of Justice and providing swifter certainty for victims and the public.

We are also proposing two further minor changes to the measures. Clause 36 enables the Parole Board to refer cases to the Secretary of State for a decision where it is unable to reach a decision itself. We have listened carefully to suggestions that this provision may not be required, as it is not easy to envisage the circumstances in which it might apply. We have listened and will remove the clause from the Bill. Secondly, there are a small number of parole cases—usually those where the index offence is terrorism—that involve the consideration of sensitive material relating to national security or closed material. It is usual for legal matters involving closed materials to be heard in the High Court, so we are amending the Bill to enable the Secretary of State to refer any such specific parole cases, which we would expect to be few in number, to that court rather than the upper tribunal. I hope that the changes will be well received and demonstrate our commitment to ensuring swifter outcomes for victims.

Jim Shannon >
(Strangford) (DUP)

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Will the Minister give way?

Edward Argar >

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I will take a brief intervention. Then I will try to conclude, because I am conscious that many Members wish to speak.

Jim Shannon >

Share

I thank the Minister. On many occasions, MPs are asked to refer cases for reconsideration. The Minister has indicated that the appeal board may do that. Can MPs also refer prisoners to be reconsidered for longer sentences or, indeed, for not getting out at all?

Edward Argar >

Share

I am grateful to the hon. Gentleman. The power in the clauses rests with the Secretary of State, acting in his capacity as Lord Chancellor and Secretary of State. Of course, Members of Parliament can put their representations to the Secretary of State, but the referral procedure to the upper tribunal will sit with the Secretary of State, not with individual Members of this House.

We are also proposing amendments to change the period at which those on imprisonment for public protection sentences qualify for their licence to be considered for termination. The Justice Committee published its report on IPP sentences in September 2022, and I thank it for its valuable insights. One of its recommendations was to reduce the qualifying period at which an IPP prisoner in the community is referred to the Parole Board for consideration of licence termination from 10 years to five years. I am pleased to say that, on reflection, Government new clause 26 will reduce the period from 10 years to three years, which we believe strikes an appropriate balance. It will also introduce a provision whereby, for IPP offenders who have reached the three-year qualifying period and the Parole Board has not already directed that the licence be terminated, the Secretary of State must direct that the IPP licence ceases to have effect after a further two years of continuous good behaviour in the community, which is defined as not being recalled to prison in that time.

Secondly, the new clause will remove clause 33(5) from the Bill in order to decouple the test applied by the Parole Board when considering whether to terminate an IPP licence from other Parole Board decisions in clause 33, such as whether to release a prisoner from prison. The test is replaced by that introduced in clause 47(2)(c), setting out a clear presumption for termination of the licence requiring the Parole Board to direct the Secretary of State to make an order that a licence is to cease to have an effect unless it is satisfied that it is necessary for public protection that that licence remains in force.

We are clear throughout that public protection must remain a priority, but that change in presumption—a rebuttable presumption—will mean that when the Parole Board considers a licence termination for an offender who has already been found safe to be released, it will approach that with the presumption in favour of terminating. I appreciate that does not necessarily go as far as my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill) might wish—that is evidenced by his tabling new clause 1—but I believe that we have made reasonable and balanced progress. Of course, we will carefully consider any further recommendations.

Before I conclude, it is right that I highlight the amendments tabled by the Chair of the Home Affairs Committee, the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), in respect of the infected blood inquiry. I have considered carefully what she has tabled. She will appreciate that this is a matter for the Cabinet Office. In my opening remarks, I want to acknowledge the huge impact that that scandal has had on people—families and individuals—up and down the country. I do not propose to say much more at this point, because I want to come to that in some detail once I have heard her remarks in moving new clause 27. I have sought to be as comprehensive as possible in my opening remarks—I am grateful to the House for its indulgence—to leave time in my closing remarks to address specific points on that issue and others, once Members have spoken to their amendments.

I am grateful to all who have engaged with the Bill as it has progressed. I will listen carefully to the debate, and I look forward to responding. I commend the Government's amendments to the House.

Several hon. Members rose—

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Mr Deputy Speaker >
(Mr Nigel Evans)

Share

Before I call Kevin Brennan, the House can see how many Members are standing. The first few to be called should not be thinking about speaking for longer than six minutes. That limit is very likely to be reduced. I do not want to put the mockers on people intervening on one another—it is a debate—but please be mindful that it will eat into other people's time.

Kevin Brennan >
(Cardiff West) (Lab)

Share

I rise to speak to the amendments standing in my name and will refer to others. The Opposition acknowledge the significance of the Bill, but even if the new Government amendments that the Minister has just outlined are adopted, we cannot escape the reality that the Bill nevertheless remains a skeletal framework that requires substantial enhancement. For too long—over a period of eight years and an octet of Justice Secretaries, which is an average of one per year—the promise of a comprehensive victims Bill has been dangled before us, yet still we are here trying to fill in its gaps. That provides little comfort for the victims of crime across the country.

Having picked up the Bill since it was considered in Committee, I wish to pay tribute to my colleagues who worked on it through that stage and did all the heavy lifting: in particular, my predecessors on the Front Bench, my hon. Friends the Members for Cardiff North (Anna McMorrin) and for Lewisham West and Penge (Ellie Reeves), as well as my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), who is in her place on the Back Benches. I also pay tribute to those who have engaged from the Opposition Back Benches, including my right hon. Friends the Members for Kingston upon Hull North (Dame Diana Johnson) and for Alyn and Deeside (Mark Tami) and my hon. Friends the Member for Rotherham (Sarah Champion) and for South Shields (Mrs Lewell-Buck). I also thank those who have tabled amendments for consideration today, including my right hon. Friend the Member for Hayes and Harlington (John McDonnell), my hon. Friends the Members for Poplar and Limehouse (Apsana Begum) and for Walthamstow (Stella Creasy), and my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman). That really shows the amount of interest in the Bill right across the House.

6.45pm

Throughout the Bill's passage in the Commons, Labour has consistently pushed for a Bill that does more than just acknowledge victims; we seek to empower victims. To that end, we have tabled amendments that are needed to strengthen the Bill into a more robust charter of support for victims. Our key amendments are designed to provide four pillars of justice that would place victims at the centre of the criminal justice system. They would: first, strengthen the powers of the Victims' Commissioner; secondly, add persistent antisocial behaviour to a comprehensive definition of a victim; thirdly, implement a duty of candour requiring public authorities and officials to act in the public interest; and, fourthly, provide independent legal advocates for victims of rape. That is not just about providing a service but about upholding the rights of the most vulnerable in their time of need.

We note that the Government are taking up one of our previous amendments on reforming the powers of the Secretary of State in relation to overturning Parole Board decisions. We also welcome their decision to join us in responding to the dreadful case of Jade Ward by finally agreeing to put Jade's law on the statute book.

However, overall the Government have adopted a somewhat glacial approach to fast-tracking measures to address the plight of victims in the Bill, in a manner that betrays a lack of total focus on and commitment to victims. They have shown us that victims are not the top priority. That is evident in the inclusion of matters relating to prisoners and parole, which dilute the Bill's intended purpose. Our plan is to put victims at the heart of the criminal justice system, ensuring that their voices are not just heard but heeded.

As Labour has said throughout, we will not oppose the Bill—to do so would be to turn away from the potential for progress that it promises—but let us be clear that, however commendable its intentions may be, intentions alone do not suffice. That is why, without the amendments that we have tabled, the Bill is a shadow of what it could be. Let me turn to our amendments.

New clause 13 would impose a duty on specified public authorities to collaborate with the Commissioner for Victims and Witnesses. It would empower the commissioner to require co-operation from designated public authorities to monitor compliance with the victims code, compelling them to comply. Despite the Government's acknowledgment of the commissioner's significance, the role recently remained vacant for more than a year. That stark fact in itself is a practical demonstration of the difference between Government rhetoric and reality when it comes to victims. Having a Victims' Commissioner in post is just the first requirement; strengthening the commissioner's powers is imperative. For there to be effective accountability on behalf of victims, it is essential to grant the necessary powers. Labour is dedicated to putting victims first, including through empowering the Victims' Commissioner to offer maximum support to victims, aligning with previous commissioners' calls for those enhanced powers.

Ministers have suggested during the Bill's passage that past commissioners commanded co-operation without the need for a legal duty to be encoded, but we should not burden commissioners with the expectation of consistently surpassing their role in order to ensure co-operation. The Government's Domestic Abuse Act 2021 granted the Domestic Abuse Commissioner comparable powers, so

why the reluctance to afford the same to the Victims' Commissioner? If the Government are genuinely committed to enhancing the experience of victims and ensuring that public authorities are held to account, they should grant the Victims' Commissioner additional powers in line with our new clause.

I turn to new clause 14, which also stands in my name. It is clear that while the Bill is supposed to support victims, it falls short for victims of major incidents. The new clause would compel organisations to face public scrutiny with honesty, especially during inquiries into state-related deaths. It would maintain a duty of candour, which is crucial for public servants to perform their roles with integrity and to call out harmful practices that endanger lives.

Maria Eagle >
(Garston and Halewood) (Lab)

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rose—

Kevin Brennan >

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I pay tribute to my right hon. Friend the Member who is about to intervene.

Maria Eagle >

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New clause 14 is much better than the Government's provision in the Criminal Justice Bill, which relates to producing codes of practice only for the police. Does my hon. Friend agree that his new clause would be a vital part of implementing a full Hillsborough law, which is what our party calls for?

Kevin Brennan >

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In all candour, I agree. The need for the new clause could not be more urgent. It is rooted in a simple expectation that those in public service, from health to policing, must not only act diligently but expose and challenge dangerous practices. The duty of candour would be not just a guideline but a legal obligation, and it would be particularly vital in tragedies like Hillsborough. I commend my right hon. Friend's campaigning over many years on that subject and on terrible tragedies such as the Grenfell Tower fire.

New clause 14 aims to shift from a culture of defensiveness to one of openness, and would support those who wish to contribute to inquiries but feel pressured to remain silent. The NHS duty of candour has been a step in the right direction, but we need to go further for all public authorities if we are to end the cycle of institutional defensiveness that not only delays justice but fails to safeguard the lives of our citizens.

The new clause seeks to break down those barriers of evasiveness and foster a culture of accountability, where seeking the truth becomes paramount. A statutory duty of candour would circumvent all such issues and direct investigations towards the most pertinent matters promptly and efficiently. Most important of all, it would bring justice to the victims and their families who, for far too long, have been let down by public bodies that are meant to do the right thing.

I turn to amendment 33, which again stands in my name. The Bill intends to improve protections for victims, but it neglects a significant group, which the Minister made reference to in his remarks: individuals plagued by the menace of persistent antisocial behaviour, who are often living in fear in their own homes. The amendment seeks to rectify that oversight by ensuring that the definition of "victim" includes those tormented by antisocial behaviour such that they meet the threshold for an antisocial behaviour case review. There is no good reason why that group of people should have to deal with all the same agencies as other victims without the benefit of the same rights, so they should be added to the victims code.

Members across the House will know of many people in their constituencies suffering from that kind of antisocial behaviour. It is a daily battle for them. It is not the mark of a just society that they should not be included in the code. Currently, those victims are left without the protections and support that the Bill extends to other victims. That is an unacceptable gap in the legislation. We must extend support to those affected by persistent antisocial behaviour. It is our duty to ensure that no victim is left behind. The Bill must

demonstrate that our support for those victims is unwavering and our commitment to all victims is absolute. We must ensure that every member of our society can live in dignity and peace, to which they have a right. I heard what the Minister said on this matter, but it is not good enough.

I turn amendments 154 and 155, though I will not dwell on them. They seek to maintain Welsh Ministers' responsibility for issuing guidance to independent domestic violence advocates and independent sexual violence advocates in Wales. In the Bill, the Secretary of State is slated to provide guidance to outline their roles, the services to victims, and collaboration with the criminal justice system and other victim support entities. We support enhanced victim support, but our concern pertains to the Secretary of State assuming responsibility for the guidance in Wales. The Welsh Senedd did not grant legislative consent to the Bill due to its reservations about the role of the Secretary of State for Justice. Welfare and safeguarding are devolved matters.

I will not go into great detail because of time, but whether by oversight or design, the UK Government's assumption of responsibility creates a dual system with varying authorities responsible for victim support providers based on the nature of the assistance rendered. That cannot be the right approach for victims in Wales. Elsewhere, the Government have shown a disregard for devolution. I am not sure that it is deliberate in this case, and I genuinely hope that it is an oversight. The Minister's raised eyebrows suggest that I might be wrong about that, and that I am being too generous to him and the Government. As he has displayed some willingness to amend the Bill in our direction in other areas, I hope that he will reconsider the drafting to prevent further encroachment on devolved powers and, more importantly, to avoid less clarity for those helping victims in Wales and for victims themselves. If he is not willing to support our amendment on Report, I would welcome at least a commitment from him—I hope he is listening—to give further consideration to this matter when the Bill arrives in the other place.

New clause 38 on independent legal advocates is also significant. It seeks to recognise that the criminal justice system as it stands does not provide an adequate means of upholding the rights of rape victims, who so often feel that they are on trial. The provision of free independent legal advocates for rape victims is not merely beneficial but fundamentally necessary. For far too long, sexual violence victims have navigated the treacherous waters of the criminal justice system alone, often retraumatised by the very process that seeks to deliver justice.

The new clause aims to change that reality, and by tabling it we aim to go further than simply leaving it to the police to ensure that they seek victims' personal records only when really necessary. The new clause would give victims a real and reliable opportunity to challenge those sorts of requests when they go too far, by having an experienced advocate by their side. The new clause would fundamentally change a centuries-old legal system without endangering the rights of defendants. In doing so, it aims to rebuild the trust of victims—women and girls in particular—because our justice system will cease to function if people do not feel able come forward and report crime.

I turn to new clause 42 in my name and new clause 27 in the name of my right hon. Friend the Member for Kingston upon Hull North. I pay tribute to her incredible campaigning on this matter over many years and that of other Members who have campaigned alongside her. We have all been moved by the appalling infected blood tragedy. The Labour party wants to help ensure that justice and compensation for victims and their families are delivered urgently. I applaud campaigning advocacy organisations, alongside the all-party parliamentary group on haemophilia and contaminated blood, which have worked so tirelessly to secure justice.

This issue has spanned many years and several Parliaments. The former Prime Minister, the right hon. Member for Maidenhead (Mrs May), set up the inquiry. Many Members and former Members—including Andy Burnham and the current Chancellor of the Exchequer, when they were Health Secretaries—advocated for such an independent inquiry. The Government have accepted that there is a moral case for compensation. The interim payments to a number of victims is an important recognition of that. I am sure that the Minister has seen the letter that the shadow Chancellor wrote over the weekend to the Chancellor of the Exchequer on this matter.

New clause 27 provides a chance to show that the Commons supports the principle of delivering a compensation scheme and understands the urgency of delivering justice. New clause 42 relates to that, and would establish a deadline of 25 sitting days from the publication of the final report on infected blood for an oral statement to this House setting out how victims can access the scheme and what steps will be taken to establish a compensation body.

I hope that the Government will accept both new clauses tonight. The aim is to ensure that the Government move urgently after the final report is published. This evening's vote is an important opportunity, and we are willing to work with the Government to ensure that a fair scheme can be set up and administered quickly. There is time before the Bill goes to the Lords for us to work further on that. It is a hugely complex matter. We are keen to work on a cross-party basis to shape a final compensation scheme that can deliver justice urgently. We await the final findings of the independent infected blood inquiry chaired by Sir Brian Langstaff. However, there is no reason for the Government not to move forward, especially as the King's Speech committed to action.

Dame Diana Johnson
(Kingston upon Hull North) (Lab)

Share

Is my hon. Friend as surprised as I am that the Government are saying it is not possible to set up the compensation scheme and make payments at this time, because we do not have the final report? For the Post Office Horizon scandal, they are already making payments, ahead of the final report of the public inquiry.

7.00pm

Kevin Brennan

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Yes, and the answer to the last line of my right hon. Friend's intervention is, "What is the difference here?" That is a very pertinent question, which I know the Minister will want to answer when he gets to the Dispatch Box to reply to the debate.

I wish to pay tribute to Sir Brian Langstaff and the inquiry team for their work and their unstinting commitment to deliver justice for those infected. I would be grateful if the Minister could update the House on what work the Government have been doing since the publication of the report. I accept that that is part of the Cabinet Office's responsibility, but it sits with us this evening and, of course, Governments are supposed to be joined up. I know the House would also be grateful for an update on the expected timing of the publication of Sir Brian's final report, as this issue affects Members across the House. In that spirit, let us try to rise to the occasion and find a way to work constructively on a cross-party basis, but crucially at speed. To be clear, I urge my hon. Friends to support new clause 27, tabled by my right hon. Friend the Member for Kingston upon Hull North, should it be pressed to a Division.

New clause 1 was tabled by the hon. Member for Bromley and Chislehurst (Sir Robert Neill), and he is absolutely right that it concerns a very serious matter. Unfortunately, given the impact of the Government's effective destruction of the criminal justice system, we lack the infrastructure and resources to keep the public safe, should his new clause be implemented immediately. Our priority is, and always must be, the safety of the British public. We are concerned that if new clause 1 were enacted without provisioning for significant improvements in probation and parole, we would potentially significantly increase the risk to the public and to the prisoners themselves. The Government's movement on this issue is a welcome first step. I look forward to seeing what further progress can be made by our colleagues in the other place.

On parole, I express our disappointment, generally, regarding part 3 of the Bill, the addition of which diverts attention away from the Bill being a victims Bill. However, I recognise the Government's acceptance of the basis of our argument, which is contained in new clauses 15 and 16. Those new clauses, tabled in my name, would prevent a Justice Secretary from overturning Parole Board decisions and redirect appeals for an independent decision. I emphasise the critical need for the Government to fulfil their duty to protect citizens, rather than pursuing political gains or attempting to exert control over independent quasi-judicial entities.

The Government are right in recognising the gravity of the substantial challenges in parole, many of which, I am afraid, stem from 13 years of their own misrule, marked by systematic underfunding and undermining of our criminal justice system. We are devoted to upholding law and order, pledging to enhance the Parole Board's effectiveness and to reinvest in our criminal justice system. We extend an invitation to the Government to align with our endeavours and aspire to foster improvements for victims and prisoners alike.

On the Government's amendments, there are a lot of them. It is not always the case that the Government are willing to table substantive amendments in the House of Commons. I think it is the right thing to do, rather than keeping them until the Bill arrives in another place. Quite a few of the amendments represent the Government's alignment with our previous amendments, so it would be churlish of me not to welcome them. After all, imitation is the sincerest form of flattery.

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities
(Simon Hoare)

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Sarcasm is the lowest form of wit!

Kevin Brennan >

Share

I know the hon. Gentleman is an expert on that subject.

New clauses 22 and 23 represent movement by the Government towards our long-standing campaign for a Hillsborough law. They introduce a statutory definition of "major incident" and "victims", and legislate for a permanent advocate on the side of victims to speak to their best interests and the treatment they receive from public bodies. Ministers will be all too familiar with our commitment to bring in a Hillsborough law. We tabled new clause 14 to push the duty of candour, which we have already discussed.

I understand there is a possibility the House might divide on new clause 10, tabled by the hon. Member for Westmorland and Lonsdale (Tim Farron). The Conservatives' failure to prevent illegal sewage leaks has led to a drastic increase in illegal discharges, trashing nature, damaging tourism and putting people's health at risk. They promised us the affluent society; they gave us the effluent society. Labour believes that when Ofwat concludes that the water companies are inflicting the damage, the cost must be paid by the offending companies and not the taxpayer. The polluter should pay.

Finally, I want to refer to GRO-C's law and the work of my right hon. Friend the Member for Alyn and Deeside. His campaigning, along with GRO-C 's family and the community, has been incredible; they have fought to ensure that no family endures what that family did ever again. My right hon. Friend stood by his constituents, who fought their campaign in an incredible and exemplary manner. It is welcome news that the Government will protect children where one parent murdered the other. I must state some disappointment that elements of the amendment that my hon. Friend the Member for Lewisham West and Penge tabled in Committee were not carried over, too. None the less, it is a celebratory event for GRO-C 's family and the community, and for my right hon. Friend. We should offer them our thanks and congratulations.

The Government have a once-in-a-generation opportunity to make a real change for victims. I urge them not to waste it. I hope they will support our amendments on that basis, and I hope they continue their trend in following in our footsteps.

Several hon. Members rose—

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Mr Deputy Speaker >
(Mr Nigel Evans)

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Order. I am introducing a six-minute limit from the very beginning.

Sir Robert Neill >
(Bromley and Chislehurst) (Con)

Share

Given the time available, I will concentrate on some specific aspects of this very important Bill.

I welcome the approach taken by the Minister and by the Lord Chancellor and Secretary of State, whom I am delighted to see on the Front Bench. Their constructive approach has improved the Bill considerably. I am particularly grateful to them for having taken on board, in a large number of aspects, the Justice Committee's pre-legislative scrutiny of the draft Victims Bill, as it then was, and our September 2022 report on imprisonment for public protection sentences. They have moved and I very much welcome that. I particularly appreciate the efforts the Lord Chancellor has made personally to engage with me and members of my Committee.

It is worth saying that IPP sentences remain a blot on the justice system—not my words, but those, dare I say it, of my right hon. and learned Friend the Lord Chancellor. We want to try to remove that blot as much as possible. We need not rehearse the history. Whatever the intentions, the scheme did not have the desired effect. Indeed, it had the effect of creating real injustice to such an extent that this House, with cross-party support, abolished IPP sentences as long ago as 2012. What we did not do was remove the sentences retrospectively, so we now have a situation where there are still some 2,600 people in prison with indeterminate sentences

that we as a House think are not appropriate and do not work. The noble Lord Blunkett, the author of the scheme, said in another place, “I got it wrong” and that we need to put it right. Against that honesty from the author of the scheme, I hope the House will reflect that we ought to grasp the nettle.

There have been major changes, and we should recognise the Government’s good intent, in relation to the licence situation. As the Minister observed, these go beyond our recommendations. I appreciate that, and it will make a major change for very many prisoners. Our Committee took evidence from more witnesses than for any other inquiry and published a report of some 62 pages about how the licence provisions were setting people up to fail. Because they had a lifelong sword of Damocles over their head, their rehabilitation was inhibited. Indeed, we heard compelling evidence about the negative impact on their mental health and ability to reintegrate into society.

Reducing the wait for a lifelong licence to be removed from 10 years to three, with the extra possibility after two further years, is a major reform, and I am grateful for it, particularly as there are more people who have been recalled to prison on their licences than there are those serving their original sentences. That is important but, with all due respect to the Government, I do not think it goes far enough, which is why I want to persist, if possible, with my new clause 1—and, in setting out the reasons for doing so, to address the point made by the hon. Member for Cardiff West (Kevin Brennan) from the Opposition Front Bench.

This is not about an immediate opening of the prison gates. I can understand people’s perfectly proper concerns about public protection, not least because many of those incarcerated on these sentences will have suffered real mental deterioration while in prison, as the indefinite nature of the sentence gives them no hope, and so will potentially be in a worse state, in terms of public protection, than when they went in. It would be unfair and unrealistic to pretend that new clause 1 would lead to the immediate release of every person in this situation. It is much more considered and modest than that, and would set up a process whereby an independent panel would advise on how best to embark on a resentencing exercise. That is an unusual thing, but the existence of the IPP sentences, without any retrospective change, is an unusual thing, too.

This was recommended to us as the logical option by the noble Lord Thomas of Cwmgiedd, a former Lord Chief Justice. Against the background of his eminence, I think the new clause warrants better consideration than we have yet had. If new clause 1 is not supported in this House tonight, I very much hope that the other House will look at it again and that the Government will continue to engage on it, because it would not lead to an immediate release of anybody. It would, though, set in train a process to enable everyone to be given a determinate sentence. That seems to me only fair and just, and I hope that we can look at that going forward. It cannot be just or accord with our sense of fairness that we should have people serving sentences in some cases 10 years in excess of their tariff, which is out of all proportion to the sentence that the judge at the time thought was appropriate for the index offence, as we call it.

There are other important parts of this Bill—which I am afraid I do not have time to touch on—that I also welcome and hope will be taken forward. In particular, I welcome the changes to parole, which are a much more balanced set of measures now than they were when the Bill was originally brought forward. I know that the Lord Chancellor and the Minister have acted personally to improve the Bill in that regard. I thank them for that, but I ask them still to reflect upon the position on IPP sentences.

Mr Deputy Speaker ›
(Mr Nigel Evans)

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I call the SNP Front Bencher.

Chris Stephens ›
(Glasgow South West) (SNP)

Share

It is a pleasure to follow the Chair of the Justice Committee, of which I recently became a member. I look forward to working with him.

As this Bill covers most of the devolved competences, I will confine my observations—you will be pleased to hear, Mr Deputy Speaker—to new clause 27, tabled by the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), and explain why the Scottish National party will be supporting it. It should be noted that over 140 Members, of every political affiliation represented in the House, have signed it, which shows the strength of feeling. Since Sir Brian Langstaff considered the issue of compensation, many of us have had concerns about the Government’s sneaking out written statements at recesses or even before Prorogation, which does

not give Members the opportunity to ask questions of the Government and the Cabinet Office on the Floor of this House. We have heard the phrase, “working at pace”. I referred a couple of weeks ago to moving at a snail’s pace, but I am starting to think that the tortoise, from the old story about the race with the hare, would already have lapped the Cabinet Office in dealing with this issue. That is a real frustration.

7.15pm

As co-chair of the all-party parliamentary group on haemophilia and contaminated blood, the right hon. Member has led with distinction. I thank her for tabling her amendments; it is a pleasure to serve with her as one of the vice-chairs of the APPG. I also pay tribute again to my Glasgow South West constituents, Cathy Young and her daughter Nicola Stewart, who have regularly raised this issue with me to ensure that they get justice. They deserve justice, because we are talking about individuals who have put their careers to the side, or perhaps their academic careers and qualifications to the side, to care for their loved ones. It is now time for compensation to be delivered.

I refer the House to a series of tweets this morning by the *Sunday Times* political editor, Caroline Wheeler, justifying the inclusion of these amendments. It is worth reiterating and building on the arguments, as the shadow Minister did earlier. Sir Brian Langstaff has chastised the Government, telling them that

“there aren’t any details. There is no timeline. There is no structure yet in place,”

and that

“if it troubles my conscience I would think it would trouble the conscience of a caring Government and you have said that’s what you would wish to be.”

I am certainly of the view, along with those supporting the new clause, that the compensation scheme needs to be established immediately and begin its work.

The right hon. Member for Kingston upon Hull North referred in an intervention to the fact that the Government have overturned the wrongful convictions of Post Office workers for theft and false accounting, and that compensation is being paid while that inquiry is still ongoing. Yet another example of the Government working at pace to meet the demands of the day was seen during the pandemic, when they set up, within days, a complex system of payments under the furlough scheme affecting millions of people. Those of us who were around at that time were given the opportunity to raise issues. If that could be done then and the political will was there, it should be there for this. However, if the Government do not have the political will, it is the responsibility of Members of this House to impose our will on the Government to ensure that that happens.

Justice delayed is justice denied. We need to remember, when considering this issue tonight, that four victims continue to die every four days. If that does not demand quick and immediate action from the Government, nothing will. However, if they believe for one second that delaying compensation will save money, they are completely and utterly wrong, because no money will be saved by delays. Court cases involving the survivors of this scandal will resume within three months of the findings of the inquiry being published, and legal costs will be added to what the Government will pay. Infected blood survivors should be considered not as entries on a spreadsheet, but as people whose lives have been torn apart—people who have been denied opportunities and whose livelihoods have been destroyed. That is why I and my hon. and right hon. Friends will support new clause 27 tonight.

Mr Deputy Speaker >
(Mr Nigel Evans)

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I call Dame Maria Miller, who has six minutes.

Dame Maria Miller >
(Basingstoke) (Con)

Share

Let me start by thanking my right hon. Friend the Minister for the constructive way in which he has engaged with the Bill since its Second Reading. In the interests of time, I will confine my comments to the two amendments that I have tabled, which have cross-party support and to which I think the Government are listening intently.

Amendment 1 would recognise as victims people who have been silenced by non-disclosure agreements. Those people are victims by virtue of the very fact they have been silenced, not knowing if they can talk to anyone without incurring legal consequences. The Higher Education (Freedom of Speech) Act 2023 already deems the use of NDAs to be unlawful when there are allegations of bullying, harassment or sexual misconduct in publicly funded universities, and my amendment is intended to do the same in other spheres. Some individuals making such allegations are already treated by the Government as needing protection in law; my amendment would merely apply what is seen as essential legal protection in universities to everyone.

Unfortunately, despite two warning notices issued by the Solicitors Regulation Authority alerting solicitors to NDA misuse, one in three solicitors' firms are still apparently unaware of the issues. I therefore think it is time to act through legislation to change a culture which, seven years on from #MeToo, continues to see it as acceptable for those in the legal and human resources professions to use devices that are so destructive to the individuals concerned. The United States, Canada and Ireland have already legislated in this regard. I listened carefully to the Minister's opening remarks, and I definitely heard a door being left wide open to a change in the Bill. I hope we will see measures to outlaw this bad practice sooner rather than later, because the time to leave it to the regulators is past; that has not worked.

I thank Rape Crisis for helping me to draft new clause 19, which concerns access to counselling records. Rape and sexual abuse are traumatic crimes and survivors need to gain access to therapy, but frontline services are reporting that survivors are being deterred from accessing support because records are routinely requested by the police and trawled through, often unnecessarily. A recent review showed that nearly a third of 342 requests for survivors' records contained requests for counselling records, and nearly a third of those requests related to victims' reliability or credibility rather than aiming to establish the facts of the incident involved.

Sir Robert Buckland >

(South Swindon) (Con)

Share

I signed new clause 19 because, having spent many years as defence and prosecution counsel in such cases, I know the importance of getting to the truth and looking at previous inconsistent statements. Does my right hon. Friend agree that giving a judge discretion to ensure that the disclosed material is truly relevant to the issues in the case would be an excellent safeguard which would protect the wellbeing of victims of crime who are having to relive the circumstances every time those issues are brought up?

Dame Maria Miller >

Share

I think it goes to the heart of the case when someone with such extensive experience endorses a change of approach, and my right hon. and learned Friend is entirely right. The new clause calls for a change that would transfer the decision to release records to a judge, but would also ensure that counselling records are disclosed only when they are "of substantial probative value". I would say to my right hon. and learned Friend that I believe, and Rape Crisis believes, that it is not just the involvement of a judge but a heightening of the threshold that will help to improve the system. I believe that judicial oversight at this pre-charge stage will immensely improve the attitude of the police and the Crown Prosecution Service to survivors of rape, and their practice in that regard.

I hope that the Government are able to hear the calls behind amendment 1 and new clause 19. I have already thanked my right hon. Friend the Minister for his positive approach to non-disclosure agreements, and I look forward to hearing more about the action that I hope the Government will take in the future. I also hope that the Minister who winds up the debate will give some indication of the approach that will be taken to counselling records.

Dame Diana Johnson >

Share

I rise to speak to new clause 27 and amendments 142 to 144.

There will be women and men, children and families, in every constituency whose lives have been forever touched by the infected blood scandal of the 1970s and 1980s. As we have already heard, one person dies every four days on average as a result of the scandal, and many of those who have spent decades campaigning for justice are no longer alive. It is nearly eight months since, in April this year, Sir Brian Langstaff published the infected blood inquiry's final recommendations on compensation. At the time, he said:

“My conclusion is that wrongs were done at individual, collective and systemic levels.”

Most important—I hope the Minister might just listen to this—Sir Brian said in his report:

“I cannot in conscience contribute to that further harm by delaying what I have to say about compensation. This is why I am taking the unusual step of issuing one set of recommendations in advance of all others at this stage.”

Sir Brian has said all that he will say about compensation. There is nothing new to learn from the final report, despite the Government’s protestations. However, in his summing up of the Government’s work since April 2023 on responding to his recommendation, Sir Brian told the Prime Minister in July:

“there aren’t any details. There is no timeline, there is no structure yet in place…if it troubles my conscience I would think it would trouble the conscience of a caring government, and you have said that’s what you would wish to be.”

That is why I tabled the new clause and amendments, into which I have copied Sir Brian's recommendations.

Amendment 142 would extend interim compensation payments to bereaved parents, children and siblings who have lost loved ones as a result of infected blood but have never received a penny. Amendment 143 would establish a bespoke psychological service in England for those infected and affected, which already exists in Scotland, Wales and Northern Ireland. Amendment 144 would ensure that the Bill applied to people infected and affected, as set out in Sir Brian’s second interim report.

Finally, let me say something about new clause 27, on which I hope to seek to test the opinion of the House. It has been signed by a further 146 right hon. and hon. Members, for which I am very grateful, and 10 political parties are represented in that group. Many other Members have indicated their support. The new clause requires the Government to set up a body to deliver compensation payments to people infected and affected by the contaminated blood scandal. Let us not forget that the five-year infected blood inquiry was due to publish its final report in November, last month. The Government told me, and the House, numerous times that they had been working “at pace” to that timeline. This should not have been a problem for the Government, because they have done all the work in preparing for the November deadline, but those who have been infected and affected have been told by Ministers that they must accept a further delay, until next March, when Sir Brian will publish his final comments. Sir Brian has made it very clear that there is nothing else to say about compensation, because it was all set out in his second interim report of April 2023.

Let me again reiterate the point about the Government’s approach to the victims of the Post Office Horizon scandal. Victims of that appalling injustice are to be compensated before the conclusion of the public inquiry, and I would argue that those infected and affected by the worst treatment disaster in the history of the NHS are equally entitled to compensation before the name plaques come down and the lights go out on the inquiry headquarters, as Sir Brian envisaged in his compensation recommendations in April.

Rehman Chishti >
(Gillingham and Rainham) (Con)

Share

I fully support the right hon. Lady’s new clause. In this regard, I had a constituent that I had to deal with when I was first elected as a Member of Parliament in 2010. Today’s Bill is from the Justice Department, but justice delayed is justice denied. It is crucial that all victims are treated with parity and we should not delay any further in ensuring that they get justice. I thank the right hon. Lady for her work and support her new clause.

7.30pm

Dame Diana Johnson >

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I thank the hon. Gentleman for his comments.

It is important this evening that we show the Government that the will of this Parliament, across the parties, is that that body should be set up to administer compensation payments and to start to deliver justice to those infected and affected by the contaminated blood scandal. I have a great deal of respect for the Minister, but I want to say to him how disappointing it is that his Government are mounting a hard three-line Whip operation to defeat these amendments and new clauses. That is shocking, when Ministers have

stood at the Dispatch Box and said clearly that they accept the moral case for compensation. If they accept the moral case for compensation, now is the time for them to do the right thing and support new clause 27. Let us get on with this. Let us get justice to these people who have been waiting decades for justice to be delivered.

Priti Patel >

(Witham) (Con)

Share

I am grateful for the chance to speak in this debate and I want to commend the Minister for the diligent work he has done on the Bill and also the Bill Committee for its scrutiny of the legislation. Some of us have been waiting for over a decade for this Bill to come forward, and a great deal of positive work has taken place.

I welcome the amendments, many of them tabled by the Government, and in particular new clause 37 on Jade's law, which as the Minister has said is incredibly important. As the Bill goes to the other place, I ask the Government to reflect on whether the measure could go further to cover other serious offences. The Minster will be aware of recent reports of a family that spent £30,000 in legal costs to remove the parental rights of a father from his daughter following a conviction of child sexual abuse. These are complex issues, but we should make sure that we are protecting all victims.

I welcome the amendments on the introduction of a standing advocate and the clarification provided by the Government around major incidents. We know from the Manchester Arena terror attacks and other serious incidents how important it is that victims and the families who are affected are given support. I pay tribute to all hon. and right hon. Members who have campaigned hard on this issue. I am afraid that too many of us have spent a lot of time with victims and their families and we know that their voices must be heard. Legislation to ensure that a standing advocate is in place will provide the Government as well as the victims with an extra layer of focus and the protection that we would all welcome.

A number of amendments and new clauses relate to domestic abuse, and I shall comment on them briefly. A great deal of work has taken place on the Bill, and new clause 20 on domestic abuse-related death reviews is particularly welcome as it focuses on ensuring that lessons are learned from these horrific incidents. I know from my previous work as Home Secretary and the work that took place on the Domestic Abuse Act 2021 that so many deaths take place, and it is right that the public services should review these incidents to see whether lessons can be learned and whether any changes can be made to prevent or reduce risk to other victims.

I commend the hon. Member for Rotherham (Sarah Champion) for her new clause 6, which rightly highlights the importance of the role of independent domestic and sexual violence advocates and stalking advocates, and the specialist service that she is asking for. There are some really strong lessons that could be learned here with these annual reviews, and I hope that the Government will look at these areas and give some assurances on the ongoing work that could take place as this legislation comes forward. There is much more that we could do not only to prevent these horrific crimes but to ensure that the victims and their families are given the support that is needed.

I am pleased to support amendment 14, also tabled by the hon. Member for Rotherham, which has cross-party support and would require criminal justice bodies to ensure not only that records are kept of name changes of perpetrators but that victims are notified of this. This is all about making sure that victims are given representation. I want to pay tribute to Della Wright, who has campaigned for this change with a great deal of personal courage and conviction. I look forward to hearing the Government's approach to this amendment.

I also want to comment on new clause 7, again tabled by the hon. Member for Rotherham, which deals with one of those areas where victims feel that they get a poor service and have many frustrations around a lack of information about their rights and the support that they are entitled to. There is concern that the current victims code is not being promoted enough, and much more work needs to be done in this area.

Sir Robert Buckland >

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My right hon. Friend and I have campaigned hard to make this a reality and we welcome this day. Does she agree that, alongside awareness of the code, we need to embed training within the police and the other agencies? In that spirit, will she look at my amendment 156, which makes that very point? Does she share with me a keenness to hear a response from the Government that embodies training and awareness to ensure that the code is a reality for victims?

Priti Patel >

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My right hon. and learned Friend is absolutely right, and I thank him for his intervention. I was going to come to his particular amendment and say how much I agreed with him. It speaks to the work that we have both undertaken in Government on the victims code and on making sure that the structures can provide practical delivery and support for victims. These amendments speak to that, and it would be interesting to hear from the Minister about how this approach will be taken further and how it can be strengthened.

I welcome new clause 43, tabled by the hon. Member for South Shields (Mrs Lewell-Buck), with whom I have had the privilege of discussing her concerns. She has been a strong champion of this cause and I pay tribute to her and in particular to the families she has worked with and chosen to represent on this issue. Our hearts break for parents who want to register the death of a loved one but have been prevented from doing so because coroners' inquiries and other processes have been taking place. We need to find ways to address this, and I would press the Government to look at this with a degree of conviction and also of pure compassion for those family members so that we can find a way to work through this.

I shall conclude in the interests of time. We could say much more about the numerous new clauses and amendments, but I hope that those on the Government Front Bench will listen to our concerns and comments so that we can work collectively to provide support for victims through the new clauses and Government amendments. Victims of crime have waited a long time for this legislation and it is important that we do everything to stand by them.

Mr Deputy Speaker >

(Mr Nigel Evans)

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We will now go to a five-minute limit.

Mark Tami >

(Alyn and Deeside) (Lab)

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I wish to speak in respect of Government new clause 37. I welcome the fact that the Government have finally changed their mind, despite telling us for so long that Jade's law could not be done. I would like to pay tribute to GRO-C's parents, GRO-C and GRO-C GRO-C to their friend GRO-C and to GRO-C's siblings for their tireless campaigning and the bravery and tenacity they have shown in what is an incredibly tough situation. On 26 August 2021, GRO-C aged just 27, was brutally killed by her estranged husband GRO-C. On 12 April last year, GRO-C was given a life sentence with a minimum of 25 years in prison. Despite these distressing circumstances, GRO-C's family was horrified to learn that they face the prospect of continued contact with the man who murdered their daughter. Despite his appalling actions, GRO-C who shared four children with Jade, still retains parental responsibility under law.

The law as it stands allows a parent convicted of the murder of the other parent the power on issues such as where the children go to school and whether they have passports, holidays abroad and medical treatment. These matters often end up in the family court. We can only imagine how traumatic this must be for the families going through this. After having already suffered the unimaginable pain of losing their daughter in the way GRO-C's family have, the current process compels them to face their daughter's killer and acts as a constant reminder of their darkest moments. In cases where the convicted parent showed long-running obsessive and controlling behaviour prior to their imprisonment, the current process effectively grants them the means to continue the control and coercion of the victim's family in the same way that they did with the victim. It can be extremely traumatic for children to know that the person who killed their mother knows so much about their lives, particularly in cases where the children witnessed the murder. With the introduction of GRO-C's law, no longer will perpetrators with a history of abusive behaviour be able to force controlling and psychological abuse upon the victim's family from inside their prison cell.

That is why GRO-C's family and friends have been campaigning to automatically suspend the parental responsibility of a parent found guilty of murdering their child's other parent. The onus is currently on the family to prove why GRO-C's parental responsibility should be revoked or restricted, whereas GRO-C's law will mean that parental responsibility will be automatically suspended in such circumstances, thereby shifting the onus, with the substantial review process that the Government outline in their amendment, to ensure that the suspension of parental responsibility is in the child's best interests.

Last year, GRO-C started a petition to put GRO-C's law on the agenda, collecting more than 130,000 signatures. Since then, parliamentary colleagues and I have pushed the Government to make Jade's law a reality. We secured a Westminster Hall debate when the petition surpassed 100,000 signatures, and I thank the Minister, the right hon. Member for Charnwood (Edward Argar), for engaging with us. I thank Labour colleagues who helped with the campaign, including my hon. Friends the Members for Lewisham West and Penge (Ellie Reeves) and for Birmingham, Yardley (Jess Phillips).

Unfortunately, as I understand it, the Government amendment does not include provision to apply GRO-C's law retrospectively, as there will be a duty on the Crown court to make a prohibited steps order only when sentencing an offender. Will the Government look at further steps to ensure that people, like GRO-C, who have already been convicted of murder within the specifications of GRO-C's law are made subject to it? This campaign sprang out of the injuries and injustices faced by GRO-C's family, and it is only right that GRO-C's law puts it right for them and for other families.

I conclude by reading a statement issued by GRO-C's parents after their daughter's killer was sentenced:

"GRO-C was the sunshine in our lives, she was the glue that held us all together. She was also a devoted mum who would do anything for her children, a much-loved friend, daughter, sister, aunty, niece and granddaughter. GRO-C's whole life was ahead of her, and her death has left a void in all our lives."

Sadly, it is too late for GRO-C. But her children, and others in the same situation, still have their whole lives ahead of them. We owe it to them to ensure that the system is on the side of victims. I am pleased that the Government have finally come to terms with the injustice of the current process.

Rachel Maclean >

(Redditch) (Con)

Share

I am delighted to speak in support of the Bill, and I thank the Public Bill Committee and the Minister for their hard work in getting it to this point.

My constituents in Redditch, and the public across the country, expect the law of the land to protect the law-abiding majority, and there is nothing as infuriating or frustrating to them than when perpetrators of crime receive more attention and support than their victims, which is why I welcome the Bill.

Before I begin, I put on record my thanks for the exceptional work of the criminal justice agencies in my Redditch constituency—particularly Inspector Rich Field and his team of officers; the police and crime commissioner, John Campion; and support services such as the Sandycroft centre and its head of wellbeing—who work tirelessly to support victims of crime.

In the interests of time, I will speak about a couple of measures that are of particular interest. I had the privilege of serving as a Minister in the Home Office and the Ministry of Justice, and some of this legislation had its genesis in the end-to-end rape review. I will never lose my strong commitment to serving and speaking up for victims of the most hideous crimes—rape, domestic abuse, sexual assault and child sexual abuse. These crimes have no place in our society, which is why, in relation to the treatment of victims of rape and serious sexual offences, I particularly welcome the measures on disclosure of third-party materials that were added to the Bill in Committee. I am pleased that these measures go further than existing protections, and that they will enable victims to trust that those working to bring perpetrators to justice will do so without violating their important therapy-room conversations. When does the Minister expect these measures to be rolled out and adopted by all police forces and Crown Prosecution Service areas across the country?

7.45pm

It is, of course, in our interests that victims are supported throughout their journey through the criminal justice system. We know from countless testimonies that victims will not come forward to report crime if they think the process is burdensome or traumatic. I pay tribute to the many victims who have bravely spoken out about their experiences, which is what motivates all of us to continue to help them by passing further measures to protect them as they go through the system.

I am sorry to say that victims of driving crime are one group of victims who are often overlooked. I have previously spoken about my friend and colleague Councillor Lucy Harrison, who now leads the RoadPeace campaign to strengthen the law on driving crime. Will the Minister meet me to discuss the RoadPeace "remain and report" campaign so that more people who lose their life on the roads get the justice they deserve?

I particularly welcome the measures in the Bill to better protect the public against top-tier criminals, such as murderers and rapists. I know this will come as welcome news to the victims of these crimes and their families. I have previously raised the case of the monster GRO-C, who hit his wife, GRO-C, over the head at least 15 times with a hammer. He was due to be released from prison, which was a terrifying prospect for his family. I am pleased that the Government are using the powers they introduced to refer his case to the Parole Board, where it can be rightfully assessed. I know that in future the Justice Secretary will be able to do this in more instances.

There is potential to strengthen support services for victims of antisocial behaviour, which is a devastating crime. It is not a victimless crime, and I know that people in Redditch find such crime very traumatic. Even at this late stage, can the Minister assure me that the victims code and other measures will continue to protect victims of antisocial behaviour?

Finally, stalking is an incredibly dangerous crime. It is often linked to the most violent homicides of women at the hands of men, and I note that the Public Bill Committee considered the role of stalking protection orders and specialist support for stalking cases. I hope the Minister can assure us that he is doing everything in his power to ensure that victims of stalking receive the support they need.

I welcome the measures in this Bill. It is vital that we continue to crack down on these types of crimes in order to keep the public safe.

Tim Farron >

(Westmorland and Lonsdale) (LD)

Share

I will restrict my remarks to speaking in favour of new clause 10, which stands in my name, which would create a new sewage illness compensation scheme to allow anyone who has been made ill as a direct result of criminal conduct by water companies to claim compensation.

I am indebted to Surfers Against Sewage, whose recent report found that, between October 2022 and September 2023, 1,924 water users reported illness after being in the water. This is just a glimpse of the true number of unreported illnesses. The amendment calls for these victims to receive some justice for the recklessness of water companies and other polluters. It would ensure that the profits of water companies pay for compensation for people who are made ill after bathing in water illegally contaminated by sewage. It would also make provision to pay for the medical evidence required to support a claim for compensation.

Of course, much of my motivation comes from the fact that it is my privilege to speak for the communities around the English Lake district. Indeed, at first glance, the latest Windermere bathing water results are positive, as all sites are classed as excellent. We are also encouraged by the progress made on Coniston becoming designated bathing water. Yet, as the report shows, 60% of all sickness reports were submitted from bathing waters judged to be excellent. This undermines people's confidence in the ratings. Communities like mine, particularly those around Windermere, rely on visitors coming to enjoy the beautiful landscapes, as well as for swimming and other water sports. Even with the best ratings possible, there will be a detrimental effect on people's livelihoods in our communities if a reputation is tarnished.

The report cites Steve Crawford from Scarborough, who was forced to close his surf shop for the whole summer because the water at South Bay beach was deemed to be too poor in quality to surf in. Steve could not give any surfing lessons because no one would go into the sea. His livelihood was ruined by that sewage spill.

In the past, the great north swim at Windermere has been cancelled because of algal blooms, and there are countless other stories of businesses struggling to stay afloat as visitor numbers drop. The report shows that when quality improves on beaches, visitor numbers can rise by up to 52%. In August this year, swimmers in the world triathlon championship series fell ill with E. coli after competing in the sea event off Roker beach in Sunderland. A chance for the world to see the UK as a sporting host was ruined by our inability to keep our waters clean.

The threat of sewage spills does lasting damage to the viability of many businesses but, more importantly, there is enormous personal damage to people's health and wellbeing. GRO-A a visitor to Windermere earlier this year, contracted a campylobacter infection after swimming in the lake. In the report, I refer to GRO-A, who went into the sea in south Wales with a cut on his leg, which became infected by sewage in the water and he was hospitalised for a week. I also refer to GRO-A, who had to give up his job as a teacher because he caught the incurable labyrinthitis after surfing in sewage-infested waters off Saunton beach in Devon.

In my own community, swimmers have come forward with parasitic infections and Weil's disease in the past year. All of these shocking examples of sewage in waterways causing illness point to the reality of what chief medical officer Chris Whitty calls

"a serious public health issue".

He is clear that the water companies are not doing enough, and that

“where people swim or children play, they should not expect significant doses of human coliforms if they ingest water”.

He says it will inevitably require investment, but it is not just a question of money; it needs

“preventive engineering, better sewer management, innovation, and commitment.”

The amendment should be the first in a series of measures to force the water companies to take responsibility for the decades of neglect they have overseen. Some 7.5 million hours of sewage have been dumped into our waterways over the last three years, and 450,000 hours of sewage have been dumped into designated bathing waters in England. What were the consequences? The top water executives in England were paid £73 million, including £41 million in bonuses, benefits and incentives. It is clear to anyone that these grotesque bonuses and payouts must be stopped until there is sufficient investment in our sewage system, and results are consistently seen in the improvement of the health of our seas, lakes and rivers. In most industries, bonuses are given out for doing a good job. For the water bosses, the opposite is clearly true and that must end.

Speaking on behalf of communities around Windermere, Coniston and Ullswater, the rivers Eden, Kent and Aire, and all the other wonderful waterways it is my privilege to represent, this issue is deeply personal. We should deliver justice for victims and ensure that there is an incentive for the water companies to clean up their act. I commend this amendment to the House.

Richard Fuller >

(North East Bedfordshire) (Con)

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I commend the Minister for the excellent Bill and join Opposition Front Benchers in thanking him for bringing forward substantive amendments at this stage, rather than waiting to bring them forward in the other place. This is a good Bill. I will focus on victims of violent sexual crime and talk to my new clause 41, but first I will speak briefly in support of other amendments that I have signed.

New clause 19, proposed by my right hon. Friend the Member for Basingstoke (Dame Maria Miller), provides for a presumption of non-disclosure of counselling records for victims of rape and sexual assault, and it makes it clear, for the first time, that counselling is there to explore feelings, not as a source for revealing or investigating facts.

Four amendments are proposed by the hon. Member for Rotherham (Sarah Champion): amendment 15 would include in the victims code a requirement to inform all victims of their right to access pre-trial therapy; new clause 4 would place a statutory duty on the Parole Board to enable victims to make a personal statement; new clause 5 would require the compilation of single core data sets on victims of child sexual abuse, a crucial first step in promoting consistency and enabling a greater degree of insight into that terrible crime; and new clause 6 would require the Secretary of State to assess the adequacy of the number of independent domestic violence and sexual violence advisers. I do not normally support amendments that look for a report in six months, but in this case that is warranted to help give us, here in Parliament, confidence that the right priority is being afforded to such victims.

Taken together, the amendments proposed by the hon. Member for Rotherham would provide a significant strengthening of the rights of victims of sexual violence. I hope that the Minister will reflect positively on her intentions and ours, because they have cross-party support, even if he is not minded to accept them today. Given his earlier comments, I think he has some positive views about them.

I hope that extends to my new clause 41, which would, for the first time across the UK, provide for independent legal advice and representation for victims of rape and sexual assault. My new clause builds on the findings from the scheme trialled in Northumbria, under the leadership of the police and crime commissioners Dame Vera Baird and Kim McGuinness. The findings demonstrate that a significant proportion of requests for information for rape complainants’ private data were excessive; that those excessive requests had a significant impact on the wellbeing of victims; and that the legal guidance on the matter was not clearly understood, which led to wide variations in approach.

I believe a national version of the scheme, which could be created at reasonable cost to the taxpayer, would provide for greater confidence for victims as they go through what can be a highly intrusive and painful evidence-gathering process. There are international examples—this path has been trodden by others. There is guidance for it in Australia—in New South Wales—Ireland and, in total, in eight of 14 of the adversarial legal systems. I strongly urge the Minister to look at ways in which that could be put into the Bill.

Under my proposal, this access to independent legal advice would be provided to victims in six specified situations, so we are not creating an open door or a difference that would occur in other cases. That is important because decisions about how credible the victim is deemed to be are often what drive the decision to continue with a criminal case. That is not the case in many other sources of crimes. A national scheme providing victims of rape and sexual assault with independent legal advice and representation will ensure that victims' rights are respected where their interests diverge from those of the police, the CPS and other criminal agencies.

My new clause 41 would ensure that victims, where appropriate, have access to legal advice that will give them the confidence that all that is being sought is all that is needed to enable a fair prosecution, and no more. The clause would provide a mechanism for accessibility and improve the quality, efficiency and consistency of investigations. I hope the Minister will look positively on this initiative.

Maria Eagle >

I rise to speak in respect of some of the amendments and new clauses in part two: specifically, Government new clauses 22 and 23; Government amendment 60; Government new clause 24; Government amendments 76 to 82; and new clause 14, introduced by my hon. Friend the Member for Cardiff West (Kevin Brennan) on behalf of the Opposition, on the Hillsborough law duty of candour.

If these new clauses and amendments are agreed to tonight, the Bill will be better than it was when it began its life at Second Reading, and it will be better than it was even after it had been through a monumental Committee stage. However, the Minister will not be surprised to hear me say that it will not be perfect, and it will not be all that I hoped for in my Public Advocate Bill or my Public Advocate (No. 2) Bill—I have been introducing such legislation since 2016, and my hon. Friend the noble Lord Wills has been introducing similar measures in the other place since 2014—but it will be better than originally drafted.

I welcome the fact that the Minister has conceded that the Independent Public Advocate will be established as a standing appointment on a full-time basis. It is a shame that he has not seen fit to go a little further to enable the families affected to be the people who call upon the public advocate to act, rather than the Secretary of State. One of the points of my legislation, and that introduced by my noble friend in the other place, was to give the families some agency—some power to act in the earlier stages of the aftermath of a public disaster and affect the way the aftermath is dealt with.

The whole purpose of the legislation that Lord Wills and I proposed was to ensure that things do not go wrong in the aftermath of public disasters, as they have done after Hillsborough and other disasters. One ends up with years and years—sometimes decades and decades—of subsequent campaigns, fights and proceedings, legal and otherwise, that end up costing society millions and costing the families their health and often their lives. Stopping things going wrong in the immediate aftermath of disasters is a good aim for public policy.

8.00pm

The changes that the Minister has proposed in the new clauses will go some way to making the independent public advocate something better than it would have been—something more than simply a super-duper signposting service, and more like a person who can try to help the family stop things going wrong—but more could be done in respect of the powers of the public advocate. I still believe in that person having at least the powers of a data controller, to ensure that if public authorities are reluctant to produce documents, there is some power to ensure that those documents are produced. The Hillsborough independent report produced by Bishop James Jones showed that it was transparency that led to the truth coming out 23 years after Hillsborough. That is what we seek to achieve at a much earlier stage in the aftermath of disasters.

It is by providing agency for the families affected, through their collective ability to get the advocate to act; the advocate having the powers of a data controller; and the power to have a Hillsborough independent panel-type process that we will stop things going disastrously wrong sooner than the Hillsborough independent panel could, because it took 23 years in that instance. We want it to happen much faster after subsequent disasters, which will be better for families, public authorities and the Government, cheaper for the taxpayer, and all in all a much better public policy approach to dealing with those who are bereaved in public disasters. I hope that the Minister will listen to what might be done to improve this part of the Bill even further.

Several hon. Members rose—

Mr Deputy Speaker
(Sir Roger Gale)

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Order. After the next speaker, I am afraid I will have to reduce the time limit to four minutes. At least Members have been forewarned.

Mrs Emma Lewell-Buck
(South Shields) (Lab)

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I will speak to new clause 43, but first I thank my right hon. Friend the Member for Garston and Halewood (Maria Eagle), who has fought tirelessly for that change and for so many more on behalf of victims.

My constituents GRO-C and GRO-C were murdered in the Manchester Arena attack. In 2022, after sitting through the public inquiry and listening to every agonising detail of what their children went through, GRO-C 's parents were told that they would be denied the right to register their children's deaths due to outdated legislation that states that, where deaths require an inquest or inquiry, death registration is to be done solely by the registrar. All those devoted parents wanted to do was to be part of that final official act for their precious children.

After meeting with the then Minister, we had assurances that he would look urgently at whether and how those changes could be made. With each change of Minister, the promises continued, yet nothing has changed. In February this year, the bereaved families attended another meeting with Ministers. In that meeting they were treated with contempt, patronised and insulted. It became clear that they had been misled by the Government for nearly a year, because despite it being entirely possible to change that law, the Government just did not want to do so.

The current Minister suggested in Committee that I strengthen my amendment, so I did, but just last week he said that it was no longer possible due to the Data Protection and Digital Information Bill, which will digitalise death registration. It feels like yet another excuse, because new clause 43 would give the Secretary of State the power to modify any provisions, which would enable the clause to be shifted to a digital state in future.

GRO-C 's mam, has spoken to me about how they were told at the outset that their beloved children did not belong to them but belonged to the state. She said that, despite the rhetoric that we always hear about families coming first, they simply do not. GRO-C 's mam, explained that registering GRO-C s death would have allowed her to begin grieving, and that if she could not do that for him, she would feel like she had failed him. She did not fail him; it was the state that failed him.

In June this year, GRO-C 's parents, after six agonising years, watched as their children's deaths were registered by a stranger. GRO-C said that

"it wasn't the way we wanted this to be, because of our ridiculous government who only change laws to benefit themselves. We had to watch a random person sign it and not her Mam & Dad".

They do not want anyone else to have to go through what they have gone through. Just last week, GRO-C reminded me that because she was removed from the process, GRO-C s name and date of birth were originally recorded wrongly.

The Minister knows that I think he is a fairly decent bloke, and he knows that GRO-C s families deserved better than that, and that families in the future will deserve better too. There is no moral or legal reason to keep on blocking the new clause, or this change. I am hopeful that he will continue to work with me on this, but I am sure that he understands how deeply disappointed I am, and how let down my constituents feel.

Jess Phillips
(Birmingham, Yardley) (Lab)

Share

I have a bit of a poorly chest, so if my voice goes, that is the reason. I thank the Minister for the tone in which he introduced the debate and the changes that he has tabled around domestic homicide reviews regardless of the reason why somebody died, whether that be suicide, sudden accidental falling or substance misuse and overdose. Those are things that we see all the time that could be

put down to domestic abuse. I pay tribute to GRO-C from the Killed Women network, who has fought tirelessly for some justice for her sister GRO-C who fell from a tower block in Birmingham. Nobody has ever paid the price for what happened to her. Certainly she has not been, to date, allowed a domestic homicide review; we hope that that will change.

Obviously I am pleased to see the changes on GRO-C s law. My right hon. Friend the Member for Alyn and Deeside (Mark Tami) has worked so hard, as has my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), who tabled the amendment on the need to carve out parental responsibility from those who are convicted of child abuse. All children in this country are protected from being near a child abuser—a paedophile—apart from the abuser's own children. The other parent has to go through the family court process in order to keep their children safe.

While I agree with both amendments, and fought very hard for GRO-C s law, the reality is that we cannot keep carving out little bits where parental responsibility is gifted. It is not just gifted, actually; currently the family courts in our country collude with perpetrators of violence and abuse to a degree that is frightening to anyone who has sat in on those proceedings, as I do regularly.

The Government have had the outcome of the harms review for three years, and have been working towards another review. The presumption of contact for violent parents should not be on our statute book any more. We should not call for victims to fight again and again to keep their children and themselves safe, yet we do.

I am afraid that I will point to another delay that the Minister has referred to: the delay on non-disclosure agreements. I know that he has to sit there and say that the Department for Business and Trade is working on it. Well, I am sorry to say, "Read it and weep," because that is the answer we have been given for five years. For five years, since the recommendation to end the use of non-disclosure agreements in cases of sexual harassment, the Government have repeatedly said, "We're looking at it." Have they lost it? Where are they looking? Look harder!

I want to make it clear that, while I welcome the Bill, there are gaps in it around adult sexual exploitation. If you are a child who is sexually exploited—you might have been repeatedly raped from the age of 10—from the day you turn 18, suddenly the Government have no definition of you and no policy to do anything about you. That is problematic.

This week, the Home Office has announced that it will bring forward emergency legislation on the Rwanda situation. Where is our emergency legislation for the things that we have waited years for, the things that people have died waiting for—including those in the infected blood inquiry? If only we were the emergency.

Sarah Champion ›

Share

I start by thanking the Minister. He has worked cross party, particularly with me, to turn what was a good, well-intended Bill into something much better, although there is still a lot further to go. I am delighted that the Government have accepted my argument that a victim does not have to report a crime to access support through the victims code, and therefore I will not press amendment 8.

There are victims who are not explicitly listed, but who need recognition. That would be provided through my amendments 5, 6, 157 and 158. When the definition of child sexual exploitation was introduced in 2009, it genuinely transformed services and people's understanding. We now need the same for both adult sexual exploitation and child criminal exploitation. It is bizarre to me that, as soon as someone turns 18, sexual exploitation is seen as their making poor lifestyle choices, rather than as grooming, coercion and abuse. Likewise, child criminal exploitation is often unrecognised and the child is seen as a perpetrator. At the very least, I hope the Minister will ensure that there are statutory definitions of those crimes in guidance.

Amendment 7 relates to children whose parents are paedophiles. We need to ensure that those children are treated as secondary victims, in the same way that children born of rape will be once the Bill passes. I urge the Minister to consider rolling out a specialist type of IDVA, as Lincolnshire police are doing so brilliantly. Amendments 19 to 23 would ensure that there is also guidance for all specialist community-based services.

Elder abuse is often under-reported. Hourglass states that the elderly require specialist support due to the nature of the abuse, which often targets their finances, and because they are often digitally excluded. My new clause 6 would require the Government to carry out an assessment of specialist support services across the country to end the postcode lottery.

Amendments 4, 17 and 18 would include stalking in the Bill. Given that there were 1.5 million stalking victims in 2021, it is imperative that they have advocates. The Suzy Lamplugh Trust has shown that victims not supported by advocates have a one in 1,000 chance of their perpetrator being convicted, compared with one in four if they have a stalking advocate.

Stella Creasy >
(Walthamstow) (Lab/Co-op)

Share

My hon. Friend is making a powerful case for stalking advocates. Does she also agree that now is the time for a stalking register, to stop this crime in its tracks?

Sarah Champion >

Share

I absolutely agree with my hon. Friend, who I know has tabled amendments on that point. We need to do much more about stalking.

One in five referrals through the national referral mechanism in 2022 were for a British child. It is essential that we get the support for that group of victims right and that we improve support for all victims of modern slavery, which is why I have tabled amendment 16, supported by the Centre for Social Justice. Clause 12 is positive, but as drafted it will fail to fully meet the needs of victims and survivors. Amendment 149 seeks to address that.

Another concern is that the Bill will not fully support all migrant victims, especially those facing domestic abuse. Many victims and survivors with insecure immigration status do not report to the police for fear that their information will be passed to immigration enforcement. And that fear is not unfounded: the Domestic Abuse Commissioner recently published Home Office data showing that every single police force in England and Wales had shared data of a victim of domestic abuse with immigration enforcement over a three-year period. To protect migrant victims and survivors, as well as the general public, we need to implement a data-sharing firewall that bans statutory services from sharing the data of a victim with the Home Office. My new clause 36 seeks to do that.

I have worked with Southall Black Sisters to develop new clause 8 so that all those with no recourse to public funds can be guaranteed access to support. The Government must extend the domestic violence indefinite leave to remain and the destitution domestic violence concession model for those on partner and spousal visas to all migrant victims of domestic abuse, regardless of their immigration status.

8.15pm

What use is a victims code if people cannot access it? That is another thing I really want the Minister to address. The code needs to be accessible to all, especially those who are deaf, disabled or visually impaired or who do not speak English as their first language. My amendments 10 and 11 and new clause 7 will make sure that accessibility is prioritised.

I have had too many constituents who, despite signing up to the victim contact scheme, were not told the information they needed. New clause 4 seeks to address that. Finally, I have worked with the charity Hundred Families on amendments 9 and 12, which would allow victims to access information from the NHS as well as courts, bringing parity between the courts and mental health tribunals.

Jessica Morden >
(Newport East) (Lab)

Share

I rise to speak in support of new clause 27, and I hope that Conservative Members will support it tonight. I pay tribute to my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson), who tabled the new clause, for her immense and tireless campaigning with groups that support the victims of the contaminated blood scandal, who have been so badly let down for so many years and have had to fight so hard every step of the way. Today is another one of those days.

Sir Brian Langstaff has already made his recommendations on compensation and said that a scheme should be set up as soon as possible before the infected blood inquiry reports. He has been crystal clear that there is nothing to wait for. New clause 27 would establish a body to make compensation payments to those who are infected and affected. As other hon. Members have said, the Government are rightly making payments to the victims of the Post Office Horizon scandal before the final report of that public inquiry, so we should do the same here.

With one victim of the contaminated blood scandal dying on average every four days, it is expected that a further 22 victims will not live long enough to see the inquiry's full report published. These people cannot wait any longer for the justice that too many have already been denied. We should vote for them tonight, and for those excluded from interim payments, including parents and families

such as the GRO-C from my constituency, who lost GRO-A aged just seven, to AIDS and hepatitis C.

I have told GRO-A's story often during my time in this place, and his father spoke about him very movingly on the "Today" programme just this morning. I pay tribute to GRO-A's parents; I just do not understand how they continue to do it. As a baby, GRO-A was infected with factor VIII blood product from sources in an Arkansas prison, something his family had to fight to disclose. The family faced loss of employment, bullying, abuse and discrimination every step of the way, at a time when they had lost their beloved son, infected by the NHS. They had to fight every step of the way while watching the friends they met during the campaign die along the way.

The families keep telling these stories, and they have to do so. We need to hear from them, because the Government must remember why they have to act. I say that also for Linda Ashcroft, who lost her husband Bill. After 33 years, she needs closure. The Government have accepted the moral case for compensation, but time is of the essence and the continued wait for redress just adds to the layers of pain, frustration and injustice that the infected and affected feel.

The Government must stop dragging their feet. This group of people have had more than enough experience of waiting; it has been 40 years since information about the dangers of contaminated blood was published. The best tribute we can pay them is to make sure that there are no more delays. I hope we can do what is right today.

Several hon. Members rose—

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Mr Deputy Speaker ›
(Sir Roger Gale)

Share

Order. I am afraid that after the next speaker there will still be 10 people waiting to speak. We have to finish this section of proceedings at 8.50 pm in order to allow for the wind-up, so, after the next speech, the limit will be three minutes.

Stella Creasy ›

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I associate myself with the amendments in the names of the right hon. Member for Basingstoke (Dame Maria Miller), my right hon. Friends the Members for Alyn and Deeside (Mark Tami) and for Kingston upon Hull North (Dame Diana Johnson), my hon. Friend the Member for South Shields (Mrs Lewell-Buck) and, of course, my incomparable hon. Friend the Member for Rotherham (Sarah Champion). In the time available to me, I will focus on the three amendments that I have tabled to flag issues with the Government.

Amendment 147 is about vicarious trauma. We are in a perverse situation right now—the Minister knows this—where we have to hope that a victim dies if we are to access support for our communities when traumatic things such as stabbings happen. I hope that the Minister will change that so that every child can be supported.

Amendment 148 is about overseas victims. It would simply restore the right that our constituents had when we were members of the European Union to have their rights as a victim upheld if they or a family member were a victim of crime overseas. I hope that the Minister will look at the victims' rights directive, because so many people experience that.

New clause 32 is about a victim's rights in relation to data. I was not sure that I would be able to table the new clause, because the court case that it refers was heard last Thursday. A year ago, a man started emailing my office with his concerns about my politics and the issues that I was working on. Like all Members when we get correspondence from non-constituents, I read the emails and filed them but did not respond. I was then called by my local social services because that man had decided that, because he disagreed with my views, I was not a fit mother for my children. He had reported me, an investigation had taken place, and while it cleared me, my children and I now have a social services record. When I went to the police about the matter, they said that he had a right to express his opinions in that way. I challenged it because, due to my work on stalking, I understood that somebody who could use a malicious report to harm someone was clearly dangerous. When I came forward, further reports came out revealing that this man had continued his campaign of harassment.

I am deeply grateful for the cross-party support for new clause 32, because although that man has now been convicted of harassment, his ability to target my family continues because the record continues. At present, there is no way of removing from someone's record a clearly malicious and false accusation made to a third-party organisation. In tabling the new clause, I

recognised that it is not just those of us in the public eye who may be targeted in this way; in many cases of stalking, we see people who fixate and use reporting mechanisms to damage their victims.

I have had no support or help from Parliament or anybody within the parliamentary process for my welfare or that of my children, but now I want to stand up for everybody who has been through this process. I ask the Minister to look at this, because victims of clearly malicious reports must have the opportunity to have the record corrected. Too often, people will say, “There is no smoke without fire.” I want to stand up for safeguarding —it is clearly a very important process—but if a court recognises that a report is malicious and a victim is being targeted but we cannot act to remove that report, the harassment will continue.

Sarah Champion >

Share

I pay tribute to my hon. Friend for using a personal case to speak so powerfully. I know that she does so from a position of wanting to change things for people who do not have the platform that she has. I commend her for that.

Stella Creasy >

Share

I thank my hon. Friend for that, and yes, the new clause would go much further than tackling the abuse of people in the public eye. I hope that, in other legislation, we will look seriously at what we can do about those who target our families and staff members as a way of intimidating us, because that is not free speech; it is a way of silencing people.

In tabling the new clause, I hoped also to speak up for those who have been targeted through third-party organisations. I know that there are colleagues in the other place who wish to take up that matter up. I hope that cross-party support continues and that the Minister will consider the proposals, which have already secured the support of London’s Victims’ Commissioner. I apologise to the House for not being able to bring them forward before, but I hope that Members can understand why.

I hope that we send a message today. Many of us do not block people, and many of us engage in robust parliamentary debate, but surely there is a line not to be crossed. That line is our children, our family and our staff, who do not ask to be put in harm’s way but will be if we do not act to protect our democracy and protect ourselves from those who would seek to use third-party mechanisms to abuse.

Christine Jardine >
(Edinburgh West) (LD)

Share

It is an honour to follow the hon. Member for Walthamstow (Stella Creasy), to whom I pay tribute for her bravery in speaking to us about the horror that was visited on her. It defies belief.

I will focus later in my remarks on my new clauses 28 and 29, but first I will express support for new clause 10, tabled by the hon. Member for Westmorland and Lonsdale (Tim Farron), and new clause 27 in the name of the right hon. Member for Kingston upon Hull North (Dame Diana Johnson). New clause 27 in particular has and deserves a great deal of support. Over the past few years, many of us have sat through seemingly endless debates that seem never to make the progress that the people affected by the infected blood scandal deserve. All I ask is that the Government implement the recommendations of the interim report. For an awful lot of people who have suffered far too much already, that does not seem an awful lot to ask.

I will not seek a Division on my new clauses 28 and 29, but I hope that the Government will take into account the issues that they address. They follow on from the landmark Domestic Abuse Act 2021 and concern the epidemic of violence against women and girls that we still face in this country. Our first Domestic Abuse Commissioner is doing a fantastic job, and I tabled my new clauses following a number of discussions with her. New clause 28 would make it easier for migrant women to make a complaint about domestic abuse without fear that their safety or future in this country is at risk.

We had a damning report earlier this year about the culture of sexism and misogyny in our largest and most high-profile police force, the Met. It is difficult for women to come forward. New clause 29 would create an obligation on those in specific roles in the police and criminal justice system to undergo mandatory training in respect of violence against women, to ensure that they understand it.

Those new clauses would not fix everything in the Bill—a Bill that I think everyone in the House largely welcomes—but they would be a big step towards filling some of the gaps and allowing women once again to trust the authorities on which they depend for their safety.

Mr Perkins >

Share

May I start by saying how disappointing it is that a Bill with so much potential to be a force for good should ultimately end in three-minute speeches by Members who have huge contributions to make? The timetabling really wants looking at. It lets victims down, because, as I said earlier, there is so much in the Bill that people who understand this sector have sought to add. The breadth of the amendments demonstrates powerfully how much more there is to be done.

I support many of the amendments, but given the time that we have, I will confine my remarks predominantly to amendments 4, 17 and 18, and to new clause 6, tabled by my hon. Friend the Member for Rotherham (Sarah Champion) and others, pertaining to the role that stalking advocates can play and the need for them to have recognised status in the Bill, as independent sexual violence and domestic violence advocates do.

On 18 June 2021, people in Chesterfield and right across the country were shocked and appalled by the murder of 23-year-old GRO-A GRO-A That grief quickly turned to anger and despair when it became clear that she had been murdered by a man with whom she had previously worked, who had been stalking her and whom she had reported to the police. Following the internal investigations into how Derbyshire Constabulary had handled that case, it has subsequently taken on a stalking advocate to try to ensure that stalking victims are heard. GRO-A's family have launched the GRO-A's law campaign to call for all police forces to fund a stalking co-ordinator and stalking advocates. They also say that all officers should regularly have their training signed off and renewed, so that services become more consistent across the country.

The amendments tabled by my hon. Friend the Member for Rotherham, which are supported by the Suzy Lamplugh Trust, are important in this regard. They add the words "independent stalking advocates" to the list of specialist advocates that the Secretary of State must issue guidance about, alongside ISVAs and ISDAs, and define what a stalking advocate is. Those amendments are so important because, for many victims of stalking, it is often the case that the stalking falls some way short of the threshold for police intervention. Only by ensuring that a case has been looked at by a specialist officer can we make sure that intervention happens sooner, preventing it from reaching the tragic and appalling conclusion that it did in GRO-A's case. I cannot see any argument for including ISDAs and ISVAs on the face of the Bill, but not stalking advocates. Stalkers are often not known to the victim, and the threat they pose is different from that posed in a case of domestic violence.

Finally, new clause 6 is a very important clause, because we know there is an inconsistency of approach between different police forces, and stalking advocates cannot always get the funding they need.

8.30pm

Apsana Begum >
(Poplar and Limehouse) (Lab)

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As co-chair of the all-party parliamentary group on domestic violence and abuse, I will concentrate my remarks on amendments and new clauses relating to domestic abuse.

I recognise that there has been some progress on domestic abuse, but survivors are being failed by the criminal justice system. Repeatedly saying that tackling domestic abuse is a priority does not mean that it is a priority. Survivors deserve much more than posturing and rhetoric; in fact, virtue signalling at the same time as failing us becomes a form of gaslighting in and of itself. Urgent and immediate action is overdue. All too often, survivors do not have faith in the systems that are meant to protect and support them. The situation for black, Asian and minoritised women is even more dire, as they are disproportionately victims of violence against women and girls, yet also experience poorer outcomes in access to justice and support. As such, my new clause 35 would compel the Secretary of State to conduct a review into the experience of victims of domestic abuse in the criminal justice system.

Survivors of domestic abuse currently face overwhelming barriers to justice: we are routinely subject to double standards and outright misogyny in policing, sentencing and imprisonment. I have first-hand experience of the fact that courts are even used by abusers to perpetuate abuse. Police forces share migrant victims' data with immigration enforcement, which stops migrants from

reporting to the police and others out of fear that they will be treated as offenders themselves, facing potential criminalisation, detention and even deportation. I therefore support new clause 30, tabled by my hon. Friend the Member for Rotherham (Sarah Champion), which would ensure that the personal data of a victim of a crime is not used for any immigration control purpose without the consent of that person. In fact, I believe we need a firewall between all public services and the Home Office, so that every survivor can report abuse and access justice and safety, and perpetrators cannot evade justice.

Recovery is an essential part of justice; the funding of services can mean the difference between life and death, hope and despair, and imprisonment and empowerment. My new clause 34 would compel the Secretary of State to conduct a review into the level of funding and provision for domestic abuse services, considering both counselling and advocacy services and refuges. In light of the impact of the cost of living crisis on domestic abuse survivors, urgent changes to housing, health and social security systems are also needed, and I urge the Government to support new clause 8, which would ensure that victims of domestic abuse who do not have recourse to public funds are still entitled to be supported. I urge them to choose to properly reform the criminal justice system, fund specialist services, and ensure that the social security system is there for people when needed.

Jonathan Edwards ›

(Carmarthen East and Dinefwr) (Ind)

Share

Diolch yn fawr, Mr Deputy Speaker; it is a pleasure to contribute to this debate. I rise to speak to my new clause 33, a probing amendment based on concerns I expressed on Second Reading about the Victims' Commissioner lacking enforcement power, undermining their ability to protect victims. The shadow Minister, the hon. Member for Cardiff West (Kevin Brennan), made similar comments during his contribution. I welcome the fact that Baroness Newlove has been appointed as Victims Commissioner—that is a step forward from where we were on Second Reading. I hope she has had the opportunity to influence the Bill before today's debate.

On Second Reading, I talked about my constituents, the family of the murdered GRO-A . Since GRO-A 's death, the family have become avid campaigners for victims' rights, and the main thing they consider is missing from this much-awaited Bill is the enforcement powers that would give the Victims' Commissioner some teeth. The murder of Mr GRO-A was a particularly heinous crime—his body was desecrated—and I look forward to the Sentencing Bill on Wednesday, when we will have an opportunity to discuss whether a new crime should be introduced and whether sentencing guidelines should be amended to reflect the extra suffering of the bereaved families.

Baroness Newlove, in her response to the King's Speech in the other place, mentioned a sobering survey that her office did on victims' experience of the criminal justice system. Of the 500 people surveyed, 71% were dissatisfied with the approach of the police to the crime they experienced, 34% said they would not report another crime, less than 29% were aware of the victims code, only 29% were offered the opportunity to make a victim's personal statement and only 8% were confident that they received justice by reporting a crime. If the aim of the Bill is to bring victims' experience into the heart of the criminal justice system, it has its work cut out.

The commissioner should be the key role for driving the change that is needed. On Second Reading, I pointed out the powers of the Welsh Language Commissioner under the terms of the Welsh Language (Wales) Measure 2011, introduced by the Welsh Government. The Welsh Language Commissioner's enforcement powers range from offering advice and training to requiring an organisation to prepare a plan to prevent further continuation or repetition of the failure, requiring an organisation to take concrete steps to prevent further failure, publicising the failure of an organisation to comply with the measure and imposing a civil penalty of up to £5,000. Empowering the Victims' Commissioner along the lines of the enforcement powers of other commissioners would considerably strengthen the hand of victims and help transform the criminal justice system so that victims are at its centre. I hope the other place may take up my new clause in its deliberations.

John McDonnell ›

(Hayes and Harlington) (Lab)

Share

I rise to speak to new clause 1, and new clauses 2 and 3 in my name. When we talk about victims, it is important that we also discuss taking responsibility for the victims of Parliament's activities, and some of the victims of Parliament's activities are the IPP—imprisonment for public protection—prisoners. The hon. Member for Bromley and Chislehurst (Sir Robert Neill) has campaigned on this matter for years, and the Justice Committee has undertaken detailed investigations and reports, which I think we need to take more seriously in this House because of the urgency of the matter.

There are nearly 3,000 IPP prisoners still in prison. They are in prison under legislation passed in this House by David Blunkett, who now recognises that there is an injustice—there has been a miscarriage of justice—and is appealing to us to correct that injustice by legislating now. There is example after example of people who have gone to prison on small tariffs. GRO-C was sentenced on an 18-month tariff, and he has served 17 years; GRO-C has served 16 years on a two-year tariff, and GRO-C has served 18 years on a three-year tariff. This is Kafkaesque. These people have committed relatively minor offences, but are trapped within the prison system and cannot get out.

It therefore behoves us to address this issue, which is why the Justice Committee undertook the review and brought forward not a policy of releasing these prisoners without protection and security, or whatever, but of re-sentencing, with special expertise brought in to assess each prisoner and see whether it is safe at least to give them a determinate sentence so as to give them some hope. That is the problem here: we have lost 88 of these prisoners through suicide because they had no hope. If we listen to the Prison Officers Association, the Prison Reform Trust, Amnesty, Liberty and the families, we can understand why, because it is not just the prisoners who are serving these sentences, but their families.

What have we found in the last year? We have lost another eight prisoners who have committed suicide, with 1,600 self-harm incidents among this group of prisoners over the last 12 months. What we need to do now is to take forward the hon. Member's proposals, and if the Government are not satisfied with them at the moment, let us work on them until the Bill goes to the House of Lords and see what we can do in the other place. In addition to that, I have put forward minor amendments saying that we should at least offer such prisoners—those inside, but also those on licence—advocacy and mentoring so that they can prepare themselves properly for resettlement and release from prison, but also so that when they are outside they are not recalled, as they are at scale at the moment.

Sarah Olney >
(Richmond Park) (LD)

Share

I rise to speak to amendment 26, which I tabled. It is supported by hon. Members across the House and would enable victims to request a transcript of court proceedings free of charge, as that would be a huge step towards improving the transparency and accessibility of our justice system.

In 2020, my constituent GRO-A was drugged and raped in her sleep by her then partner. Two years later, GRO-A's attacker was finally convicted, but she can barely remember what was said in the courtroom due to trauma and emotional distress. Following the trial, she was advised by a therapist to apply for a transcript of proceedings to allow her to revisit and process what was said in court. Her application for a free copy of the transcript was rejected, and she was then quoted an astonishing £7,500 by one of the private companies outsourced by the Government to produce transcripts. I soon discovered that GRO-A's extortionate quote is not an isolated case. Other victims have faced fees of up to £22,000. How can anyone be expected to pay such a fee? Court transcripts should not be a luxury that only a few victims can afford; they are a vital tool in aiding victims' recovery. As victims and bereaved families do not routinely attend trial, transcripts are often the only means available to them to establish exactly what happened in the courtroom.

I secured an Adjournment debate on the cost of court transcripts last month. During the debate, I was pleased to hear the Under-Secretary of State for Justice, the hon. Member for Finchley and Golders Green (Mike Freer) affirm the Government's commitment to the principle that justice must be open and transparent, and I welcomed his comments regarding the work that officials within the Ministry of Justice are doing to improve access to court transcripts. I welcome the Minister's opening remarks committing to a trial of making sentencing remarks available free of charge. However, it is important to establish that we still need full transcripts to be available, so that victims can have the context within which those sentencing remarks are made. The importance of access to transcripts has been emphasised by the Victims' Commissioner, the Justice Committee, charities such as Rape Crisis, Refuge, and Support after Murder and Manslaughter, and dozens of hon. Members from six different parties across the House.

There are steps the Government could and should be taking to reduce costs, such as utilising new technologies and assessing the value for money of contracts held with transcription services. I have repeatedly raised the idea to Government of enabling victims to request an audio file of court proceedings. That would be a low-cost solution to improving transparency and ensuring that victims can access a record of court proceedings. I welcome the commitment of the Under-Secretary of State for Justice in that Adjournment debate, and in written correspondence to me, that he will look in greater detail at that issue. Above all, victims and bereaved families need access to full, accurate transcripts of court proceedings at no cost to themselves. Anything less will be an injustice. I urge Ministers in the Ministry of Justice to listen to the concerns of victims, and to look more closely at what further can be done to tackle the injustices faced by victims.

Rachael Maskell >

Share

I thank the Minister for what he said about consultation on the victims code. It is important that we get this right, and I trust that he will be attentive to amendments 145 and 146, tabled by me and other hon. Members.

GRO-C was just 14 years old when he took his life for not being able to access pre-trial therapy. His abuser was eventually sentenced to two years and served just one. Since then his brother, GRO-C, has taken up the campaign to ensure that all children can access pre-trial therapy, and that is why I stand in this House today.

The challenges around access to pre-trial therapy continue, despite new CPS guidance from 2023 that removed previous restrictions to accessing therapy, as identified by the Home Office-funded Bluestar Project. The wait for court access is extensive. It is often 18 months on average, but it can go beyond three years for a child. Pre-trial therapy services are a specialism that is currently massively overstretched and inconsistent. My amendments would involve training to ensure that services could be expedited judiciously by the CPS, the police, and other people. Currently, there is no trust that information will not be passed on to a trial, so therapists are concerned that the notes they make, and the therapy they provide, could cause a case to collapse. We need absolute clarity within training to ensure that more than just a video is provided, that in-person training is robust so that there can be a reasonable line of inquiry, and that all those involved are properly trained with regard to limitations on the information that is provided to court on content and delivery.

Secondly, there is not enough availability of pre-trial therapy and support. Amendment 146 would ensure that child survivors access therapeutic services. I ask that that is within a month of requesting these services, that they are made aware of the support they are entitled to, that there are minimum standards on the quality of support and that this support should continue throughout the criminal justice process, but also after that process has been completed. I again urge the Minister to look carefully at the amendments I have tabled to ensure that all child survivors can access justice and the vital therapeutic interventions to help them through the criminal justice process and beyond.

8.45pm

Jim Shannon >

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First, I commend the hon. Member for Bromley and Chislehurst (Sir Robert Neill) on his amendment. If he decides to push it to a vote, I will certainly support him, because it is important that we have a justice system to be proud of.

In Northern Ireland, we have an indeterminate custodial sentence, although it is slightly different. I am a strong believer in just punishment, and that is no secret. I have an issue with people being let back into society when, to some extent, they still pose some risk. The Minister has given us some assurance, which I am glad to get, but there is a clear difference between a petty crime and a sexual predator who may have served time, but is still potentially a risk to the general public.

I am aware that there were nine self-inflicted deaths of people with sentences of imprisonment for public protection in 2022, and a freedom of information request this year has indicated that this year there have been a further seven. We look to the MOJ for a new action plan that works. Our main objective and focus is that victims are not let down, and that criminals are not let out into the public domain should they pose any type of harm or risk to people. I look forward to hearing further from the Minister, and I sincerely hope that this conversation can be extended to the Department of Justice in Northern Ireland, too.

I also want to speak to new clause 27. I commend the right hon. Member for Kingston upon Hull North (Dame Diana Johnson) on her dedicated and committed plan, which we are supporting. I hope tonight that we can agree that measure. What bugs me, and probably the right hon. Lady, too, is that the Government are rightly making payments to the victims of the Post Office Horizon scandal before the final report of that public inquiry is published. An independent inquiry into the infected blood scandal was due to publish its final report this autumn, but that document will now be published in March 2024. I am incredulous that we are letting this go any further. If the Government are committed to helping those affected by the Post Office Horizon scandal, they should do the same for those affected by the contaminated blood scandal. That is what the right hon. Lady is asking for, and it is what I want, too. To leave such decisions until March 2024 is disgraceful.

One fact that always seems to be prominent is the number of people who have sadly passed away. I asked a question about that last week. One person affected by this scandal dies every four days, and I am greatly concerned that we will not have answers on that. Has the Minister had an opportunity to speak to the Department of Health back home on ensuring that victims from Northern Ireland can access compensation in the absence of an Assembly? In my estimation, 100 victims in Northern Ireland have had no word whatsoever. They are waiting in this never-never land where they cannot get any help at all. The main priority is urgency. How much longer can we expect victims and their families to wait? The second stage of the inquiry states that the scheme should be set up now and begin work this year. Who are we in this House to delay it any longer? I commend the right hon. Lady, and I hope we push this amendment tonight and win it.

Sarah Dyke >

(Somerton and Frome) (LD)

Share

I am sad to say that I have had several constituents approach me about the conduct of individual police officers on cases of violence against women and girls. That includes grossly inappropriate language, such as saying that one perpetrator of rape had a "reasonable expectation of consent" after drugging and assaulting my constituent to a point of significant bloodshed. I will not be more specific on individual cases, but I do not believe my constituents' experiences are unique to Somerset.

Operation Soteria Bluestone was pioneered in Avon and Somerset police, and features groundbreaking collaboration between criminologists and police officers, and I was pleased to meet members of the team on Friday to discuss their work. I spoke in this place after the King's Speech calling for Operation Soteria Bluestone to be properly funded and extended to all police forces, with a particular focus on educating officers.

Simple numbers in uniforms is not enough without thorough vetting and training, ensuring that all officers responding to victims and handling investigations do not perpetuate rape myths, accentuate victim trauma and mishandle evidence. My constituents must have the confidence that police and judicial officers have received thorough and appropriate training, and that they will be treated with due respect and regard by our justice apparatus in the most traumatic moments of their life. I therefore urge the Government to back new clause 29, tabled by my hon. Friend the Member for Edinburgh West (Christine Jardine), and to support Liberal Democrat policies to improve community trust in police, to create the pipeline of trust by educating police officers, and to fund more community police officers by cutting police and crime commissioners.

Before I close, I would like to talk briefly about new clause 10, which was tabled by my hon. Friend the Member for Westmorland and Lonsdale (Tim Farron). I was concerned, but not shocked, to see in the Environment Agency report a large rise in the number of bathing water sites rated as poor quality. It shows the real impact that the Government's neglect of poor behaviour by water firms has had on our health and wellbeing. Our precious rivers and waters bring a multitude of health benefits, as I see in my own constituency, where the wild swimming site in Farleigh Hungerford attracts many swimmers, and Vobster Quay, an inland diving and swimming centre, also brings the same benefits. I know that my constituents will be devastated to lose such an important cultural asset. I therefore support this vital new clause, which will help hold negligent water firms to account and provide compensation to those who have suffered illness as a direct result of criminal conduct in relation to sewage, and I urge the Government to do the same.

Mr Deputy Speaker >

(Sir Roger Gale)

Share

With the leave of the House, I call the Minister to wind up the debate.

Edward Argar >

Share

It is a pleasure to bring this debate on the Victims and Prisoners Bill Report stage to a close. I am particularly grateful for the co-operative and constructive spirit in which the debate has taken place, and for the broad support received for the Bill so far. Given the number of contributions that have been made, I will endeavour to cover them thematically. I am afraid I will be brief, and I apologise to any right hon. and hon. Members whose contributions I do not address directly.

The hon. Member for Walthamstow (Stella Creasy) spoke with considerable and typical courage, and in her typically forthright way. I say to her that I and the appropriate Minister will be happy to have further discussions with her on the issues she raised.

The hon. Members for Chesterfield (Mr Perkins) and for Rotherham (Sarah Champion) talked about stalking in the context of GRO-C GRO-C As a fellow east midlands Member of Parliament, I am very familiar with that case; we see updates on it regularly on "East Midlands Today". The hon. Member for Chesterfield highlighted the recent work and publication by the Suzy Lamplugh Trust, which we will look at very carefully. I know that the Minister for victims, my hon. Friend the Member for Newbury (Laura Farris), will look carefully at what is contained in the report.

My right hon. Friend the Member for Basingstoke (Dame Maria Miller) raised the issue of non-disclosure agreements. We are sympathetic to the concerns raised and will be carefully considering with the Department for Business and Trade how best to take this forward, including considering legislation. We will provide an update in the new year.

The duty of candour was raised by the shadow Minister, the hon. Member for Cardiff West (Kevin Brennan), and I am grateful for his typically reasonable tone throughout his contribution. The full position on the duty of candour will be set out shortly in an oral statement setting out the Government's response to Bishop James Jones's report. To respect the process, we cannot pre-empt that statement prior to it taking place on Wednesday. However, the Criminal Justice Bill, which is before the House already, includes an organisational duty of candour aimed at chief officers of police, making them responsible for ensuring that individuals within their remit act appropriately and with candour. We believe that that legislative vehicle, and that legislation, is the right place for that important debate to take place.

My hon. Friend the Member for North East Bedfordshire (Richard Fuller) and the shadow Minister talked about free legal advice for victims of rape. The Law Commission is currently considering the merits of independent legal advice as part of its wider review on the use of evidence in sexual offences prosecutions. This is an important issue, but we believe that we should receive and consider the findings of that extensive piece of work before committing to further action.

I turn now to amendments 142 to 144 and new clauses 27 and 42. I am grateful to the right hon. Member for Kingston upon Hull North (Dame Diana Johnson) and the shadow Minister for raising this extremely important topic. The infected blood scandal should never have happened. My thoughts, and I believe those of the whole House, remain with those impacted by this appalling tragedy. I confirm on behalf of the Cabinet Office, which is the lead Department, that the Minister for the Cabinet Office will make a statement ahead of the House rising for Christmas on Government progress on the infected blood inquiry, and that we will commit to update Parliament with an oral statement on next steps within 25 sitting days of the final report being published.

We have studied carefully the proposals made by the right hon. Lady, which are supported widely across the House. The Government, as she said, have already accepted the moral case for compensation, and we are grateful for the work of Sir Brian Langstaff. We have great sympathy with new clause 27 and the intention to ensure that the legal groundwork is in place to enable a delivery body to be established. I therefore confirm that, when the Bill reaches the Lords, we will bring forward our own amendment, which will put in place the necessary legislative framework and timescales for a delivery body for compensation for the victims of infected blood to be established, in line with the overall objectives set out in her new clause. That will ensure that the Government can move quickly, as soon as the inquiry reports.

I turn to IPP prisoners. While I appreciate that the Chair of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), would wish us to go further with resentencing, I believe that we have made considerable progress in what we have set out to the House.

Sir Robert Neill >

Share

I have listened to what has been said by Front-Bench Members on both sides, but they will have heard what was said by Back-Bench Members and the strength of feeling that more needs to be done. Before the Bill goes to the Lords, where this matter will certainly be raised, will the Minister meet me and other concerned Members to discuss further ways in which we may find a formula that will take this measure further forward?

Edward Argar >

Share

I am grateful to my hon. Friend. We will listen carefully to what their noble lordships say when the matter comes before them, but I am always happy to meet him to discuss this matter and others.

Amendment 28 and new clause 10 would include people who have suffered harm as a direct result of criminal conduct related to sewage and waste water in the definition of a victim, and introduce a sewage illness compensation scheme. Let me be clear that the Government and the Secretary of State for Environment, Food and Rural Affairs, as the lead Minister, take the issue of water quality extremely seriously, and sewage being discharged into our waterways is completely unacceptable. That is why we are the first Government to take such significant action on this issue, with record fines, new powers to hold water companies to account and the largest investment programme in water company history to tackle overflows once and for all, totalling £60 billion.

We understand that criminal conduct relating to sewage and waste water can have a significant impact on individuals. Where individuals have been impacted by water quality or suffered harm, they will be able to access support services where the issue fits the eligibility criteria. I reassure the hon. Member for Westmorland and Lonsdale (Tim Farron)—we may not always agree, but he knows that I have a lot of respect for him as a Member of this House—that there are existing routes for individuals who suffer harm as a result of criminal conduct to seek compensation where there is evidence of personal injury, loss or damage. Those can be pursued through criminal proceedings, where a compensation order can be sought, or through separate civil proceedings through our legal system. Water companies must not profit from environmental damage. That is why the Government support Ofwat's new rules on water company dividends and bonuses so that consumer bills never reward pollution.

I turn briefly to antisocial behaviour. I, like everyone else, recognise the significant impact that persistent antisocial behaviour can have on individuals and whole communities. We are committed to supporting the victims. That is why we are bringing forward a number of important measures through the Criminal Justice Bill, introduced to the House on 14 November, to tackle the core concerns raised in this Bill's Committee. We consider that the best and most appropriate vehicle in which they can be considered.

Finally, new clause 43 tabled by the hon. Member for South Shields (Mrs Lewell-Buck) would give relatives the ability to register the deaths of their loved ones following a major incident. As she set out, the proposed changes to digitise death registration would mean that the approach adopted of a signature, which we have discussed, would not necessarily work. We cannot support the new clause as drafted, but we are incredibly sympathetic to its purpose. I can confirm that the Government intend to launch a full public consultation on the role of the bereaved in death registration following an inquest, including those impacted by a major disaster. I look forward to working with her and the families who have been so dreadfully impacted in the past. I am grateful to all Members for their positive contributions.

9.00pm

Debate interrupted (Programme Order, 15 May).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

Question agreed to.

New clause 20 accordingly read a Second time, and added to the Bill.

The Deputy Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 21

Information relating to victims: service police etc

"After section 44E of the Police, Crime, Sentencing and Courts Act 2022 (inserted by section 22 of this Act), insert—

"44F Application of this Chapter to service police etc

(1) This Chapter applies in relation to a person mentioned in subsection (2) as it applies in relation to an authorised person, with the modifications specified in subsections (3) and (4).

(2) The persons are—

(a) a member of the Royal Navy Police, the Royal Military Police or the Royal Air Force Police;

(b) a person designated by the Service Police Complaints Commissioner under regulation 36(2) of the Service Police (Complaints etc) Regulations 2023 (S.I. 2023/624);

(c) a person who has been engaged to provide services consisting of or including the obtaining of information for the purposes of the exercise of functions by a person mentioned in paragraph (a) or (b).

(3) Section 44A applies as if for subsection (4) there were substituted—

"(4) The reference in subsection (3)(c) to crime is a reference to conduct which constitutes one or more—

(a) service offences within the meaning of the Armed Forces Act 2006, or

(b) SDA offences within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059)."

(4) Section 44B applies as if, in subsection (6)—

(a) for the definition of "adult without capacity" there were substituted—

""adult without capacity"—

(a) in relation to England and Wales, means an adult who, within the meaning of the Mental Capacity Act 2005, lacks capacity in relation to a notice under this section;

(b) in relation to Scotland, means an adult (within the meaning of this Chapter) who is incapable, within the meaning of the Adults with Incapacity (Scotland) Act 2000, in relation to a notice under this section;

(c) in relation to Northern Ireland, means an adult who, within the meaning of the Mental Capacity Act (Northern Ireland) 2016, lacks capacity in relation to a notice under this section;";

(b) for the definition of "relevant authority" there were substituted—

""relevant authority"—

(a) in relation to England, means a county council, a district council for an area for which there is no county council, a London borough council or the Common Council of the City of London in its capacity as a local authority;

(b) in relation to Wales, means a county council or a county borough council;

(c) in relation to Scotland, means a council constituted under section 2 of the Local Government etc (Scotland) Act 1994;

(d) in relation to Northern Ireland, means an authority within the meaning of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2));";

(c) for the definition of "voluntary organisation" there were substituted—

""voluntary organisation"—

(a) in relation to England and Wales, has the same meaning as in the Children Act 1989;

(b) in relation to Scotland, has the same meaning as in Part 2 of the Children (Scotland) Act 1995;

(c) in relation to Northern Ireland, has the same meaning as in the Children (Northern Ireland) Order 1995."""—*(Edward Argar.)*

This new clause, to be inserted after clause 22, provides for that clause to apply with modifications in the case of requests for information about victims of crime made by or on behalf of service police or the Service Police Complaints Commissioner.

Brought up, and added to the Bill.

New Clause 22

Meaning of "major incident" etc

"(1) This Part concerns advocates for victims of major incidents.

(2) In this Part, "major incident" means an incident that—

(a) occurs in England or Wales after this section comes into force,

(b) causes the death of, or serious harm to, a significant number of individuals, and

(c) is declared in writing by the Secretary of State to be a major incident for the purposes of this Part.

(3) For the purposes of this Part, "harm" includes physical, mental or emotional harm.

(4) In this Part, "victims", in relation to a major incident, means—

(a) individuals who have suffered harm as a direct result of the incident (whether or not that harm is serious harm), and

(b) close family members or close friends of individuals who have died or suffered serious harm as a direct result of the incident.

(5) In this Part, "advocate" means—

(a) the standing advocate appointed under section (Appointment of standing advocate)(1);

(b) an individual appointed as an advocate in respect of a major incident under section 25(1).

(6) But a reference in this Part to an advocate appointed in respect of a major incident includes the standing advocate only if the standing advocate has been appointed in respect of that incident under section 25(1)."—*(Edward Argar.)*

This new clause, to be inserted before clause 25, would make introductory provision for Part 2 in consequence of NC23 and Amendment 60.

Brought up, and added to the Bill.

New Clause 23

Appointment of standing advocate

"(1) The Secretary of State must appoint an individual as the standing advocate for victims of major incidents (in this Part, "the standing advocate").

(2) The functions of the standing advocate are—

(a) to advise the Secretary of State as to the interests of victims of major incidents, and their treatment by public authorities in response to major incidents;

(b) to advise other advocates as to the exercise of the functions of those advocates;

(c) to make reports in accordance with section 30.

(3) The standing advocate may take such steps as the standing advocate considers are—

(a) appropriate to facilitate the exercise of, or

(b) incidental or conducive to,

the functions of the standing advocate or another advocate.

(4) An individual may be appointed as the standing advocate only if the Secretary of State considers that the individual is qualified, taking into account—

(a) the individual's academic, professional or other qualifications, experience or skills;

(b) any other matter the Secretary of State considers relevant.

(5) For the purposes of subsection (2)(a), "public authority" includes—

(a) a court, tribunal, coroner, or inquiry panel within the meaning of section 3 of the Inquiries Act 2005, and

(b) any other person certain of whose functions are functions of a public nature,

but does not include the Security Service, the Secret Intelligence Service or the Government Communications Headquarters."—*(Edward Argar.)*

This new clause, to be inserted before clause 25, would require the Secretary of State to appoint a standing advocate to undertake general functions in relation to victims of major incidents and other advocates appointed in respect of major incidents.

Brought up, and added to the Bill.

New Clause 24

Publication of reports

"(1) The Secretary of State must publish a copy of a report made under section 30 if—

(a) it is made by the standing advocate under section 30(A1) (annual reports),

(b) it is made by an advocate under section 30(1) (reports required by the Secretary of State), or

(c) it is made by an advocate under section 30(4A) (reports at discretion of advocate), and the advocate making the report requests in writing that the report is published.

(2) The copy may be published in such manner as the Secretary of State thinks fit.

(3) But material may be omitted from the copy if the Secretary of State considers that the publication of that material would—

(a) risk death or injury to any person,

(b) risk damage to national security or international relations,

(c) risk damage to the economic interests of the United Kingdom or of any part of the United Kingdom,

(d) risk damage caused by disclosure of commercially sensitive information,

(e) breach any conditions as to confidentiality subject to which the advocate making the report acquired the material, or

(f) contravene the data protection legislation (within the meaning given by section 3 of the Data Protection Act 2018).

(4) The Secretary of State must lay a copy of a report as published under this section before Parliament."—*(Edward Argar.)*

This new clause, to be inserted after clause 30, makes provision about the publication of reports made by an advocate.

Brought up, and added to the Bill.

New Clause 25

Part 2: consequential amendments

"(1) In paragraph 3 of Schedule 1 to the Public Records Act 1958 (establishments and organisations whose records are public records), in Part 2 of the Table, at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

(2) In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation), at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

(3) In Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying from membership of the House of Commons), in Part 3, at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

(4) In Schedule 1 to the Freedom of Information Act 2000 (public authorities), in Part 6, at the appropriate place insert—

"An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024."

(5) In Schedule 19 to the Equality Act 2010 (public authorities), in Part 1, after "A government department other than the Security Service, the Secret Intelligence Service or the Government Communications Headquarters." insert—

"*Advocates for victims of major incidents*

An advocate for victims of major incidents appointed under Part 2 of the Victims and Prisoners Act 2024.""—*(Edward Argar.)*

This new clause, to be inserted after clause 32, would provide for an advocate appointed under Part 2 to be covered by the legislation referred to.

Brought up, and added to the Bill.

New Clause 26

Imprisonment or detention for public protection: termination of licences

“(1) The Crime (Sentences) Act 1997 is amended as follows.

(2) In section 31A (imprisonment or detention for public protection: termination of licences)—

(a) in subsection (2), in the words after paragraph (b), for “shall” substitute “must”;

(b) in subsection (3)—

(i) at the end of paragraph (a) insert “and”;

(ii) omit paragraph (c) and the “and” before it;

(c) for subsection (4) substitute—

“(4) Where a reference is made under subsection (3) above—

(a) the Parole Board must direct the Secretary of State to make an order that the licence is to cease to have effect, unless paragraph (b) applies;

(b) if the Parole Board is satisfied that it is necessary for the protection of the public that the licence should remain in force, it must dismiss the reference.”;

(d) omit subsections (4A) to (4C) and insert—

“(4D) The reference under subsection (3) must not be made, and a reference under that subsection must not be determined by the Parole Board under subsection (4), if at the time the reference or determination would otherwise be made the prisoner is in prison having been recalled under section 32.

(4E) Subsection (4F) applies where—

(a) but for subsection (4D), a reference of the prisoner’s case would have been made under subsection (3) or determined by the Parole Board under subsection (4),

(b) the Secretary of State has referred the prisoner’s case to the Parole Board under section 28 or 32, and

(c) the Board is satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined.

(4F) Where this subsection applies—

(a) the Parole Board must direct the Secretary of State to release the prisoner unconditionally, unless paragraph (b) applies;

(b) if the Parole Board is satisfied that it is necessary for the protection of the public for the prisoner, when released, to be released on licence in respect of the preventative sentence or sentences, it must not give a direction under paragraph (a).

(4G) Where the Parole Board gives a direction under subsection (4F)(a)—

(a) section 28(5) has effect in relation to the prisoner as if for “release him on licence” there were substituted “release the prisoner unconditionally”;

(b) section 32(5) has effect in relation to the prisoner as if for “give effect to the direction” there were substituted “release the prisoner unconditionally”.

(4H) Where—

(a) the prisoner has been released on licence under this Chapter (whether or not the prisoner has subsequently been recalled to prison under section 32),

(b) the qualifying period has expired, and

(c) the prisoner’s licence has remained in force for a continuous period of two years—

(i) beginning not before the qualifying period expired, and

(ii) ending after the coming into force of section (Imprisonment or detention for public protection: termination of licences)(2)(d) of the Victims and Prisoners Act 2023,

the Secretary of State must order that the licence is to cease to have effect.";

(e) in subsection (5), in the definition of "the qualifying period", for "ten" substitute "three";

(f) after subsection (5) insert—

"(6) The Secretary of State may by regulations made by statutory instrument amend subsection (5) to change the length of the qualifying period for the time being specified.

(7) A statutory instrument containing regulations under subsection (6) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament."

(3) In section 32 (recall of life prisoners while on licence), after subsection (1) insert—

"(1A) Subsection (1) does not apply in relation to a prisoner in respect of whom the Secretary of State is required to make an order under section 31A(4) or (4H) that the licence is to cease to have effect.""—*(Edward Argar.)*

This new clause, to be inserted after clause 42, makes provision about the termination of licences imposed in connection with sentences of imprisonment for public protection.

Brought up, and added to the Bill.

New Clause 37

Restricting parental responsibility where one parent kills the other

"(1) The Children Act 1989 is amended in accordance with subsections (2) to (7).

(2) In section 8 (child arrangements orders and other orders with respect to children), in the closing words of subsection (3), after "include" insert "proceedings in the Crown Court under section 10A or".

(3) After section 10 insert—

"10A Duty of Crown Court to make prohibited steps order

(1) This section applies where—

(a) a child has two parents at least one of whom has parental responsibility for the child, and

(b) a parent who has parental responsibility for the child ("the offender") is convicted of the murder or, in the circumstances mentioned in subsection (2), manslaughter of the other parent.

(2) The circumstances are where, but for section 54 of the Coroners and Justice Act 2009 (loss of control) or section 2 of the Homicide Act 1957 (diminished responsibility), the offender would have been liable to be convicted for murder.

(3) The Crown Court must make a prohibited steps order when sentencing the offender.

(4) The order must—

(a) specify that no step which could be taken by a parent in meeting their parental responsibility for a child may be taken by the offender with respect to the child without the consent of the High Court or the family court, and

(b) be made to have effect until the order is varied or discharged by the High Court or the family court.

(5) But the Crown Court must not make a prohibited steps order under this section if—

(a) a prohibited steps order is already in force that meets the requirements in subsection (4), or

(b) in a case where the offender is convicted of manslaughter, it appears to the Crown Court that it would not be in the interests of justice to do so.

(6) Sections 1, 7 and 11 do not apply where the Crown Court proceeds under this section.

(7) A prohibited steps order made under this section does not cease to have effect if the offender is acquitted of the murder or manslaughter on appeal (but see section 10B(3) and (4)).

(8) A prohibited steps order made under this section is to be treated for the purposes of section 31F(6) of the Matrimonial and Family Proceedings Act 1984 (proceedings and decisions) as if it were made by the family court.

(9) The Crown Court does not have jurisdiction to entertain any proceedings in connection with the enforcement of a prohibited steps order made under this section.

10B Review of orders made under section 10A

(1) This section applies where a prohibited steps order is made under section 10A prohibiting the taking of steps by a parent with respect to a child.

(2) The local authority that is the relevant local authority at the time the order is made must make an application to the court (see section 92(7)) to review the order.

(3) Subsection (4) applies if—

(a) the application under subsection (2) has been disposed of (whether or not the order was varied), and

(b) the parent is acquitted on appeal of the murder or manslaughter that resulted in the making of the order.

(4) The local authority that is the relevant local authority at the time the verdict of acquittal is entered must make an application to the court to review the order.

(5) An application under this section must be made as soon as is reasonably practicable and in any event before the end of the period of 14 days beginning with the day after the day on which—

(a) in the case of an application under subsection (2), the order was made;

(b) in the case of an application under subsection (4), the verdict of acquittal was entered.

(6) The Secretary of State may by regulations amend the period specified in subsection (5).

(7) In this section "relevant local authority" means—

(a) where the child with respect to whom the order was made is ordinarily resident within the area of a local authority in England or Wales, that local authority;

(b) where the child with respect to whom the order was made does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority."

(4) In section 9 (restrictions on making section 8 orders)—

(a) in subsection (1), after "applies" insert "or a prohibited steps order made under section 10A";

(b) in subsection (6A), after "applies" insert "or a prohibited steps order made under section 10A";

(c) after subsection (7) insert—

"(8) Subsection (7) does not apply to a prohibited steps order made under section 10A."

(5) In section 33 (effect of care order), after subsection (3) insert—

"(3A) Where a prohibited steps order made under section 10A is in force in relation to a parent, the authority may only exercise the power in subsection (3)(b) in relation to the taking of a step by that parent that is not prohibited by that order."

(6) In section 91 (effect and duration of orders etc)—

(a) in subsection (2), after "section 8 order" insert "(other than a prohibited steps order made under section 10A)";

(b) after subsection (5A) insert—

"(5B) Subsection (5C) applies where—

(a) a prohibited steps order (the "existing order") is in force prohibiting the taking of steps by a parent ("P") with respect to a child ("C"), and

(b) a prohibited steps order is made under section 10A in relation to P with respect to C.

(5C) The existing order is discharged (except to the extent that it prohibits the taking of steps other than by P with respect to C)."

(7) In section 104 (regulations and orders)—

(a) in each of subsections (2) and (3A), after "subsection" insert "(3AZA),";

(b) after subsection (3A) insert—

"(3AZA) Regulations fall within this subsection if they are regulations made in the exercise of the power conferred by section 10B(6)."

(8) In section 50 of the Criminal Appeal Act 1968 (meaning of "sentence"), after subsection (2) insert—

"(2A) A prohibited steps order made under section 10A of the Children Act 1989 is not a sentence for the purposes of this Act.""—*(Edward Argar.)*

This new clause, to be inserted after clause 15, requires the Crown Court to make a prohibited steps order when a parent is convicted of the murder or voluntary manslaughter of the other parent and provides for the order to be reviewed by the family courts.

Brought up, and added to the Bill.

New Clause 10

Sewage Illness Victim Compensation Scheme

"(1) The Secretary of State must by regulations provide for a compensation scheme for victims who have suffered harm as a direct result of criminal conduct in relation to sewage and waste water.

(2) Regulations under subsection (1) must—

(a) provide for the payment of compensation to people who have become unwell as a result of bathing in water contaminated by sewage,

(b) make provision in relation to the medical evidence required to support a claim for compensation under the regulations.

(3) Regulations under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of each House of Parliament."—*(Tim Farron.)*

Question put, That the clause be added to the Bill.

Division 21

The House divided:

Ayes	Noes
27	**267**

Question accordingly negatived.

Held on 4 December 2023 at 9.01pm

New Clause 14

Major incidents: duty of candour

"(1) In discharging their duties in relation to a major incident, public authorities and public servants and officials must at all times act within their powers—

(a) in the public interest, and

(b) with transparency, candour and frankness.

(2) If a major incident results in a court proceeding, official inquiry or investigation, public authorities and public servants and officials have a duty to assist—

(a) relating to their own activities, or

(b) where their acts or omissions may be relevant.

(3) In discharging the duty under subsection (2), public authorities and public servants and officials shall—

(a) act with proper expedition;

(b) act with transparency, candour and frankness,

(c) act without favour to their own position,

(d) make full disclosure of relevant documents, material and facts,

(e) set out their position on the relevant matters at the outset of the proceedings, inquiry or investigation, and

(f) provide further information and clarification as ordered by a court or inquiry.

(4) In discharging their duty under subsection (2), public authorities and public servants and officials shall have regard to the pleadings, allegations, terms of reference and parameters of the relevant proceedings, inquiry or investigation but shall not be limited by them, in particular where they hold information which might change the ambit of the said proceedings, inquiry or investigation.

(5) The duties in subsections (1) and (2) shall—

(a) be read subject to existing laws relating to privacy, data protection and national security,

(b) apply in a qualified way with respect to private law and non-public functions as set out in subsection (6), and

(c) not be limited by any issue of insurance indemnity.

(6) The duties in subsections (1) and (2) shall be enforceable by application to the relevant court or inquiry chairperson by any person affected by the alleged breach, or the court or inquiry may act of its own motion. Where there are no extant court or inquiry proceedings, the duties may be enforced by judicial review proceedings in the High Court."—*(Kevin Brennan.)*

This new clause would require public authorities and public servants and officials to act in the public interest and with transparency, candour and frankness when carrying out their duties in relation to major incidents.

Brought up.

Question put, That the clause be added to the Bill.

Division 22

The House divided:

Ayes	Noes
193	279

Question accordingly negatived.

Held on 4 December 2023 at 9.15pm

New Clause 27

Compensation for victims of the infected blood scandal (No. 2)

"(1) In accordance with section 2(3C), the Secretary of State must, within three months of the passing of this Act, establish a body to administer the compensation scheme for victims of the infected blood scandal.

(2) The body created under this section must be chaired by a judge of High Court or Court of Session with status as sole decision maker.

(3) In exercising its functions, the body must—

(a) have regard to the need of applicants for speed of provision, simplicity or process, accessibility, involvement, proactive support, fairness and efficiency;

(b) involve potentially eligible persons and their representatives amongst those in a small advisory board, and in the review and improvement of the scheme;

(c) permit the hearing of applicants in person; and

(d) have an independent appeal body which will reconsider decisions of the scheme referred to it.

(4) The Secretary of State may by regulations make further provision about the body established under this section.

(5) For the purposes of this Act, a victim of the infected blood scandal means any infected or affected person whom the Second Interim Report of the Infected Blood Inquiry, as laid before Parliament on 19 April 2023, recommends should be admitted to a compensation scheme.

(6) This section comes into force on the day on which this Act is passed."—*(Dame Diana Johnson.)*

Brought up.

Question put, That the clause be added to the Bill.

Division 23

The House divided:

Ayes	Noes
246	**242**

Question accordingly agreed to.

Held on 4 December 2023 at 9.28pm

New clause 27 added to the Bill.

Clause 1

Meaning of "victim"

Amendment proposed: 33, page 1, line 16, at end insert—

"(e) where the person has experienced anti-social behaviour, as defined by section 2 of the Anti-social Behaviour Act 2014, and the conditions necessary for an ASB case review under section 104 of that Act have been met."—*(Kevin Brennan.)*

This amendment would include victims of anti-social behaviour in the definition of a victim.

Question put, That the amendment be made.

Division 24

The House divided:

Ayes	Noes
190	**277**

Question accordingly negatived.

Held on 4 December 2023 at 9.40pm

Amendment made: 34, page 2, line 3, leave out from "offence" to end of line 6 and insert—

"(5) It is immaterial for the purposes of subsection (4)(b) that—

(a) no person has reported the offence;

(b) no person has been charged with or convicted of the offence.

(6) In section 52(3)(a) of the Domestic Violence, Crime and Victims Act 2004, for "complaint has been made about" substitute "person has reported"."—*(Edward Argar.)*

This amendment clarifies that conduct which constitutes an offence may be "criminal conduct" for the purposes of Part 1 of the Bill whether or not the offence has been reported. Section 52(3)(a) of the Domestic Violence, Crime and Victims Act 2004 is amended for consistency.

Clause 6

Code awareness and reviewing compliance: criminal justice bodies

Amendments made: 35, page 4, line 37, after "review" insert "whether and".

This amendment clarifies that criminal justice bodies must keep under review whether they provide services in accordance with the victims' code, as well as how services are provided.

Amendment 36, page 5, line 17, leave out

"provided in accordance with the victims' code".

This amendment is consequential on Amendment 35.

Amendment 37, page 5, line 20, leave out

"provided in accordance with the victims' code".—*(Edward Argar.)*

This amendment is consequential on Amendment 35.

Clause 7

Reviewing code compliance: elected local policing bodies

Amendment made: 38, page 6, line 6, at beginning insert "whether and".—*(Edward Argar.)*

This amendment clarifies that elected local policing bodies must keep under review whether criminal justice bodies in their area provide services in accordance with the victims' code, as well as how services are provided,

Clause 8

Code awareness and reviewing compliance: British Transport Police

Amendments made: 39, page 6, line 39, after "review" insert "whether and".

This amendment clarifies that the Chief Constable of the British Transport Police Force and the British Transport Police Authority must keep under review whether the Chief Constable provides services in accordance with the victims' code, as well as how services are provided.

Amendment 40, page 7, line 18, leave out

"provided in accordance with the victims' code".

This amendment is consequential on Amendment 39.

Amendment 41, page 7, line 21, leave out

"provided in accordance with the victims' code".—*(Edward Argar.)*

This amendment is consequential on Amendment 39.

Clause 9

Code awareness and reviewing compliance: Ministry of Defence Police

Amendments made: 42, page 8, line 1, after "review" insert "whether and".

This amendment clarifies that the Chief Constable of the Ministry of Defence Police and the Secretary of State must keep under review whether the Chief Constable provides services in accordance with the victims' code, as well as how services are provided.

Amendment 43, page 8, line 17, leave out

"provided in accordance with the victims' code".

This amendment is consequential on Amendment 42.

Amendment 44, page 8, line 20, leave out

"provided in accordance with the victims' code".—*(Edward Argar.)*

This amendment is consequential on Amendment 42.

Clause 11

Guidance on code awareness and reviewing compliance

Amendment made: 45, page 9, line 28, leave out "other protected characteristics" and insert

"protected characteristics within the meaning of the Equality Act 2010".—*(Edward Argar.)*

This amendment clarifies the meaning of "protected characteristics" for the purposes of guidance about reviewing victims' code compliance.

Clause 12

Duty to collaborate in exercise of victim support functions

Amendments made: 46, page 10, line 5, at end insert—

"(1A) A relevant authority exercises a function in relation to relevant victim support services if it exercises the function in relation to—

(a) the provision of such services, or

(b) the commissioning of such services provided by another person."

This amendment clarifies the functions in relation to which the duties in clauses 12 to 14 apply.

Amendment 47, page 10, line 38, leave out subsection (9).—*(Edward Argar.)*

This amendment is consequential on Amendment 46.

Clause 13

Strategy for collaboration in exercise of victim support functions

Amendments made: 48, page 11, line 9, leave out from "must" to first "persons" in line 12 and insert "—

(a) make reasonable efforts to obtain the views of victims in the police area,

(b) consult"

This Amendment is consequential on Amendment 48.

Amendment 49, page 11, line 13, after "services" insert "in the police area".

This amendment clarifies that, when a strategy in relation to victim support services in a police area is being prepared or revised, providers of services outside the area need not be consulted.

Amendment 50, page 11, line 14, at beginning insert "consult"

This Amendment is consequential on Amendment 48.

Amendment 51, page 11, line 15, leave out from "must" to end of line 20 and insert "—

(a) assess the needs of victims in the police area for relevant victim support services,

(b) assess whether, and how, those needs are being met by the services which are available (whether or not provided by the relevant authorities), and

(c) have regard to those assessments."

This amendment requires authorities preparing a strategy in relation to victim support services in a police area to assess, and have regard to, whether and how the needs of victims are being met.

Amendment 52, page 11, line 20, at end insert—

"(3A) When making an assessment under subsection (3), the relevant authorities must have regard to the particular needs of victims who are children or have protected characteristics within the meaning of the Equality Act 2010."—*(Edward Argar.)*

This amendment requires authorities undertaking the assessments required by Amendment 51 to have regard to the particular needs of victims who are children or have protected characteristics within the meaning of the Equality Act 2010.

Clause 15

Guidance about independent domestic violence and sexual violence advisors

Amendment made: 53, page 12, line 21, leave out "other protected characteristics" and insert

"protected characteristics within the meaning of the Equality Act 2010"—*(Edward Argar.)*

This amendment clarifies the meaning of "protected characteristics" for the purposes of guidance about independent domestic violence advisers and independent sexual violence advisers.

Clause 22

Information relating to victims

Amendments made: 54, page 19, leave out lines 6 to 11.

This amendment is consequential on NC21.

Amendment 55, page 20, line 9, leave out "to understand" and insert "in relation to".

This amendment is consequential on NC21.

Amendment 56, page 20, leave out lines 14 and 15 and insert—

""relevant authority" —

(a) in relation to England, means a county council, a district council for an area for which there is no county council, a London borough council or the Common Council of the City of London in its capacity as a local authority;

(b) in relation to Wales, means a county council or a county borough council;"

This amendment is consequential on NC21.

Amendment made: 57, page 21, leave out lines 38 and 39.—*(Edward Argar.)*

This amendment is consequential on NC21.

Clause 25

Appointment of independent public advocate

Amendments made: 58, page 23, line 15, leave out "independent public".

This amendment is consequential on NC22.

Amendment 59, page 23, line 16, leave out from "incident" to end of line 22.

This amendment is consequential on NC22.

Amendment 60, page 23, line 24, after "if" insert "—

(a) the individual is the standing advocate, or".

This amendment would enable the Secretary of State to appoint the standing advocate appointed under NC23 as an advocate in respect of a specific major incident.

Amendment 61, page 23, line 25, leave out "to act as an advocate".

This amendment is consequential on NC22.

Amendment 62, page 23, line 38, leave out subsection (7).—*(Edward Argar.)*

This amendment is consequential on NC22.

Clause 26

Terms of appointment

Amendment made: 63, page 24, line 25, leave out

"appointed in respect of a major incident".—*(Edward Argar.)*

This amendment is consequential on NC23.

Clause 27

Appointment of multiple independent public advocates

Amendments made: 64, page 24, line 31, leave out "may" and insert "must".

This amendment would require the Secretary of State to appoint a lead advocate where more than one advocate is appointed in respect of a major incident.

Amendment 65, page 24, line 33, after first "advocate" insert

"appointed in respect of the incident".

This amendment is consequential on NC22.

Amendment 66, page 24, line 35, leave out subsection (4).—*(Edward Argar.)*

This amendment is consequential on Amendment 67.

Clause 28

Functions of an independent public advocate

Amendments made: 67, page 25, line 2, at end insert—

"(A1) This section applies where an advocate is appointed in respect of a major incident.

(A2) Where more than one advocate is appointed in respect of the incident, references in this section to "the advocate" are to each advocate individually and any number of them (including all of them) acting jointly."

This amendment is consequential on NC22.

Amendment 68, page 25, line 3, leave out

"in respect of a major incident, an"

and insert ", the".

This amendment is consequential on Amendment 67.

Amendment 69, page 25, line 23, leave out "An" and insert "The".

This amendment is consequential on Amendment 67.

Amendment 70, page 25, line 26, leave out "an" and insert "the".

This amendment is consequential on Amendment 67.

Amendment 71, page 25, line 33, leave out "An" and insert "The".

This amendment is consequential on Amendment 67.

Amendment 72, page 25, line 37, leave out "an" and insert "the".

This amendment is consequential on Amendment 67.

Amendment 73, page 26, leave out lines 3 and 4.

This amendment is consequential on NC23.

Amendment 74, page 26, leave out lines 7 to 10 and insert—

““public authority” has the same meaning as in section (Appointment of standing advocate)(2)(a) (see section (Appointment of standing advocate)(5)).”—*(Edward Argar.)*

This amendment is consequential on NC23.

Clause 29

Role of advocates under Part 1 of the Coroners and Justice Act 2009

Amendment made: 75, page 26, line 14, leave out from “paragraph” to end of line 18 and insert “(ka) insert—

“(kb) where an advocate has been appointed under section 25(1) of the Victims and Prisoners Act 2024 in respect of an incident which may have caused or contributed to the death of the deceased—

(i) each advocate that has been appointed under that section in respect of that incident, and

(ii) the standing advocate appointed under section (Appointment of standing advocate) of that Act;””.—*(Edward Argar.)*

This amendment is consequential on NC22.

Clause 30

Reports to the Secretary of State

Amendments made: 76, page 26, line 19, at end insert—

“(A1) The standing advocate must, in respect of each calendar year, report to the Secretary of State as to—

(a) the exercise of the standing advocate’s functions in that year;

(b) such matters as the Secretary of State may require in writing;

(c) such other matters as the standing advocate considers relevant to their functions or the functions of another advocate.

(A2) A report under subsection (A1) must be made by 1 July in the calendar year following the year in respect of which the report is made.”

This amendment would require the standing advocate appointed under NC23 to make annual reports.

Amendment 77, page 26, line 20, leave out “sends a” and insert “gives”.

This amendment is consequential on Amendment 81.

Amendment 78, page 26, line 28, leave out “this section” and insert “subsection (1)”.

This amendment is consequential on Amendment 76.

Amendment 79, page 26, line 32, leave out “this section” and insert “subsection (1)”.

This amendment is consequential on Amendment 76.

Amendment 80, page 26, line 33, leave out

“the incident in respect of which they are appointed”

and insert “—

(a) a major incident in respect of which they are appointed, or

(b) in the case of the standing advocate, any major incident,”

This amendment is consequential on NC23.

Amendment 81, page 26, line 34, at end insert—

“(4A) An advocate may, at their discretion and at any time, report to the Secretary of State such matters as the advocate considers relevant to—

(a) a major incident in respect of which they are appointed, or

(b) in the case of the standing advocate, any major incident.

(4B) If more than one advocate has been appointed in respect of the same major incident—

(a) the Secretary of State may give notice under subsection (2) in relation to the incident only to the lead advocate;

(b) only the lead advocate may make a report under subsection (4A) in relation to the incident."

This amendment would enable an advocate (or the lead advocate where multiple advocates are appointed in respect of the same incident) to report at their discretion.

Amendment 82, page 26, line 35, leave out subsections (5) to (7).—*(Edward Argar.)*

This amendment is consequential on NC24 and Amendment 81.

Clause 31

Information sharing and data protection

Amendments made: 83, page 27, line 8, at end insert—

"(za) the standing advocate;"

This amendment is consequential on NC22.

Amendment 84, page 27, line 11, leave out paragraphs (c) and (d) and insert—

"(c)any other person exercising functions of a public nature; (d)a victim of a major incident in respect of which the advocate is appointed."

This amendment would expressly allow an advocate to share information with any person exercising functions of a public nature and clarify the victims with whom information may be shared.

Amendment 85, page 27, line 13, leave out first "The Secretary of State" and insert

"A person exercising functions of a public nature".

This amendment would expressly allow persons exercising functions of a public nature as well as the Secretary of State to share information with an advocate.

Amendment 86, page 27, line 13, leave out second "Secretary of State" and insert "person".

This amendment is consequential on Amendment 85.

Amendment 87, page 27, line 16, leave out first "the".

This amendment would clarify that clause 31(3) relates to any information received in the exercise of an advocate's functions rather than specific information.

Amendment 88, page 27, line 17, leave out "those" and insert "their".

This amendment would clarify that an advocate may use information received in the exercise of an advocate's functions for any of their functions.

Amendment 89, page 27, line 20, leave out subsection (5).

This amendment would allow an advocate to share personal data without consent where it is necessary to do so (consistently with data protection legislation).

Amendment 90, page 27, line 22, at end insert—

"(5A) This section does not limit the circumstances in which information may be disclosed apart from this Part.

(5B) Except as provided by subsection (6), a disclosure of information under this Part does not breach—

(a) any obligation of confidence owed by the person disclosing the information, or

(b) any other restriction on the disclosure of information (however imposed)."

This amendment would provide that clause 31 does not limit other powers to disclose information and that a disclosure of information under Part 2 does not breach other obligations (subject to data protection legislation).

Amendment 91, page 27, line 28, leave out ""data subject",".

This amendment is consequential on Amendment 89.

Amendment 92, page 27, leave out line 31.—*(Edward Argar.)*

This amendment is consequential on Amendment 84.

Clause 32

Guidance for independent public advocates

Amendments made: 93, page 27, line 35, after "advocate" insert

"appointed in respect of a major incident".

This amendment is consequential on NC22.

Amendment 94, page 28, line 2, after "advocate" insert

"appointed in respect of a major incident".—*(Edward Argar.)*

This amendment is consequential on NC22.

Clause 33

Public protection decisions: life prisoners

Amendments made: 95, page 29, leave out line 26 and insert—

"(c) subsection (1) of section 32ZAC, for the purposes of that subsection."

See the explanatory statement to Amendment 104.

Amendment 96, page 29, line 31, leave out

"32ZAC(2), the Secretary of State"

and insert

"32ZAC(1), the Upper Tribunal or High Court (as the case may be)".

See the explanatory statement to Amendment 104.

Amendment 97, page 30, line 12, leave out subsection (5).—*(Edward Argar.)*

This amendment is consequential on Amendment NC26.

Clause 34

Public protection decisions: fixed-term prisoners

Amendments made: 98, page 31, line 40, leave out

"256AZBC(2), the Secretary of State"

and insert

"256AZBC(1), the Upper Tribunal or High Court (as the case may be)".

See the explanatory statement to Amendment 104.

Amendment 99, page 32, line 26, leave out "256AZBC(2)" and insert "256AZBC(1)".

See the explanatory statement to Amendment 104.

Amendment made: 150, page 33, line 32, leave out from "of," to end of line 36 and insert

"section 256AZBC(1) (powers on referral of release decisions)."—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 35

Amendment of power to change test for release on licence of certain prisoners

Amendment made: 100, page 35, leave out lines 19 to 26 and insert—

"(a) section 32ZAC(1) of the Crime (Sentences) Act 1997 (powers on referral of release decisions);

(b) section 256AZBC(1) of the Criminal Justice Act 2003 (powers on referral of release decisions)."" —*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 36

Referral of release decisions: life prisoners

Amendments made: 101, page 35, line 30, leave out "Secretary of State" and insert "relevant court".

See the explanatory statement to Amendment 104.

Amendment 102, page 35, line 31, leave out "Secretary of State" and insert "relevant court".

See the explanatory statement to Amendment 104.

Amendment 103, page 35, line 34, leave out from "32ZAB" to end of line 11 on page 36 and insert

", and (b) the Parole Board directs the prisoner's release under section 28(5) or 32(5)."

See the explanatory statement to Amendment 104.

Amendment 104, page 36, line 13, leave out "Secretary of State" and insert

"relevant court if the Secretary of State considers that—

(a) the release of the prisoner would be likely to undermine public confidence in the parole system, and

(b) if the case were referred, the relevant court might not be satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined (see section 32ZAC(1))."

This amendment, and the other Government amendments to clauses 33 to 42 and 47, enable the Secretary of State to direct the Parole Board to refer certain prisoner release decisions to the Upper Tribunal or, where sensitive material may be relevant, the High Court.

Amendment 105, page 36, line 13, at end insert—

"(5A) "Relevant court" means—

(a) if the Secretary of State certifies that sensitive material may be relevant to the prisoner's case, the High Court;

(b) in any other case, the Upper Tribunal.

(5B) For the purposes of subsection (5A), "sensitive material" means material the disclosure of which would, in the opinion of the Secretary of State, be damaging to the interests of national security."

See the explanatory statement to Amendment 104.

Amendment 106, page 36, leave out lines 15 and 16 and insert

"the Secretary of State—

(a) must notify the prisoner of the direction and the reasons for giving it, and

(b) pending determination of the prisoner's case under section 32ZAC(1), is not required to give effect to the Parole Board's direction to release the prisoner."

See the explanatory statement to Amendment 104.

Amendment 107, page 36, leave out lines 22 and 23.

See the explanatory statement to Amendment 104.

Amendment 108, page 36, line 24, leave out

"Offences for purposes of Secretary of State referral"

and insert "Specified offences".

See the explanatory statement to Amendment 104.

Amendment 109, page 37, line 31, leave out "Secretary of State" and insert "relevant court".

See the explanatory statement to Amendment 104.

Amendment 110, page 37, line 32, leave out from "the" to end of line 38 and insert

"relevant court—

(a) must, if satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined, make an order requiring the Secretary of State to give effect to the Parole Board's direction to release the prisoner on licence;

(b) otherwise, must make an order quashing the Parole Board's direction to release the prisoner on licence."

See the explanatory statement to Amendment 104.

Amendment 111, page 37, line 39, leave out from beginning to end of line 9 on page 38 and insert—

"(2) An order under subsection (1)(a) may include directions as to the conditions to be included in the prisoner's licence on release.

(3) An order under subsection (1)(b) has effect as if the prisoner's case were disposed of by the Parole Board on the date on which the order was made.

(4) In this section "relevant court" has the meaning given by section 32ZAA(5A).""

See the explanatory statement to Amendment 104.

Amendment 112, page 38, line 9, at end insert—

"(2) In section 32ZB of the Crime (Sentences) Act 1997 (release at direction of Parole Board: timing), in subsection (1), at the end insert "(including where the Upper Tribunal or High Court makes an order under section 32ZAC(1)(a) requiring the Secretary of State to give effect to such a direction)"."—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 37

Referral of release decisions: fixed-term prisoners

Amendments made: 113, page 38, line 12, leave out "Secretary of State" and insert "relevant court".

See the explanatory statement to Amendment 104.

Amendment 114, page 38, line 13, leave out "Secretary of State" and insert "relevant court".

See the explanatory statement to Amendment 104.

Amendment 115, page 38, line 16, leave out from "256AZBB" to end of line 33 and insert

", and (b) the Board directs the prisoner's release under a provision mentioned in the second column of the table in section 237B."

See the explanatory statement to Amendment 104.

Amendment 116, page 38, line 35, leave out "Secretary of State" and insert

"relevant court if the Secretary of State considers that—

(a) the release of the prisoner would be likely to undermine public confidence in the parole system, and

(b) if the case were referred, the relevant court might not be satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined (see section 256AZBC(1)).”

See the explanatory statement to Amendment 104.

Amendment 117, page 38, line 35, at end insert—

“(5A) “Relevant court” means—

(a) if the Secretary of State certifies that sensitive material may be relevant to the prisoner’s case, the High Court;

(b) in any other case, the Upper Tribunal.

(5B) For the purposes of subsection (5A), “sensitive material” means material the disclosure of which would, in the opinion of the Secretary of State, be damaging to the interests of national security.”

See the explanatory statement to Amendment 104.

Amendment 118, page 38, leave out lines 37 and 38 and insert

“the Secretary of State—

(a) must notify the prisoner of the direction and the reasons for giving it, and

(b) pending determination of the prisoner’s case under section 256AZBC(1), is not required to give effect to the Parole Board’s direction to release the prisoner.”

See the explanatory statement to Amendment 104.

Amendment 119, page 39, leave out lines 4 to 11.

See the explanatory statement to Amendment 104.

Amendment 120, page 39, line 12, leave out

“Offences for purposes of Secretary of State referral”

and insert “Specified offences”.

See the explanatory statement to Amendment 104.

Amendment 121, page 40, line 17, leave out “Secretary of State” and insert “relevant court”.

See the explanatory statement to Amendment 104.

Amendment 122, page 40, line 18, leave out from “the” to end of line 24 and insert

“relevant court—

(a) must, if satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined, make an order requiring the Secretary of State to give effect to the Parole Board’s direction to release the prisoner on licence;

(b) otherwise, must make an order quashing the direction.”

See the explanatory statement to Amendment 104.

Amendment 123, page 40, leave out lines 25 to 37 and insert—

“(2) An order under subsection (1)(a) may include directions as to the conditions to be included in the prisoner’s licence on release.

(3) An order under subsection (1)(b) has effect as if the prisoner’s case were disposed of by the Parole Board on the date on which the order was made.

(4) In this section, “relevant court” has the meaning given by section 256AZBA(5A).”

See the explanatory statement to Amendment 104.

Amendment 124, page 40, line 38, leave out “Secretary of State” and insert “relevant court”.

See the explanatory statement to Amendment 104.

Amendment 125, page 40, line 39, leave out "(2)" and insert "(1)(a)".

See the explanatory statement to Amendment 104.

Amendment 126, page 40, line 41, at end insert—

"(2) In section 256AZC of the Criminal Justice Act 2003 (release at direction of Parole Board: timing), in subsection (1), at the end insert "(including where the Upper Tribunal or High Court makes an order under section 256AZBC(1)(a) requiring the Secretary of State to give effect to such a direction)"."—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 38

Procedure on referral of release decisions

Amendment made: 127, page 41, line 1, leave out clause 38.—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 39

Appeal to Upper Tribunal of decisions on referral: life prisoners

Amendment made: 128, page 41, line 27, leave out clause 39.—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 40

Appeal to Upper Tribunal of decisions on referral: fixed-term prisoners

Amendment made: 129, page 43, line 1, leave out clause 40.—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 41

Licence conditions of life prisoners released following referral

Amendments made: 130, page 44, line 13, leave out from beginning to ", or" on line 14.

See the explanatory statement to Amendment 104.

Amendment 131, page 44, leave out lines 17 to 20 and insert—

"(3A) Where the Upper Tribunal or High Court gives a direction under section 32ZAC(2) as to the conditions to be included in a life prisoner's licence on release, the Secretary of State—

(a) must include the conditions in the prisoner's licence on release;"—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 42

Licence conditions of fixed-term prisoners released following referral

Amendment made: 132, page 44, leave out lines 24 to 36 and insert—

"(1) Section 250 of the Criminal Justice Act 2003 (licence conditions) is amended as follows.

(2) In subsection (5A), at the beginning insert "Subject to subsection (5D),".

(3) After subsection (5C) insert—

"(5D) Where the Upper Tribunal or High Court gives a direction under section 256AZBC(2) as to the conditions to be included in a prisoner's licence on release, the Secretary of State—

(a) must include the conditions in the prisoner's licence on release;

(b) may subsequently insert a condition in such a licence or vary or cancel a condition of such a licence.”".—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 47

Parole Board rules

Amendments made: 133, page 46, line 30, leave out subsection (1).

See the explanatory statement to Amendment 104.

Amendment 134, page 46, line 32, leave out “subsection (5)” and insert

“section 239(5) of the Criminal Justice Act 2003 (power to make rules for Parole Board proceedings)”.

See the explanatory statement to Amendment 104.

Amendment 135, page 47, line 1, leave out subsection (3).—*(Edward Argar.)*

See the explanatory statement to Amendment 104.

Clause 51

Power to make consequential provision

Amendment made: 151, page 51, line 6, after “section” insert

“(Restricting parental responsibility where one parent kills the other),”.

This amendment enables the Secretary of State to make provision consequential on NC37.

Ordered,

That Clause 51 be transferred to the end of line 24 on page 51.—*(Edward Argar.)*

This amendment is consequential on Amendment 150.

Clause 54

Extent

Amendments made: 136, page 52, line 3, leave out “to subsection (2)” and insert “as follows”.

This amendment is consequential on other amendments to clause 54.

Amendment 137, page 52, line 3, at end insert—

“(1A) Section (Part 2: consequential amendments)(5) also extends to Scotland.”

This amendment is consequential on NC25.

Amendment 138, page 52, line 3, at end insert—

“(1A) Section (Domestic abuse related death reviews)(3) and (4) also extends to Northern Ireland.”

This amendment is consequential on NC20.

Amendment 139, page 52, line 5, at end insert—

“(aa) section (Information relating to victims: service police etc);”

This amendment is consequential on NC21.

Amendment 140, page 52, line 6, at end insert—

“(ba) section (Part 2: consequential amendments)(1) to (4);”.—*(Edward Argar.)*

This amendment is consequential on NC25.

Title

Amendment made: 141, title, line 3, leave out

"individuals to act as independent public".—*(Edward Argar.)*

This amendment is consequential on NC22.

Third Reading

9.55pm

Edward Argar

Share

I beg to move, That the Bill be now read the Third time.

As is appropriate on these occasions, I want to put on record, if I may, my gratitude and my thanks to the officials who have worked on this Bill in the Ministry of Justice and my private office; the fantastic Nikki Jones, who has managed this Bill through the Commons as an official; the Whips, the Parliamentary Business and Legislation Committee and the Lord President of the Council for her assistance; and my Parliamentary Private Secretary until he was made a Whip a few short weeks ago, my hon. Friend the Member for Newcastle-under-Lyme (Aaron Bell). Most importantly, I would like to thank the victims who have contributed to this, as well as the stakeholders, the organisations and the campaigners. I should also express once again my gratitude to Opposition Front Benchers for their constructive approach and tone throughout, particularly on those long days in Committee, and I congratulate the right hon. Member for Kingston upon Hull North (Dame Diana Johnson).

This Bill has as a central objective to ensure that victims are treated like participants in the justice process rather than bystanders. It is no less than they deserve, and it represents a major step forward, building on the progress made for victims in the last decade. The Bill has been a long time in the making, but getting it into law will strengthen the voice of victims of crime and major incidents in our criminal justice system so that they can be supported to recover and see justice done. It is not only the right thing to do; our hope and belief is that it will also enable us to bring more criminals to justice, keeping the British people safe and providing them with the support they need.

This Bill in many ways represents the very best of this House and its ability to make meaningful change for the people who send us here and the people we serve, and I pay tribute to Members on both sides for their contributions in getting us to this point. Mindful of the tone and spirit in which these debates have been conducted, I will conclude to allow the shadow Secretary of State to put her thanks to her team on record as well.

Mr Deputy Speaker
(Sir Roger Gale)

Share

I call the shadow Justice Secretary.

9.57pm

Shabana Mahmood
(Birmingham, Ladywood) (Lab)

Share

It is a pleasure to speak in this somewhat short Third Reading debate on this Bill. I start by paying tribute to my colleagues who did the lion's share of the work before my team and I came into post, particularly my predecessor my hon. Friend the Member for Croydon North (Steve Reed), as well as my hon. Friends the Members for Cardiff North (Anna McMorrin) and for Lewisham West and Penge (Ellie Reeves) and the entire shadow Justice team.

I thank the Clerks, the House staff and Library specialists for facilitating all the debates on this Bill, and all the external organisations and individuals—including Dame Vera Baird, Nicole Jacobs, Claire Waxman, Ken Sutton, Women's Aid, SafeLives, Rape Crisis and Hillsborough Law Now—that have engaged extensively with the shadow Front-Bench team on this Bill. I acknowledge the constructive tone with which the Minister has approached the legislation, as well as that of hon. Members who have contributed to

our proceedings, particularly those who took the Bill through Committee. May I also congratulate my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson) on her relentless and persistent campaign on behalf of the victims of the infected blood scandal? She has won a tremendous victory for them this evening.

We will support the passage of the Bill. We have been calling on the Government to bring forward a victims Bill for over eight years. We do believe it is some progress, but it does not go far enough, and the Government could and should have gone further. I am sure we will return to those debates in the other place.

Question put and agreed to.

Bill accordingly read the Third time and passed.