PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

CRIME AND POLICING BILL

Fourth Sitting

Tuesday 1 April 2025

(Afternoon)

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Saturday 5 April 2025

The Committee consisted of the following Members:

Chairs: Sir Roger Gale , † Mark Pritchard , Emma Lewell , Dr Rosena Allin-Khan

† Barros-Curtis, Mr Alex *(Cardiff West)* (Lab)
† Bishop, Matt *(Forest of Dean)* (Lab)
† Burton-Sampson, David *(Southend West and Leigh)* (Lab)
† Cross, Harriet *(Gordon and Buchan)* (Con)
† Davies-Jones, Alex *(Parliamentary Under-Secretary of State for Justice)*
† Johnson, Dame Diana *(Minister for Policing, Fire and Crime Prevention)*
† Jones, Louise *(North East Derbyshire)* (Lab)
† Mather, Keir *(Selby)* (Lab)
† Phillips, Jess *(Parliamentary Under-Secretary of State for the Home Department)*
† Platt, Jo *(Leigh and Atherton)* (Lab/Co-op)
† Rankin, Jack *(Windsor)* (Con)
† Robertson, Joe *(Isle of Wight East)* (Con)
† Sabine, Anna *(Frome and East Somerset)* (LD)
† Sullivan, Dr Lauren *(Gravesham)* (Lab)
† Taylor, David *(Hemel Hempstead)* (Lab)
† Taylor, Luke *(Sutton and Cheam)* (LD)
† Vickers, Matt *(Stockton West)* (Con)

Robert Cope, Claire Cozens, Adam Evans, *Committee Clerks*

† attended the Committee

Public Bill Committee

Tuesday 1 April 2025

(Afternoon)

[Mark Pritchard *in the Chair*]

Crime and Policing Bill

Clause 3

Maximum period for certain directions, notices and orders

2 pm

Question (this day) again proposed, That the clause stand part of the Bill.

The Minister for Policing, Fire and Crime Prevention (Dame Diana Johnson): It is slightly warmer in the room this afternoon. The point I was making before the break was that a number of the measures in this Bill were in the Criminal Justice Bill, as the shadow Minister, the hon. Member for Stockton West, set out in his questioning of me, but that a clause included in that Bill to lower the age at which someone can receive a community protection notice from 16 to 10 has not been taken forward.

I started my remarks by saying that we had carefully considered the merits of each of the measures in the Criminal Justice Bill on a case-by-case basis to see which ones we wanted to take forward according to this Government's priorities and where we believed there was a clear operational benefit. I set out before lunch that we did not believe that it was appropriate to lower the age for community protection notices from 16 to 10, because breach of a CPN is a criminal offence and the Government do not wish to risk criminalising children unnecessarily.

The other measure in the Criminal Justice Bill that it is worth reflecting on was to extend the use of public spaces protection orders to the police, allowing a greater number of agencies to tackle antisocial behaviour. The responses to the consultation that the Government at the time carried out were mixed, with a significant proportion of respondents opposed to extending PSPO powers to police. PSPOs are generally focused on lower-level environmental ASB in public places, meaning that local authorities are better suited to issue PSPOs than the police are. Given all the pressures we know the police are under and having regard to police resources, we believe that local authorities are still best placed to carry out the administrative elements of PSPOs. That is why that measure is not included in this Bill.

The provisions in clause 3, as we have already said, were in the Criminal Justice Bill and I think they should garner support across the House in this Bill.

Question put and agreed to.

Clause 3 accordingly ordered to stand part of the Bill.

Clause 4

Fixed penalty notices

Question proposed, That the clause stand part of the Bill.

Dame Diana Johnson: Clause 4 serves two purposes. First, it extends the remit of the community safety accreditation scheme, to enable accredited officers to issue fixed penalty notices to tackle antisocial behaviour. Secondly, it increases the upper limit for fixed penalty notices from £100 to £500 for breaches of public spaces protection orders and community protection notices. Under the community safety accreditation scheme, a chief constable may delegate a range of powers usually reserved for the police to accredited officers involved in a community safety or traffic management role. That includes issuing fixed penalty notices for specific offences. This clause expands the list of offences to allow officers to issue fines for breaches of public spaces protection orders and community protection notices as well.

I can assure hon. Members that appropriate safeguards are in place to ensure that these powers are used appropriately. To be awarded accredited status an organisation must satisfy strict criteria, and the scheme itself is accredited only through approval from a chief constable. Also, accredited officers must, rightly, undergo strict vetting and be appropriately trained in use of their powers. By expanding the range of agencies that can tackle antisocial behaviour, we will free up valuable police resources to tackle other antisocial issues and other types of crime.

The second element of the clause increases the upper limit for fines issued for breaches of public spaces protection orders and community protection notices from £100 to £500. Public spaces protection orders and community protection notices are issued where antisocial behaviour has a detrimental effect on the community's quality of life. It is right that anyone breaching the orders is met with a proportionate punishment. The current £100 upper limit does not always carry enough weight to stop people committing further antisocial behaviour. We expect that the threat of an increased fine will act as a stronger deterrent, and in many cases will be enough to prevent reoffending.

We are clear that, although we are increasing the upper limit, the police, local authorities and CSAS officers must ensure that fines are reasonable and proportionate to the severity of the behaviour. The statutory guidance will, of course, be updated to reflect that.

Matt Vickers (Stockton West) (Con): Clause 4 increases the maximum fixed penalty notice that can be issued for a breach of a community protection notice or public spaces protection order from £100 to £500. In 2023 the previous Conservative Government ran a consultation on proposals to strengthen the powers available to address antisocial behaviour. That included a proposal to increase the upper limit of fixed penalty notices to £500. Following the consultation, the Government included a proposal in their 2023-24 Criminal Justice Bill to increase the value of fixed penalty notices to £500.

How will the Government ensure that public spaces protection orders and community protection notices are not used disproportionately to penalise minor or everyday behaviours? Can the Minister speak further

on what oversight mechanisms and approved standards will be in place to regulate the activities of private enforcement officers issuing fines under those orders? How will the Government respond to concerns that private enforcement officers have financial incentives to issue excessive fines, and what action can be taken if that occurs? How will the Government balance the need for public order with concerns that PSPOs and CPNs might unfairly target individuals for minor infractions? What mechanisms are in place to review or challenge PSPOs and CPNs if they are deemed unfair or excessive, and how will the Government ensure that the measures are not used as revenue-generating tools, rather than as genuine deterrents against antisocial behaviour?

Dame Diana Johnson: As I set out in my opening remarks, there will be statutory guidance on the use of the powers. I hope that provides some reassurance about how they will be used. I also set out the role of the chief constable in authorising officers and extending the powers to them.

The hon. Gentleman asked about local authorities perhaps using pay-by-commission contractors to issue fixed penalty notices and how there will not be abuse of that. To make it clear, it is for local authorities to determine how to operate the powers granted to them in legislation. Only the upper limit is being increased. Local agencies that issue fixed penalty notices can of course issue fines of less than £500 if appropriate, and it is expected that the fines issued will be based on the individual circumstances and severity of the case. Contracting enforcement to third parties is now a common arrangement and it is for the local authority to ensure that the use of powers remains just and proportionate. As I said at the outset, there will also be statutory guidance.

On the other safeguards and preventing the misuse of PSPOs, it is clear from the legislation that the local authority must be satisfied that there are reasonable grounds to consider a PSPO appropriate and that the legal test is met. Before making a PSPO, the council must consult the police and any community representatives they think appropriate. Before making, varying, extending or discharging a PSPO, the council must carry out the necessary publicity and notification in accordance with section 72(3) of the Anti-social Behaviour, Crime and Policing Act 2014. That includes publishing the text of a proposed order or variation and publishing the proposal for an extension or variation. Anyone who lives in, regularly works in or visits the area may apply to the High Court to question the validity of a PSPO.

Question put and agreed to.

Clause 4 accordingly ordered to stand part of the Bill.

Clause 5

Closure of premises by registered social housing provider

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss schedule 2.

Dame Diana Johnson: Clause 5 and schedule 2 provide registered social housing providers with the power to issue closure notices and closure orders, to enable them to quickly close premises that they own or manage that are being used, or are likely to be used, to commit nuisance or disorder. Despite registered social housing providers often being the initial point of contact for tenants suffering from antisocial behaviour, the current legislation does not allow them to use closure powers. Rather, they must contact the police or local authority to issue a closure notice and subsequently apply to the courts for a closure order on their behalf. This clause changes that.

Registered social housing providers will now be able to issue a closure notice and apply for a closure order themselves, meaning that the power can be used more quickly to disrupt antisocial behaviour, in turn freeing up police and local authority time. We of course understand that closing a premises is a serious action, so it is important to note that registered social housing providers are regulated bodies, subject to criteria set out in statute before they can become registered, and that they must meet the regulatory standards set by the Regulator of Social Housing. Having those safeguards is necessary to ensure that these powers are used responsibly by providers.

Matt Vickers: Clause 5 amends the Anti-social Behaviour, Crime and Policing Act 2014 to enable registered social housing providers to close premises that they own or manage that are associated with nuisance and disorder. We very much welcome this measure—it is right that we empower social housing providers to deal with disorder in order to support and protect tenants.

Dame Diana Johnson: I am very pleased that the shadow Minister agrees.

Question put and agreed to.

Clause 5 accordingly ordered to stand part of the Bill.

Schedule 2 agreed to.

Clause 6

Reviews of responses to complaints about anti-social behaviour

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss schedule 3.

Dame Diana Johnson: Clause 6 and schedule 3 provide a new duty for police and crime commissioners to promote awareness of the antisocial behaviour case review in the police force area, and provides a route for victims to request a further review where they are unsatisfied with an ASB case review outcome. As well as tackling the causes of antisocial behaviour, we know that much more must be done to help victims. The ASB case review is an important tool that gives victims of persistent antisocial behaviour the ability to request a formal case review.

As we know from the Victims' Commissioner's report, "Still living a nightmare", published 6 September 2024, the case review is not always used as effectively as it

[Dame Diana Johnson]

could be to support victims. We want to improve resolutions for victims involved in these case reviews. Of course we hope that a resolution is found before there is a need for a case review, but it is important that this option is available, as there is currently no formal process for victims to appeal the outcome of a case review, even in situations where the review has not addressed the antisocial behaviour that the person is complaining about and experiencing.

This clause gives victims the right to request a further review of their antisocial behaviour case review by the police and crime commissioner where they are dissatisfied with the original outcome. It also allows victims to request a review by the PCC where the relevant agencies determined that the threshold was not met for the initial antisocial behaviour case review. In turn, the PCC will be able to override original case review recommendations and make new ones where they consider further action could have been taken.

Although local agencies will not be mandated to implement the recommendations, they will need to demonstrate consideration. To ensure that victims know where to access the right support, PCCs will also be required to promote awareness of the antisocial behaviour case review and the process for when victims are dissatisfied with the outcome.

2.15 pm

Matt Vickers: Clause 6 and schedule 3 enable local policing bodies—police and crime commissioners and their equivalents—to conduct reviews into how authorities in their area have handled reports of antisocial behaviour. Someone could request a local policing body case review if they were dissatisfied with the outcome of an antisocial behaviour case review conducted by another agency, such as the local police force.

Proposed new section 104A of the 2014 Act requires local policing bodies to publish data on LPB case reviews, including the number of applications, the number of reviews conducted and their outcomes. As the Minister knows, it does not specify how that data should be published, which raises questions about delivering an inconsistent approach to publishing data on ASB case reviews. Without a clear specification on publication methods, does the Minister believe there is a risk that data could be inaccessible or difficult to compare across different areas? Will there be any independent oversight or monitoring to ensure that local policing bodies comply with the new transparency requirements?

Clause 6 also modifies schedule 4 of the 2014 Act to mandate that local policing bodies actively raise awareness of antisocial behaviour case reviews within their respective police areas. How does the Minister foresee each force undertaking that work, and will she work with forces to ensure that good and accessible awareness is not a postcode lottery?

Dame Diana Johnson: We have obviously been working closely with the Association of Police and Crime Commissioners on how these provisions will work, to ensure that PCCs feel comfortable about what is expected of them and that there is clear guidance in place on what the provisions will actually mean. The legislation clearly sets out minimum requirements that PCCs must comply with when they are setting up and carrying out the PCC case review, including, as I have said, publicising the complaints procedure, consulting with key agencies and setting up the process. We will continue to work with the APCC to develop guidance and best practice to support PCCs in making effective use of the PCC case review.

I fully understand that the data issue is a challenge. It is clear that most partners are collecting data on antisocial behaviour. There are sometimes issues with being able to share that data effectively, and information on how data can be used by all the partners who need to see it will certainly be part of the guidance.

On the whole, however, I think this provision, which supports victims by giving them the right to a further review through the PCC, is the correct approach. I know that the Victims' Commissioner is keen to see more use of the review procedure. One of her big complaints in the document she produced last year was that the procedure is not well known. We certainly want PCCs to ensure that information about the further right of appeal is given out as clearly as possible to the victims of antisocial behaviour.

Question put and agreed to.

Clause 6 accordingly ordered to stand part of the Bill.

Schedule 3 agreed to.

Clause 7

PROVISION OF INFORMATION ABOUT ANTI-SOCIAL BEHAVIOUR TO SECRETARY OF STATE

Question proposed, That the clause stand part of the Bill.

Dame Diana Johnson: The clause introduces a power for the Home Secretary to make regulations requiring key local agencies to report information about antisocial behaviour to the Government. Regulations will be laid at a later date to specify the information that agencies must provide.

Information held by central Government on antisocial behaviour is, in some areas, limited. Despite non-police agencies, such as local authorities and housing providers, playing a crucial role in the response to antisocial behaviour, there are currently no requirements for those agencies to share information about ASB with the Government. That has resulted in a significant evidence gap in the national picture of antisocial behaviour, particularly around how many reports of antisocial behaviour are made to non-police agencies, how they are responded to, and how many antisocial behaviour case reviews they conduct.

Clause 7 takes steps to address the gap by requiring agencies to report that information to the Government. As it is a new duty, I reassure the Committee that we have considered possible new burdens on local agencies, and we have been engaging with local authorities and social housing providers to understand what information they already hold, and the impact that the requirement may have on them. We will ensure that any new requirements will be reasonable and proportionate. By collecting the information, we will be in a much better place: able to get a more accurate and granular picture of antisocial

behaviour incidents across England and Wales, as well as the interventions used to tackle it. That, in turn, will help to inform future local and national activity so that we can better tackle antisocial behaviour.

Matt Vickers: Clause 7 grants the Secretary of State the authority to determine through secondary legislation the specific data on antisocial behaviour that local agencies are required to provide to the Government. At its core, the provision is about understanding the problem better. It allows the Government to demand reports on antisocial behaviour incidents, details of how authorities respond, and records of case reviews where communities hold those responses to account.

The idea is simple: if we know more about graffiti spoiling our streets, noise disrupting people's sleep or disorder plaguing our neighbourhoods, we can do more. The Secretary of State could use that data to spot trends, allocate resources or craft policies that hit the mark. But let us not view the clause through rose-tinted glasses; it raises serious questions we cannot ignore. How much information will be demanded and how often? Will small councils, already stretched thin, buckle under the weight of collecting, creating and analysing data? How much detail will they be asked to provide? Will it be every caller, incident log, or every follow-up? How often will it be—daily updates, weekly summaries or monthly deep-dives?

Police forces, especially in rural and underfunded areas, are already juggling tight budgets and rising demands. Could the burden of gathering, generating and sifting through antisocial behaviour data pull officers away from the streets where they are needed most? A Government armed with better information could target support where it is needed most—perhaps more officers in high-crime areas or funding for youth programmes to prevent trouble before it starts. I am interested in the Minister's view on how this will be balanced.

Dame Diana Johnson: I listened carefully to what the shadow Minister said, and in my remarks I also indicated that we wanted to be proportionate in the information we will request. It is clear that tackling antisocial behaviour is a top priority for this Government, and many of our partners, including the National Police Chiefs' Council and the ASB sector, have called for better data on antisocial behaviour. Our engagement indicates that the majority of relevant agencies already have access to this data, but are not sharing it. That is the key point.

Requiring agencies to share that information with Government will enable the significant benefit of a national dataset on non-police ASB incidents and interventions, which will mean that we are then in a much better position to produce policy that fits with the issues that communities are facing up and down the country.

Question put and agreed to.

Clause 7 accordingly ordered to stand part of the Bill.

Clause 8

SEIZURE OF MOTOR VEHICLES USED IN MANNER CAUSING ALARM, DISTRESS OR ANNOYANCE

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss the following:

New clause 30—*Seizure of motor vehicles: driving licence penalties—*

"(1) The Police Reform Act 2002 is amended as follows.

(2) In section 59 (Vehicles used in a manner causing alarm, distress or annoyance), after subsection (6) insert—

'(6A) A person who is convicted of repeat offences under subsection (6) will have their driving licence endorsed with penalty points up to and including the revocation of their driving licence.'"

This new clause would make a person guilty of repeat offences of using vehicles in a manner causing alarm, distress or annoyance liable to penalty points on their driving licence or the revocation of their licence.

New clause 36—*Removal of prohibition on entering a private dwelling to confiscate an off-road bike—*

"(1) The Road Traffic Act 1988 is amended as follows.

(2) In section 165A, after subsection (5)(c) insert—

'(5A) In exercising their powers under subsection (5), a constable may enter a private dwelling house for the purposes of seizing an off-road bike'.

(3) The Police Reform Act 2002 is amended as follows.

(4) In section 59(7), at end insert ', except where the intention is to seize an off-road bike.'"

This new clause would remove the prohibition on the police entering a private dwelling to confiscate an off-road bike that is driven without a licence, uninsured, or being used illegally.

New clause 37—*Power to seize vehicles driven without licence or insurance—*

"(1) The Road Traffic Accident Act 1988 is amended as follows.

(2) In section 165A, omit 'within the period of 24 hours'."

This new clause would remove the 24-hour time limit for the seizing of vehicles where a person has failed to produce a licence or evidence of insurance.

New clause 39—*Duty to destroy seized off-road bikes—*

"(1) The Road Traffic Act 1988 is amended as follows.

(2) In section 165B(2), at end insert ';

(g) where the seized motor vehicle is an off-road bike, to ensure its destruction by the police'.

(3) The Police Reform Act 2002 is amended as follows.

(4) In section 60(2), at end insert ';

(g) where the seized motor vehicle is an off-road bike, to ensure its destruction by the police.'"

New clause 40—*Registration of off-road bikes—*

"(1) The Secretary of State must, within six months of the passing of this Act, issue a consultation on a registration scheme for the sale of off-road bikes.

(2) The consultation must consider the merits of—

(i) requiring sellers to record the details of buyers, and

(ii) verifying that buyers have purchased insurance."

This new clause would require the Secretary of State to consult on a registration scheme for the resale off-road bikes.

Dame Diana Johnson: We all accept that antisocial behaviour is unacceptable, which is why the Government are undertaking this ambitious programme of work to tackle it, including the proposals that we have discussed in Committee today. The antisocial use of vehicles, such as e-scooters and off-road bikes, causes havoc in local communities. It is not, as it has perhaps been described in the past, low-level behaviour. It leaves law-abiding citizens feeling intimidated and unsafe in their town centres, local parks and neighbourhoods, and it happens across the country.

[Dame Diana Johnson]

I fully understand the strength of feeling among the public and Members, and their desire for the Government to take swift action. We will treat antisocial driving as the blight on society that it is. That is why we are making it easier for the police to seize offenders' vehicles and dispose of them. Clearly, the Bill will strengthen the law so that vehicles being used antisocially can be seized by police immediately without the need to first provide a warning.

Matt Vickers: I rise to speak to clause 8 as well as new clauses 30 and 36, 37, 39 and 40, which were tabled by the Opposition. Clause 8 relates to the seizure of motor vehicles used in a manner causing alarm, distress or annoyance. It will omit section 59(4) and (5) of the Police Reform Act 2002, removing the requirement to first issue a warning prior to seizing a vehicle being used in an antisocial manner.

This issue is of particular concern to me, and many hon. Members across the House. The Opposition welcome this measure to enable police to remove bikes without warning when using this power. Off-road bikes, e-bikes and other non-road-legal bikes are a huge concern to local communities across the country. The issue has been raised time and again in this place, with increasing regularity, in Westminster Hall debates, parliamentary questions, and private Member's Bills, which have shown the huge and increasing impact it has on communities in different parts of the country, represented by MPs of different political parties.

The antisocial use of motor vehicles is a growing concern across the UK. When vehicles are driven recklessly, dangerously or in a disruptive manner, they can cause significant harm—both physical and psychological—to individuals and the wider community. The consequences of such behaviour range from increased public fear and distress to serious injury, and even loss of life.

Harriet Cross (Gordon and Buchan) (Con): This is about the impact on not just communities and individuals but on farmers, livestock and rural businesses. In many cases people are seeing their livelihoods disrupted and their livestock injured or, at worst, killed by these bikes. What are the shadow Minister's views on the need to tackle that?

Matt Vickers: This huge problem has many different faces in many different communities. Sometimes the problem is antisocial behaviour, and sometimes it is outright crime. We should be doing more, in terms of sanctions, to get these bikes off the streets.

One of the most immediate and severe dangers posed by antisocial use of motor vehicles is the threat to public safety. Reckless driving, illegal street racing and the misuse of off-road vehicles in pedestrian areas create an environment where accidents are not just possible but inevitable. Instances of vehicles being driven at high speed through residential streets or public spaces increase the likelihood of collisions with pedestrians, cyclists, and other road users. Children, the elderly and individuals with disabilities are particularly vulnerable to such risks. Parents often express concerns about their children's safety when motorbikes or modified cars are recklessly raced through parks and playgrounds: areas that should be havens for relaxation and recreation.

Joe Robertson (Isle of Wight East) (Con): Does my hon. Friend agree that such antisocial behaviour is particularly intimidating because noise travels, creating the perception of vehicles going at speed and the fear of accidents? Even if there is no intent to cause antisocial behaviour or injury, the fact that reckless use of these vehicles can lead to accidents makes them menacing, particularly in the minds of older and more vulnerable people but also, frankly, for any resident in the vicinity.

Matt Vickers: My hon. Friend makes a good point. There is a sliding scale. There are people who use these things to intimidate and cause fear: driving around with a balaclava on their head, making as much of a racket as possible, and driving as close to people as possible in what should be a normal residential street, where families should be able to grow up. There is also the other extreme, where green spaces are torn apart by people recklessly creating a lot of havoc. But my hon. Friend is right: this behaviour intimidates and causes fear even where there is no intention to do so.

Even in cases where reckless driving does not result in physical harm, the psychological impact on communities cannot be overestimated. The noise and unpredictability of vehicles, especially motorbikes and modified cars, being misused can create a climate of fear. Residents often report feeling unsafe in their own neighbourhoods, deterred from using local parks or walking near roads where such behaviour is common. For many elderly individuals, loud and erratic vehicle activity can be particularly distressing. The sound of revving engines, screeching tyres and aggressive acceleration, especially at night, can cause severe anxiety, disrupting sleep patterns and diminishing overall quality of life for those affected.

2.30 pm

The environmental impact of antisocial vehicle use is also significant. High-speed racing, reckless off-road driving and the use of motorbikes in parks and green spaces can cause substantial damage to the local environment. Grass and natural habitats are often destroyed, affecting local wildlife and reducing the aesthetic and recreational value of public spaces. Additionally, the use of illegal and unregulated vehicles, such as dirt bikes, quad bikes and modified cars, can result in excessive emissions and noise pollution. In many urban and suburban areas, communities suffer from the relentless noise of high-powered motorbikes and modified exhausts, which disrupts the peace and quiet that residents expect in their neighbourhoods and homes.

Off-road bikes have their uses: they can be effective for scrambling or getting around private farms in a rural setting. That is what they were designed for and it is their legal and intended purpose, but all too often we see them misused. Antisocial behaviour with off-road bikes manifests itself in areas across my own constituency of Stockton West. There is a constant flow of problems in some of our most beautiful and scenic spaces, from the green spaces in Thornaby, the Six Fields in Hartburn and Preston park to what was a beautiful and peaceful walkway connecting Bishopsgarth and Elm Tree with Fairfield, which has recently come to resemble a speedway. There is little care for anyone who gets in the way.

The issue also plagues our urban areas, housing estates and main roads across places such as Thornaby and Ingleby Barwick. The nature of incidents, nuisances

and crimes involving the misuse of dirt bikes, quad bikes, e-bikes and scooters varies, but in all instances it has huge consequences for law-abiding citizens trying to go about their lives.

Let me share a couple of examples of the varying impact that the bikes and the youths who often misuse them have on my residents. I previously heard from a pensioner who lives with her husband in a beautiful bungalow backing on to a field—a once quiet and peaceful space, home to an array of wildlife. The resident and her disabled husband spent many nights terrorised by the roaring of these bikes flying around the field and the cuts and walkways nearby. The yobs on these bikes drive them at all hours of the day and night. The couple have previously had vehicles come through their fence, and mud and grit churned up on to their property and windows. They fear leaving their home after dark and being hit by one of these bikes. They and their neighbours fear the abuse that might come in response to confronting the youngsters.

The issue extends beyond the after-hours impact on vulnerable people. There are many who have sought to enjoy some of Stockton's beautiful green spaces, only to be intimidated by youngsters on bikes—in broad daylight, driving at ridiculous and dangerous speeds and in ridiculously close proximity—in an effort to intentionally scare, harass and intimidate them. We are now at the point where some of these youngsters feel they are above the law; to be honest, it appears that they are. Each weekend, balaclava-clad feral teenagers drive down normal residential streets creating fear and havoc with no regard for the lives of people around them. It is entirely unacceptable, and it cannot go on. We have seen the consequences and injuries incurred not only by those using the bikes, but to innocent people trying to go about their daily lives.

Aside from the antisocial behaviour and the horror suffered by those living in an area subject to this torture, the bikes are increasingly being used to enable criminal activity.

Joe Robertson: It sounds as though my hon. Friend may have a greater problem with this sort of antisocial behaviour in his constituency, but that is not to say that, in constituencies such as mine where there is a problem, that problem will not get worse if these powers are not made available to the police. It is much harder to remove and stop a type of behaviour that has set in than to stop it ever happening in the first place. I hope he agrees that the powers will help all constituencies across the UK, regardless of the extent to which they are perceived to have a problem at the moment.

Matt Vickers: My hon. Friend makes a good point. In my constituency, the problem has spread. It started on estates; people may make assumptions about where it might have started. But it is now everywhere. Areas filled with old people, and normal, quiet and well-heeled streets are now being tortured by it. It is also enabling crime on a massive scale, including drugs, child exploitation, theft and offences against the person.

Balaclavas and the speed of the vehicles are being used to evade detection and capture, and the teenagers are sometimes actively goading law enforcement. We have heard some of the public debate about direct contact to take people off the bikes, and we have also seen the tragic consequences when young people lose their lives as a result. While I welcome the change, I feel that we need to go much further in order to grip the problem. We cannot wait for another person to lose their life, or indeed for yet more people in communities across the country to lose their quality of life.

The problem is continuing to grow month on month. If anyone thinks I am being over the top, they can think again, or they could speak to a couple of MPs whose constituencies are affected. The problem is growing on a huge scale. Over recent years and, particularly, recent months, it has increasingly spread across my constituency. The police have been innovative in their efforts to tackle the issue of off-road bikes. Some forces have deployed officers on off-road bikes; others have used drones and other technology to trace where bikes are being held. All forces use an intelligence-led response and the powers they have to safely seize bikes when they are not being ridden.

I have spoken to many police officers, in my locality and across the country, about the issue. All are frustrated by the challenges of trying to deal with the problem. One such officer is neighbourhood police sergeant Gary Cookland, from my local police force in Cleveland, who submitted written evidence to the Committee. Gary is an incredibly hard-working police officer, who spends a large amount of time dealing with antisocial behaviour and, in particular, off-road bikes.

Gary explains that tackling the bikes is a high priority for all the communities he serves. He describes the bikes' role in criminal activities and the misery they cause for so many families. He says that many of the vehicles are not roadworthy and not registered vehicles. The vehicles are sold without any restrictions and are readily available to any person who wishes to purchase one; they do not even need a driving licence. That has caused an influx of dangerous imports, a high number of which are afflicting our streets. He urges the Government to amend the Bill to include some form of regulation, and to include the need to supply the name of the owner, as well as an address and driving licence, at the point of sale.

Gary explains the ridiculous situation in which some of the bikes seized by police are then resold by them and returned to the streets. He talks about the fact that in some cases, when vehicles are deemed roadworthy, they can be reclaimed by people without relevant documentation such as an accurate or up-to-date registration. He points out that section 59 recoveries do not currently need all of those documents to be in order—only proof of ownership and payment of recovery fees. Sergeant Cookland puts forward a number of suggestions to help tackle the issue, including restrictions on fuel stations selling to vehicles that are clearly illegal and driven by people without helmets or driving licences. He also talks about restricting the use of balaclavas, which is now at epidemic levels in many communities and cause huge fear among law-abiding citizens.

Gary very much welcomes the change being put forward by the Government, as do I, but we need to think about the scale of the impact it can have. The clause changes just one piece of legislation used to seize the vehicles, but in practice the police use different powers within existing legislation. In this case, we are amending section 59 of the Police Reform Act, but many seizures are made under section 165A of the

[Matt Vickers]

Road Traffic Act 1988—the Serious Organised Crime and Police Act 2005 revision, which I believe does not require notice or warning as it stands. It allows for the seizure of vehicles with no insurance. Obviously, many of the offending vehicles are not road legal anyway, so by default, they cannot be insured for use in public spaces. As I understand it, there are no records of what powers police forces are using to seize bikes, and to what scale. Therefore, it is difficult to determine with any confidence the scale of any impact the measure in the Bill will have. I am keen to hear from the Minister the size or scale of the impact that she anticipates it might have.

While it is a positive move, the provision is unlikely to have a sizeable impact on the problem. Therefore, informed by conversations with many on the frontline, I have tabled a number of new clauses on the subject in the hope that the Government might consider going further. I was certainly not afraid to question Ministers on this subject when my party was in office. I hope that my new clauses might be accepted as constructive suggestions to help solve what is a huge problem in so many areas across the country.

New clause 36 would remove the prohibition on the police entering a private dwelling to confiscate an off-road bike that is being driven without a licence, uninsured or being used illegally. Bizarrely, police officers are not able to seize these bikes under either the Road Traffic Act 1988 or the Police Reform Act 2002. A person can terrorise people, cause untold misery to local communities and use such a vehicle to evade law enforcement, but law enforcement cannot come into that person's house and seize their off-road bike using existing powers. I hope people will see this as a logical measure; in fact, it was previously put forward by the hon. Member for North Durham (Luke Akehurst), a Labour Member.

New clause 37 would amend section 165A of the Road Traffic Act 1988 to remove the 24-hour time limit for the seizing of vehicles where a person has failed to produce a licence or evidence of insurance. This is a simple change suggested by the neighbourhood police sergeant that could make a real and meaningful difference, helping those on the frontline to seize bikes with less restriction.

Harriet Cross: Earlier, we considered extending timelines from 48 hours to 72 hours to take in, for example, weekends and bank holidays. The new clause fits quite nicely with that, and would make sure that wherever we are in the week or year we are tackling this issue effectively.

Matt Vickers: Very much so. We can end up in a perverse situation where someone who has been seen riding one of these bikes just hides it for 24 hours, knowing that the police will have a scrap to go and recover it on that basis. At the time the provision was written, I do not think it would have been foreseen that this was where things would end. We did not write the Road Traffic Act with a view that we would need to seize bikes within 24 hours. It just was not a thing at the time. When that legislation was put forward, the problems with off-road bikes would never have even been considered. The new clause would bring the measure up to date and make it relevant to the challenges faced by modern policing. It would also prevent those who know the law from hiding a vehicle away for a period before returning to their illegal activity.

New clause 39 would amend the Road Traffic Act 1988 and the Police Reform Act 2002 to create a duty to destroy seized off-road bikes. As frontline police officers have said, all too often they go to great lengths to seize these bikes, only to then see police forces sell them back on to the streets, often landing straight back into the hands of those from whom they were removed. Police forces use this as a form of revenue, but it is hugely damaging for the morale of many officers and hugely counterproductive in tackling the problem.

New clause 40 would invite the Secretary of State to issue a consultation on a registration scheme for the sale of off-road bikes. It would consider the merits of requiring those selling off-road bikes to record the details of those buying them and verify that they have any relevant insurance. Schemes exist for the registration of farm plant equipment. Crikey, we even have to register the likes of Microsoft Windows and various apps. Why should we not look at the merits of registering the sale of these dangerous bikes, which, when misused, are now enabling crime and causing misery in our communities?

New clause 30 would amend the Police Reform Act and make a person guilty of repeat offences of using vehicles in a manner causing alarm, distress or annoyance liable to penalty points on their driving licence or the revocation of their licence. This is not only a matter of enforcement; it is a matter of public safety, community wellbeing and ensuring that those who repeatedly flout the law face appropriate consequences. For too long, communities across the country have suffered from the reckless and inconsiderate use of motor vehicles. Whether it is illegal street racing, off-road bikes terrorising neighbourhoods or aggressive driving that endangers pedestrians and cyclists, the misuse of vehicles is a persistent issue that affects both urban and rural areas. The current legal framework allows for vehicle seizure, but does not go far enough in deterring repeat offenders. By introducing driving licence penalties, we send a clear message that persistent antisocial behaviour involving motor vehicles will have lasting consequences.

This new clause will support our police forces, who often already struggle to tackle the volume of complaints regarding reckless vehicle use. It presents an additional tool to discourage repeat offenders without having to repeatedly seize vehicles, which is often a short-term fix. I think most Members in the room would agree with that a driver facing potential disqualification is less likely to engage in dangerous behaviour than one who simply risks losing a single vehicle.

I hope that the Minister might consider these measures before the Committee comes to vote on them later, and would welcome any reflection she might have on them. Are the Government considering any other measures to tackle the problem, and is any financial support being offered to forces to help them to make the best use of technology in this area?

2.45 pm

David Burton-Sampson (Southend West and Leigh) (Lab): I find myself agreeing with the shadow Minister on the menace that unauthorised, misused motorised vehicles cause to our society. Untaxed bikes are roaring

through our housing estates. Just this weekend, I was taking my dog for a walk and three untaxed motorbikes were roaring up and down the road, where there were young children and families walking along. My dog got scared every time they went past.

These vehicles are a real menace. Illegal e-scooters whizz along the pavements. In Basildon, in south Essex, two young people were killed on an illegal e-scooter only recently. That is really sad: two young children had their lives ended on one of these illegal e-scooters. Modified electric bikes are also being dangerously driven on our roads. In my constituency, this is very much an urban problem, but the problem exists in different forms in rural areas. It affects all communities in one way or another.

There is also the issue of crime associated with illegal bikes and illegal e-scooters. The shadow Minister has lots of ideas on how to solve this problem, but during the last year of the Conservative Government, there were an average of 214 snatch thefts, often facilitated by e-bikes and e-scooters, every day on our streets in England and Wales. That was a 150% increase on the previous year. That shows the former Government's massive disregard for law and order. The Conservative party now comes here with ideas for improvement, but we are actually taking action to stop this problem.

The fact that a warning is needed before these ridiculous illegal vehicles are seized creates an element of immunity for users—if they are going to get a warning, they will keep trying to push their luck—so I welcome the removal of that requirement. It is time to get tough in this area and give the police the powers they need to act promptly.

Harriet Cross: I completely agree that it is time to get serious about this issue. Will the hon. Member support our new clause that would give police the power to confiscate these vehicles from people's houses?

David Burton-Sampson: I appreciate the hon. Lady's point, but the key is to get these vehicles as soon as they are spotted on the streets.

Jo Platt (Leigh and Atherton) (Lab/Co-op): My hon. Friend is making an excellent point. Where the community comes in is a game changer, because it is all about intelligence. What will make the difference in seizing these off-road bikes is the police working with our local authorities and communities.

David Burton-Sampson: Absolutely. I could not have said it better myself.

We need to get this provision into law as quickly as possible, as part of this whole raft of changes. The police need to be able to act promptly when they see these ridiculous vehicles causing so many problems on our roads and in our communities.

Dr Lauren Sullivan (Gravesham) (Lab): These vehicles are also having a huge impact in Riverview and Coldharbour, in my community. The police have been doing some good work with drones to follow these people to their home addresses. With the change in the law to allow police to seize the vehicles straight away, does my hon. Friend think that such interventions could support the police and communities in cracking down on the problem?

David Burton-Sampson: I agree 100% with my hon. Friend. Over the past couple of weeks, Essex police has focused particularly on using similar techniques to drive down the use of illegal e-scooters.

It is time to get tough. We need to act promptly when we come across these perpetrators and get these vehicles off the road. I am pleased with the change to the law that will be made by clause 8.

Luke Taylor (Sutton and Cheam) (LD): First, I express general support for the clause. I welcome the measures to combat this menace in our communities, which we have heard about in the room here today and also in the Chamber on Second Reading. We have not only the risk of the antisocial behaviour itself, but the enabled crime that it is linked to such as phone snatching and similar offences. Again, it is welcome to try to reduce those incidents where possible.

This weekend, I was in a discussion with a resident who talked about the impact of illegal off-road bikes in Overton Park in my constituency. They talked about their fear that if one of those vehicles hit their child—they are often not even full-sized off-road vehicles, but small, children's off-road bikes—it could cause serious injury. There is a real fear among residents.

We also have an issue around illegal e-bikes being driven on our high streets, often in zones shared between pedestrians and cycles. Heavier, illegally modified bikes are used often by food delivery companies that absolve themselves of any responsibility because the bikers are all independent contractors or independent riders. The companies take no responsibility and have no interest in cracking down, so enforcement is left to the local police. They have problems spotting whether the vehicles are illegally modified and then there is the issue of police resources. Many of us sound like a broken record on this: the powers are all very well, but the challenge is actually having the resources in our neighbourhood policing units to enforce them.

I have a concern not only linked to the manpower required to police the bikes, but on some of the details and practicalities of the powers, so I would welcome further details from the Minister. Will there be any process of appeal for the individual if the bike or vehicle is taken away in the first instance without a warning? Would it just be down to a single officer who says a particular offence is antisocial? I have had people contact me with concerns because they have been stopped in a vehicle for fast acceleration or for driving in a particular way on a single occasion. They worry that under the powers granted in the Bill their vehicle could be immediately confiscated. They feel that the powers might be misused by individual police officers, so there is a concern over that process, and how the power given to a police officer can be used in a single instance.

Would vehicles be fully traced and tracked to see whether they are stolen? We should ensure that we do not crush or dispose of vehicles that can be returned to their owners. Would the powers be enforced on the owner alone? If a vehicle had been taken without permission or was being used without the knowledge of the owner, would there be a process to ensure that the vehicle was not used again without the understanding of the owner? The removal and disposal would seem to be an overreach in that circumstance.

[Luke Taylor]

On the timescale of disposal and how that would be done, I heard the concerns about the immediate re-selling of vehicles back to the wrong 'uns they were taken off in the first place. It is a valid concern. Will that disposal mean cubing it and putting it in the recycling, or does it mean selling it on? What constraints will be put on the police to deal with vehicles that are taken?

My understanding of the current guidance is that warnings are necessary only where repeated tickets are impractical. Can the Minister talk about where the existing description of "where impractical" is insufficient for police officers? In discussions with the police, I imagine that the phrase "where impractical" has been identified as problematic. Can we draw out a bit why it is causing issues?

There is a question around whether the powers would apply to problem areas, particularly in central London where high-powered, very expensive vehicles have been reported as causing noise nuisance and alarm to local residents. We have all read stories of vehicles being imported from the middle east by foreign owners, and these vehicles causing noise nuisance in central London, in the Kensington and Chelsea areas. Would the powers allow those vehicles, which are often very high-value vehicles, to be taken without a warning in the first place? I think there is an appetite from many for that to be the case, but there would be concerns over the sheer value of those vehicles and how the police would deal with that.

I find some of the new clauses interesting and there is actually a lot of sense in many of them. Again, I would be interested to hear the Minister explain why each power they provide for is either undesirable or already covered in the Bill.

Joe Robertson: It is good to hear that there is a universal view—at least among those who have spoken—about the intimidating nature of driving motor vehicles in a manner causing alarm, distress or annoyance. I am pleased that the Bill does not require that to be the intent of the use of the vehicle; if there is flagrant disregard for others, that behaviour is captured here and could and should lead to the seizing of that vehicle. There are clearly issues with existing law that are improved here, not least seizing a vehicle without warning. Plainly, people who use vehicles in this way are likely to be quite clever at avoiding the system taking their vehicle when they are warned that they are being watched and have been seen. Removing the necessity for a warning is welcome.

There are a number of issues that are not dealt with in the Bill. I will not repeat the words of the shadow Minister, my hon. Friend the Member for Stockton West, but I wish to highlight the inability to seize a vehicle once it has entered the home. Again, the sorts of people who are using vehicles in this way will be quite clever about protecting their property when they see the police coming. Can the Minster help with this idea of the home; if a bike is removed into a garage, for example, can it still be seized? Does it matter if that garage is integral to the home or separate from it? Any loopholes that can be closed for those driving their vehicles in this way to avoid having them seized would be welcome.

The shadow Minister and the spokesman for the Liberal Democrats, the hon. Member for Sutton and Cheam, both referred to the idea of a vehicle being seized and then resold—and possibly sold back to the perpetrator of the antisocial behaviour in the first place. That is plainly ridiculous. Crushing these vehicles, with all the caveats around ensuring that the vehicle belongs to the person who had been using it in that way—that they were not joyriding, leading to somebody else's property getting crushed—is a sensible way forward.

David Taylor (Hemel Hempstead) (Lab): I want to make a brief point about the noise nuisance of vehicles. We are rightly focusing a lot of remarks on how dangerous these vehicles are for ordinary citizens trying to go about their day, but to reinforce a point made by the shadow Minister, the hon. Member for Stockton West, about modified exhausts, I will share mine and my constituents' annoyance at these things. It is unreasonable that someone in their own house with their windows closed should have to listen to a vehicle going by. Someone going for a walk on a nice sunny day has to listen to this antisocial behaviour, which has no benefit at all, as far as I can tell, in terms of the quality of the vehicle.

Harriet Cross: If one way to help reduce the likelihood that someone in their private house with the windows closed would not have to listen to these vehicles—as no one should—was to have powers to seize them from inside someone's house, would the hon. Member support that?

3 pm

David Taylor: I am not convinced. I am primarily talking about big vehicles such as SUVs and other cars, which are not often inside garages—not many people have garages these days.

I really hope the Bill enables, and gives confidence to, the police to take more action against modified exhausts because, unfortunately, they do not always prioritise this particular nuisance.

Dame Diana Johnson: The shadow Minister and other members of the Committee have set out clearly how concerned we are about the antisocial use of vehicles and the real problems they are causing communities all around the country. I think we can all identify with the menace they cause in our parks, on our pavements and in our streets and neighbourhoods. Certainly, as the nights get lighter, the problem seems to get worse. In Orchard Park in my constituency, we seem to be plagued by mini motos causing noise nuisance and intimidating local people, making the situation really unpleasant for people trying to enjoy the good weather as we move into spring and summer. I fully appreciate all of that, and as the shadow Minister pointed out, there are also real issues about the way vehicles are used for crime—drugs, theft and everything else.

It is absolutely right to say that the police have been as innovative as they can be in the use of drones or off-road bikes. The police may, where appropriate, pursue motorbikes and off-road bikes being ridden in an antisocial manner and may employ tactical options to bring the vehicles to a stop. The College of Policing's authorised professional practice on roads policing and police pursuits

provides guidance for police taking part in such pursuits. However, the APP makes it clear that the pursuit should be necessary, proportionate and balanced against the threat, risk and harm of the pursuit to the person being pursued, the officers involved and others who may be affected.

Luke Taylor: Has the Minister considered additional funding and support for the police? The suggestion is that those actions—the pursuit and physical taking of the vehicle—would require more resource and training, and that is a point that I will make repeatedly. Does the Minister agree that that is important and that support will be provided?

Dame Diana Johnson: An additional £1.2 billion is going into policing—from today, actually—for this financial year. So there is a clear commitment from the Government to fund police forces. I understand that the police face many challenges, but financial support is certainly going in. The work of the College of Policing in setting out best practice—that authorised professional practice—is really important in giving police officers confidence to take the steps they need to in order to deal with antisocial behaviour.

The other point I wanted to make is that work is being undertaken by the Home Office and the Defence Science and Technology Laboratory to progress research and development on a novel technology solution to safely stop e-bikes and enhance the ability of the police to prevent them from being used to commit criminal acts.

Matt Vickers: Of course we want more resources—we will not play politics and debate that—but using direct contact to get someone off one of these bikes comes with huge consequences for the police officers who take that risk. There are parts of the country where young people have lost their lives—the hon. Member for Sutton and Cheam talked about "wrong 'uns" riding these bikes, but they are often somebody's son—so this comes with a huge risk and a huge life cost. Of course police officers want to bring that to an end, but the solution is usually an intelligence-led response that means that bikes are picked up when they are parked in a garage or—well, not parked in somebody's house.

Dame Diana Johnson: The shadow Minister makes an important point. This must be about intelligence-led policing, but there will be circumstances in which police officers find themselves having to pursue an individual. There is clear guidance from the College of Policing on how police officers should do that. It should be necessary, proportionate and balanced. Of course, we want to keep police officers safe and make sure that the person being pursued is not at risk of being injured or losing their life, as in the very sad cases the shadow Minister mentioned.

It is worth pointing out the powers available to the police to tackle the misuse of off-road bikes and other vehicles. The Police Reform Act 2002 provides the police with the power to seize vehicles that are driven carelessly or inconsiderately on-road or without authorisation off-road, and in a manner causing, or likely to cause, alarm, distress or annoyance. Section 59 of the Act enables the police to put a stop to this dangerous and antisocial behaviour. The seizure depends not on prosecution for, or proof of, these offences, but only on reasonable belief as to their commission.

Under section 165A of the Road Traffic Act 1988, the police are also empowered to seize vehicles driven without insurance or a driving licence. Under section 165B, they have the power to make regulations regarding the disposal of seized vehicles. The police can also deal with antisocial behaviour involving vehicles, such as off-road bikes racing around estates or illegally driving across public open spaces, in the same way as they deal with any other antisocial behaviour.

A number of questions were asked, but I want to deal first with the issue of when a vehicle is seized and what happens to the owner. When the police seize a vehicle, they will not immediately crush it. They need to spend time finding the registered owner in case the vehicle was stolen. Before reclaiming a vehicle, the individual must prove that they are the legal owner of the vehicle. They may be asked to prove that they have valid insurance and a driving licence. We will be consulting in the spring on proposals to allow the police to dispose of seized vehicles more quickly.

I will now turn to the constructive suggestions in the shadow Minister's new clauses. New clause 30 would render antisocial drivers who fail to stop liable to penalty points on their licence for repeat offending. It is an offence under section 59 of the Police Reform Act 2002 for a driver using a vehicle carelessly or antisocially to fail to stop when instructed to do so by a police officer. Offenders are liable for fines of up to £1,000, which we believe is a more effective deterrent. The police may also, where appropriate, issue penalty points for careless or inconsiderate driving or speeding, so antisocial drivers may already be liable for points. I entirely agree with the shadow Minister that the behaviour of antisocial drivers should not be tolerated. That is why we are making it easier for the police to seize their vehicles, and we will consider how to make it easier for seized vehicles to be disposed of, which we believe will be even more of a deterrent.

New clause 36 would permit the police to enter private dwellings to seize an off-road bike where it has been used antisocially or without licence. As I have already set out, the Government are keen to make it as easy as possible for the police to take these bikes off our streets. We do not, however, believe that giving the police powers to enter a private dwelling for the purpose of seizing an off-road bike is necessary or proportionate. The bar for entry to private dwellings is, rightly, extremely high. Police currently have a range of specific powers to seize vehicles being used antisocially or without a licence or insurance, and can already enter property, including gardens, garages and sheds, which is where they are most likely to be store, to seize them.

The police also have a general power of entry, search and seizure under the Police and Criminal Evidence Act 1984. That means that when police are lawfully on the premises, they may seize any item reasonably believed to be evidence of any offence, where it is necessary to do so. That would include, for example, off-road bikes believed to have been used in crimes such as robbery. Magistrates may grant warrants to search for evidence in relation to indictable offences, and police may in

[Dame Diana Johnson]

some circumstances enter properties without a warrant being required—for example, to arrest someone for an indictable offence.

Later on in our deliberations, we will come to clause 93, which sets out the right of the police to enter a premises containing electronically tagged stolen goods when the GPS shows that that equipment—or whatever it is, and that includes a bike—with that electronic tag on it is in there. Police officers will be able to search without a warrant, on the basis that that is a stolen item. That is something to think about when we debate clause 93.

Having said all that, we believe that the measures we have brought forward to make it easier for the police to seize off-road bikes at the point of offending, as a number of my hon. Friends have discussed, are a better deterrent. That is intended to suppress the offending immediately, before it escalates, and to deliver swift justice.

New clause 37 would remove the 24-hour limit within which the police may seize an unlicensed or uninsured vehicle. Currently, the police may seize a vehicle that is being driven without a licence or insurance, either at the roadside or within 24 hours of being satisfied that the vehicle is unlicensed or uninsured. The point of that seizure power for uninsured vehicles is to instantly prevent the uninsured driver from driving. There is a separate penalty for the offence: if the vehicle is still uninsured after 24 hours, the police can seize the vehicle and give the driver a second uninsured driving penalty.

New clause 39 would expressly permit the Secretary of State to bring forward regulations to ensure that the police destroy any off-road bikes they have seized. Currently, the police may dispose of seized vehicles after holding them for a certain period, but they are not required to destroy any off-road bikes. We are considering how we can make changes to the secondary legislation to allow the police to dispose of seized vehicles more quickly—to reduce reoffending and prevent those vehicles from ending up back in the hands of those who should not have them. However, we do not believe that we should restrict the ability of the police to dispose of off-road bikes as they see fit. They may, for example, auction them off to recover costs, which would not be possible under the terms of new clause 39.

Finally, new clause 40 would require the Government to consult on a registration scheme for the sale of off-road bikes, requiring sellers to record the details of buyers and to verify that they hold valid insurance. Of course, antisocial behaviour associated with off-road bikes is completely unacceptable and, as I have set out, we are taking strong measures to deal with this menace. The police already have a suite of powers to deal with those who do not use their off-road bikes responsibly. It is an offence to use an unlicensed vehicle on a public road, or off-road without the permission of the landowner, and the police can immediately seize vehicles being used in that way.

As the Committee will know, the police are operationally independent, and the Government cannot instruct them to take action in particular cases of antisocial vehicle use, but I hope I have been able to set out, and to reassure the shadow Minister, how seriously we take this unacceptable behaviour and how much we value the role the police have in tackling it.

I would also like to recognise the strength of feeling in the Committee and outside about this behaviour and the disruptive effect it has on communities. I recently met the Roads Minister and we agreed our commitment to a cross-Government approach to tackling this unacceptable antisocial use of vehicles and of course to improving road safety. I am really keen to take forward considerations about how we can go further, outside of the scope of this Bill.

3.15 pm

The hon. Member for Sutton and Cheam, who speaks for the Liberal Democrats, raised the issue of the right of appeal when a vehicle is seized. There is no right of appeal to a vehicle being seized, but the vehicle must be held by the police before disposal under section 59 of the Police Reform Act. They currently have to hold it for 14 days. The registered owner can retrieve it before disposal, and the police must issue a seizure notice.

On the issue of high-value vehicles and the sort of antisocial behaviour caused in urban areas, I set out at the beginning that police officers can seize any vehicle under the powers in section 59 of the Police Reform Act, including any

"mechanically propelled vehicle, whether or not it is intended or adapted for use on roads",

or any vehicle that is used in a manner that

"contravenes section 3 or 34 of the Road Traffic Act…(careless and inconsiderate driving and prohibition of off-road driving)"

and causes

"alarm, distress or annoyance to…the public."

I commend clause 8 to the Committee and ask the shadow Minister not to press the new clauses to a vote when we reach them.

Question put and agreed to.

Clause 8 accordingly ordered to stand part of the Bill.

Clause 9

GUIDANCE ON FLY-TIPPING ENFORCEMENT IN ENGLAND

Matt Vickers: I beg to move amendment 35 in clause 9, page 17, line 34, at end insert—

"(c) section 33B (Section 33 offences: clean-up costs).".

This amendment would ensure the Secretary of State's guidance on flytipping makes the person responsible for fly-tipping, rather than the landowner, liable for the costs of cleaning up.

The Chair: With this it will be convenient to discuss the following:

Amendment 4, in clause 9, page 18, line 5, at end insert—

"(5A) Within a month of any guidance, or revised guidance, issued under this section being laid before Parliament, the Secretary of State must ensure that a motion is tabled, and moved, in both Houses of Parliament to approve the guidance.".

Clause stand part.

New clause 24—*Points on driving licence for fly tipping*—

"(1) The Environmental Protection Act is amended as follows.

(2) In section 33, subsection 8(a) at end insert—

'and endorse their driving record with 3 penalty points;'."

This new clause would add penalty points to the driving licence of a person convicted of a fly-tipping offence.

Matt Vickers: The clause seeks to address a scourge that affects all communities across Britain and all our constituencies. Fly-tipping is an inherent problem, and I welcome any provisions to help tackle this costly and environmentally damaging issue.

The clause is a step in seeking to combat this growing issue. It has been a persistent problem in the UK, causing environmental damage, undermining public health and placing an economic burden on local authorities, which are responsible for cleaning up illegal waste. Empowering local councils to take more immediate and decisive action against fly-tipping is key to making enforcement more efficient and consistent. With more resources, authority and tools, councils will be better equipped to prevent fly-tipping, address existing problems and ensure that offenders are held accountable.

Although fly-tipping is largely seen as a waste disposal issue, it is also an environmental one. Waste that is illegally dumped has far-reaching effects on local ecosystems, water sources and wildlife. Existing laws do not always capture the broader environmental harm caused by fly-tipping. Previous Governments have looked to make progress on tackling fly-tipping by increasing the fines and sanctions available to combat it.

In the evidence session, there was some criticism of the measure in the Bill, with the suggestion that it was just guidance and could be considered patronising by some councils. Although I understand that view, doing more to ensure that local authorities are aware of their responsibilities and the powers available to them by providing meaningful guidance can only be helpful.

I am sure we can all agree that fly-tipping is a scourge and a blight on our communities. Many of us will have some fantastic litter-picking groups in our constituencies —I know I do. I thoroughly enjoy getting out with the Thornaby litter pickers, who do an amazing job. It is great to see people coming together to better their communities, but it is a sad reality that more and more groups of selfless volunteers need to form because people are sick of the endless amounts of rubbish strewn in our streets and by our roads.

Britain has a long-established record of trying to tackle fly-tipping and litter. Keep Britain Tidy was set up as a result of a conference of 26 organisations in 1955. Today, it continues that hard and important work.

Fly-tipping is a significant financial burden on local councils. The annual cost of clearing up illegally dumped waste in the UK is estimated to be more than £50 million. That includes the direct costs of waste removal, disposal fees and the administrative costs involved in managing fly-tipping incidents. According to data for 2019-20 published by the Department for Environment, Food and Rural Affairs, in that year alone local authorities in England spent approximately £11 million on clearing up over 1 million reported fly-tipping incidents. That money could be better spent on frontline services such as filling potholes, or on providing community services. Instead, it is used to clean up after those who have no respect for others. The Opposition have tabled amendment 35, which I hope the Committee will support, to complement and strengthen the Bill. Fly-tipping, as defined in the Environmental Protection Act 1990, is the illegal disposal of waste on land or in public spaces, but some types of fly-tipping are defined less clearly. For example, small-scale littering, such as dumping a few bags of rubbish on a roadside or on private property, may not always be captured by existing laws.

Amendment 35 seeks to define some of the guidance that the Bill will require the Secretary of State to set. The Opposition believe it is important that the heart of the legislation's approach should be make the person responsible for fly-tipping liable for the costs of cleaning up, rather than the landowner. The amendment would require that to be a feature of the guidance, making it loud and clear to all our local authorities that such powers are available to them.

Anna Sabine (Frome and East Somerset) (LD): Does the hon. Member agree that this might be important for rural communities, and particularly for farmers? Farmers in my constituency tell me that they struggle with being responsible for clearing up after other people's fly-tipping, for which they have to use their own time and resources.

Matt Vickers: I completely agree. Many farmers in my patch would say exactly the same. When rubbish is dumped in a park or local authority area, it gets cleaned up, at huge cost to the taxpayer, but when it is dumped beyond the farm gate, or in a field owned by a farmer—or anyone else with any scale of land in a rural area—too often they have to pick up the cost, and all the consequences beyond cost.

Currently, fly-tipping offences typically result in a fine and, in some cases, a criminal record. However, repeat offenders are often penalised in a way that does not sufficiently discourage further violations. The fines can sometimes be seen as a mere cost of doing business, especially by individuals or companies who repeatedly dump waste, often for profit. The Opposition's new clause 24 proposes adding penalty points to the driving licence of any individual convicted of a fly-tipping offence. It is a significant proposal that aims to deter people from illegally dumping waste by linking that to driving penalties, which would impact an individual's driving record, and potentially their ability to drive. Our new clause shows that we are serious about tackling the issue of fly-tipping. By linking fly-tipping to driving penalties, the new clause would create an additional layer of consequence for those involved in illegal dumping. People with driving licences may be more cautious if they know that their ability to drive could be impacted.

I note amendment 4, tabled by the Liberal Democrats, but it is unclear what that amendment would achieve. I am concerned that it would not complement clause 9, and would be counterproductive. The requirement for parliamentary approval of guidance within a month could lead to delays in the implementation of important policies or updates, particularly if there are disagreements or procedural delays in Parliament. I would not want anything to impede, by overreach, our ability to tackle and curtail fly-tipping.

Luke Taylor: We welcome measures to combat fly-tipping. As my hon. Friend the Member for Frome and East Somerset has already mentioned, the problem is particularly concerning for rural landowners and farmers, who often have to deal with the cost of this environmental crime on their land. Amendment 4 intends to give parliamentary

[Luke Taylor]

oversight and democratic control over the guidance. That is a good thing, which we should all support. However, I understand the concerns about delays. I think there is a balance between accountability, parliamentary approval and delays. I will be interested to hear the Minister's comments on that.

Jack Rankin (Windsor) (Con): I am glad to see clause 9 because, as several hon. Members on the Opposition Benches have mentioned, fly-tipping is a particular problem in many rural constituencies. In Berkshire, where the majority of my seat lies, there were 7,700 instances of fly-tipping in 2023-24. We are a small county, but that is 20 reports a day. In the royal borough of Windsor and Maidenhead, where most of my constituency is, the figure rose to 1,902 in the past year, which is up 52% on the year before, when we had 1,249. The issue is of greater prevalence than in the past, and I welcome the Government including clauses to try to make a difference.

We have also seen a change in the nature of fly-tipping. Two or three years ago, in Berkshire, most of it was on council land, in car parks or parks, in the hope that the local authority might pick it up, but now we see what might be called smaller-scale highways incidents, with the dumping of waste on public roads, pavements or grass verges. In the past year, 778 of the 1,902 instances in the royal borough consisted of what were described as a car boot or less. To me, that indicates a prevalence of individuals or waste from small-scale dumpsters, perhaps from small businesses—perhaps we are seeing fewer large-scale illegal waste operations. I put that very much in the bucket of antisocial behaviour.

As my hon. Friend the Member for Stockton West and the hon. Member for Frome and East Somerset said, that is a particular concern to local farmers. I will quote Colin Rayner, a constituent of mine and a farmer. I will first declare an interest, that Colin is a personal friend and the president of Windsor Conservatives, but he is well placed and I pick him for his expertise rather than my relationship with him. To quote the *Maidenhead Advertiser*, he said that

"the family farms have incidents of fly-tipping every day, from a bag of garden waste to lorry loads of waste…'We have made our farms into medieval forts to try to reduce large loads of waste been tipped on the farms'."

He has also spoken to me about the cost to his business of extra security and, indeed, of the cleaning up.

That last point is why I welcome the amendment moved by the Opposition to make the cost sit with the offender and not with the landowner. It is not appropriate that Mr Rayner and his companies pay; the person who is offending should. Also, new clause 24 on driving licences, tabled by my hon. Friend the Member for Stockton West, seems to be a way to get at just such small-scale operations. That might be something that is tangible and real to a small business or an individual doing the fly-tipping. I absolutely welcome the amendment and the new clause.

When the guidance comes forward, I encourage the Minister to be as tough as possible—which I think is her intent, but perhaps she will speak to that in her wind-up. We should use the power to search and seize vehicles in the case of persistent offenders. I want to see serious fixed penalty notices for people caught fly-tipping, and I want extra powers of investigation and prosecution. I will welcome the Minister's comments.

Dr Sullivan: Fly-tipping is a blight on our communities—I think we all share that view. The misconception is that fly-tipping is small scale, but it is committed by criminals and unscrupulous small waste-removal businesses that can have links to organised crime. It is a huge money-making machine. It is an issue that local authorities have had to grapple with for many decades. In many cases, it has been worsened by environmental measures and stronger recycling and waste collection rules.

I pay tribute and give credit to my local authority, Gravesham borough council. In 2019, it set out a bold antisocial behaviour strategy, which looked at fly-tipping at its source and at its heart. In 2020, the council set up the environment enforcement team, which has used a variety of different techniques to prevent, to tackle, to educate and to prosecute. Since then, 386 community protection warnings, 50 fly-tipping fines and 12 duty-of-care fines for waste carriage breaches have been issued, as well as 39 cases resulting in successful prosecutions in court.

The council and its media team work closely with Kent police to raise awareness and deter potential offenders. I would like to put on record my thanks to its team. The council was able to take that action because of past legislation, including the Anti-social Behaviour Act 2003, the Anti-social Behaviour, Crime and Policing Act 2014 and the Clean Neighbourhoods and Environment Act 2005. I could go on, but there are now many legislative options for local authorities to tackle the issue and take people to court. Where fines are handed out, there is an issue with the backlog in the courts, but I know that the Minister is looking at streamlining some of those court issues, which arose from the neglect of the last 14 years.

3.30 pm

The other issue I would like to raise is the use of social media by criminals to advertise their services. They hide behind anonymous or encrypted messaging services to conduct their businesses. Social media is often a way in which people are fooled into thinking that they can have their goods collected and disposed of safely and legally. Unfortunately, people are falling prey to that. I urge us to look at a proactive national education programme or campaign so that we can better inform people to ensure that their waste is disposed of legally. Fly-tipping is a blight, and we must support councils and communities to tackle it.

Harriet Cross: I welcome the intention of the Bill to tighten up regulations for fly-tipping, which is such a blight in our communities up and down the country. I know that the Bill refers directly to England, but up in my constituency of Gordan and Buchan, in Aberdeenshire, it is just as prevalent. It is a growing concern across the country. As the shadow Minister and my hon. Friend the Member for Windsor said, it has both an environmental and antisocial impact, but the impact on community cohesion is particularly important. It can be seen as a gateway, as once there are instances of fly-tipping, they escalate and escalate.

There is an example from my constituency that always sticks in my mind. There are quite a few mountain passes in and around my area. One day, I drove over one

and there was a bath at the top. The next time I drove past, there was a bath and a sofa, and then it was a bath, a sofa and a bike. Eventually, I could have probably furnished a house and garden after just a few trips up and over this pass. That is how this escalates. Once incidents start happening, people think, "It's there already, so I'll just keep adding to it." We must crack down on it.

We must also recognise the impact on landowners and farmers. It cannot be fair that someone who farms land has to deal with fly-tipping, on top of everything else. This is not to conflate two issues, but we have heard a lot in the last year about how farming is low on profits, at about 1%. We cannot expect farmers to bear the burden of having to put some of that money into clearing up someone else's mess. That is why I welcome amendment 35, which seeks to ensure that, where and when perpetrators of fly-tipping are identified, they are made to pay the cost of clearing it up. That is not a burden that anyone other than the perpetrator should have to face.

Will the Minister say what conversations have been had with the devolved nations? If people are putting waste into the back of a van and driving it around, the borders are no barriers, whether they are on one side of the Scottish or Welsh border or the other. This is a cross-border issue. What implication might this have, and what conversations has the Minister had with her Scottish and Welsh counterparts to tackle this across the board?

Joe Robertson: A lot of good comments have been made on this provision in the Bill, which I do not wish to repeat. I note the comments made by my hon. Friend the Member for Gordon and Buchan about consistency with the devolved nations and how people seeking to dump do not recognise borders. I can probably assure her that fly-tippers on the Isle of Wight are not likely to reach her constituency in order to perpetrate their dumping, but if the law in Scotland is not equally as strong, who knows what lengths people will go to? I want to reinforce that point, and I hope that the Government will be prepared to accept this amendment to make the guidance as strong as possible around the fly-tipper being the payer. Clearly, we are all victims of fly-tipping, but the landowner in particular is a victim. It is completely unacceptable to any right-minded individual that the landowner should pay the costs of being a victim of a crime. I urge the Government to accept amendment 35 and make the guidance as strong as possible on that point.

Dame Diana Johnson: This has been an interesting debate. We have been up mountain passes, we have been on the Isle of Wight and we have had the shadow Minister out with the Thornaby litter pickers. This debate has been very visual. Fly-tipping is a really serious crime that is blighting communities. It is placing a huge burden on taxpayers and businesses, and it harms the environment. Unfortunately, it is all too common, with local councils reporting 1.15 million incidents in 2023-24.

I want to address the issue of what we are doing in rural areas and on private land. Through the National Fly-Tipping Prevention Group, the Department for Environment, Food and Rural Affairs is working with the National Farmers' Union, the Country Land and Business Association, the Countryside Alliance and local authorities to share good practice on tackling fly-tipping on private land. Where there is sufficient evidence, councils can prosecute fly-tippers.

In relation to the issue of serious and organised waste crime, the Environment Agency hosts the joint unit for waste crime, which is a multi-agency taskforce that brings together His Majesty's Revenue and Customs, the National Crime Agency, the police, waste regulators from across the UK and other operational partners to share intelligence and disrupt and prevent serious organised waste crime. Since 2020, the joint unit for waste crime has worked with over 130 partner organisations, and led or attended 324 multi-agency days of action resulting in 177 associated arrests.

On the issue that was raised by the hon. Member for Gordon and Buchan, we have engaged closely with the devolved Government across the Bill. As she will know, fly-tipping is a devolved matter in Scotland, Wales and Northern Ireland, so accordingly this provision applies only in England.

We want to see consistent and effective enforcement action at the centre of local efforts to combat the issue of fly-tipping. That will ensure not only that those who dump rubbish in our communities face the consequences, but that would-be perpetrators are deterred. Councils currently have a range of enforcement powers. Those include prosecution, which can lead to a significant fine, community sentences, or even imprisonment. They can also issue fixed penalty notices of up to £1,000 and seize the vehicles suspected of being used for fly-tipping.

The use of those powers, however, varies significantly across the country, with some councils taking little or no enforcement action at all. Indeed, just two councils—West Northamptonshire and Kingston upon Thames—accounted for the majority of vehicles seized in 2023-24. DEFRA also regularly receives reports of local authorities exercising their enforcement powers inappropriately, for example against householders who leave reusable items at the edge of their property for others to take for free. Through the Bill we intend to enable the Secretary of State to issue fly-tipping enforcement guidance that councils must have regard to.

I want to be clear that the guidance is not about setting top-down targets. We want to empower councils to respond to fly-tipping in ways that work for their communities, while making Government expectations crystal clear. The guidance, which must be subject to consultation, will likely cover areas such as policy and financial objectives of enforcement, how to operate a professional service, the use of private enforcement firms, and advice on how to respond in certain circumstances. Local authorities will, of course, be key stakeholders in the development of the guidance; after all, they are on the frontline in the fight against fly-tipping, and we want to ensure that the guidance provides them with the advice that they will find most helpful.

Amendment 35 aims to ensure that the person responsible for fly-tipping, rather than the landowner, is liable for the costs of cleaning up. I recognise the significant burden that clearing fly-tipped waste places on landowners. It is already the case that, where a local authority prosecutes a fly-tipper and secures a conviction, the court can make a cost order so that a landowner's costs can be recovered from the perpetrator. That is made clear in section 33B of the Environmental Protection Act 1990, although sentencing is of course a matter for

[Dame Diana Johnson]

the courts. Guidance on presenting court cases produced by the national fly-tipping prevention group, which the Department for Environment, Food and Rural Affairs chairs, explains that prosecutors should consider applying for compensation for the removal of waste. We will consider building on that advice in the statutory guidance issued under clause 9. We also committed, in our manifesto, to forcing fly-tippers and vandals to clean up the mess that they create. DEFRA will provide further details on that commitment in due course.

Amendment 4 would introduce a requirement for any fly-tipping guidance issued under clause 9 to be subject to parliamentary approval. I do not believe that there is any need for such guidance to be subject to any parliamentary procedure beyond a requirement to lay the guidance before Parliament. That is because the guidance will provide technical and practical advice to local authorities on how to conduct enforcement against fly-tipping and breaches of the household waste duty of care. The guidance will not conflict with, or alter the scope of, the enforcement powers, so I do not believe that it requires parliamentary oversight.

The requirement to lay the guidance before Parliament, without any further parliamentary procedure, is consistent with the position taken with the analogous power in section 88B of the 1990 Act and the recommendation of the House of Lords Delegated Powers and Regulatory Reform Committee in its report on the then Environment Bill in the 2021-22 Session. We will, of course, consider carefully any recommendations by that Committee in relation to this clause.

New clause 24 seeks to add three penalty points to the driving licence of a person convicted of a fly-tipping offence. As I have said, fly-tipping is a disgraceful act and those who dump rubbish in our communities should face the full force of the law, which could include spot fines of up to £1,000, prosecution or vehicle seizure. The shadow Minister, the hon. Member for Stockton West, will appreciate that sentencing is a matter for the courts and that to direct them to place penalty points on the driving licence of a convicted fly-tipper would undermine their ability to hand down a sentence proportionate to the offence, but I will ask my DEFRA counterpart who is responsible for policy on fly-tipping to consider the benefits of enabling endorsement with penalty points for fly-tippers.

I also stress that there is an existing power for local councils to seize a vehicle suspected of being used for fly-tipping. If a council prosecutes, the court can order the transferral to the council of the ownership rights to the vehicle, under which the council can keep, sell or dispose of it.

I hope that, in the light of my explanations, the hon. Members for Stockton West and for Sutton and Cheam will be content to withdraw their amendments and to support clause 9.

Matt Vickers: It would be remiss of us to have this debate today and not mention that the Great British spring clean is happening at the moment, thanks to Keep Britain Tidy. I thought I would just put that out there; the Minister need not respond.

Dame Diana Johnson: The Committee benefits from that information.

3.45 pm

Question put, That the amendment be made.

The Committee divided: Ayes 6, Noes 11.

Division No. 6]

AYES

Cross, Harriet	Sabine, Anna
Rankin, Jack	Taylor, Luke
Robertson, Joe	Vickers, Matt

NOES

Barros-Curtis, Mr Alex	Mather, Keir
Bishop, Matt	Phillips, Jess
Burton-Sampson, David	Platt, Jo
Davies-Jones, Alex	Sullivan, Dr Lauren
Johnson, rh Dame Diana	Taylor, David
Jones, Louise	

Question accordingly negatived.

Amendment proposed: 4, in clause 9, page 18, line 5, at end insert—

"(5A) Within a month of any guidance, or revised guidance, issued under this section being laid before Parliament, the Secretary of State must ensure that a motion is tabled, and moved, in both Houses of Parliament to approve the guidance."—*(Luke Taylor.)*

Question put, That the amendment be made.

The Committee divided: Ayes 2, Noes 15.

Division No. 7]

AYES

Sabine, Anna	Taylor, Luke

NOES

Barros-Curtis, Mr Alex	Phillips, Jess
Bishop, Matt	Platt, Jo
Burton-Sampson, David	Rankin, Jack
Cross, Harriet	Robertson, Joe
Davies-Jones, Alex	Sullivan, Dr Lauren
Johnson, rh Dame Diana	Taylor, David
Jones, Louise	Vickers, Matt
Mather, Keir	

Question accordingly negatived.

Clause 9 ordered to stand part of the Bill.

Clause 10

Possession of weapon with intent to use unlawful violence etc

Matt Vickers: I beg to move amendment 39, in clause 10, page 18, line 38, leave out "4" and insert "14".

This amendment would increase the maximum sentence for possession of a weapon with intent to commit unlawful violence from four to 14 years. The Independent Reviewer of Terrorism Legislation recommended an increase in his review following the Southport attack.

The Chair: With this it will be convenient to discuss the following:

Government amendment 9.

Clause stand part.

Clause 11 stand part.

New clause 44—*Individual preparation for mass casualty attack*—

"(1) A person commits an offence, if, with the intention of—

(a) killing two or more people, or

(b) attempting to kill two or more people,

they engage in any conduct in preparation for giving effect to their intention.

(2) A person found guilty of an offence under this section shall be liable, on conviction on indictment, to imprisonment for life."

This new clause would allow the police to intervene early to prevent attacks, like in terrorism cases, without causing unintended consequences for wider counter-terrorism efforts. It gives effect to a recommendation by the independent reviewer of terrorist legislation following the Southport attack.

Matt Vickers: Clause 10, which creates new section 139AB of the Criminal Justice Act 1988, makes it illegal to possess a bladed or offensive weapon with intent to commit unlawful violence, cause fear of violence, inflict serious damage to property or enable another to do so. A "relevant weapon" for the purpose of the clause includes a bladed article covered by section 139 of the 1988 Act or an offensive weapon within the meaning of the Prevention of Crime Act 1953. Additionally, the clause amends section 315 of the Sentencing Act 2020 to bring the offence under the mandatory minimum sentencing regime for repeat offenders, ensuring consistency with existing laws on knife possession and threats involving weapons.

Clause 11 amends the Criminal Justice Act 1988 to increase the maximum penalty for manufacturing, selling, hiring or lending prohibited weapons. In England and Wales, those offences are currently summary-only, which means they can be tried only in the magistrates court. The Bill makes them triable either way, meaning they could be tried in either the magistrates court or the Crown court.

Offensive weapons, in particular bladed articles and corrosive substances, have become one of the most pressing concerns in our fight against violent crime. The alarming rise in the use of these dangerous items in criminal activities has not only led to an increase in injuries and fatalities, but instilled fear and a sense of insecurity in communities across the country. The harm caused by these weapons, from knives to acid, is devastating; victims of attacks are often left with life-altering injuries and long-term psychological trauma.

I am sure that all Members, regardless of their party, are united in their determination to ensure that the strictest rules are in place to limit the use of such weapons and ensure that those possessing them feel the full force of the law. It is crucial that we ensure the provisions in the Bill are fair, effective and targeted. The Opposition amendments propose key constructive changes that would strengthen and complement the Bill by ensuring that it is balanced, focused and respectful of individual rights, while still taking robust action to combat the possession and use of offensive weapons in our communities.

Offensive weapons, including knives, blades and corrosive substances, have become tools of shameless violence, often used in serious criminal activities that devastate individuals and communities. We cannot help but remember the countless victims of stabbings in recent years. They are all too many and all too tragic—from PC Keith Palmer, who died in the line of duty protecting Members in this place, to Sir David Amess, one of the gentlest and most genuinely kind individuals you could ever wish to meet, who was barbarically murdered. Those two brave men were murdered not simply by evil and vile terrorists, but by evil and vile terrorists wielding bladed weapons.

I know that tragic instances of stabbing have taken place in the constituencies of many Members, with young lives extinguished or endangered by these weapons. Just recently, a group of individuals armed with knives forcibly entered a private event at Elm Park primary school in London. The assailants assaulted and robbed attendees, and a 16-year-old boy and a 19-year-old man were hospitalised after being stabbed. Twelve individuals were arrested in connection with the incident. One of the most shocking facts is that the youngest of those arrested was just 12 years old.

Already in 2025, there have been far too many cases involving knives and the extinguishing of young lives. In February, a 15-year-old boy was fatally stabbed at All Saints high school in Sheffield. He was attacked three times on his way to lessons—attacks that were witnessed by other students. The emergency services were called and, although the boy was taken to hospital, he succumbed to his injuries shortly afterwards. A fellow 15-year-old student was arrested on suspicion of murder and is in police custody.

Our aim with amendment 39 is not to obstruct but to help strengthen the Bill, so that such cases can never be repeated. The Bill includes several provisions to criminalise the possession of these items in public spaces and introduces serious penalties for individuals caught with them. The goal is to deter violent crimes and reduce the risk posed by such weapons on our streets. The amendment would make a crucial change to clause 10 by increasing the maximum sentence for possession of a weapon with intent to commit unlawful violence from four years to 14 years. The amendment is not only justified but necessary to ensure that our laws properly reflect the severity of such offences.

The independent reviewer of terrorism legislation recommended an increase in the maximum sentence following the Southport attack. It is clear to many that the current four-year maximum does not adequately address the serious threat posed by individuals who arm themselves with the intent to cause harm. By increasing the penalty to 14 years, we would send a clear and unequivocal message that such dangerous behaviour will not be tolerated, and that those who pose a risk to the public will face appropriately severe consequences.

Weapons in the hands of those with violent intent represent a grave danger to both individuals and society at large. The possession of a weapon with the clear purpose of causing harm, whether in a terror-related incident, gang violence or a premeditated attack, is an extreme and deliberate act. It is right, therefore, that the law provides sufficient deterrence and punishment. A 14-year maximum would better reflect the devastation that these crimes can cause and align sentences with those for similarly grave offences such as attempted murder and serious violent crimes.

Mr Alex Barros-Curtis (Cardiff West) (Lab): It is a pleasure to serve under your chairmanship, Mr Pritchard.

I rise in support of clauses 10 and 11 and to speak against amendment 39 and new clause 44, well-intentioned though I am sure they are. The shadow Minister mentioned

[Mr Alex Barros-Curtis]

Jonathan Hall KC, the independent reviewer of terrorism legislation. I want to focus briefly on his March report, to which I believe the shadow Minister was referring.

The explanatory statements to amendment 39 and new clause 44 state—I paraphrase—that the independent reviewer of terrorism legislation recommended an increase in sentence in his review following the Southport attack. His report, titled "Independent Review on Classification of Extreme Violence Used in Southport Attack on 29 July 2024" and dated 13 March this year, is one that I am sure many colleagues across the House have read. I put on the record my sympathies to everybody involved in that heinous attack and to the victims of the other attacks that the shadow Minister mentioned—and, of course, we think of Jo Cox, a friend much missed and loved in all parts of the House.

There is a risk of misunderstanding in the amendments, albeit I am sure they are well-intentioned. If one looks at Mr Hall's quite lengthy report in detail, it says a number of things about what is proposed in clause 10. He states that the new offence that we propose to create here

"appears to fill an important gap".

He goes on to say that

"where a killing is contemplated, the available penalty appears too low for long-term disruption through lengthy imprisonment."

He concludes by recommending that the Government bring forward legislation to create a different, new offence,

"where an individual, with the intention of killing two or more persons, engages in any conduct in preparation for giving effect to this intention. The maximum sentence should be life imprisonment."

Importantly, he says:

"If this offence is created, then there is no need to reconsider the maximum sentence for the proposed offence of possessing an article with violent intent under the Crime and Policing Bill."

I pay tribute to Mr Hall for his work. The Prime Minister and the Government have committed to acting urgently on the points that he has identified, and to considering the new offence that he references at the end of his report. Given the complexity and the interplay between terrorism and non-terrorism legislation, which Mr Hall acknowledges, they should do so with great care and in consultation with appropriate stakeholders such as the Law Commission. That must be done, in order to ensure that whatever new offence is arrived at is practical, workable and absolutely unimpeachable. That work must continue and conclude, but in the interim, clause 10 does the job.

I point out to Opposition Members that the Bill does not just create a new offence in clause 10, which in itself is sufficient, but does much on youth diversion orders—we will come to those when we debate clauses 110 to 121—and, in clause 122, on the banning of dangerous weapons such as corrosive substances. In written evidence to the Committee, Jonathan Hall himself broadly welcomed those additional measures. For the record, the written evidence reference is CPB 02. He states that youth diversion orders are "extensions" to his original recommendations and that they "are justified". In respect of clause 122, he states that this is gap that he has previously recommended filling and that the power is much needed. Of course, the Government have done other great work, often with support from both sides of the House. On the statute book right now is Martyn's law, which will better allow venues to tighten counter-terrorism measures.

There is a package of measures—some already on the statute book, and other important measures, which we are discussing today, that we will hopefully get on the statute book without undue delay. I therefore submit to the shadow Minister that, while they are no doubt well-intentioned, amendment 39 and new clause 44 are not needed at this time. Let the work that I have referenced, and that the Government have committed to, get under way, so that that can be done properly, in line with, and not in contradiction to, what Mr Hall has said, and let us proceed with clauses 10 and 11 as they stand.

4 pm

Jack Rankin: Clause 10 introduces a new offence of

"possessing an article with a blade or point or offensive weapon with intent to use unlawful violence…to cause another person to believe that unlawful violence will be used…or…to cause serious unlawful damage".

The introduction of this new offence bridges the gap between being in possession of a bladed article or offensive weapon and threatening somebody with a bladed article or offensive weapon. I commend the intent of the clause wholeheartedly, and thank the Government for it.

I do, however, support amendment 39 and new clause 44, tabled by my hon. Friend the Member for Stockton West, although I do thank the hon. Member for Cardiff West for his thoughtful interaction, which has given me pause to consider how these might interact. Perhaps in his summing up the Minister could comment on where, between the two of us, the truth lies.

As the hon. Member for Cardiff West mentioned, the two measures that have been tabled by the Opposition attempt to bring forward some of the recommendations from the report by Jonathan Hall KC, the independent reviewer of terrorism legislation, following the heinous Southport attack—and I would like to associate myself with hon. Members' comments of sympathy with those families. I have had cause to read that report, which I had not done ahead of this Bill Committee. I will quote relatively extensively from page 27, which I think is appropriate given the serious nature of these matters. Paragraph 5.25 says:

"Firstly, possession of an article in private where it is held with intent to carry out a mass casualty attack or other offence of extreme violence. Aside from firearms, it is not, with some limited exceptions, an offence to possess a weapon in private…One can envisage a scenario in which the police, acting on intelligence, find a crossbow, notes about a proposed attack, and material idolising the Columbine killers. At present, the defendant might be arrested on suspicion of terrorism but could not be prosecuted for this conduct. The government is proposing an offence of possessing an offensive weapon in public or in private with intent for violence, with a maximum of 4 years imprisonment in the Crime and Policing Bill."

As the hon. Member for Cardiff West also quoted, the report goes on to state:

"This offence appears to fill an important gap, although where a killing is contemplated, the available penalty appears too low for long-term disruption through lengthy imprisonment."

From my understanding, in changing that maximum sentence from four to 14 years, the Opposition's amendment 39 seems to be an expert-led example of where we are trying to constructively add to the Government's legislation.

New clause 44 seeks to fill a gap, given the need for a more general offence on planning mass casualty attacks, outside of terrorism legislation. Again, I will quote from Jonathan Hall KC's report. He says on page 28, in paragraph 5.26:

"The law is flexible where multiple individuals are involved. It is therefore an offence for two individuals to make an agreement (conspiracy to murder), for one individual to encourage or assist another, or for murder to be solicited, even though the contemplated attack is never carried out. But it not an offence to prepare for an attack on one's own unless sufficient steps are taken that the conduct amounts to an attempt. This means that no prosecution would be available if the police raided an address and found careful handwritten but uncommunicated plans for carrying out a massacre.

By contrast, under terrorism legislation it is an offence to engage in any preparatory conduct with the intention of committing acts of terrorism. This includes making written plans. The fact that the prosecution must prove terrorism, not just intended violence, is some sort of safeguard against overbroad criminal liability."

It seems to me that new clause 44 is an attempt to close that gap. I welcome clause 10, but our amendment and new clause simply reflect the suggestions of the KC, who wrote quite a considered report. I would welcome the Minister's reflections on that.

Matt Bishop (Forest of Dean) (Lab): Something that I think we in this House agree on, that I know the police agree on, and that I think the wider public agree on—hon. Members might hear me say this a lot in Committee—is that prevention is always better than detection. I rise to speak having lost, in my previous career, a close colleague and friend to a crime involving an offensive weapon. I only wish we could have prevented that incident.

In essence, the clause is about preventing violence before it occurs. It strengthens penalties for repeat offenders, and aligns with the Government's broader goal of making communities safer by addressing growing concerns around weapon possession and use in violent crimes. Given the increasing prevalence of offensive weapons such as knives, bladed articles or even corrosive substances, the Bill updates the law to better reflect modern threats. By including a broader range of dangerous items and increasing the focus on intent, the Bill addresses the changing patterns of criminal activity.

I am particularly pleased that the intent provision covers the possession of a corrosive substance, given the rise in acid attacks across the UK. This change is crucial to addressing the growing threat of individuals carrying dangerous substances, such as acid or other corrosive materials, with the intention to cause harm or instil fear. The reference to intent highlights the Government's commitment to protecting citizens. By targeting the intention to cause harm before it escalates, the clause will help to prevent violent crime and make communities safer.

Clause 11 is vital in addressing the growing severity of offences relating to offensive weapons, including the possession, sale and manufacture of dangerous weapons. By increasing the maximum penalty from six months' to two years' imprisonment, the clause will significantly strengthen the deterrence against these crimes and ensure that offenders face stringent consequences. The introduction of either-way offences—allowing cases to be tried in either magistrates courts or the Crown court—will provide the police with additional time to investigate and gather sufficient evidence. That will improve the effectiveness of the justice system in tackling weapon-related crimes, reduce the availability of dangerous weapons and, ultimately, enhance public safety. It will also give police confidence in the laws that they are trying to uphold.

Finally, I broadly support the intent and understand the sentiments behind new clause 44. However, having sat on the Terrorism (Protection of Premises) Bill Committee, which dealt with Martyn's law, I believe that this issue has been covered elsewhere, as my hon. Friend the Member for Cardiff West said. I therefore do not think it is needed.

Anna Sabine: Broadly speaking, we welcome any effort to reduce knife crime, which is obviously a terrible and growing problem. We note Chief Constable De Meyer's comment, in the oral evidence last week, that the police felt that the measure would allow them to deliver more sustained public protection, which is a good thing, and to have more preventive power. That is all great.

I have two specific questions for the Minister. The first concerns the offence of possessing an article with a blade or an offensive weapon with the intent to use unlawful violence. I represent a fairly rural constituency that comprises some market towns and a selection of villages. Even there, local headteachers tell me that a growing number of schoolchildren, usually boys, are bringing knives into school, because they wrongly think that bringing a knife will somehow defend them against other boys with knives. How do we ensure that no other schoolchildren will get caught up in an offence aimed at the kind of people we might think of as bringing a knife with the aim of committing an unlawful action?

My second question relates to the National Farmers Union's evidence from last week. The NFU talked about the challenge of catapults often being used not just in wildlife crime but in damaging farming equipment. It said that it understands that it is an offence to carry in public something that is intended to be used as an offensive weapon, but with catapults, it is particularly difficult to prove that intent. It wondered if more consideration could be given to listing catapults as offensive weapons.

David Burton-Sampson: We all know that knife crime ruins lives—for the victim, their family and friends, the perpetrator's family, and even for the perpetrator. My constituent Julie Taylor is the grandmother of a knife crime victim. On 31 January 2020, Liam Taylor was murdered outside a pub in Writtle—a pleasant place that not many would associate with violent crime. Four individuals approached Liam and three of them attacked him, resulting in Liam being stabbed to death and his friend receiving a serious injury. The attack came in retaliation for an earlier incident, which neither Liam nor his friend were involved in.

Since Liam's murder, Julie has become an amazing campaigner in the battle against knife crime. She regularly visits schools, universities, colleges, football clubs, scout groups and the like to share Liam's story and highlight how knife crime destroys lives. She has placed over 500 bleed control bags and 26 bleed control units in key locations across Essex. Sadly, 12 of those have already been used to help 13 people—yes, there was a double stabbing. Her work is all voluntary; she does it in her free time. That is how passionately she feels about the issue. When we met last week, Julie told me:

[David Burton-Sampson]

"All I want is to stop these young people carrying weapons as I can tell you once you lose a loved one to any violent crime, your family is never the same again."

I shared with Julie the Government's plans to tackle knife crime through the Bill, and she was delighted. She told me that clauses 10 and 11—and, if the Committee will indulge me, clause 12—are what campaigners have been calling for for so long.

With 1,539 knife crimes taking place in Essex in the year to March 2024 alone, tough action is needed now. These clauses, alongside other measures, will help with the Government's goal of halving knife crime over the next decade. We must take a truly multi-agency approach, working with the police, charities, young people, victims' family members, like Julie—they have a real part to play—and businesses, tech companies and sports organisations. I thank the Government for introducing the clauses; they have my full support.

Joe Robertson: I find myself again speaking after a number of others who have spoken eloquently, and broadly with consensus, about the direction of travel of this provision. I obviously support amendment 39 and new clause 44. Knife crime and the way it destroys lives is such a specific and horrific problem for law enforcement. The hon. Member for Southend West and Leigh gave a good summary of those affected, including young perpetrators and their families. Through using knives at a young age, those perpetrators often get swept into the worst of criminality. Once they are in that world, it is incredibly difficult for them to be brought out of it. Of course, there can be numerous innocent victims, who might stand in the way and get hurt too. I urge the Government to understand that the best possible way of tackling this is to ensure that the courts have the strongest possible sentencing powers. Clearly, 14 years for possessing an offensive weapon would not be appropriate in all cases, but there are cases where it would be—and if the courts do not have those powers, they cannot sentence people to 14 years.

4.15 pm

My hon. Friend the Member for Stockton West has already spoken eloquently on new clause 44, so I do not intend to repeat his comments. My hon. Friend the Member for Windsor extensively quoted a KC. Those words are powerful, not least because they do not come from a politician; it is always nice to hear professionals and experts in their field. I urge the Government to consider raising the maximum sentence, particularly considering that we are talking about knife crime, which is the very worst of crimes, because of the gang culture and the way that communities are destroyed when innocent young people—sometimes children—are killed.

Harriet Cross: I will comment briefly on clause 10, which is on the possession of a weapon with the intent to use it unlawfully for violence. The provision is much needed and, if implemented properly, would be welcome. I have a couple of questions for the Minister, though. First, how does the clause differ from existing legislation with respect to intent to cause harm or carrying an offensive weapon? Are there any nuances specific to knife crime, outwith those covered by existing legislation?

More generally, the Bill is restricted to the clauses before us, but we know that knife crime is multi-faceted—there are an awful lot of reasons why people get involved. As has been said, some feel that they need protection themselves and others do it to fit in, while for others it is to do with the environment in which they grow up. We welcome that the Government have banned zombie knives—the Conservative Government started on the road to that ban and we are glad to see that it has been implemented—but those knives are only responsible for about 3.5 % of knife attacks; every house in the country has a kitchen with knives in. What more are the Government doing, either in this Bill or outside it, to reduce knife crime by tackling the manner in which knives can be accessed and used?

The Government are setting a lot of store by the use of youth hubs to address knife crime, young offending and antisocial behaviour. Although the principle of youth hubs is admirable—and I do mean that—I have heard concerns from Members outwith this room, but certainly invested in this matter, that they may have unintended consequences. For example, where will the hubs be located? Could they entrench more turf wars? Will there be more of an impact if one is located on one gang's land or another's? Will some people be completely excluded simply because of their location? I ask these questions to be constructive, because I want the hubs to work for everyone. Similarly, if many different people come to the hubs—for rehabilitation reasons or if we use them to keep people off the streets for many other reasons—what is it that will prevent them from being a recruiting ground for other types of crimes? I reiterate that I am asking these questions to be constructive; I want the hubs to work, but I also do not want anyone to be pulled into more crime as a result.

Dame Diana Johnson: This has been a really useful debate. It has highlighted the problems that society is facing with the epidemic levels of knife crime that we have seen in recent times. It was absolutely right for my hon. Friend the Member for Southend West and Leigh to mention Liam Taylor and his grandmother, Julie. Liam is sadly no longer with us, but I pay tribute to Julie for her sterling work in trying to ensure that what happened to her grandson does not happen to anybody else. I also commend her work on the bleed control kits.

I have come across so many families who have lost a loved one through knife crime and want to ensure that it does not happen to anyone else. We need to pay tribute to those families, including those who have joined the coalition to tackle knife crime, which the Prime Minister set up soon after the election last July. They will hold this Government to account in doing what we have said we will, which is halve knife crime over the course of the next decade. I pay tribute to Julie and all the other families working in this space to protect young people and make sure that no other family has to suffer the loss of a young person.

Dr Sullivan: A recent meeting of the all-party parliamentary group on youth affairs heard from young St John's Ambulance volunteers. They told us that many of the young people they work with want first-aid training and help with the kits so that they know how to stop bleeding. Is that not an awful indictment of the society we are in, but also a positive thing, in that young people want to be part of the solution?

Dame Diana Johnson: I agree with both those points. It is appalling that we are in that situation, but I pay tribute to St John's Ambulance for its amazing work, and appreciate that young people want to engage and help to protect life.

The hon. Member for Frome and East Somerset asked about young people who feel they might keep themselves safe by carrying a knife. That is clearly not the case: if they carry a knife, they are more likely to be involved in a knife attack. We need to get the message out that it will not protect them.

The hon. Member for Gordon and Buchan referred to early intervention. We want to get in early and do all the preventive work that has, sadly, not happened over the past 14 years. We want to invest in youth hubs, reach young people, give them meaningful activities and instil in them key messages about how to keep safe and what good relationships look like. As the Under-Secretary of State for the Home Department, my hon. Friend the Member for Birmingham Yardley will know, there is more to do on tackling violence against women and girls, because we want to halve that in a decade as well. We have lots of messages and work that we need to do with young people.

On the issue of young people getting involved in knife crime, the prevention partnerships will identify young people who are at risk of getting involved in crime or carrying a knife and try to work intensively with them. Early intervention to divert them from carrying a knife is important. We also have a manifesto commitment to ensure that any young person caught with a knife will be referred to a youth offending team, and there will be a plan of action for how to support them. No more will a young person caught with a knife just get a slap on the wrist and be sent on their way. We will get alongside them and deal with it; otherwise, it could turn into something really dreadful.

I am happy to look at the issue of catapults, which a number of hon. Members raised. I am grateful to my hon. Friend the Member for Forest of Dean who, as usual, gave very wise counsel about his experience as a former police officer and how important preventive work is.

I am grateful to the shadow Minister for setting out clearly amendment 39 and new clause 44. As he said, they draw on a recommendation by Jonathan Hall KC, the independent reviewer of terrorism legislation, following his review of the appalling attack in Southport. Like all Members, I express my condolences to the families who lost their beautiful little girls, and to all those who were injured and affected by those events.

Before I respond to the amendment and new clause, let me explain the rationale for clause 10, which introduces a new offence of being in possession of a bladed article or offensive weapon with the intention to use unlawful violence. As I said, the Government are determined to halve knife crime in the next decade. Legislation has to play a part in delivering for our safer streets mission, ensuring that the criminal law and police powers are fit for purpose. This work sits alongside what I just said about the coalition for tackling knife crime holding the Government to account, and the ban on zombie knives. The hon. Member for Gordon and Buchan was right that the previous Government brought in that provision, but we have actually made it happen. We will bring in a ban on ninja knives too, as part of Ronan's law.

On the issue of kitchen knives, I take the hon. Lady's point that in every house there is a drawer containing knives. There are now calls for us to consider whether in the domestic setting we should have knives that have a round rather than pointed tip. I have certainly been willing to consider that and look at the evidence. It is something we would have to do in consultation with the manufacturers of domestic knives. The Government are open to looking at anything that will start to tackle the problems with knife crime.

It may be helpful if I briefly outline the existing legislation in relation to the possession of offensive weapons. It is currently an offence to be in possession of a bladed article in public without good reason or lawful authority. It is also an offence to be in possession of a bladed article or offensive weapon and to threaten somebody, either in public or private. All those offences are serious. This new office will close a gap in legislation. The provision will equip the police with the power to address situations in which unlawful violence has not yet happened but where there is an intent to use unlawful violence, an intent to cause someone to believe unlawful violence would be used against them, or an intent to cause serious unlawful damage to property, as well as in situations in which a person enables someone else to do any of those things.

The offence may be committed in either a public place or a private place. There will be situations in which the police come across individuals with a knife or offensive weapon on the street and there is evidence that there is an intent to the weapon for unlawful violence. For instance, were an intelligence-led operation conducted on a motorbike ridden by two males in an urban area, who attempted to escape but were stopped, and both were detained, arrested and searched, and both were found to be in possession in public of a knife, the only offence available to the police would be possession in public of a knife or an offensive weapon. We do not believe that would reflect the seriousness of the offending behaviour and their intention.

The proposed new offence is necessary to bridge the gap between possession in public or private and the intention to threaten another person. We also believe that such serious offending behaviour needs to be reflected better in the offence that individuals are charged with, so that a successful prosecution attracts a sentence that more closely aligns with the violent intent and facts of the case. The offence will carry a maximum penalty of four years' imprisonment, an unlimited fine, or both.

Joe Robertson: I thank the Minister for setting out her position. Does she not accept, however, that without amendment 39 the maximum sentence of four years for carrying a knife with intent is a serious mismatch with the sentence had the knife been used and somebody was severely injured? That mismatch means that the only way of getting someone sentenced appropriately is to have an injured person at the end. That cannot be right. If someone is carrying a knife, they intend to seriously injure someone. It should matter not whether they have actually done it. The court's sentencing powers need to be greater than four years in some circumstances.

Dame Diana Johnson: I am going to come on to amendment 39 which, as the hon. Gentleman says, seeks to increase the maximum sentence for the offence

[Dame Diana Johnson]

to 14 years' imprisonment. I pay tribute to my hon. Friend the Member for Cardiff West for his excellent contribution, which explained the background. The intention of the amendment is to implement the recommendations from the independent reviewer of terrorism legislation following the horrific attack in Southport. I fear that, as my hon. Friend said so eloquently, amendment 39 takes aspects of Jonathan Hall's report out of context.

4.30 pm

I will explain that, but first I stress that the Government are grateful for Jonathan Hall's report. We accept and strongly support his recommendation that we should not seek to extend the definition of terrorism in legislation, but consider closing a gap in the wider criminal law by creating

"a new offence where an individual, with the intention of killing two or more persons, engages in any conduct in preparation for giving effect to this intention."

He went on to say, in paragraph 5.30 of his report:

"If this offence is created, then there is no need to reconsider the maximum sentence for the proposed offence of possessing an article with violent intent under the Crime and Policing Bill."

The Government fully accept the recommendation to consider creating the new offence proposed by the independent reviewer. We will close the gaps identified and consider the issues carefully with operational partners. That being so, we do not believe that the case is made for increasing the maximum penalty for the offence in clause 10. The maximum penalty of four years' imprisonment is consistent with the maximum penalties of all other knife-related possession offences.

That brings me to new clause 44. As I have said, we will fix the gap in the law identified by Jonathan Hall, but only once we have considered the practical and ethical issues raised that have not yet been thought through and on which I want to say more. The independent reviewer recognised that the proposed new offence would raise

"some definitional and ethical questions on the number of proposed victims and whether a new offence should be confined to an intention to kill or include planning to cause serious injury or use serious sexual violence."

Those are some of the key issues.

Let me highlight some of the questions with reference to the new clause. Why should it be an offence to engage in any conduct in preparation to kill two people—say, one's parents—but not one parent? Why should planning to seriously injure many people not be caught by the offence? Why should planning to rape many women not be caught by the offence? Those issues need to be addressed.

The legal issues include the level of preparation required for the offence. The new clause says "any conduct", which is taken from the preparatory terrorism offence. However, it is a sad fact that a person can cause multiple deaths using, as we were just discussing, a kitchen knife or vehicle. Where there is no requirement to show that someone is furthering an ideological cause, as we have discounted that, is the otherwise legal purchase of a knife or hire of a car to be considered "any conduct in preparation"? What other evidence would be required to show what is being prepared? Where do we draw the line in this particular non-terrorist context, where otherwise innocuous activities could be criminalised with an offence that has a maximum penalty of life imprisonment?

Those are the questions we need to address. We have to consider the wider implications for criminal law, especially the law of attempt. We have to consider and consult on the practical issues that the police and Crown Prosecution Service would face in proving the offence. We have to consider how the offence might operate in practice in relation to those with serious mental health issues.

We have agreed to consider a new offence and that is what we are doing. We must also ensure that any new offence is created after careful consideration and discussion with those who would implement it on the ground. This is important and we cannot get it wrong. I agree that we are concerned about those people who are fixated by extreme violence. We must do what we can to ensure that the legal framework is strong enough to respond to extreme violence where ideology is not apparent or is less clear.

Government amendment 9 will add the clause 10 offence to schedule 4 to the Modern Slavery Act 2015. Schedule 4 is a list of serious offences to which the defence in section 45 of that Act does not apply. The list includes sexual offences, some terrorism offences, modern slavery offences and serious violence offences. The section 45 defence provides a statutory defence against prosecution for victims of modern slavery and was designed to give victims the confidence to come forward without fear of prosecution. The Government amendment will ensure that those who commit the serious offences introduced by the Bill do not have the option to rely on that defence. I assure hon. Members that in cases where the section 45 defence does not apply, or cannot be evidenced to the criminal standard, the Crown Prosecution Service can still exercise its discretion and decide whether it is in the public interest to prosecute, even if the offence in listed in schedule 4.

Finally, clause 11 increases the maximum penalty for offences relating to offensive weapons from six months to two years' imprisonment. We believe that the existing maximum penalties do not adequately reflect the seriousness of those offences and should be increased in line with the existing offence of the unlawful marketing of knives, which carries a maximum penalty of two years' imprisonment. That will align the maximum penalties for the offences in relation to the sale of knives.

As I said at the outset, I welcome the sentiment behind new clause 44, tabled by the hon. Member for Stockton West, and I agree on the need for action. However, I ask him to accept my assurance that we are looking at the issues raised by Jonathan Hall, will discuss them with operational partners, and will bring forward carefully considered proposals. I therefore ask the hon. Member not to move his new clause when we reach it and to withdraw the amendment.

Matt Vickers: We have heard from all parties and all corners of the country about the need to tackle the issue and about the horror that such weapons can cause. Clearly, we all wish the Government well in delivering on their knife crime ambition. We have mentioned knives more than corrosive substances, but they can have equally horrific results, so I am glad to see them included.

Solving the problem is not easy, of course, and it is not all about sanctions: there is a role for education, policing, social media, culture, stop and search, and even technology, which could revolutionise our ability to identify those carrying a knife. The horrific loss of young lives—of young people whose families would give the earth to see them again—continues. To many of the communities torn apart and forever scarred, increasing the maximum sentence available to a judge to 14 years makes nothing but sense. We will press the amendment to a vote.

Question put, That the amendment be made.

The Committee divided: Ayes 4, Noes 11.

Division No. 8]

AYES

Cross, Harriet	Robertson, Joe
Rankin, Jack	Vickers, Matt

NOES

Barros-Curtis, Mr Alex	Mather, Keir
Bishop, Matt	Phillips, Jess
Burton-Sampson, David	Platt, Jo
Davies-Jones, Alex	Sullivan, Dr Lauren
Johnson, rh Dame Diana	Taylor, David
Jones, Louise	

Question accordingly negatived.

Amendment made: 9, in clause 10, page 19, line 11, at end insert—

"(3) In Schedule 4 to the Modern Slavery Act 2015 (offences to which defence in section 45 does not apply), for paragraph 23 (offences under the Criminal Justice Act 1988) substitute—

'23 An offence under any of the following provisions of the Criminal Justice Act 1988—

section 134 (torture)

section 139AB (possessing article with blade or point or offensive weapon with intent to use unlawful violence etc)'."—*(Dame Diana Johnson.)*

This amendment excepts the offence of possessing an article with blade or point or offensive weapon with intent to use unlawful violence etc from the defence in section 45 of the Modern Slavery Act 2015.

Clause 10, as amended, ordered to stand part of the Bill.

Clause 11 ordered to stand part of the Bill.

Clause 12

POWER TO SEIZE BLADED ARTICLES ETC

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss clause 13 stand part.

Dame Diana Johnson: Clause 12 provides for a new power for the police to seize, retain and destroy any bladed article held in private, when they are on the private premises lawfully and have reasonable grounds to suspect the item is likely to be used for unlawful violence. Clause 13 provides the same power to the service police. Before I turn to the specifics, it may assist the Committee if I set out the context and rationale for the introduction of the measure.

Currently, the police may enter premises and seize items only in particular circumstances—for example, where they have obtained a warrant to search premises for specific items. They have no power to remove weapons from individuals unless they can be used as evidence in an investigation. Therefore, even if the police come across several machetes in a private property while they are there with a search warrant for an unrelated matter—for instance drugs—the only way they can legally remove those machetes is if they are to be used as evidence in the investigation. That is even the case if they suspect that the bladed articles in question will be used unlawfully.

I would like to share a case study to illustrate the need for this measure. Police officers investigating the supply of illegal drugs effected entry to the home address of a person linked to the supply of class A drugs, under the authority of a warrant under the Misuse of Drugs Act 1971. He was on a suspended sentence for supplying drugs and had previous convictions for offences of violence, including grievous bodily harm and possession of a knife. Upon search of his bedroom, officers found a 44 cm machete. He was charged with drugs offences, but the police had no powers to seize the machete. For the weapon to be removed from the property under existing law, it would have to have already been used unlawfully, either to hurt somebody or to damage property.

That is why we are legislating to introduce a power for any police officer to seize, retain or destroy an article with a blade or point, when they are on the premises lawfully and have reasonable grounds to suspect the relevant article is likely to be used in connection with unlawful violence. It is important to note that the police cannot seize any bladed article they see in the property arbitrarily. They will need to justify any seizure they make, not on the basis of a mere suspicion, but because they have reasonable grounds to believe that the article is likely to be used in connection with unlawful violence. If a person believes that their property has been seized in error, they will be able to make a complaint to the police, as with any other police matter, if they so wish. If the owner of a seized article believes that it has been seized in error, they may apply to a magistrates court for an order that the article be returned.

To be clear, there is no power of entry associated with the new seizure power. The police will need to be in the property lawfully already—for instance, executing a search warrant as part of an investigation for an unrelated matter, or because they have been called and invited into the property. We will therefore amend PACE code B, which governs the exercise of powers of entry, search and seizure, to include this new power, which will ensure that the police use the powers fairly, responsibly and with respect for people who occupy the premises being searched. We believe that having that power will enable the police to remove dangerous knives if they believe they will be used in connection with unlawful violence. I commend the clause to the Committee.

4.45 pm

Matt Vickers: As mentioned earlier, we are united in the aim of rooting out knives and knife crime from our society. Ensuring that our streets and constituents are safe is of primary importance to us all. Clause 12 introduces a new police power to seize bladed or sharply pointed articles, referred to as "relevant articles", under specific conditions. A police constable may exercise that

[Matt Vickers]

power if they are lawfully on premises and find a relevant article, with reasonable grounds to suspect that it could be used in connection with unlawful violence, including damage to property or threats of violence, if not seized.

This provision gives police officers the authority to remove dangerous weapons from potential misuse, enhancing public safety and reducing the risk of harm in situations where there is a credible threat of violence. Clause 13 would create similar powers for armed forces service police. Unlike clause 12, the power for armed forces service police would apply across the UK.

We face a tragedy that continues to unfold in our streets, communities and homes: a tragedy that sees young lives cut short, families shattered and entire communities left in mourning. Knife crime has become a scourge on our society, robbing us of the future doctors, teachers, engineers and leaders who should have had the chance to fulfil their potential. Instead, too many parents now sit by empty chairs at the dinner table, their sons and daughters stolen from them by senseless violence. Every single child lost to knife crime is a story of devastation.

Broadly, clauses 12 and 13 offer great powers to our law enforcement, which of course should be welcome. We cannot ignore the role that stop and search plays in tackling this crisis. In London alone, that policing tool has taken 400 knives off the streets every month, preventing countless violent attacks. Over the past four years, 17,500 weapons have been seized as a result of stop and search, including at least 3,500 in 2024—weapons that would otherwise have remained in circulation, posing a deadly risk to communities. Nor is it is just a London issue: in 2023-24, stop and search led to more than 6,000 arrests in the west midlands and 5,620 arrests in Greater Manchester.

We must, of course, ensure that these powers are used fairly and proportionately, but we cannot afford to weaken a tool that has saved lives. Every knife seized is a potential tragedy prevented. We must stand firm in supporting our police, ensuring that they have the powers they need to keep our community safe. However, I urge caution with some of the provisions and ask the Government to look at some of them and some of the issues that they may lead to.

Clause 12 grants police officers the power to seize bladed articles found on private premises when there are reasonable grounds to suspect that the item will be used in connection with unlawful violence. While the intention of this clause, to prevent violence by removing weapons before harm can be done, is clear, there are some concerns over the impact that the clauses could have. The provision in clause 12 allows for the seizure of bladed articles based on what the police deem to be reasonable grounds to suspect.

The phrase "reasonable grounds" is inherently subjective and open to interpretation, which could lead to inconsistent enforcement and, in some cases, potential abuse of power. Many individuals legally possess knives for legitimate purposes, such as work. Some might argue that this clause could inadvertently criminalise those who have no intention of using their blades for unlawful purposes. The law needs to ensure that the people who possess knives for legitimate reasons are not unjustly targeted or treated as criminals.

Clause 12 empowers the police to seize items from private premises. While there is a clear and overriding public safety rationale, the intrusion into individuals' privacy could be seen by some as excessive. We must consider how this power might be exercised in a way that balances safety with respect for personal rights. While public safety is paramount, we must not lose sight of the importance of protecting individual freedoms. Some would argue that these clauses, although well intentioned, could pave the way for broader surveillance and unwarranted searches. It is essential that we have guidance within our police forces to create consistency of approach.

Finally, while the clauses provide the police and armed forces with significant powers, we must ask whether they address the root causes of knife crime. This is a reactive measure, seizing weapons after they have been identified as a threat. We need to ensure a comprehensive approach, including education and support, to reduce violence and prevent knife crime from occurring in the first place. I am sure I speak for all Members across the House in our desire to combat knife crime and violence on our streets.

Dame Diana Johnson: I gently point out to the shadow Minister that the clauses in the Bill before us today are exactly the same clauses that were in the Criminal Justice Bill, which obviously, as a Member of Parliament at that point, he would have supported.

Matt Vickers: I would not say I was not supportive of the clauses; I am saying that we need to continue to look at the guidance that we give police officers on the powers, particularly as we extend them.

Dame Diana Johnson: Of course we keep all such matters under review. I am just pointing out that these are exactly the same clauses that the shadow Minister voted for in the Criminal Justice Bill.

On the point that the shadow Minister made about the reasonable grounds for suspecting, which a police officer must have in order to seize the weapon, the knife or bladed item, there is not an unlimited power for the police to seize any article they may wish to take away from the property. They will have to provide reasons why they are seizing the article and, as I said in my remarks, they will have to return the item if a court determines that they have seized it in error.

On the shadow Minister's final point, this of course is only one measure. There is a whole range of other things that we need to do, particularly in the preventive space, to deal with the issue of knives. However, this measure will give the police, as I am sure he would agree, one of the powers that will help in dealing with the problems we face with knife crime today.

Question put and agreed to.

Clause 12 accordingly ordered to stand part of the Bill.

Clause 13 ordered to stand part of the Bill.

Keir Mather (Selby) (Lab) *rose—*

The Chair: Before the Whip moves the Adjournment, I just want to say that I will not be chairing this Bill again until much later on and so I would like to thank all right hon. and hon. Members for their attendance and attention today and for putting up with the room's chilly interior—though hopefully not with a chilly Chairman. I also thank the Clerks, our excellent Doorkeepers, Hansard, the broadcasting team and, of course, the Home Office officials. Thank you all and have a great evening.

Ordered, That further consideration be now adjourned. *—(Keir Mather.)*

4.53 pm

Adjourned till Thursday 3 April at half-past Eleven o'clock.

Written evidence reported to the House

CPB 15 FiLia

CPB 16 Image Angel

CPB 17 Matt Jukes QPM, Head of UK Counter Terrorism Policing

CPB 18 Miss Y

CPB 19 A professional dominatrix

CPB 20 Adult Sexual Exploitation (ASE) Partnership

CPB 21 JUSTICE

CPB 22 Women at The Well

CPB 23 A UK-based sex worker

CPB 24 Judith Ratcliffe, Privacy Professional and UK Citizen

CPB 25 Judith Ratcliffe, Privacy Professional and UK Citizen (further submission)

CPB 26 Professor Alexander Sarch, Professor of Legal Philosophy, School of Law, University of Surrey, and Ms Vanessa Reid, Senior Associate (barrister), Corker Binning

CPB 27 A UK-based British disabled independent sex worker

CPB 28 Daniel

CPB 29 Charlotte Newbold, PhD researcher, University of Nottingham

CPB 30 Neighbourhood Police Sergeant Gary Cookland, Stockton Neighbourhood Policing Team, Cleveland Police

CPB 31 Nordic Model Now!

CPB 32 A UK-based independent sex worker