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HOUSE OF COMMONS
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GENERAL COMMITTEES

Public Bill Committee

CRIME AND POLICING BILL

Thirteenth Sitting

Thursday 8 May 2025

(Morning)

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not later than

Monday 12 May 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 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

Thursday 8 May 2025

(Morning)

[Mark Pritchard *in the Chair*]

Crime and Policing Bill

11.30 am

The Chair: Before we continue line-by-line scrutiny of the Bill, I have a few preliminary reminders for the Committee—I am sure Members are aware of these. Please switch electronic devices to vibrate or silent. No food or drink is permitted during Committee sittings, except for water, unless you have a particular health need—obviously, speak to me, and I am sure that will be fine. Hansard colleagues would be grateful if Members email their speaking notes to hansardnotes@parliament.uk, or alternatively pass their written speaking notes to the Hansard colleague in the room. Very importantly, Members are reminded to bob and catch my eye if they wish to speak in any debate. We will have a two-minute silence at 12 noon.

New Clause 21

Terrorism offences excepted from defence for slavery or trafficking victims

"(1) Schedule 4 to the Modern Slavery Act 2015 (offences to which defence in section 45 does not apply) is amended as follows.

(2) In paragraph 29 (offences under the Terrorism Act 2000)—

(a) before the entry for section 54 insert—

'section 11 (membership of a proscribed organisation)

section 12 (support of a proscribed organisation)

section 15 (fund-raising for terrorism)

section 16 (use and possession of property for terrorism)

section 17 (funding arrangements)

section 17A (insurance against payments made in response to terrorist demands)

section 18 (money laundering)

section 19 (disclosure of information: duty)

section 21A (failure to disclose: regulated sector)

section 38B (information about acts of terrorism)

section 39 (disclosure of information prejudicial to investigation)';

(b) after the entry for section 57 insert—

'section 58 (collection of information)

section 58A (eliciting, publishing or communicating information about members of armed forces etc)

section 58B (entering or remaining in a designated area)'.

(3) In paragraph 31 (offences under the Anti-terrorism, Crime and Security Act 2001), after the entry for section 50 insert—

'section 67 (security of pathogens and toxins)

section 79 (disclosures relating to nuclear security)'.

(4) In paragraph 35 (offences under the Terrorism Act 2006)—

(a) before the entry for section 5 insert—

'section 1 (encouragement of terrorism)

section 2 (dissemination of terrorist publications)';

(b) after the entry for section 6 insert—

'section 8 (attendance at a place used for terrorist training)'.

(5) After paragraph 35 insert—

'Counter-Terrorism Act 2008 (c.28)

35ZA An offence under section 54 of the Counter-Terrorism Act 2008 (offences relating to notification).

Terrorism Prevention and Investigation Measures Act 2011 (c. 23)

35ZB An offence under section 23 of the Terrorism Prevention and Investigation Measures Act 2011 (contravention of terrorism prevention and investigation measures notice).

Counter-Terrorism and Security Act 2015 (c. 6)

35ZC An offence under section 10 of the Counter-Terrorism and Security Act 2015 (breach of temporary exclusion order or notice).'

(6) The amendments made by this section do not apply in relation to an offence committed before this section comes into force."—*(Dame Diana Johnson.)*

This new clause excepts the listed terrorism offences from the defence in section 45 of the Modern Slavery Act 2015.

Brought up, read the First and Second time, and added to the Bill.

New Clause 61

Notification requirements

"(1) This section applies where a youth diversion order requires the respondent to comply with this section.

(2) Before the end of the period of three days beginning with the day on which a youth diversion order requiring the respondent to comply with this section is first served, the respondent must notify to the police—

(a) the respondent's name and, where the respondent uses one or more other names, each of those names,

(b) the respondent's home address, and

(c) the name and address of any educational establishment the respondent normally attends.

(3) If, while the respondent is required to comply with this section, the respondent—

(a) uses a name which has not been notified under the order,

(b) changes home address, or

(c) begins to attend an educational establishment the name and address of which have not been notified under the order,

the respondent must notify, to the police, the new name, the new home address or the name and address of the new educational establishment.

(4) A notification under subsection (3) must be given before the end of the period of three days beginning with the day on which the respondent uses the name, changes home address or first attends the educational establishment.

(5) A notification under this section is given by—

(a) attending at a police station in the police area in which the home address, or the court which made the order, is situated, and

(b) giving an oral notification to a constable, or to a person authorised for the purpose by the officer in charge of the station.

(6) A notification under this section must be acknowledged in writing.

(7) In this section 'home address' means—

(a) the address of the respondent's sole or main residence in the United Kingdom, or

(b) where the respondent has no such residence, the address or location of a place in the United Kingdom where the respondent can regularly be found and, if there is more than one such place, such one of those places as the respondent may select.

(8) In determining the period of three days mentioned in subsection (2) or (4), no account is to be taken of any time when the respondent is—

(a) in police detention within the meaning of the Police and Criminal Evidence Act 1984 (see section 118(2) of that Act);

(b) remanded in or committed to custody by an order of a court or kept in service custody,

(c) serving a sentence of imprisonment or a term of service detention,

(d) detained in a hospital, or

(e) outside the United Kingdom."—*(Dame Diana Johnson.)*

This new clause enables a youth diversion order to require the respondent to notify to the police their name and address and the name and address of any educational establishment they normally attend.

Brought up, read the First and Second time, and added to the Bill.

New Clause 62

Electronic monitoring of compliance with order: England and Wales

"(1) A youth diversion order made by a court in England and Wales may impose on the respondent a requirement (an 'electronic monitoring requirement') to submit to electronic monitoring of the respondent's compliance with prohibitions or requirements imposed by the order. This is subject to section (*Conditions for imposing electronic monitoring requirement: England and Wales*).

(2) A youth diversion order that includes an electronic monitoring requirement must specify the person who is to be responsible for the monitoring.

(3) The person specified under subsection (2) ('the responsible person') must be of a description specified in regulations made by the Secretary of State by statutory instrument.

(4) Where a youth diversion order imposes an electronic monitoring requirement, the respondent must (among other things)—

(a) submit, as required from time to time by the responsible person, to—

(i) being fitted with, or the installation of, any necessary apparatus, and

(ii) the inspection or repair of any apparatus fitted or installed for the purposes of the monitoring;

(b) not interfere with, or with the working of, any apparatus fitted or installed for the purposes of the monitoring;

(c) take any steps required by the responsible person for the purpose of keeping in working order any apparatus fitted or installed for the purposes of the monitoring.

These obligations have effect as requirements of the order."—*(Dame Diana Johnson.)*

This new clause enables a youth diversion order to require the respondent to submit to electronic monitoring of their compliance with the prohibitions or requirements of the order (if the conditions set out in NC63) are met.

Brought up, read the First and Second time, and added to the Bill.

New Clause 63

Conditions for imposing electronic monitoring requirement: England and Wales

"(1) This section applies for the purpose of determining whether a court in England and Wales may impose an electronic monitoring requirement under section (*Electronic monitoring of compliance with order: England and Wales*).

(2) An electronic monitoring requirement may not be imposed in the respondent's absence.

(3) If there is a person (other than the respondent) without whose co-operation it would be impracticable to secure the monitoring in question, the requirement may not be imposed without that person's consent.

(4) A court may impose the requirement in relation to a relevant police area only if—

(a) the Secretary of State has given notification that electronic monitoring arrangements are available in the area, and

(b) it is satisfied that the necessary provision can be made under the arrangements currently available.

(5) For this purpose 'relevant police area' means—

(a) in any case, the police area in England and Wales in which it appears to the court that the respondent resides or will reside, or

(b) in a case where it is proposed to include in the order—

(i) a requirement that the respondent remains, for specified periods, at a specified place in England and Wales, or

(ii) provision prohibiting the respondent from entering a specified place or area in England and Wales,

the police area in which the place or area proposed to be specified is situated.

(6) In subsection (5) 'specified' means specified in the youth diversion order."—*(Dame Diana Johnson.)*

This new clause sets out the conditions for imposing an electronic monitoring requirement under NC62.

Brought up, read the First and Second time, and added to the Bill.

New Clause 64

Data from electronic monitoring in England and Wales: code of practice

"The Secretary of State must issue a code of practice relating to the processing of data gathered in the course of electronic monitoring of persons under electronic monitoring requirements (within the meaning of section (*Electronic monitoring of compliance with order: England and Wales*)) imposed by youth diversion orders in England and Wales."—*(Dame Diana Johnson.)*

This new clause requires the Secretary of State to issue a code of practice relating to the processing of data gathered under electronic monitoring requirements imposed under NC62.

Brought up, read the First and Second time, and added to the Bill.

New Clause 65

Reviews of operation of this Chapter

"In the Counter-Terrorism and Security Act 2015, in section 44(2) (provisions the operation of which the person appointed under section 36(1) of the Terrorism Act 2006 is also responsible for reviewing), after paragraph (e) insert—

'(f) Chapter 1 of Part 14 of the Crime and Policing Act 2025.'"

—*(Dame Diana Johnson.)*

This amendment provides for the Independent Reviewer of Terrorism Legislation to report on the operation of Chapter 1 of Part 14 of the Bill (youth diversion orders).

Brought up, read the First and Second time, and added to the Bill.

New Clause 66

REMOTE SALES OF KNIVES ETC

"(1) Section 141B of the Criminal Justice Act 1988 (remote sales of knives) is amended as follows.

(2) For subsection (4) substitute—

'(4) Condition A is that, before the sale—

(a) the seller obtained from the buyer—

(i) a copy of an identity document issued to the buyer, and

(ii) a photograph of the buyer, and

(b) on the basis of the things obtained under paragraph (a), a reasonable person would have been satisfied that the buyer was aged 18 or over.

(4A) For the purposes of subsection (4) an "identity document" means—

(a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

(b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation;

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

(d) any other document specified in regulations made by the Secretary of State.'

(3) In subsection (5)(b), for 'a person aged 18 or over' substitute 'the buyer'.

(4) In subsection (6), for 'a person aged 18 or over' substitute 'the buyer'.

(5) In subsection (8), omit 'or a person acting on behalf of the buyer' in both places it occurs.

(6) After subsection (9) insert—

'(10) Regulations made by the Secretary of State under this section are to be made by statutory instrument.

(11) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.'"—*(Dame Diana Johnson.)*

This new clause makes changes to the defences available to a person who sells knives etc to under 18s, in contravention of section 141A of the Criminal Justice Act 1988, where the sale is made remotely (e.g. online).

Brought up, and read the First time.

The Minister for Policing and Crime Prevention (Dame Diana Johnson): I beg to move, That the clause be read a Second time.

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

Government new clause 67—*Delivery of knives etc.*

Government new clause 68—*Duty to report remote sales of knives etc in bulk: England and Wales.*

Government new clause 69—*Remote sale and letting of crossbows.*

Government new clause 70—*Delivery of crossbows.*

Government new clause 71—*Sale and delivery of crossbows: supplementary provision.*

Government new clause 72—*"Relevant user-to-user services", "relevant search services" and "service providers".*

Government new clause 73—*Coordinating officer.*

Government new clause 74—*Notice requiring appointment of content manager.*

Government new clause 75—*Appointment of content manager following change of circumstances.*

Government new clause 76—*Replacement of content manager.*

Government new clause 77—*Duty to notify changes in required information.*

Government new clause 78—*Failure to comply with content manager requirements: civil penalty.*

Government new clause 79—*Unlawful weapons content.*

Government new clause 80—*Content removal notices.*

Government new clause 81—*Content removal notices: review.*

Government new clause 82—*Decision notices requiring removal of unlawful weapons content.*

Government new clause 83—*Failure to comply with content removal notice or decision notice: civil penalties.*

Government new clause 84—*Guidance.*

Government new clause 85—*Notices.*

Government new clause 86—*Interpretation of Chapter.*

Government new schedule 1—*Civil penalties for service providers and content managers.*

Government amendments 80 and 81.

Dame Diana Johnson: It is nice to see you back in the Chair, Mr Pritchard. This group of new clauses makes extensive and timely changes to the law around the sale and marketing of offensive weapons, particularly knives and crossbows. These measures form part of the steps that we are taking to tackle knife crime. They will implement recommendations from the police's independent end-to-end review of online knife sales, undertaken by Commander Stephen Clayman at the request of the Home Secretary, and will deliver on our manifesto commitment to hold to account senior managers who flout the rules on online sales.

New clauses 66 and 67 introduce new, stricter age verification at the point of sale and on delivery for knives bought online. New clauses 69 and 70 make the same changes in respect of crossbows. Commander Clayman's review highlighted that existing age-verification methods for online sales are insufficient. Buyers can provide false birth dates and parcels can be left with neighbours so that there is no age check of the buyer. Existing legislation, as contained in the Criminal Justice Act 1988 and the Offensive Weapons Act 2019, already requires age checks for the sale and delivery of knives. We are introducing two key changes to the existing requirements.

First, the checks at the point of sale will have to include photographic identity documents, plus a current photograph to demonstrate that the identity documents belong to the buyer. Secondly, on delivery, couriers will be required to check photographic identification provided by the person receiving the package. There will also be a new offence of handing the knife to someone other than the buyer. That will mean that knives cannot be left on doorsteps or with neighbours with no checks of the intended recipient.

David Burton-Sampson (Southend West and Leigh) (Lab): The Minister will remember me mentioning Julie Taylor, who has campaigned locally on this issue after

the death of her grandson Liam. She welcomes these new clauses. She said to me that she welcomes anything that helps get rid of this awful crime, and that she thanks the Government for introducing them. Does the Minister agree that these measures give an even greater level of protection and prevention so that we can start to drive down the awful offence of knife crime?

Dame Diana Johnson: I am grateful to my hon. Friend for that contribution. It is heartening to know that Julie supports these new clauses and recognises the important role that they can play in tackling knife crime. Again, I extend my condolences to Julie and her family on the death of Liam.

These clauses also have the support of the coalition to tackle knife crime, which involves many families, campaigners and victims of knife crime helping the Government to develop policy. They will make sure that we are held to account for our promise to halve knife crime over the next decade, including through the strengthened requirements in the new clauses, which aim to ensure that under-18s cannot easily evade checks when buying knives online, as they have sadly in the past.

Like knives, crossbows are an age-restricted item and cannot be sold or hired to anyone under the age of 18. Legislation for crossbows was brought in through the Crossbows Act 1987, but in contrast to knives, there has been little change to that legislation since. These new clauses seek to introduce the same age-verification requirements for the online sale, hire and delivery of crossbows as are being brought in, or are already in place, for knives.

New clause 69 amends the 1987 Act to introduce equivalent age-verification methods for crossbows to those in section 141B of the Criminal Justice Act 1988, which provides limitations on the defence to the offence of selling a knife. For crossbows, where the seller or seller's agent is not in the presence of the buyer, the seller will not be regarded as having taken

"all reasonable precautions and exercised all due diligence"

unless all the conditions are met.

Condition 1 is that the seller obtained a copy of an identity document and a photograph of the buyer. Condition 2 is that the package containing the article was clearly marked by the seller to say that it contained a crossbow or crossbow part and that it should be delivered only into the hands of a person aged 18 or over. Condition 3 is that the seller took all reasonable precautions and exercised all due diligence to ensure that it would be delivered into the hands of the buyer. Condition 4 is that the seller did not deliver the package, or arrange for its delivery, to a locker.

As with bladed articles, before the dispatch of the crossbow or part of a crossbow, the seller must receive from the buyer a copy of an identity document issued to the buyer and a photograph of the buyer, and confirm that they are aged 18 or over. New clause 70 amends the Crossbows Act 1987 to create a new offence on the part of the seller if they deliver or arrange for delivery to residential premises in respect of the sale or letting of a crossbow or part of a crossbow, similar to equivalent defences to those in section 39A of the Offensive Weapons Act 2019 for knives.

Joe Robertson (Isle of Wight East) (Con): I thank the Minister for setting out in detail the provisions for where crossbows are sold and the seller is not in the presence of the buyer. On providing identity documents and photographic evidence, is she concerned that the wording that she used is vague and that there is scope for providing false documents? Perhaps she could reassure me that, in some cases, copies would certified by a solicitor or someone of sufficient standing in the community—whatever the wording might be. I am concerned that false documents could be provided, but perhaps there is provision to stop that.

Dame Diana Johnson: I am grateful to the hon. Gentleman for that point, and it is of concern to me as the Minister. We are introducing this new procedure because we think that the current legislation around buying and delivering is not strong enough. I take his point and I will reflect on it. It may be—I do need to think about it—that it would be onerous to have certified copies. We want to get this right, however, and ensure that accurate legal documents are used, so I will come back to that point.

I will return to the new clauses, so that the Committee is clear about what they will do. New clause 70 also provides for a new offence on the part of the courier or the person delivering on their behalf, equivalent to the new offence that I have described for the delivery of a knife. The courier or person delivering on behalf of the courier must provide the crossbow or parts of crossbows only into the hands of the actual buyer, and only at the address that the buyer provided at the outset. If the courier or person delivering on behalf of the courier fails to do that, they will commit a summary offence attracting a maximum penalty of an unlimited fine.

It will be a defence, however, for the courier or person delivering on behalf of the courier to show that they have checked an official identity document, and that the ID has the name of the person indicated by the seller, that it shows that the holder is over 18, and that as far as they can tell, the picture in the identity document is of the person at the doorstep. Where businesses hire out or let crossbows for corporate events or entertainment—something that I did not know happened, but apparently does—and do so online, the age-verification measures will apply to the hire and delivery of the crossbows where the hirer is an individual. New clause 71 also provides a power for the Secretary of State to issue statutory guidance on the new offence under the Crossbows Act 1987.

Turning to the reportable sale of knives, new clause 68 introduces a requirement to report all sales of knives where they are made remotely, including online sales. That will help the police to tackle what is called the grey market—the resale of knives on social media. The police tell us that grey market sellers act irresponsibly. For example, they promote knives as weapons, which is unlawful, and they do not conduct age-verification checks. The new clause will give the police information that will enable them to act. Sellers who do not comply will be liable to a fine.

Sales are reportable where six knives or more, or two or more qualifying sets of knives such as a block of knives, or one or more qualifying set together with five or more knives, are sold remotely in one sale and are to be delivered to the same residential address in England

[Dame Diana Johnson]

or Wales. The reporting requirement is also triggered when multiple sales meeting those limits are made to the same person or the same residential address in England or Wales within a 30-day period.

11.45 am

Genuine business-to-business transactions will be exempt. Businesses will be able to affirm that a purchase is business related and provide their VAT or company registration number to demonstrate that. Knives that do not have a sharp point, such as cutlery knives, will also be exempt. Razor blades and pocket knives with blades of 3 inches or less are already exempt from rules restricting the sale of bladed articles, and they will also be exempt from reporting requirements.

There will be a partial exemption for qualifying sets of knives, such as kitchen knife blocks, which will be defined as sets of at least three knives that are of different sizes or shapes. Only a second purchase of a qualifying set will result in a reportable sale, no matter how many knives it contains. We do not expect the police to act on every report that is made, but we do expect them to act where the purchase is linked to other existing intelligence—for example, evidence of gang affiliation or previous knife crime offences.

Matt Bishop (Forest of Dean) (Lab): I welcome the new clauses—thinking back to my policing days, they are extremely welcome. Is there a risk that if we do not add these clauses to restrict such sales, knife crime and crossbow crime could become more prevalent over the coming years?

Dame Diana Johnson: These new clauses on bulk and suspicious sales come directly from the police—from Commander Clayman's report and his concern about the grey market. The police clearly believe that these new measures are necessary for them to use this intelligence to tackle our problems with knife crime. Obviously, that fits with the Government's manifesto commitment to halve knife crime over the next 10 years.

That information and intelligence will be sent to a central unit in the first instance. We will provide guidance to the police on the use of that information. We expect that the information that is not connected to other relevant intelligence linking it to criminality will be deleted and not subject to further investigation.

I turn now to the sanctions on online executives. Government new clauses 72 to 86 and new schedule 1 introduce civil penalties for online companies and their senior managers should they fail to take down illegal knife and offensive weapons content when notified of it by the police. Knives and weapons that are illegally marketed to encourage violence or to promote their suitability for use in violent attacks are commonly sold online and then used in senseless attacks. We know that the boys who murdered Ronan Kanda did so using weapons that had been illegally sold online. Many of those types of knives are marketed on social media and other platforms, meaning that those companies indirectly profit from their sale.

Commander Clayman's review set out the extent of the problem related to the online sale of knives and offensive weapons, particularly where it relates to knives illegally being made available to young people. That report recommended that social media platforms be required to remove such prohibited material within 48 hours of police notification. These new clauses deliver on that recommendation.

The Home Office consulted widely on these measures. We engaged directly with tech companies and also held a public consultation. Tech companies and associations, charities, councils and members of the public responded to the consultation, and our response to that was published recently.

Collectively, the new clauses will grant the police the power to issue content removal notices to online marketplaces, social media platforms and search engines. The notices will require them to take down specified illegal content relating to knives or offensive weapons. If the specified content is not taken down within 48 hours, the company and an executive designated as their content manager would be liable to civil penalty notices of up to £60,000 and £10,000 respectively. Additionally, should a company fail to designate an appropriate UK-based executive when required to do so by the police, it would be liable for a civil penalty notice of up to £60,000.

These measures provide important safeguards. Both online companies and their designated executives will have the opportunity to request that the content removal notice be reviewed. The police must comply with such requests. Should online companies not have an executive who meets the criteria to be designated as their content manager, they will have the opportunity to inform the police as such. Prior to the issuing of a civil penalty notice, the company and the content manager will have the opportunity to make representations to the police. Finally, penalty notices may of course be challenged in the courts.

I fully expect online companies to act responsibly and take down harmful illegal content when made aware of it. The measures will be used in the rare cases where reckless companies choose to continue hosting such content. Taken together, this is a comprehensive package of measures that will further help to restrict the supply of weapons, particularly to children, and to keep our communities safe. I commend the new clauses to the Committee.

Matt Vickers (Stockton West) (Con): It is a pleasure to serve under your chairmanship, Mr Pritchard. The Opposition welcome the measures that aim to restrict the sale of knives in a wider bid to tackle knife crime. The unregulated purchase of dangerous items such as knives or crossbows presents a serious and growing threat to public safety. Without proper controls the weapons can be easily acquired by individuals with harmful intent, including gang members, violent offenders and young people at risk of exploitation. The availability of such items online without age verification, purchase limits or traceability undermines efforts to reduce knife crime and protect communities. It also places law enforcement in a reactive position, forced to respond to violence that could have been prevented through stronger regulation and control. Ensuring proper safeguards around the sale and distribution of knives is not about restricting legitimate use: it is about closing loopholes that are currently exploited to devastating effect.

Government new clause 66 strengthens the legal framework around the remote sale of knives by tightening the requirement for verifying the age of the buyer.

Under the proposed changes to section 141B of the Criminal Justice Act 1988, sellers must obtain both a copy of a valid identity document and a photograph of the buyer before the sale is made. A reasonable person would need to be satisfied that the buyer is 18 or over, based on the evidence. By increasing the burden of proof on the seller and clarifying acceptable forms of ID, the measure aims to reduce the availability of knives to young people and close key loopholes in online transactions, contributing to broader efforts to curb knife crime.

Government new clause 68 introduces a legal duty for sellers in England and Wales to report bulk remote sales of knives and other bladed articles, marking a significant step forward in tackling the online flow of potentially dangerous weapons. The measure is aimed at identifying suspicious buying patterns that might indicate stockpiling for criminal use or illicit resale, helping enforcement bodies to monitor and disrupt supply chains. Notably, the duty applies to individuals and businesses unless the buyer can prove they are a VAT-registered business or incorporated company. Failure to report such sales will rightly be a criminal offence, although sellers will have a due-diligence defence if they can demonstrate they took reasonable steps to comply. The clause bolsters the UK's strategy to reduce knife crime by increasing accountability in the remote sales sector and closing gaps that criminals may exploit.

Government new clauses 69 to 71 amend the Crossbows Act 1987 to tighten the rules on remote sale and delivery of crossbows, preventing sales to under-18s. Government new clause 69 requires sellers to verify the buyer's age with identity documents and photographs, ensuring marked packages are delivered only to the buyer, and not to lockers. Government new clause 70 creates offences for delivering crossbows to residential premises or lockers. Government new clause 71 defines terms, allows regulations for additional offences and extends guidance to cover crossbow offences. This aligns with the Bill's aims to enhance public safety. I would be grateful if the Minister could tell the Committee how the Government will support businesses in complying with the new verification requirements. What resources will ensure effective enforcement of delivery restrictions?

Government new clauses 72 to 83 establish a framework for regulating online service providers by requiring the appointment of content managers to oversee compliance with a new chapter of the Bill. Government new clause 73 mandates the Secretary of State to designate a co-ordinating officer from a police force or the National Crime Agency to manage functions, with authority to delegate tasks. Government new clause 74 empowers the co-ordinating officer to issue an appointment notice requiring service providers to appoint a UK resident content manager within seven days or confirm that no suitable candidate exists, and provide contact details.

Government new clause 75 requires providers to appoint a content manager within seven days if a suitable candidate emerges within two years after they reported them non-existing. Government new clause 76 allows providers to replace content managers and mandates notification within seven days if a manager no longer meets eligibility criteria, requiring a new appointment or confirmation that there is no candidate. Government new clause 77 obliges providers to notify the co-ordinating officer of any changes in required information within seven days, and Government new clause 78 authorises penalties of up to £60,000 for non-compliance, including failure to appoint a manager, provide accurate information or correct any false statements. Government new clause 80 empowers authorised officers to issue content removal notices to providers and content managers, requiring removal of unlawful weapons content within 48 hours.

Government new clause 81 allows recipients to request a review of removal notices within 48 hours, with a senior officer reviewing and confirming, modifying or withdrawing the notice. Government new clause 82 requires decision notices post-review to enforce content removal within 24 hours or the remaining 48-hour period. Will the Government do anything to support service providers—especially smaller platforms—in meeting content manager appointment requirements and ensuring that there is appropriate guidance or training available? How will the co-ordinating officer ensure consistent enforcement of these obligations across diverse online services?

Dame Diana Johnson: I thank the shadow Minister for the general tone of his response on this group of Government new clauses, which come directly from the review that Commander Clayman set out, as well the manifesto commitment we made, particularly around tech executives and holding them to account.

There has been a great deal of consultation, particularly around the tech executives, how it would work and engagement with tech companies. I take the shadow Minister's point about smaller platforms, but there has been that engagement. On the issue around training and enforcement in terms of the new clauses relating to sale and delivery, it is clear that all courier and delivery companies will have to ensure that their staff are trained on these new legal requirements. To be clear, if the person who is delivering the package has taken all steps to make sure that they have checked the information that is being provided and the identification document, and they are acting reasonably, that is a defence, but there will be a need for training and for people to know what their legal obligations are, particularly when they are delivering, because we know that has been a particular issue. The engagement, particularly with tech executives, that I talked about has also happened with courier firms and delivery businesses, and will continue.

I want to go back to the point that the hon. Member for Isle of Wight East raised about identity checks, just so everybody is clear.

12 noon

The Chair: Order. We will now stand for the national two-minute silence to commemorate VE Day.

The Committee observed a two-minute silence.

The Chair: I call the Minister.

Dame Diana Johnson: Thank you, Mr Pritchard. I wanted to make it clear that the documents that are being talked about in relation to proving identity are passports and driving licences. I take the point that the hon. Member for Isle of Wight East raised with me in his intervention, but those are the two documents that will be looked at and provided. We will want to make sure that this works, and in the future, other documents may well need to be added to that list. However, just to be clear, it is those two documents.

[Dame Diana Johnson]

As I have also said, we would expect that a person who is delivering would look at those documents. I do not really want to get into how those documents can be forged, because that is obviously an issue that is on the hon. Gentleman's mind, but at the moment those are the two documents, and we would expect them to be examined by a delivery driver or courier when the items are delivered.

Joe Robertson: I thank the Minister; that is helpful. Those documents are obviously very hard to forge, so I was not suggesting that they might be forged. My question was about was the possibility—I may simply be wrong here—of someone else presenting those documents. They are not forgeries; they are simply not the passport or driving licence of the buyer. Clearly, if the buyer has to be present when they present those documents to the person making the delivery, there is plainly not an issue, so I welcome that.

Dame Diana Johnson: I am glad that the hon. Gentleman is clear. As we have said, photographic identity has to be provided at the beginning of the process—at the point of sale—as well as the identity document, to ensure it matches up.

With that, I commend these measures to the Committee.

Question put and agreed to.

New clause 66 accordingly read a Second time, and added to the Bill.

New Clause 67

DELIVERY OF KNIVES ETC

"(1) The Offensive Weapons Act 2019 is amended as follows.

(2) After section 39 insert—

'39A Defences to offence under section 38: England and Wales

(1) It is a defence for a person charged in England and Wales with an offence under section 38(2) of delivering a bladed product to residential premises to show that the delivery conditions were met.

(2) It is a defence for a person ("the seller") charged in England and Wales with an offence under section 38(2) of arranging for the delivery of a bladed product to residential premises to show that—

(a) the arrangement required the person with whom it was made not to finally deliver the bladed product unless the delivery conditions were met, and

(b) the seller took all reasonable precautions and exercised all due diligence to ensure that the product would not be finally delivered unless the delivery conditions were met.

(3) It is a defence for a person charged in England and Wales with an offence under section 38(3) to show that they took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

(4) The delivery conditions are that—

(a) the person ("P") into whose hands the bladed product was finally delivered showed the person delivering it an identity document issued to P, and

(b) on the basis of that document a reasonable person would have been satisfied—

(i) that P was over 18, and

(ii) if the buyer was an individual, that P was the buyer.

(5) In subsection (4) "identity document" means—

(a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

(b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation;

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

(d) any other document specified in regulations made by the Secretary of State.

(6) A person is to be taken to have shown a matter for the purposes of this section if—

(a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.

(7) The Secretary of State may by regulations provide for other defences for a person charged in England and Wales with an offence under section 38.'

(3) After section 40 insert—

'40A Delivery of bladed products sold by UK seller to residential premises: England and Wales

(1) This section applies if—

(a) a person ("the seller") sells a bladed product to another person ("the buyer"),

(b) the seller and the buyer are not in each other's presence at the time of the sale and the seller is within the United Kingdom at that time,

(c) before the sale the seller entered into an arrangement with a person ("the courier") by which the courier agreed to deliver bladed products for the seller,

(d) the courier was aware when they entered into the arrangement that it covered the delivery of bladed products, and

(e) pursuant to the arrangement, the courier finally delivers the bladed product to residential premises in England or Wales.

(2) The courier commits an offence if, when they finally deliver the bladed product to residential premises in England and Wales, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the buyer is an individual, is the buyer.

(3) A person finally delivering the bladed product to residential premises in England and Wales on behalf of the courier commits an offence if, when they deliver it, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the buyer is an individual, is the buyer.

(4) It is a defence for a person charged with an offence under subsection (2) to show that the delivery conditions (within the meaning of section 39A(4)) were met.

(5) It is a defence for a person charged with an offence under subsection (3) to show that—

(a) the delivery conditions (within the meaning of section 39A(4)) were met, or

(b) the person did not know, and a reasonable person would not have known, that the person was delivering a bladed product.

(6) A person is to be taken to have shown a matter for the purposes of this section if—

(a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.

(7) A person guilty of an offence under this section is liable on summary conviction to a fine.

(8) Section 39(2) to (5) applies for the purposes of subsection (1)(b) and (e) as it applies for the purposes of section 39(1)(b) and (e).

(9) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.'

(4) After section 42 insert—

'42A Delivery of bladed articles sold by non-UK seller to premises: England and Wales

(1) This section applies if—

(a) a person ("the seller") sells a bladed article to another person ("the buyer"),

(b) the seller and the buyer are not in each other's presence at the time of the sale and the seller is outside the United Kingdom at that time,

(c) before the sale the seller entered into an arrangement with a person ("the courier") by which the courier agreed to deliver bladed articles for the seller,

(d) the courier was aware when they entered into the arrangement that it covered the delivery of bladed articles, and

(e) pursuant to the arrangement, the courier finally delivers the bladed article to premises in England or Wales.

(2) The courier commits an offence if, when they finally deliver the bladed article, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the buyer is an individual, is the buyer.

(3) A person finally delivering the bladed article on behalf of the courier commits an offence if, when they deliver the bladed article, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the buyer is an individual, is the buyer.

(4) It is a defence for a person charged with an offence under subsection (2) to show that the delivery conditions were met.

(5) It is a defence for a person charged with an offence under subsection (3) to show that—

(a) the delivery conditions were met, or

(b) the person did not know, and a reasonable person would not have known, that the person was delivering a bladed article.

(6) A person is to be taken to have shown a matter for the purposes of this section if—

(a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.

(7) A person guilty of an offence under this section is liable on summary conviction to a fine.

(8) Section 42(2) and (3) applies for the purposes of subsection (1)(b) as it applies for the purposes of section 42(1)(b).

(9) In this section—

"bladed article" means an article to which section 141A of the Criminal Justice Act 1988 applies (as that section has effect in relation to England and Wales);

"delivery conditions" has the meaning given by section 39A(4), but reading the reference in that section to a bladed product as a reference to a bladed article.'

(5) In section 38(10) (offences) for "section" substitute "sections 39A and".

(6) In section 39 (delivery of bladed products to persons under 18)—

(a) in the heading, at the end insert ": Scotland and Northern Ireland";

(b) in subsection (1)(e) after "premises" insert "in Scotland or Northern Ireland";

(c) in subsection (7) omit paragraph (a).

(7) In section 40 (defences to delivery offences under sections 38 and 39)—

(a) in the heading, after "39" insert ": Scotland and Northern Ireland";

(b) in subsection (1) after "charged" insert "in Scotland or Northern Ireland";

(c) in subsection (2) after "charged" insert "in Scotland or Northern Ireland";

(d) in subsection (3) after "charged" insert "in Scotland or Northern Ireland";

(e) in subsection (4) after "charged" insert "in Scotland or Northern Ireland";

(f) in subsection (5) after "charged" insert "in Scotland or Northern Ireland";

(g) in subsection (6) after "charged" insert "in Scotland or Northern Ireland";

(h) in subsection (7), omit "England and Wales or";

(i) in subsection (14), in the definition of "appropriate national authority" omit paragraph (a).

(8) In section 41 (meaning of "bladed product" in sections 38 to 40)—

(a) in the heading, for "40" substitute "40A";

(b) in subsection (1) for "40" substitute "40A";

(c) in subsection (2) for "40" substitute "40A".

(9) In section 42 (delivery of knives etc pursuant to arrangement with seller outside UK)—

(a) in the heading, at the end insert ": Scotland and Northern Ireland";

(b) in subsection (1)(e), after "article" insert "to premises in Scotland or Northern Ireland";

(c) in subsection (5) omit "England and Wales or";

(d) omit subsection (10)(a);

(e) omit subsection (11)(a).

(10) In section 66(1)(j) (guidance on offences relating to offensive weapons etc) for "42" substitute "42A".

(11) In section 68 (regulations and orders)—

(a) in subsection (2) after "State" insert, ", except for regulations under section 39A(5)(d),";

(b) after subsection (2) insert—

"(2A) A statutory instrument containing regulations under section 39A(5)(d) is subject to annulment in pursuance of a resolution of either House of Parliament."'"—*(Dame Diana Johnson.)*

This new clause makes changes to the offences and defences relating to delivery of knives to premises in England and Wales following a remote sale.

Brought up, read the First and Second time, and added to the Bill.

New Clause 68

Duty to report remote sales of knives etc in bulk: England and Wales

"(1) In the Criminal Justice Act 1988, after section 141C insert—

'141D Duty to report remote sales of knives etc in bulk: England and Wales

(1) A person ("the seller") must, in accordance with requirements specified in regulations made by the Secretary of State by statutory instrument, report to the person specified in the regulations any reportable sales the seller makes of bladed articles.

(2) A reportable sale of bladed articles occurs where the seller, in any of the ways set out in subsection (4), sells—

(a) six or more bladed articles, none of which form a qualifying set of bladed articles;

(b) two or more qualifying sets of bladed articles;

(c) one or more qualifying sets of bladed articles and five or more bladed articles that do not form a qualifying set.

(3) "Qualifying set of bladed articles" means three or more bladed articles packaged together for sale as a single item, where each bladed article is a different size or shape from the others.

(4) The ways are—

(a) in a single remote sale where the bladed articles are to be delivered to an address in England and Wales, or

(b) in two or more remote sales in any period of 30 days—

(i) to one person, where the bladed articles are to be delivered to one or more addresses in England and Wales, or

(ii) to two or more persons, where the bladed articles are to be delivered to the same residential premises in England and Wales.

(5) A sale of bladed articles is "remote" if the seller and the person to whom the bladed article is sold are not in each other's presence at the time of the sale.

(6) For the purposes of subsection (5) a person ("A") is not in the presence of another person ("B") at any time if—

(a) where A is an individual, A or a person acting on behalf of A is not in the presence of B at that time;

(b) where A is not an individual, a person acting on behalf of A is not in the presence of B at that time.

(7) A sale is not reportable if the person to whom the articles are sold ("the buyer")—

(a) informs the seller that the buyer is carrying on a business, and

(b) is—

(i) registered for value added tax under the Value Added Tax Act 1994, or

(ii) registered as a company under the Companies Act 2006.

(8) A person who fails to comply with subsection (1) commits an offence.

(9) It is a defence for a person charged with an offence under subsection (8) to show that the person took all reasonable precautions, and exercised all due diligence, to avoid commission of the offence.

(10) A person is to be taken to have shown a matter for the purposes of this section if—

(a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.

(11) A person who commits an offence under subsection (8) is liable on summary conviction to a fine.

(12) In this section—

"bladed article" means an article to which section 141A applies (as that section has effect in relation to England and Wales), other than a knife which does not have a sharp point and is designed for eating food;

"residential premises" means premises used for residential purposes (whether or not also used for other purposes).

(13) Regulations made by the Secretary of State under subsection (1) may in particular include requirements about—

(a) how reports are to be made,

(b) when reports to be made, and

(c) the information reports must include.

(14) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.

(15) The Secretary of State may by regulations made by statutory instrument amend—

(a) the number of bladed articles specified in subsection (2)(a);

(b) the number of qualifying sets specified in subsection (2)(b);

(c) the number of qualifying sets specified in subsection (2)(c);

(d) the number of bladed articles specified in subsection (2)(c);

(e) the period specified in subsection (4)(b).

(16) A statutory instrument containing regulations under subsection (15) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.'

(2) In the Offensive Weapons Act 2019, in section 66(1) (guidance on offences relating to offensive weapons etc) after paragraph (g) insert—

'(ga) section 141D of that Act (duty to report remote sales of knives etc in bulk: England and Wales),'"—*(Dame Diana Johnson.)*

This new clause imposes a requirement on sellers of bladed articles to report bulk sales to a person specified in regulations.

Brought up, read the First and Second time, and added to the Bill.

New Clause 69

REMOTE SALE AND LETTING OF CROSSBOWS

"(1) The Crossbows Act 1987 is amended as follows.

(2) In section 1 omit 'unless he believes him to be eighteen years or older and has reasonable grounds for the belief'.

(3) After section 1A insert—

'1B Defences to offence under section 1: England and Wales

(1) It is a defence for a person charged with an offence under section 1 to show that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(2) Subsection (3) applies if—

(a) a person ("A") is charged with an offence under section 1, and

(b) A was not in the presence of the person ("B") to whom the crossbow or part of a crossbow was sold or let on hire at the time of the sale or letting on hire.

(3) A is not to be regarded as having shown that A took all reasonable precautions and exercised all due diligence to avoid the commission of the offence unless, as a minimum, A shows that the following conditions are met.

(4) Condition 1 is that, before the sale or letting on hire—

(a) A obtained from B—

(i) a copy of an identity document issued to B, and

(ii) a photograph of B, and

(b) on the basis of the things obtained under paragraph (a), a reasonable person would have been satisfied that B was aged 18 or over.

(5) For the purposes of subsection (4) an "identity document" means—

(a) a United Kingdom passport (within the meaning of the Immigration Act 1971);

(b) a passport issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation;

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

(d) any other document specified in regulations made by the Secretary of State.

(6) Condition 2 is that when the package containing the crossbow or part of the crossbow was dispatched by A, it was clearly marked to indicate—

(a) that it contained a crossbow or part of a crossbow, and

(b) that, when finally delivered, it should only be delivered into the hands of B.

(7) Condition 3 is that A took all reasonable precautions and exercised all due diligence to ensure that, when finally delivered, the package would be delivered into the hands of B.

(8) Condition 4 is that A did not deliver the package, or arrange for its delivery, to a locker.

(9) Where the crossbow or part of a crossbow was dispatched by A to a place from which it was to be collected by B, references in subsections (6) and (7) to its final delivery are to be read as its supply to B from that place.

(10) In subsection (8) "locker" means a lockable container to which the package is delivered with a view to its collection by B, or a person acting on behalf of B, in accordance with arrangements made between A and B.'"—*(Dame Diana Johnson.)*

This new clause makes changes to the defences available to a person who sells crossbows etc to under 18s, in contravention of section 1 of the Crossbows Act 1987, where the sale is made remotely (e.g. online).

Brought up, read the First and Second time, and added to the Bill.

New Clause 70

Delivery of crossbows

"In the Crossbows Act 1987, after section 1B (inserted by section (Remote sale and letting of crossbows)) insert—

'1C Offence of seller delivering crossbows or parts of crossbows to residential premises in England or Wales

(1) This section applies if—

(a) a person ("A") sells or lets on hire a crossbow or part of a crossbow to another person ("B"), and

(b) A and B are not in each other's presence at the time of the sale.

(2) A commits an offence if, for the purposes of supplying the crossbow or part of a crossbow to B, A—

(a) delivers the crossbow or part of a crossbow to residential premises in England or Wales, or

(b) arranges for its delivery to residential premises in England or Wales.

(3) A commits an offence if, for the purposes of supplying the crossbow or part of a crossbow to B, A—

(a) delivers the crossbow or part of a crossbow to a locker in England or Wales, or

(b) arranges for its delivery to a locker in England or Wales.

(4) In subsection (3) "locker" means a lockable container to which the crossbow or part of a crossbow is delivered with a view to its collection by B, or a person acting on behalf of B, in accordance with arrangements made between A and B.

(5) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding the maximum term for summary offences or a fine (or both).

(6) The "maximum term for summary offences", in relation to an offence, means—

(a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 comes into force, six months;

(b) if the offence is committed after that time, 51 weeks.

1D Defences to offences under section 1C

(1) It is a defence for a person charged with an offence under section 1C(2)(a) to show that the delivery conditions were met.

(2) It is a defence for a person charged with an offence under section 1C(2)(b) to show that—

(a) the arrangement required the person with whom it was made not to finally deliver the crossbow or part of a crossbow unless the delivery conditions were met, and

(b) the person charged with the offence took all reasonable precautions and exercised all due diligence to ensure that the crossbow or part of a crossbow would not be finally delivered unless the delivery conditions were met.

(3) It is a defence for a person charged with an offence under section 1C(3) to show that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(4) For the purposes of this section the delivery conditions are that—

(a) the person ("P") into whose hands the crossbow or part of a crossbow was finally delivered showed the person delivering it an identity document issued to P, and

(b) on the basis of that document a reasonable person would have been satisfied—

(i) that P was over 18, and

(ii) if the person to whom the crossbow or part of the crossbow was sold or let on hire was an individual, that P was that individual.

(5) "Identity document" has the same meaning as in section 1B(5).

(6) The Secretary of State may by regulations provide for other defences for a person charged with an offence under section 1C.

1E Offence of delivery business delivering crossbows or parts of crossbows to residential premises in England and Wales on behalf of UK seller

(1) This section applies if—

(a) a person ("A") sells or lets for hire a crossbow or part of a crossbow to another person ("B"),

(b) A and B are not in each other's presence at the time of the sale or letting on hire and A is within the United Kingdom at that time,

(c) before the sale or letting on hire A entered into an arrangement with a person ("C") by which C agreed to deliver crossbows or parts of crossbows for A,

(d) C was aware when they entered into the arrangement that it covered the delivery of crossbows or parts of crossbows, and

(e) pursuant to the arrangement, C finally delivers the crossbow or part of a crossbow to residential premises in England or Wales.

(2) For the purposes of subsection (1)(b) a person other than an individual is within the United Kingdom at any time if the person carries on a business of selling articles of any kind from premises in any part of the United Kingdom at that time.

(3) C commits an offence if, when they finally deliver the crossbow or part of a crossbow to residential premises in England or Wales, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(4) A person finally delivering the crossbow or part of a crossbow to residential premises in England or Wales on behalf of C commits an offence if, when they deliver it, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(5) It is a defence for a person charged with an offence under subsection (3) to show that the delivery conditions (within the meaning of section 1D(4)) were met.

(6) It is a defence for a person charged with an offence under subsection (4) to show that—

(a) the delivery conditions (within the meaning of section 1D(4)) were met, or

(b) the person did not know, and a reasonable person would not have known, that the person was delivering a crossbow or part of a crossbow.

(7) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.

(8) A person guilty of an offence under this section is liable on summary conviction to a fine.

1F Offence of delivery business delivering crossbows or parts of crossbows to premises in England and Wales on behalf of non-UK seller

(1) This section applies if—

(a) a person ("A") sells or lets for hire a crossbow or part of a crossbow to another person ("B"),

(b) A and B are not in each other's presence at the time of the sale or letting on hire and A is outside the United Kingdom at that time,

(c) before the sale or letting on hire A entered into an arrangement with a person ("C") by which C agreed to deliver crossbows or parts of crossbows for A,

(d) C was aware when they entered into the arrangement that it covered the delivery of crossbows or parts of crossbows, and

(e) pursuant to the arrangement, C finally delivers the crossbow or part of a crossbow to premises in England and Wales.

(2) For the purposes of subsection (1)(b) a person other than an individual is outside the United Kingdom at any time if the person does not carry on a business of selling articles of any kind from premises in any part of the United Kingdom at that time.

(3) C commits an offence if, when they finally deliver the crossbow or part of a crossbow to premises in England or Wales, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(4) Any person finally delivering the crossbow or part of a crossbow to premises in England or Wales on behalf of C commits an offence if, when they deliver it, they do not deliver it into the hands of a person who—

(a) is aged 18 or over, and

(b) if the person to whom the crossbow or part of the crossbow was sold or let on hire is an individual, is that individual.

(5) A person guilty of an offence under this section is liable on summary conviction to a fine.

(6) It is a defence for a person charged with an offence under subsection (3) to show that the delivery conditions (within the meaning of section 1D(4)) were met.

(7) It is a defence for a person charged with an offence under subsection (4) to show that—

(a) the delivery conditions (within the meaning of section 1D(4)) were met, or

(b) the person did not know, and a reasonable person would not have known, that the person was delivering a crossbow or part of a crossbow.'"—*(Dame Diana Johnson.)*

This new clause creates offences relating to delivery of crossbows to premises following a remote sale equivalent to the offences relating to knives in sections 38 to 42 of the Offensive Weapons Act 2019.

Brought up, read the First and Second time, and added to the Bill.

New Clause 71

SALE AND DELIVERY OF CROSSBOWS: SUPPLEMENTARY PROVISION

"(1) After section 1F of the Crossbows Act 1987 (inserted by section (Delivery of crossbows)) insert—

'1G Interpretation of sections 1B to 1F

(1) This section applies for the interpretation of sections 1B to 1F.

(2) A person ("A") is not in the presence of another person ("B") at any time if—

(a) where A is an individual, A or a person acting on behalf of A is not in the presence of B at that time;

(b) where A is not an individual, a person acting on behalf of A is not in the presence of B at that time.

(3) "Residential premises" means premises used solely for residential purposes.

(4) The circumstances where premises are not residential premises include, in particular, where a person carries on a business from the premises.

(5) A person charged with an offence is taken to have shown a matter if—

(a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.'

(2) After section 6 of the Crossbows Act 1987 insert—

'6A Regulations

(1) Regulations made by the Secretary of State under this Act are to be made by statutory instrument.

(2) The Secretary of State may not make a statutory instrument containing (alone or with other provision) regulations under section 1D(6) or 1E(7)

unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(3) Any other statutory instrument containing regulations made by the Secretary of State under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.

(3) In section 66(1) of the Offensive Weapons Act 2019 (guidance on offences relating to offensive weapons etc), after paragraph (ga) (inserted by section (Duty to report remote sales of knives etc in bulk: England and Wales) insert—

"(gb) any of sections 1 to 3 of the Crossbows Act 1987 (sale etc of crossbows) as they have effect in relation to England and Wales,".'"—*(Dame Diana Johnson.)*

This new clause makes provision about the interpretation of the new sections added to the Crossbows Act 1987 by NC69 and NC70 and extends the guidance-making power in the Offensive Weapons Act 2019 to cover offences under the Crossbows Act 1987.

Brought up, read the First and Second time, and added to the Bill.

New Clause 72

"Relevant user-to-user services", "relevant search services" and "service providers"

"(1) For the purposes of this Chapter—

(a) a 'relevant search service' is a search service other than an exempt service;

(b) a 'relevant user-to-user service' is a user-to-user service other than an exempt service.

(2) In subsection (1), 'search service' and 'user-to-user service' have the same meanings as in the Online Safety Act 2023 (the '2023 Act') (see, in particular, section 3 of that Act).

(3) The following are exempt services for the purposes of subsection (1)—

(a) a service of a kind that is described in any of the following paragraphs of Schedule 1 to the 2023 Act (certain services exempt from regulation under that Act)—

(i) paragraph 1 or 2 (email, SMS and MMS services);

(ii) paragraph 3 (services offering one-to-one live aural communications);

(iii) paragraph 4 (limited functionality services);

(iv) paragraph 5 (services which enable combinations of user-generated content);

(v) paragraph 7 or 8 (internal business services);

(vi) paragraph 9 (services provided by public bodies);

(vii) paragraph 10 (services provided by persons providing education or childcare), or

(b) a service of a kind that is described in Schedule 2 to the 2023 Act (services that include regulated provider pornographic content).

(4) This Chapter does not apply in relation to a part of a relevant search service, or a part of a relevant user-to-user service, if the 2023 Act does not apply to that part of the service by virtue of section 5(1) or (2) of that Act.

(5) In this Chapter, 'service provider' means a provider of a relevant user-to-user service or a provider of a relevant search service."—*(Dame Diana Johnson.)*

This new clause, which together with NC73, NC74, NC75, NC76, NC77, NC78, NC79, NC80, NC81, NC82, NC83, NC84, NC85, NC86 and NS1 are expected to form a new Chapter of Part 2 of the Bill, defines key terms used in the new Chapter.

Brought up, read the First and Second time, and added to the Bill.

New Clause 73

Coordinating officer

"(1) The Secretary of State must designate a member of a relevant police force or a National Crime Agency officer as the coordinating officer for the purposes of this Chapter.

(2) The coordinating officer may delegate any of the officer's functions under this Chapter (to such extent as the officer may determine) to another member of a relevant police force or National Crime Agency officer."—*(Dame Diana Johnson.)*

This new clause requires the Secretary of State to designate a "coordinating officer" to perform the functions conferred on that officer under the new Chapter referred to in the explanatory note for NC72.

Brought up, read the First and Second time, and added to the Bill.

New Clause 74

Notice requiring appointment of content manager

"(1) The coordinating officer may give a service provider a notice (an 'appointment notice') requiring the provider—

(a) either to—

(i) appoint an individual who meets the conditions in subsection (2) as the provider's content manager for the purposes of this Chapter, or

(ii) if there is no such individual, confirm that is the case to the coordinating officer, and

(b) to provide the coordinating officer with the required information.

(2) The conditions are that the individual—

(a) plays a significant role in—

(i) the making of decisions about how a whole or substantial part of the service provider's activities are to be managed or organised, or

(ii) the actual managing or organising of the whole or a substantial part of those activities, and

(b) is habitually resident in the United Kingdom.

(3) 'Required information' means—

(a) the contact details of any content manager appointed;

(b) an email address, or details of another means of contacting the service provider rapidly which is readily available, that may be used for the purpose of giving the provider a notice under this Chapter;

(c) information identifying the relevant user-to-user services, or (as the case may be) the relevant search services, provided by the provider.

(4) An appointment notice must—

(a) specify the period before the end of which the service provider must comply with the notice, and

(b) explain the potential consequences of the service provider failing to do so (see section (Failure to comply with content manager requirements: civil penalty)).

(5) The period specified under subsection (4)(a) must be at least seven days beginning with the day on which the notice is given."—*(Dame Diana Johnson.)*

This new clause confers a power on the coordinating officer to require a service provider to appoint a senior executive as their "content manager" for the purposes of the new Chapter referred to in the explanatory note for NC72 or to confirm that there is no-one who meets the appointment conditions.

Brought up, read the First and Second time, and added to the Bill.

New Clause 75

APPOINTMENT OF CONTENT MANAGER FOLLOWING CHANGE OF CIRCUMSTANCES

"(1) This section applies where—

(a) the coordinating officer has given a service provider an appointment notice,

(b) the provider has confirmed to the officer (in accordance with the appointment notice or under section (Replacement of content manager)(5)(b)), that there is no individual who meets the conditions in section (Notice requiring appointment of content manager)(2), and

(c) at any time within the period of two years beginning with the day on which that confirmation was given, there is an individual who meets those conditions.

(2) The service provider must, before the end of the period of seven days beginning with the first day on which there is an individual who meets those conditions—

(a) appoint such an individual as the provider's content manager for the purposes of this Chapter, and

(b) provide the coordinating officer with the content manager's contact details."—*(Dame Diana Johnson.)*

This new clause requires a service provider that at any time could not appoint a senior executive as its content manager when required to do so (because there was no-one who met the appointment conditions) to make an appointment if, following a change in circumstances within 2 years, there is someone who meets the conditions.

Brought up, read the First and Second time, and added to the Bill.

New Clause 76

REPLACEMENT OF CONTENT MANAGER

"(1) This section applies where a service provider has appointed an individual as the provider's content manager (whether in accordance with an appointment notice or under section (Appointment of content manager following change of circumstances) or this section).

(2) The service provider may replace the provider's content manager by appointing another individual who meets the conditions in section (Notice requiring appointment of content manager)(2) as the provider's new content manager for the purposes of this Chapter.

(3) The service provider must, before the end of the period of seven days beginning with the day on which an appointment is made under subsection (2), provide the coordinating officer with the new content manager's contact details.

(4) If the individual appointed as a service provider's content manager ceases to meet any of the conditions in section (Notice requiring appointment of content manager)(2), the appointment ceases to have effect.

(5) The service provider must, before the end of the period of seven days beginning with the day on which an appointment ceases to have effect under subsection (4)—

(a) either—

(i) appoint another individual who meets the conditions in section (Notice requiring appointment of content manager)(2) as the provider's content manager for the purposes of this Chapter, and

(ii) provide the coordinating officer with the new content manager's contact details, or

(b) if there is no longer such an individual, confirm that is the case to the coordinating officer."—*(Dame Diana Johnson.)*

This new clause makes provision for the appointment by a service provider of a replacement content manager, including in a case where the original content manager ceases to meet the appointment conditions (and so that appointment ceases to have effect).

Brought up, read the First and Second time, and added to the Bill.

New Clause 77

DUTY TO NOTIFY CHANGES IN REQUIRED INFORMATION

"(1) This section applies where a service provider has, in accordance with an appointment notice or under section (*Appointment of content manager following change of circumstances*)(2)(b) or (*Replacement of content manager*)(5)(a)(ii)provided the coordinating officer with required information.

(2) The service provider must give notice to the coordinating officer of any change in the required information.

(3) The notice must specify the date on which the change occurred.

(4) The notice must be given before the end of the period of seven days beginning with the day on which the change occurred."—*(Dame Diana Johnson.)*

This new clause requires a service provider that has given the coordinating officer required information (as defined in NC74) to inform the officer of any changes in that information.

Brought up, read the First and Second time, and added to the Bill.

New Clause 78

FAILURE TO COMPLY WITH CONTENT MANAGER REQUIREMENTS: CIVIL PENALTY

"(1) This section applies if the coordinating officer has given a service provider an appointment notice and—

(a) the period specified in the notice as mentioned in (*Notice requiring appointment of content manager*)(4)(a) has expired without the provider having complied with the notice,

(b) the provider has failed to comply with a requirement under section (*Appointment of content manager following change of circumstances*), (*Replacement of content manager*) or (*Duty to notify changes in required information*),

(c) the provider, in purported compliance with a requirement to provide, or give notice of a change in, required information (whether in accordance with an appointment notice or under section (*Appointment of content manager following change of circumstances*)(2)(b), (*Replacement of content manager*) or (*Duty to notify changes in required information*)(2)) makes a statement that is false in a material particular, or

(d) the provider makes a statement that is false in giving the confirmation mentioned in section (*Notice requiring appointment of content manager*)(1)(a)(ii) or (*Replacement of content manager*)(5)(b).

(2) The coordinating officer may give the service provider a notice (a 'penalty notice') requiring the provider to pay a penalty of an amount not exceeding £60,000.

(3) In order to take account of changes in the value of money the Secretary of State may by regulations substitute another sum for the sum for the time being specified in subsection (2).

(4) Schedule (*Civil penalties for service providers and content managers*) makes further provision in connection with penalty notices given under this Chapter." —*(Dame Diana Johnson.)*

This new clause confers a power on the coordinating officer to impose a monetary penalty of up to £60,000 on a service provider that fails to comply with various requirements imposed by an appointment notice or under NC75, NC76 and NC77.

Brought up, read the First and Second time, and added to the Bill.

New Clause 79

UNLAWFUL WEAPONS CONTENT

"(1) For the purposes of this Chapter, content is 'unlawful weapons content' in England and Wales if it is content that constitutes—

(a) an offence under section 1(1) of the Restriction of Offensive Weapons Act 1959 (offering to sell, hire, loan or give away etc a dangerous weapon),

(b) an offence under section 1 or 2 of the Knives Act 1997 (marketing of knives as suitable for combat etc and related publications), or

(c) an offence under section 141(1) of the Criminal Justice Act 1988 under the law of England and Wales (offering to sell, hire, loan or give away etc an offensive weapon).

(2) For the purposes of this Chapter, content is 'unlawful weapons content' in Scotland if it is content that constitutes—

(a) an offence within subsection (1)(a) or (b), or

(b) an offence under section 141(1) of the Criminal Justice Act 1988 under the law of Scotland.

(3) For the purposes of this Chapter, content is 'unlawful weapons content' in Northern Ireland if it is content that constitutes—

(a) an offence under Article 53 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160) (N.I. 24) (offering to sell, hire, loan or give away etc certain knives),

(b) an offence within subsection (1)(b), or

(c) an offence under section 141(1) of the Criminal Justice Act 1988 under the law of Northern Ireland."—*(Dame Diana Johnson.)*

This new clause defines "unlawful weapons content" for the purposes of the new Chapter referred to in the explanatory note for NC72.

Brought up, read the First and Second time, and added to the Bill.

New Clause 80

CONTENT REMOVAL NOTICES

"(1) This section applies where an authorised officer is satisfied that content—

(a) present on a relevant user-to-user service, or

(b) which may be encountered in or via search results of a relevant search service;

is unlawful weapons content in a relevant part of the United Kingdom.

(2) The authorised officer may give a content removal notice to—

(a) the provider of the relevant user-to-user service, or

(b) the provider of the relevant search service.

(3) If the authorised officer gives a content removal notice to a service provider in a case where the coordinating officer has the contact details of the provider's content manager, the authorised officer may also give the notice to that manager.

(4) A content removal notice is a notice requiring the service provider and (if applicable) the provider's content manager (each a 'recipient') to secure that—

(a) the content to which it relates is removed (see section (*Interpretation of Chapter*)(2)), and

(b) confirmation of that fact is given to the authorised officer.

(5) A content removal notice must—

(a) identify the content to which it relates;

(b) explain the authorised officer's reasons for considering that the content is unlawful weapons content in the relevant part (or parts) of the United Kingdom;

(c) explain that the notice must be complied with before the end of the period of 48 hours beginning with the time the notice is given;

(d) explain that each recipient has the right to request a review of the decision to give the notice and how a request is to be made (see section (*Content removal notices: review*));

(e) set out the potential consequences of failure to comply with the notice;

(f) contain the authorised officer's contact details;

(g) be in such form, and contain such further information, as the Secretary of State may by regulations prescribe.

(6) The authorised officer may withdraw a content removal notice from a recipient by notifying the recipient to that effect (but withdrawal of a notice does not prevent a further content removal notice from being given under this section, whether or not in relation to the same content as the withdrawn notice).

(7) In this section—

'authorised officer' means—

(a) a member of a relevant police force who is authorised for the purposes of this section by the chief officer of the force, or

(b) a National Crime Agency officer who is authorised for the purposes of this section by the Director General of the National Crime Agency;

'relevant part of the United Kingdom' means—

(a) where the authorised officer is a member of a relevant police force in England and Wales, England and Wales;

(b) where the authorised officer is a member of the Police Service of Scotland, Scotland;

(c) where the authorised officer is a member of the Police Service of Northern Ireland, Northern Ireland;

(d) where the authorised officer is a member of the Ministry of Defence Police or a National Crime Agency officer, any part of the United Kingdom."—*(Dame Diana Johnson.)*

This new clause confers power on the police or an officer of the National Crime Agency to give a service provider and (if there is one) the provider's content manager a notice requiring them to remove unlawful weapons content from the services they provide.

Brought up, read the First and Second time, and added to the Bill.

New Clause 81

CONTENT REMOVAL NOTICES: REVIEW

"(1) A person who is given a content removal notice (a 'recipient') may, before the end of the initial 48-hour period, request a review of the decision to give the notice.

(2) A request under subsection (1) is to be made by the recipient giving—

(a) a notice (a 'review notice') to the authorised officer, and

(b) a copy of the review notice to the other recipient (if applicable).

(3) The grounds on which a recipient may request a review include, in particular, that—

(a) content to which the notice relates is not unlawful weapons content;

(b) content to which the notice relates is insufficiently identified for the recipient to be able to take the action required by the notice;

(c) the provider that received the notice is not, in fact, the provider of the relevant user-to-user service or relevant search service to which the notice relates;

(d) the individual who received the notice as the service provider's content manager is not, in fact, that provider's content manager;

(e) the notice was otherwise not given in accordance with this Chapter.

(4) On receipt of a review notice, a review of the decision to give the content removal notice must be carried out—

(a) if the authorised officer is a member of a relevant police force, by another member of that force who is of a higher rank;

(b) if the authorised officer is a National Crime Agency officer, by another officer who holds a more senior position in the Agency.

The individual carrying out the review is referred to in this section as 'the reviewing officer'.

(6) On completing the review or (in a case where two review notices are given) both reviews the reviewing officer must, in respect of each recipient, either—

(a) confirm in full the decision to give the content removal notice,

(b) confirm the decision to give the notice, but in relation to only some of the content to which it relates, or

(c) withdraw the notice.

(7) The reviewing officer must give each recipient a notice (a 'decision notice')—

(a) setting out the outcome of the review or reviews, and

(b) giving reasons."—*(Dame Diana Johnson.)*

This new clause makes provision for the police or the NCA to review the decision to give a service provider or their content manager a content removal notice under NC80 where the recipient of the notice requests a review.

Brought up, read the First and Second time, and added to the Bill.

New Clause 82

DECISION NOTICES REQUIRING REMOVAL OF UNLAWFUL WEAPONS CONTENT

"(1) This section applies where the reviewing officer—

(a) has carried out a review or reviews under section (*Content removal notices: review*), and

(b) confirms the decision to give the content removal notice to the service provider, the provider's content manager or both of them (in each case whether as mentioned in subsection (6)(a) or (b) of that section).

(2) If the reviewing officer confirms in full the decision to give the content removal notice, the decision notice must require its recipient to secure that—

(a) the content to which the content removal notice relates is removed, and

(b) confirmation of that fact is given to the authorised officer.

(3) If the officer confirms the decision to give the content removal notice but in relation to only some of the content to which it relates, the decision notice must—

(a) identify the content to which the confirmation relates (the 'confirmed content'), and

(b) require its recipient to secure that—

(i) the confirmed content is removed, and

(ii) confirmation of that fact is given to the authorised officer.

(4) A decision notice within subsection (2) or (3) must specify the period before the end of which the notice must be complied with, and that period must be whichever of the following is the longest—

(a) the period of 24 hours beginning with the time the decision notice is given;

(b) the period—

(i) beginning with the time the review notice or, if there was more than one, the first review notice, was given under section (*Content removal notices: review*), and

(ii) ending with the end of the initial 48-hour period.

(5) In this section, 'reviewing officer' has the same meaning as in section (*Content removal notices: review*)."—*(Dame Diana Johnson.)*

This new clause provides for the police or NCA, following a review under NC81 which confirms (in full or in part) the decision to give a content removal notice, to give the service provider or content manager a decision notice requiring the removal of the unlawful weapons content concerned.

Brought up, read the First and Second time, and added to the Bill.

New Clause 83

FAILURE TO COMPLY WITH CONTENT REMOVAL NOTICE OR DECISION NOTICE: CIVIL PENALTIES

"(1) Subsection (2) applies where—

(a) a content removal notice has been given to a service provider, or to both a service provider and the provider's content manager, in accordance with section (*Content removal notices*), and

(b) the initial 48-hour period has expired without the notice having been complied with or a review notice having been given.

(2) A senior authorised officer of the issuing force may give a penalty notice—

(a) to the service provider, or

(b) if the provider's content manager also received the content removal notice, to the content manager or to both of them.

(3) Subsection (4) applies where, following a review or reviews under section (*Content removal notices: review*)—

(a) a decision notice has been given to the service provider or to both the provider and the provider's content manager in accordance with section (*Decision notices requiring removal of unlawful weapons content*)(2) or (3) confirming the decision to give the content removal notice, and

(b) the period specified in the decision notice under subsection (4) of that section has expired without that notice having been complied with.

(4) A senior authorised officer of the issuing force may give a penalty notice—

(a) to the service provider, or

(b) if the provider's content manager also received the decision notice, to the content manager or to both of them.

(5) In this section a 'penalty notice' means a notice requiring its recipient to pay a penalty—

(a) where the recipient is a service provider, of an amount not exceeding £60,000;

(b) where the recipient is a service provider's content manager, of an amount not exceeding £10,000.

(6) In order to take account of changes in the value of money the Secretary of State may by regulations substitute another sum for a sum for the time being specified in subsection (5).

(7) See Schedule (*Civil penalties for service providers and content managers*) for further provision in connection with penalty notices given under this section."—*(Dame Diana Johnson.)*

This new clause confers a power on the police or NCA to impose a monetary penalty of up to £60,000 on a service provider or up to £10,000 on a content manager if they have failed to comply with a content removal notice or a decision notice.

Brought up, read the First and Second time, and added to the Bill.

New Clause 84

GUIDANCE

"(1) The Secretary of State may issue guidance to the persons mentioned in subsection (2) about the exercise of their functions under this Chapter.

(2) The persons are—

(a) the chief officer, and any other member, of a relevant police force;

(b) the Director General of the National Crime Agency and any other officer of the Agency.

(3) The Secretary of State may revise any guidance issued under this section.

(4) The Secretary of State must publish any guidance or revisions issued under this section.

(5) A person mentioned in subsection (2) must have regard to any guidance issued under this section when exercising a function under this Chapter."—*(Dame Diana Johnson.)*

This new clause confers power on the Secretary of State to issue guidance to the police and the National Crime Agency about the exercise of their functions under the new Chapter mentioned in the explanatory statement to NC72.

Brought up, read the First and Second time, and added to the Bill.

New Clause 85

NOTICES

"(1) This section applies in relation to any notice that must or may be given to a person under this Chapter.

(2) A notice may be given to a person by—

(a) delivering it by hand to the person,

(b) leaving it at the person's proper address,

(c) sending it by post to the person at that address, or

(d) sending it by email to the person's email address.

(3) A notice to a body corporate may be given to any officer of that body.

(4) A notice to a partnership may be given to any partner or to a person who has the control or management of the partnership business.

(5) A notice sent by first class post to an address in the United Kingdom, is treated as given at noon on the second working day after the day of posting, unless the contrary is proved.

(6) A notice sent by email is treated as given at the time it is sent unless the contrary is proved.

(7) In this section—

'director' includes any person occupying the position of a director, by whatever name called;

'email address', in relation to a person, means—

(a) an email address provided by that person for the purposes of this Chapter, or

(b) any email address published for the time being by that person as an address for contacting that person;

'officer', in relation to an entity, includes a director, a manager, a partner, the secretary or, where the affairs of the entity are managed by its members, a member;

'proper address' means—

(a) in the case of an entity, the address of the entity's registered office or principal office;

(b) in any other case, the person's last known address;

'working day' means any day other than—

(a) a Saturday or Sunday, or

(b) a day that is a bank holiday in any part of the United Kingdom under the Banking and Financial Dealings Act 1971.

(8) In the case of an entity registered or carrying on business outside the United Kingdom, or with offices outside the United Kingdom, the reference in subsection (7), in the definition of 'proper address', to the entity's principal office includes—

(a) its principal office in the United Kingdom, or

(b) if the entity has no office in the United Kingdom, any place in the United Kingdom at which the person giving the notice believes, on reasonable grounds, that the notice will come to the attention of any director or other officer of that entity."—*(Dame Diana Johnson.)*

This new clause makes provision about the ways in which a notice can be given, and the time at which a notice is to be treated as given, under the new Chapter mentioned in the explanatory statement to NC72.

Brought up, read the First and Second time, and added to the Bill.

New Clause 86

INTERPRETATION OF CHAPTER

"(1) In this Chapter—

'appointment notice' has the meaning given by section (*Notice requiring appointment of content manager*)(1);

'authorised officer' in relation to a content removal notice, means the member of a relevant police force, or officer of the National Crime Agency, who gave the notice;

'chief officer'—

(a) in relation to a police force in England and Wales, means the chief officer of police of the force;

(b) in relation to any other relevant police force, means the chief constable of that force;

'contact details', in relation to an individual, means the individual's—

(a) full name;

(b) telephone number;

(c) email address;

(d) residential address, or other service address, in the United Kingdom;

'content' has the same meaning as in the Online Safety Act 2023 (see section 236(1) of that Act);

'content manager', in relation to a service provider, means the individual for the time being appointed as the content manager of the provider (whether in accordance with an appointment notice or under section (*Appointment of content manager following change of circumstances*) or (*Replacement of content manager*));

'content removal notice' has the meaning given by section (*Content removal notices*)(4);

'coordinating officer' means the individual designated as such under section (*Coordinating officer*)(1);

'decision notice' means a notice given under section (*Content removal notices: review*)(7);

'encounter', in relation to content, has the same meaning as in the Online Safety Act 2023 (see section 236(1) of that Act);

'entity' has the same meaning as in that Act (see section 236(1) of that Act);

'initial 48-hour period', in relation to a content removal notice, means the 48-hour period specified in the notice as mentioned in section (*Content removal notices*)(5)(c);

'issuing force'—

(a) in relation to a content removal notice given by a member of a relevant police force, means that force;

(b) in relation to a content removal notice given by a National Crime Agency officer, means the National Crime Agency;

'relevant police force'—

(a) in relation to England and Wales, means—

(i) a police force in England and Wales, or

(ii) the Ministry of Defence Police;

(b) in relation to Scotland, means—

(i) the Police Service of Scotland, or

(ii) the Ministry of Defence Police;

(c) in relation to Northern Ireland, means—

(i) the Police Service of Northern Ireland, or

(ii) the Ministry of Defence Police;

'relevant search service' and

'relevant user-to-user service' have the meanings given by section (*'Relevant user-to-user services', 'relevant search services' and 'service providers'*);

'required information' has the meaning given by section (*Notice requiring appointment of content manager*)(3);

'review notice' has the meaning given by section (*Content removal notices: review*)(2)(a);

'search content' and 'search results' have the meanings given by section 57 of the Online Safety Act 2023;

'senior authorised officer', in relation to a relevant police force, means—

(a) the chief officer of the relevant police force, or

(b) a member of the relevant police force of at least the rank of inspector authorised for the purposes of this Chapter by the chief officer;

'senior authorised officer', in relation to the National Crime Agency, means—

(a) the Director General of the National Crime Agency, or

(b) an officer of the Agency who—

(i) holds a position in the Agency the seniority of which is at least equivalent to that of the rank of inspector in a relevant police force, and

(ii) is authorised for the purposes of this Chapter by the Director General;

'service address' has the same meaning as in the Companies Acts (see section 1141 of the Companies Act 2006);

'service provider' has the meaning given by section (*'Relevant user-to-user services', 'relevant search services' and 'service providers'*).

(2) For the purposes of this Chapter, a reference to 'removing' content—

(a) in relation to content present on a relevant user-to-user service, is a reference to any action that results in the content being removed from the service, or being permanently hidden, so users of the service in any part of the United Kingdom in which the content is unlawful weapons content cannot encounter it;

(b) in relation to content which may be encountered in or via search results of a relevant search service, is a reference to taking measures designed to secure, so far as possible, that the content is no longer included in the search content of the service that is available in any part of the United Kingdom in which the content is unlawful weapons content;

and related expressions are to be read accordingly.

(3) The following provisions of the Online Safety Act 2023 apply for the purposes of this Chapter as they apply for the purposes of that Act—

(a) section 226 (determining who is the provider of a particular user-to-user service or search service);

(b) section 236(5) and (6) (references to content being present)."*—(Dame Diana Johnson.)*

This new clause contains definitions of terms used in the new Chapter mentioned in the explanatory statement to NC72.

Brought up, read the First and Second time, and added to the Bill.

New Clause 87

DANGEROUS, CARELESS OR INCONSIDERATE CYCLING

"(1) The Road Traffic Act 1988 is amended as set out in subsections (2) to (6).

(2) Before section 28 (dangerous cycling) insert—

'27A Causing death by dangerous cycling

A person who causes the death of another person by riding a cycle dangerously on a road or other public place is guilty of an offence.

27B Causing serious injury by dangerous cycling

(1) A person who causes serious injury to another person by riding a cycle dangerously on a road or other public place is guilty of an offence.

(2) In this section "serious injury" means—

(a) in England and Wales, physical harm which amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861, and

(b) in Scotland, severe physical injury.'

(3) In section 28—

(a) in subsection (1) for 'on a road dangerously' substitute 'dangerously on a road or other public place';

(b) omit subsections (2) and (3).

(4) After section 28 insert—

'28A Meaning of "dangerous cycling"

(1) This section applies for the purposes of sections 27A, 27B and 28.

(2) A person is to be regarded as riding dangerously if (and only if) the condition in subsection (3) or (4) is met.

(3) The condition in this subsection is met if—

(a) the way that the person rides falls far below what would be expected of a competent and careful cyclist, and

(b) it would be obvious to a competent and careful cyclist that riding in that way would be dangerous.

(4) The condition in this subsection is met if it would be obvious to a competent and careful cyclist that riding the cycle in its current state would be dangerous.

(5) In determining the state of a cycle for the purposes of subsection (4), regard may be had (among other things) to—

(a) whether the cycle is equipped and maintained in accordance with regulations under section 81 (regulation of brakes, bells etc, on pedal cycles);

(b) anything attached to or carried on the cycle and the manner in which it is attached or carried.

(6) In determining what would be expected of, or obvious to, a competent and careful cyclist in a particular case, regard is to be had both to—

(a) the circumstances of which the person could be expected to be aware (taking account of, if relevant to the case, the age of the accused), and

(b) the circumstances shown to have been within the knowledge of the accused.

(7) References in this section to something being "dangerous" are references to it resulting in danger of—

(a) injury to any person, or

(b) serious damage to property.

28B Causing death by careless, or inconsiderate, cycling

A person who causes the death of another person by riding a cycle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, is guilty of an offence.

28C Causing serious injury by careless, or inconsiderate, cycling

(1) A person who causes serious injury to another person by riding a cycle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, is guilty of an offence.

(2) In this section 'serious injury' means—

(a) in England and Wales, physical harm which amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861, and

(b) in Scotland, severe physical injury.'

(5) In section 29 (careless, and inconsiderate, cycling)—

(a) after 'a road' insert 'or other public place';

(b) after 'the road' insert 'or place'.

(6) After section 29 insert—

'29A Meaning of careless, or inconsiderate, cycling

(1) This section applies for the purposes of sections 28B, 28C and 29.

(2) A person is to be regarded as cycling without due care and attention if (and only if) the way the person cycles falls below what would be expected of a competent and careful cyclist.

(3) In determining what would be expected of a competent and careful cyclist in a particular case, regard is to be had both to—

(a) the circumstances of which the person could be expected to be aware (taking account of, if relevant to the case, the age of the accused), and

(b) the circumstances shown to have been within the knowledge of the accused.

(4) A person (A) is to be regarded as cycling without reasonable consideration for other persons only if those persons are inconvenienced by A's cycling.'

(7) The table in Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences) is amended as follows.

(8) After the entry relating to 'RTA section 27' insert in columns 1 to 4—

'RTA section 27A	Causing death by dangerous cycling.	On indictment.	Imprisonment for life.
RTA section 27B	Causing serious injury by dangerous cycling.	(a) Summarily. (b) On indictment.	(a) On conviction in England and Wales: the general limit in a magistrates' court or a fine or both. On conviction in Scotland: 12 months or the statutory maximum or both. (b) 5 years or a fine or both.'

(9) After the entry relating to 'RTA section 28' insert in columns 1 to 4—

'RTA section 28B	Causing death by careless or inconsiderate cycling.	(a) Summarily. (b) On indictment.	(a) On conviction in England and Wales: the general limit in a magistrates' court or a fine or both. On conviction in Scotland: 12 months or the statutory maximum or both. (b) 5 years or a fine or both.
RTA section 28C	Causing serious injury by careless or inconsiderate cycling	(a) Summarily. (b) On indictment.	(a) On conviction in England and Wales: the general limit in a magistrates' court or a fine or both. On conviction in Scotland: 12 months or the statutory maximum or both. (b) 2 years or a fine or both.'"

—(Alex Davies-Jones.)

This new clause creates new offences of causing death or serious injury by dangerous, careless or inconsiderate cycling with penalties corresponding to the penalties applicable to the existing offences for causing death or serious injury by dangerous, careless or inconsiderate driving. It also extends the existing offences of dangerous, and careless or inconsiderate, cycling so as to apply to cycling that takes place on public places that are not roads.

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): I beg to move, That the clause be read a Second time.

The Chair: With this it will be convenient to discuss Government amendment 82.

Alex Davies-Jones: It is a pleasure to serve with you in the Chair, Mr Pritchard. No pedestrian or other road user should ever feel unsafe. Their safety is a priority for this Government and I know that such sentiments will be shared across the House. Like all other road users, cyclists are required to comply with road traffic law in the interests of the safety of other road users, and that is reflected in the highway code. There are already existing offences within the Road Traffic Act 1988 to prohibit dangerous and careless cycling, which carry a maximum penalty of £2,500 and a £1,000 fine respectively.

In rare, tragic cases that have occurred in recent years, where there has been a death or serious injury caused by a cyclist, the drawbacks of relying on the current offences—notably, the Offences against the Person Act 1861—have been clear. Unlike the penalties available for motoring offences that have the same tragic outcome, that offence carries a maximum penalty of two years' imprisonment. The Government do not believe that those current penalties are appropriate in cases where a cyclist's behaviour is dangerous or careless and results in the death or serious injury of another person.

Therefore, new clause 87 introduces new offences of causing death or serious injury by dangerous or careless cycling, making our streets safer for pedestrians and other road users. Those causing death by dangerous cycling or careless cycling will face a maximum penalty of life imprisonment or five years' imprisonment respectively. Those who cause serious injury will face a maximum penalty of five years' imprisonment or two years' imprisonment respectively. Government amendment 82 extends these new offences to England, Wales and Scotland.

These penalties ensure that there is parity across the existing framework of motoring-related offences. All road users, whether they are drivers or cyclists, whose behaviour results in the death or serious injury of another road user will face the same penalties. To be clear, it is not our intention to discourage cycling; it is one of this Government's broader objectives to promote cycling for its health, economic and environmental benefits. However, while the majority of cyclists are responsible and cycle safely, there are rare instances where victims have been seriously or fatally injured by irresponsible and dangerous cyclist behaviour. As a result, these offences will ensure that people who cause serious or fatal harm because of their reckless cycling behaviour are subject to appropriate punishment.

Before commending these measures to the Committee, I pay personal tribute to the right hon. Member for Chingford and Woodford Green (Sir Iain Duncan Smith), and to Matthew Briggs, who have campaigned tirelessly for these changes. I had the privilege of meeting Matthew Briggs. We discussed the need for this new offence, and how the devastating impact of the death of his wife Kim in 2016, due to a reckless cyclist, shows the need to create these new offences. For that reason, I commend these measures to the Committee.

12.15 pm

Matt Vickers: The devastating consequences of road traffic collisions caused by reckless or dangerous behaviour are not limited to motor vehicles. In recent years, a small but significant number of cases have emerged where pedestrians and other vulnerable road users have been seriously injured or even killed as a result of dangerous or careless cycling. This new clause rightly recognises that, while the majority of cyclists are law-abiding and responsible, the law must be equipped to deal appropriately with the minority who behave recklessly and put others at grave risk.

Currently, there is a glaring gap in the legal framework: while motorists who cause death or serious injury through dangerous or careless driving face severe legal consequences, no equivalent provision exists for cyclists. This clause introduces parity in accountability, ensuring that victims and their families are not left feeling that justice is denied simply because the vehicle involved was a bicycle rather than a car.

New clause 87, alongside Government amendment 82, ensures that the legal definitions of dangerous and careless cycling reflect the realities of modern shared road and path usage, including in public places beyond traditional roadways. With the increase in cycling on footpaths, shared spaces and pedestrianised zones, it is vital that the law keeps pace and applies wherever the public might be put at risk.

Importantly, the introduction of these offences does not criminalise cycling itself; it targets only those rare but serious cases where a cyclist's conduct falls far below that which would be expected of competent and considerate road users. It draws on the well-established legal test from dangerous and careless driving legislation, helping to ensure that the proposed offences are proportionate, fair and clearly understood.

As Members will be aware, my right hon. Friend the Member for Chingford and Woodford Green has long campaigned for a change to the law regarding responsible cycling, and I pay tribute to his work to deliver this improvement to public safety. The last Government confirmed that they would adopt an amendment to the Criminal Justice Bill that would have resulted in a change comparable to the one we see today.

Much of this would not have been possible without the sustained efforts of people such as Matthew Briggs, who, in 2016, tragically lost his wife Kim Briggs, aged just 44, after she was hit by a cyclist riding a fixed-gear bike with no front brakes. She sustained catastrophic head injuries and sadly died a week later. Unfortunately, Kim is just one of many victims, and Matthew's is just one of many families harmed by these situations, but he has campaigned for this change in the law after tragically losing a loved one. I pay tribute to Matt and his campaign for justice, and hope that this change effectively bridges the gap in the law that so many have highlighted.

Finally, this measure sends a strong message that all road users, regardless of their mode of transport, are responsible for the safety of others. It underlines the seriousness with which Parliament treats the loss of life or serious injuries, promotes responsible cycling, and contributes to safer public spaces for everyone.

Question put and agreed to.

New clause 87 accordingly read a Second time, and added to the Bill.

New Clause 88

PLACES OF WORSHIP: RESTRICTION ON PROTESTS

"(1) The Public Order Act 1986 is amended as follows.

(2) In section 12(1) (imposing conditions on public processions)—

(a) at the end of paragraph (ab) omit 'or';

(b) at the end of paragraph (b) insert 'or

(c) in the case of a procession in England and Wales, the procession is in the vicinity of a place of worship and may intimidate persons of reasonable firmness with the result that those persons are deterred from—

(i) accessing that place of worship for the purpose of carrying out religious activities, or

(ii) carrying out religious activities at that place of worship,'.

(3) In section 14(1) (imposing conditions on public assemblies)—

(a) at the end of paragraph (ab) omit 'or';

(b) at the end of paragraph (b) insert 'or

(c) in the case of an assembly in England and Wales, the assembly is in the vicinity of a place of worship and may intimidate persons of reasonable firmness with the result that those persons are deterred from—

(i) accessing that place of worship for the purpose of carrying out religious activities, or

(ii) carrying out religious activities at that place of worship.'

(4) In section 14ZA(1) (imposing conditions on one-person protests)—

(a) at the end of paragraph (a) omit 'or';

(b) at the end of paragraph (b) insert 'or

(c) the protest is in the vicinity of a place of worship and may intimidate persons of reasonable firmness with the result that those persons are deterred from—

(i) accessing that place of worship for the purpose of carrying out religious activities, or

(ii) carrying out religious activities at that place of worship.'"—*(Dame Diana Johnson.)*

This new clause gives the police power to impose conditions on public processions, public assemblies and one-person protests that may intimidate people and deter those people from accessing a place of worship for carrying out religious activities or from carrying out religious activities there. It does not provide power to impose conditions where those who may be intimidated are using a place of worship for other purposes.

Brought up, and read the First time.

Dame Diana Johnson: I beg to move, That the clause be read a Second time.

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

Government new clause 89—*Powers of senior officers to impose conditions on protests.*

Government new clause 90—*Amendments relating to British Transport Police and Ministry of Defence Police.*

Dame Diana Johnson: New clauses 88 to 90 further update our public order legislation to reflect operational experience. It is important that the legislation keeps pace with the operational realities faced by police on the ground.

In the wake of the events in Israel and Gaza on 7 October 2023, we have seen a wave of large-scale protests across the United Kingdom. Although the right to protest is of course a cornerstone of our democracy and the majority of demonstrations have been peaceful, we cannot ignore the very real impact that some of the gatherings have had on religious communities. We have heard troubling reports of people of all faiths feeling too intimidated to attend places of worship, and of services being cancelled due to the proximity and nature of the protests.

New clause 88 therefore seeks to provide religious communities with better protection from intimidation caused by protests within the vicinity of their place of worship. The police have powers under the Public Order Act 1986 to manage protests where there is serious disruption to the life of the community or intentional intimidation. However, the powers often do not capture the types of harm currently being experienced by religious communities, especially where the intimidation is not deliberate, but is none the less very real for those affected.

The intention of the new clause is to strengthen the police's powers to manage intimidatory public processions, public assemblies or one-person protests near places of worship, specifically by allowing police to impose conditions where they reasonably believe that the procession, assembly or protest may result in the intimidation of and deter those seeking to access places of worship.

New clause 88 achieves that by creating a new threshold in sections 12, 14 and 14ZA of the 1986 Act, under which the police can impose conditions on public processions, public assemblies and one-person protests. To be clear, it does not ban protests outright, but it enables the police to use this threshold to consider the appropriate time, location or routing that a protest should have in order to avoid intimidating those wishing to practise their faith at their place of worship.

The new clause will allow the police to assess whether a protest may create an intimidating atmosphere that could deter people from accessing places of worship to carry out religious activities or from conducting religious activities there, regardless of whether the organisers of the protest themselves intended for the protest to have that effect.

I turn to new clause 89. In managing recent protests, the police have relied on their powers under sections 12 and 14 of the 1986 Act to impose those conditions, for example where there is a risk of serious public disorder or serious disruption to the life of the community. However, under the current law, only the most senior officers physically at the scene can impose these conditions on live protests or where people are assembling with a view to take part. That can cause delays, particularly when strategic or tactical commanders, known as the gold and silver commanders, who are often based in off-site control rooms, have better access to intelligence but are unable to impose conditions directly. That can also lead to inconsistencies in how similar protests are managed across different locations, especially when multiple events occur at once.

Policing stakeholders have made it clear that allowing gold and silver commanders to impose conditions remotely, where the statutory thresholds are met, would improve the timeliness, consistency and effectiveness of public order policing. Those commanders typically have the best oversight of unfolding events and are well placed to make informed decisions. New clause 89 therefore amends the 1986 Act to enable gold and silver commanders to exercise powers to impose conditions under sections 12(1) and 14(1) in relation to public processions and assemblies.

Finally, new clause 90 addresses two operational issues raised by the Department for Transport and the Ministry of Defence to ensure that public order powers can be used effectively by the British Transport police and the Ministry of Defence police. First, it amends the definitions in the Public Order Act 1986 to allow the BTP to impose conditions on public assemblies taking place at railway stations. Currently, the law restricts the use of these powers to open-air locations, which limits the BTP's ability to manage protests in enclosed but high-risk public spaces such as major stations. This change will ensure that the BTP can act appropriately within its jurisdiction across England, Wales and Scotland.

Secondly, the new clause corrects a legislative error made in 2004 that unintentionally prevented the BTP from using section 60AA of the Criminal Justice and Public Order Act 1994, the existing power to require individuals to remove face coverings. This amendment restores that power. It also empowers the MDP to issue authorisations under section 60AA and section 60 of the 1994 Act to enable MDP officers to exercise powers under these provisions within its jurisdiction, in the same way as territorial police forces.

These are technical but important amendments. They do not expand thresholds or the scope of the powers themselves, but simply ensure that the BTP and MDP can apply them, where appropriate, to keep people safe, particularly in transport hubs and around defence infrastructure. The proposals reflect direct feedback from operational policing and will bring clarity and consistency to the use of public order legislation. I commend the new clauses to the Committee.

Matt Vickers: New clause 88 rightly seeks to strengthen protections for the freedom of religion and belief by ensuring that individuals are not deterred or intimidated from attending or participating in religious worship due to protests taking place in the vicinity of places of worship. It balances the right to peaceful protest with the fundamental right of individuals to practise their faith without fear or obstruction. Places of worship are not just buildings; they are sanctuaries for reflection, community and faith. When people are intimidated from entering these spaces or carrying out religious observance because of aggressive or targeted protests, it undermines not only their personal freedoms, but the broader principle of religious tolerance.

This new clause helps to ensure that those attending religious services can do so without being subject to harassment or psychological pressure. The provision is not a ban on protests: it enables the police to impose conditions, not prohibitions, on processions, assemblies and even one-person protests that occur in the vicinity of a place of worship, where such demonstrations risk intimidating individuals of reasonable firmness and deterring from participating in religious activities. The threshold is carefully defined to target behaviour that causes harm, while still protecting legitimate expression of opinion.

While some may easily dismiss this new clause, it is important to recognise that there are real-world examples where people believe that protests are being used to undermine the ability to worship. For example, recently

[Matt Vickers]

in Westcliff-on-Sea, a protest organised by Action for Palestine, which the Palestinian Solidarity Campaign described as "not constructive", took place on Shabbat during the final week of Pesach, in a Jewish neighbourhood where many residents would be travelling to and from the synagogue. The local rabbi said:

"There were quite a few people in the community who were so intimidated that they decided to go to their parents' in London for the weekend, to get away completely."

Others decided to attend one of the other orthodox synagogues in the area, such as the Westcliff Charedi synagogue, and ending up having to walk a mile to make Saturday's two services. While I would not expect the Minister to comment on the specifics of whether that protest would constitute a breach of the new clause in question, it highlights how people practising their religion have felt targeted by particular protests.

Given the rise in targeted demonstrations, whether based on religion, race or identity, this new clause ensures that the law is responsive to the realities of contemporary protest dynamics. It draws on the existing powers under the Public Order Act 1986, applying them specifically in a context where dignity, privacy and religious freedom deserve particular safeguarding. Ultimately, this new clause is a proportionate and necessary step to preserve the peaceful co-existence of rights: the right to worship freely and the right to protest responsibly. It affirms that places of worship must remain accessible and free from intimidation for all communities.

I would be grateful if the Minister could answer the following questions. How will she ensure that new clause 88 strikes the right balance between protecting freedom of religion and upholding the right to protest under articles 9, 10 and 11 of the European convention on human rights? What guidance will be provided to the police to assess whether a protest

"may intimidate persons of reasonable firmness"?

How will subjectivity be mitigated to avoid arbitrary enforcement? Has the Home Office identified particular recent incidents that demonstrate a pressing need for the power? How frequently does the Minister expect it to be used?

12.30 pm

New clause 89 updates sections 12 and 14 of the Public Order Act 1986 to clarify and broaden the delegation of powers to impose conditions on public processions and assemblies. Such decisions are currently reserved for a senior officer present at the scene. The clause ensures that, in England and Wales, a police officer may also exercise that power if they have been explicitly authorised to do so by a chief officer of police. That amendment strengthens the operational flexibility of the police, particularly in situations where a senior officer is not present on site, but timely decisions are needed to manage risk, prevent disorder or ensure public safety. It acknowledges the realities of modern protest management, where rapid deployment and co-ordinated responses often rely on delegated authority structures rather than fixed hierarchies on the ground.

Allowing a chief officer to designate another officer to exercise those powers ensures both accountability and agility. It maintains the principle that such decisions must come from a senior level of authority while adapting to operational realities such as spontaneous protests or events that span large geographic areas. The clause does not expand the grounds for imposing conditions, nor does it change the legal thresholds that must be met. It simply ensures that the police can act more responsibly and proportionately when necessary to protect the public, prevent serious disruption and uphold the law.

New clause 90 clarifies and extends the application of certain public order powers to the British Transport police and the Ministry of Defence police, ensuring consistency and legal clarity across all policing bodies operating in England and Wales. The clause updates definitions in the Public Order Act 1986 and the Criminal Justice and Public Order Act 1994 to align with the operational jurisdictions of the BTP and MDP. Specifically, it ensures that their officers can exercise public order powers, such as imposing conditions on trespassory assemblies or using stop-and-search and facial covering removal powers, in the locations they are lawfully empowered to police, such as railway property or defence estates.

The ability to exercise powers under the 1986 Act and 1994 Act will understandably be welcomed by many parties. We have seen instances in the past two years of disruptive assemblies on the estates that the British Transport police are empowered to police. Additionally, given concerns about attacks on public-facing workers, which we have discussed extensively during these sittings, the ability to use section 60 powers under the '94 Act should be welcomed.

However, have the Government made an assessment of how widely the powers will be used? We have had many discussions in the House about the resources allocated to police forces more broadly, but the BTP and MDP will have their own specific constraints. It would therefore be useful to know whether any estimate has been made of how widely these powers will be used and whether they are likely to require additional operational resources.

David Burton-Sampson: It is a pleasure to serve under your chairship, Mr Pritchard. Like my right hon. Friend the Minister, I will always defend the right to protest, but it must be appropriate. Having one's voice heard must not come at the expense of intimidating those who are peacefully worshipping.

As the hon. Member for Stockton West mentioned, only recently in Southend my constituents were affected by a march that was purposely routed past a place of worship at the time when people were due to be leaving that place of worship. We have heard similar evidence of that happening across the country. Let us be clear: it is not acceptable that people should be intimidated while they go to or from, or are in, their place of worship, whatever their religion. I welcome the new clauses.

Dame Diana Johnson: I am grateful for the short speech that my hon. Friend the Member for Southend West and Leigh just made. He has spoken to me about the events in Westcliff-on-Sea and their impact on that community. I was also grateful to the shadow Minister for referencing that incident, because it sets out clearly why the provision in new clause 88 is necessary. I welcome that.

The shadow Minister asked whether we will stop legitimate protests, and somehow put the right to religious worship above the right to protest. I want to make it clear that the new clause does not place the freedom of religion above the right to protest. I think we all agree that the right to protest is an important part of our democracy. The new clause seeks to balance those rights by ensuring that protesters do not unduly intimidate or prevent individuals from accessing places of worship.

Although the right to protest remains key and fundamental, the provisions in the new clause clarify police powers to manage those protests near places of worship, ensuring that the freedom of religion is protected without imposing a blanket restriction on demonstrations. The intent is not to curtail protest rights, but to prevent situations where protests create a hostile environment that discourages religious observance. It is important to note that it applies equally to all faiths and all places of worship, not just, as we started off talking about, a specific religious group.

The shadow Minister raised the resource implications for BTP and MDP. The request to bring forward the provisions was because of the operational needs of those police forces. I am expect that they will be able to deal with any costs arising from new clause 90 from their existing budget. The shadow Minister also mentioned training and making sure that police officers understood the introduction of these provisions. I am sure he agrees that there is extensive training of police officers. With public order in particular, we know that there is a very well-worn path of how officers are trained at the right level, depending on the situation.

I recently had the pleasure of meeting Metropolitan police officers, who do a lot of public order work, down at Gravesend to see that training first hand, and I saw the amount of resource that goes in to ensuring that those officers are equipped and know their rights and how most effectively to use them. The new provisions will be part of the continuation of that training for police officers, alongside the work of the College of Policing. On that basis, I commend them to the Committee.

Question put and agreed to.

New clause 88 accordingly read a Second time, and added to the Bill.

New Clause 89

POWERS OF SENIOR OFFICERS TO IMPOSE CONDITIONS ON PROTESTS

"(1) The Public Order Act 1986 is amended as follows.

(2) In section 12 (imposing conditions on public processions)—

(a) in subsection (1), for 'the', in the first place it occurs, substitute 'a';

(b) in subsection (2)—

(i) in the words before paragraph (a) omit 'the';

(ii) in paragraph (a) for the words from ', the most' to the end substitute '—

(i) the most senior in rank of the police officers present at the scene, or

(ii) in the case of a procession in England and Wales, a police officer authorised by a chief officer of police for the purposes of this subsection, and'.

(3) In section 14 (imposing conditions on public assemblies)—

(a) in subsection (1), for 'the', in the first place it occurs, substitute 'a';

(b) in subsection (2)—

(i) in the words before paragraph (a) omit 'the';

(ii) in paragraph (a) for the words from ', the most" to the end substitute '—

(i) the most senior in rank of the police officers present at the scene, or

(ii) in the case of an assembly in England and Wales, a police officer authorised by a chief officer of police for the purposes of this subsection, and';

(c) in subsection (2ZB), for 'reference in subsection (2)(b) to a chief officer of police includes', substitute 'references in subsection (2) to a chief officer of police include'."—*(Dame Diana Johnson.)*

This new clause allows the powers in sections 12 and 14 of the Public Order Act 1986 to impose conditions on public processions and public assemblies to be exercised by a police officer authorised to do so by a chief officer of police.

Brought up, read the First and Second time, and added to the Bill.

New Clause 90

AMENDMENTS RELATING TO BRITISH TRANSPORT POLICE AND MINISTRY OF DEFENCE POLICE

"(1) The Public Order Act 1986 is amended in accordance with subsections (2) and (3).

(2) In section 14A(9) (prohibiting trespassory assemblies), in the definition of 'land', after '"land"' insert ', except in subsections (4A) to (4C) of this section,'.

(3) In section 16 (interpretation), in the definition of 'public assembly', for the words from 'wholly' to the end substitute '—

(a) wholly or partly open to the air, or

(b) within any of paragraphs (a) to (f) of section 31(1) of the Railways and Transport Safety Act 2003;'.

(4) The Criminal Justice and Public Order Act 1994 is amended in accordance with subsections (5) and (6).

(5) In section 60 (powers to stop and search in anticipation of or after violence), after subsection (9A) insert—

'(9B) So far as they relate to an authorisation by a member of the Ministry of Defence Police—

(a) subsections (1) and (9) have effect as if the references to a locality in a police area were references to a place in England and Wales among those specified in section 2(2) of the Ministry of Defence Police Act 1987, and

(b) subsection (1)(aa)(i) has effect as if the reference to a police area were a reference to the places in England and Wales specified in section 2(2) of the Ministry of Defence Police Act 1987.'

(6) In section 60AA (powers to require removal of disguises)—

(a) for subsection (8) substitute—

'(8) So far as subsections (1), (3) and (6) relate to an authorisation by a member of the British Transport Police Force, those subsections have effect as if the references to a locality or a locality in a a police area were references to a place in England and Wales among those specified in section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003.

(8A) So far as subsections (1), (3) and (6) relate to an authorisation by a member of the Ministry of Defence Police, those subsections have effect as if the references to a locality or a locality in a police area were references to a

place in England and Wales among those specified in section 2(2) of the Ministry of Defence Police Act 1987.';

(b) in subsection (9) omit 'and "policed premises" each'."—*(Dame Diana Johnson.)*

This new clause extends certain powers under Part 2 of the Public Order Act 1986 to land which is not open to the air; allows Ministry of Defence Police to issue authorisations under section 60 of the Criminal Justice and Public Order Act 1994; and allows British Transport Police and Ministry of Defence Police to issue authorisations under section 60AA of that Act.

Brought up, read the First and Second time, and added to the Bill.

New Clause 91

ANONYMITY FOR AUTHORISED FIREARMS OFFICERS CHARGED WITH QUALIFYING OFFENCES

"(1) This section applies where in criminal proceedings in a court in England and Wales, or in proceedings (anywhere) before a service court, a person ('D') is charged with a qualifying offence.

(2) An offence is a 'qualifying offence' if—

(a) it is alleged to have been committed by D acting in the exercise of functions as an authorised firearms officer,

(b) the conduct alleged to constitute the offence involved the use by D of a lethal barrelled weapon to discharge a conventional round, and

(c) D was, at the time of the alleged offence, authorised by the relevant authority to use that weapon with that round.

(3) The court must—

(a) cause the following information to be withheld from the public in proceedings before the court, in each case unless satisfied that it would be contrary to the interests of justice to do so—

(i) D's name;

(ii) D's address;

(iii) D's date of birth;

(b) give a reporting direction (see section (Authorised firearms officers: reporting directions)) in respect of D (if one does not already have effect), unless satisfied that it would be contrary to the interests of justice to do so.

(4) The court may, if satisfied that it is necessary in the interests of justice to do so, make an anonymity order (see section (Authorised firearms officers: anonymity orders)) in respect of D.

(5) If D is convicted of the offence—

(a) subsections (3) and (4) cease to apply in respect of D, and

(b) any restriction put in place under subsection (3)(a) and any reporting direction given, or anonymity order made, under this section in respect of D cease to have effect at the time D is sentenced for the offence.

(6) In subsection (1), 'authorised firearms officer' means—

(a) a member of a relevant police force who is authorised by the relevant chief officer to use a lethal barrelled weapon with a conventional round in the exercise of functions as a constable,

(b) a National Crime Agency officer who is authorised by the Director General of the National Crime Agency to use a lethal barrelled weapon with a conventional round in the exercise of functions as a National Crime Agency officer,

(c) a member of the Police Service of Scotland or the Police Service of Northern Ireland who—

(i) is provided under section 98 of the Police Act 1996 for the assistance of a police force in England and Wales, and

(ii) is authorised by the relevant authority to use a lethal barrelled weapon with a conventional round in the exercise of functions as a constable, or

(d) a member of the armed forces who—

(i) is deployed in support of a relevant police force or the National Crime Agency, and

(ii) is authorised by the Secretary of State to use a lethal barrelled weapon with a conventional round for the purposes of that deployment.

(7) In this section—

'conventional round' means any shot, bullet or other missile other than one designed to be used without its use giving rise to a substantial risk of causing death or serious injury;

'lethal barrelled weapon' has the meaning given by section 57(1B) of the Firearms Act 1968;

'member of the armed forces' means a person who is subject to service law (see section 367 of the Armed Forces Act 2006);

'relevant authority' means—

(a) in relation to a member of a relevant police force, the relevant chief officer;

(b) in relation to a National Crime Agency officer, the Director General of the National Crime Agency;

(c) in relation to a member of the Police Service of Scotland, the Chief Constable of the Police Service of Scotland;

(d) in relation to a member of the Police Service of Northern Ireland, the Chief Constable of the Police Service of Northern Ireland;

(e) in relation to a member of the armed forces, the Secretary of State;

'relevant chief officer' means—

(a) in relation to a police force in England and Wales, the chief officer of police of that police force;

(b) in relation to the British Transport Police Force, the Chief Constable of the British Transport Police Force;

(c) in relation to the Ministry of Defence Police, the Chief Constable of the Ministry of Defence Police;

(d) in relation to the Civil Nuclear Constabulary, the Chief Constable of the Civil Nuclear Constabulary;

'relevant police force' means—

(a) a police force in England and Wales,

(b) the British Transport Police Force,

(c) the Ministry of Defence Police, or

(d) the Civil Nuclear Constabulary;

'service court' means—

(a) the Court Martial, or

(b) the Court Martial Appeal Court.

(8) This section does not apply in relation to proceedings begun before the coming into force of this section."—*(Alex Davies-Jones.)*

This new clause provides for a presumption of anonymity for authorised firearms officers charged with (but not convicted of) an offence relating to the discharge of their firearm in the course of their duties

Brought up, and read the First time.

Alex Davies-Jones: I beg to move, That the clause be read a Second time.

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

Government new clause 92—*Anonymity for authorised firearms officers appealing convictions for qualifying offences.*

Government new clause 93—*Authorised firearms officers: reporting directions.*

Government new clause 94—*Authorised firearms officers: anonymity orders.*

Government amendment 83.

Alex Davies-Jones: Currently, in criminal courts, adult defendants do not have a general right to anonymity, which reflects the principle of open justice. However, judges may impose reporting restrictions where the disclosure of identifying information could hinder the administration of justice, or impact fair trial rights. Armed police officers perform a unique and dangerous role. They are trained to use lethal force on behalf of the state to protect the lives of our citizens. Their work requires them to confront situations that demand split-second decisions that can have profound legal and personal ramifications. They respond to major crimes involving high-risk individuals, often linked to organised crime groups. That inherently dangerous role naturally increases the risk of retribution for both officers and their families, which was a risk highlighted by the police accountability review.

The Government's plan to introduce the measures set out in new clauses 91 to 94 was originally announced to the House by my right hon. Friend the Home Secretary on 23 October. The proposed new clauses address specific concerns raised during the police accountability review, and following the trial of Sergeant Martyn Blake. They will help deliver our commitment to rebuild the confidence of police officers in their vital work to keep the public safe.

Proposed new clause 91 creates a presumption of anonymity for firearms officers who are charged with offences related to the discharge of their weapon during their official duties. That presumption does not extend to other police officers who use force in their duties or to firearms officers if force is used in the line of duty that does not involve discharging a firearm. The starting point for the court will be that anonymity should be granted in these cases, and that such anonymity will remain in place until the defendant is sentenced.

New clause 91 requires that the court must withhold identifying details from the public during proceedings and give a "reporting direction". The terms of the reporting direction are set out in new clause 93 and prevent the publication of any material that may lead to the identification of the defendant. New clause 91 also gives the courts statutory powers to ensure that the defendant's identity is protected in the courtroom, if it is

"in the interests of justice to do so".

New clause 94 sets out the types of measures that can be used, such as screens or voice modulation. It will be for the court to decide whether these are required.

Judicial discretion is preserved under the new provisions, which enable courts to disclose identifying details or lift reporting restrictions, where considered necessary, taking into account the specific circumstances of the case and the overall interests of justice.

New clause 92 provides courts with the statutory authority to extend in-court anonymity measures and reporting restrictions beyond sentencing, should the defendant wish to appeal their conviction. However, it does not establish a presumption, nor does it apply if a firearms officer convicted of an offence seeks only to appeal their sentence. When a firearms officer is convicted, their right to anonymity ceases at the point of sentencing. However, the court may order that anonymity continues pending the outcome of an appeal. If the conviction is upheld on appeal, the right to anonymity will cease upon the finalisation of that appeal.

Conversely, when an officer is exonerated, their right to anonymity will continue, allowing them to resume their professional and personal lives without fear of stigma or threats to their safety. Ensuring national safety and security is a top priority for this Government and the role of firearms officers is essential to achieving that. They serve in their difficult and demanding role voluntarily and we cannot expect them to perform their duties effectively without providing adequate safeguards to protect them and their families. Amendment 83 provides for the new clauses to come into force two months after the Bill is passed. I commend the new clauses, and the amendment, to the Committee.

Matt Vickers: Government new clauses 91 to 94 provide anonymity protections for authorised firearms officers in legal proceedings involving qualifying offences. New clause 91 ensures that officers charged with offences related to their authorised use of lethal weapons discharging a conventional round will have their personal details withheld and reporting directions issued, unless contrary to justice. Such measures would protect them from public scrutiny and potential threats during sensitive investigations. They would foster officers' confidence in performing high-risk duties because they would be shielded from premature exposure before conviction.

Government new clause 92 extends the protections to convicted officers, pending appeals. That would allow courts to maintain anonymity if necessary for justice, and would support fair appeal processes by preventing irreversible reputational damage if convictions are overturned.

Government new clauses 93 and 94 provide clear mechanisms for reporting directions and anonymity orders to enforce the protections, while ensuring that judges and juries retain access to the officer's identity. That balances transparency with safety. As the Minister has said, Members will be all too aware of the case of Sergeant Martyn Blake, who was acquitted in October 2024 of murdering Chris Kaba after a 2022 shooting in London. Blake faced death threats, including a £10,000 bounty, forcing him into hiding and highlighting the need for anonymity to protect officers and their families from retribution during trials.

These measures will help to ensure that officers who act in good faith under dangerous circumstances are protected from such vindictive attacks while the judicial process is under way—as well as ensuring recruitment and retention in firearms roles, and public safety—while also allowing the courts to lift protections when justice demands. Will the Minister comment further on how the Government will ensure that courts balance anonymity protections with the public interest in transparent justice?

[Matt Vickers]

In particular, what guidance will be provided to courts to assess when anonymity is contrary to the interests of justice?

12.45 pm

Alex Davies-Jones: I welcome the tone in which the Opposition spokesperson has presented his comments and the fact that he shares our concern about the need for these new measures. Judges will of course have all relevant information in balancing the need for open justice with the need to protect firearms officers in these specific instances. The measures recognise the exceptional circumstances of defendants in such cases and create a presumption of anonymity. The starting point for the courts will be that anonymity should be granted in such cases, unless it is contrary to justice to do so.

Let me add that open justice and the freedom of the press to report on these cases continue to be important principles of our justice system, and this legislation will respect those key principles. A court may already order anonymity measures or reporting restrictions in a case where it judges that disclosure of a defendant's identity would give rise to a real and immediate risk to life. The measure is being introduced in recognition of the unique responsibilities that firearms officers have, as I have said, and the potential risks associated with their identification during court proceedings. It is really important that judges and the courts get the balance right here, but this measure is absolutely necessary.

Question put and agreed to.

New clause 91 accordingly read a Second time, and added to the Bill.

New Clause 92

Anonymity for authorised firearms officers appealing convictions for qualifying offences

"(1) This section applies where a person ('D') is convicted of a qualifying offence in proceedings in a court in England and Wales, or proceedings (anywhere) before a service court.

(2) The court by or before which D is convicted may, if satisfied that it is necessary in the interests of justice to do so—

(a) cause any or all of the information mentioned in section (Anonymity for authorised firearms officers charged with qualifying offences)(3)(a)(i) to (iii) to be withheld from the public in proceedings before the court;

(b) give a reporting direction in respect of D (see section (Authorised firearms officers: reporting directions));

(c) make an anonymity order in respect of D (see (Authorised firearms officers: anonymity orders)).

(3) Any reporting direction given, or anonymity order made, under subsection (2) ceases to have effect at the end of the appeal period unless, before the end of that period, D brings an appeal against the conviction.

(4) Where, before the end of the appeal period, D brings an appeal against the conviction, the court dealing with the appeal may, if satisfied that it is necessary in the interests of justice to do so—

(a) cause any or all of the information mentioned in section (Anonymity for authorised firearms officers charged with qualifying offences)(3)(a)(i) to (iii) to be withheld from the public in proceedings before the court;

(b) give a reporting direction in respect of D;

(c) make an anonymity order in respect of D.

(5) The court dealing with the appeal must at the earliest opportunity determine the issue of whether to exercise any or all of the powers under subsection (4).

(6) Any reporting direction given, or anonymity order made, under subsection (2) ceases to have effect upon the making of the determination mentioned in subsection (5) (whether or not the court dealing with the appeal gives a direction or makes an order).

(7) Any reporting direction given, or anonymity order made, under subsection (4) ceases to have effect if the appeal against conviction is abandoned or dismissed.

(8) In this section—

'appeal period' in relation to a person convicted of a qualifying offence, means the period allowed for bringing an appeal against that conviction, disregarding the possibility of an appeal out of time with permission;

'qualifying offence' has the meaning given by section (Anonymity for authorised firearms officers charged with qualifying offences)(2).

(9) This section does not apply where the proceedings in which D was convicted were begun before the coming into force of section (Anonymity for authorised firearms officers charged with qualifying offences)."—*(Alex Davies-Jones.)*

This new clause, which is related to NC91, provides courts with a power to preserve the anonymity of authorised firearms officers convicted of an offence relating to the discharge of their firearm in the course of their duties, pending any appeal against that conviction.

Brought up, read the First and Second time, and added to the Bill.

New Clause 93

Authorised firearms officers: reporting directions

"(1) A reporting direction, in relation to a person ('D') charged with (or convicted of) a qualifying offence, is a direction that no matter relating to D may be included in any publication if it is likely to lead members of the public to identify D as a person who is, or was, alleged to have committed (or who has been convicted of) the offence.

(2) The matters relating to D in relation to which the restrictions imposed by a reporting direction apply (if their inclusion in any publication is likely to have the result mentioned in subsection (1)) include in particular—

(a) D's name,

(b) D's address,

(c) the identity of any place at which D works, and

(d) any still or moving image of D.

(3) A relevant court may by direction ('an excepting direction') dispense, to any extent specified in the excepting direction, with the restrictions imposed by a reporting direction if satisfied that it is necessary in the interests of justice to do so.

(4) An excepting direction—

(a) may be given at the time the reporting direction is given or subsequently;

(b) may be varied or revoked by a relevant court.

(5) A reporting direction has effect—

(a) for a fixed period specified in the direction, or

(b) indefinitely,

but this is subject to subsection (5)(b) of section (Anonymity for authorised firearms officers charged with qualifying offences) and subsections (3), (6) and (7) of section (Anonymity for authorised firearms officers appealing convictions for qualifying offences).

(6) A reporting direction may be revoked if a relevant court is satisfied that it is necessary in the interests of justice to do so.

(7) In this section—

'publication' has the same meaning as in Part 2 of the Youth Justice and Criminal Evidence Act 1999 (see section 63 of that Act);

'qualifying offence' has the meaning given by section (Anonymity for authorised firearms officers charged with qualifying offences)(2);

'relevant court', in relation to a reporting direction, means—

(a) the court that gave the direction,

(b) the court (if different) that is currently dealing, or that last dealt, with the proceedings in which the direction was given, or

(c) any court dealing with an appeal (including an appeal by way of case stated) arising out of the proceedings in which the direction was given or with any further appeal."*—(Alex Davies-Jones.)*

This new clause, which supplements NC91 and NC92, makes provision about reporting directions that may be given under either of those new clauses.

Brought up, read the First and Second time, and added to the Bill.

New Clause 94

AUTHORISED FIREARMS OFFICERS: ANONYMITY ORDERS

"(1) An anonymity order, in relation to a person ('D') charged with (or convicted of) a qualifying offence, is an order made by a court that requires specified measures to be taken in relation to D to ensure that the identity of D is withheld from the public in proceedings before the court.

(2) For the purposes of subsection (1), the kinds of measures that may be required to be taken in relation to D include measures for securing one or more of the following—

(a) that identifying details relating to D be withheld from the public in proceedings before the court;

(b) that D is screened to any specified extent;

(c) that D's voice is subjected to modulation to any specified extent.

(3) An anonymity order may not require—

(a) D to be screened to such an extent that D cannot be seen by—

(i) the judge or other members of the court (if any), or

(ii) the jury (if there is one);

(b) D's voice to be modulated to such an extent that D's natural voice cannot be heard by any persons within paragraph (a)(i) or (ii).

(4) The court that made an anonymity order may vary or discharge the order if satisfied that it is necessary in the interests of justice to do so.

(5) In this section—

'qualifying offence' has the meaning given by section (Anonymity for authorised firearms officers charged with qualifying offences)(2);

'specified' means specified in the anonymity order concerned."
—(Alex Davies-Jones.)

This new clause, which supplements NC91 and NC92, makes provision about anonymity orders that may be made under either of those new clauses.

Brought up, read the First and Second time, and added to the Bill.

New Clause 5

PORNOGRAPHIC CONTENT: ONLINE HARMFUL CONTENT

"(1) A person commits an offence if they publish or allow or facilitate the publishing of pornographic content online which meets the criteria for harmful material under section 368E(3)(a) and section 368E(3)(b) of the Communications Act 2003.

(2) An individual guilty of an offence is liable—

(a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both);

(b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.

(3) A person who is a UK national commits an offence under this section regardless of where the offence takes place.

(4) A person who is not a UK national commits an offence under this section if any part of the offence takes place in the UK.

(5) The platform on which material that violates the provisions in this section is published can be fined up to £18 million or 10 percent of their qualifying worldwide revenue, whichever is greater.

(6) The Secretary of State must, within six months of the Act receiving Royal Assent, make regulations appointing one or more public bodies (the appointed body) to monitor and enforce compliance by online platforms with this section.

(7) Regulations made under subsection 6 may provide the appointed body appointed by the Secretary of State with the powers, contained in sections 144 and 146 of the Online Safety Act 2023, to apply to the court for a Service Restriction Order or Access Restriction Order (or both).

(8) The appointed body must, within six months of being appointed by the Secretary of State, lay before Parliament a strategy for monitoring, and enforcing, compliance with the provisions in this section.

(9) The appointed body must lay before Parliament an annual report, outlining the enforcement activity undertaken in relation to this section."*—(Matt Vickers.)*

This new clause extends safeguarding requirements for pornography distributed offline to pornography distributed online, making it an offence to publish online harmful material under section 368E(3)(a) and section 368E(3)(b) of the Communications Act 2003.

Brought up, and read the First time.

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

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

New clause 6—*Pornographic content: duty to verify age*—

"(1) A person (A) commits an offence if they publish or allow or facilitate the publishing of pornographic content online where it has not been verified that—

(a) every individual featuring in pornographic content on the platform has given their consent for the content in which they feature to be published or made available by the service; and/or

(b) every individual featuring in pornographic content on the platform has been verified as an adult, and that age verification completed before the content was created and before it was published on the service; and/or

(c) every individual featured in pornographic content on the platform, that had already published on the service when this Act is passed, is an adult.

(2) It is irrelevant under (1a) whether the individual featured in pornographic material has previously given their consent to the relevant content being published, if they have subsequently withdrawn that consent in writing either directly or via an appointed legal representative to—

(a) the platform, or

(b) the relevant regulator where a contact address was not provided by the platform to receive external communications.

(3) If withdrawal of consent under (2) has been communicated in writing to an address issued by the platform or to the relevant public body, the relevant material must be removed by the platform within 24 hours of the communication being sent.

(4) An individual guilty of an offence is liable—

(a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both);

(b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both).

(5) A person who is a UK national commits an offence under this section regardless of where the offence takes place.

(6) A person who is not a UK national commits an offence under this section if any part of the offence takes place in the UK.

(7) The platform on which material that violates the provisions in this section is published can be fined up to £18 million or 10 percent of their qualifying worldwide revenue, whichever is greater.

(8) The Secretary of State will appoint one or more public bodies to monitor and enforce compliance by online platforms with this section, with the relevant public body—

(a) granted powers to impose business disruption measures on non-compliant online platforms, including but not limited to service restriction (imposing requirements on one or more persons who provide an ancillary service, whether from within or outside the United Kingdom, in relation to a regulated service); and access restriction (imposing requirements on one or more persons who provide an access facility, whether from within or outside the United Kingdom, in relation to a regulated service).

(b) required to act in accordance with regulations relating to monitoring and enforcement of this section issued by the Secretary of State, including but not limited to providing the Secretary of State with a plan for monitoring and enforcement of the provisions in this section within six months of the bill entering into force, and publishing annual updates on enforcement activity relating to this section.

(9) Internet services hosting pornographic content must make and keep a written record outlining their compliance with the provisions of this section. Such a record must be made summarised in a publicly available statement alongside the publishing requirements in section 81(4) and (5) of the Online Safety Act."

This new clause makes it a requirement for pornography websites to verify the age and permission of everyone featured on their site, and enable withdrawal of consent at any time.

New clause 7—*Pornographic Content: Duty to safeguard against illegal content—*

"(1) The Online Safety Act is amended as follows.

(2) In section 80(1), after 'service' insert 'and the illegal content duties outlined in Part 3 of this Act.'"

This new clause extends the illegal content duties in Part 3 of the Act to all internet services which are subject to the regulated provider pornographic content duties in Part 5 of the Act.

New clause 51—*Amendment of Possession of extreme pornographic images—*

"(1) Section 63 of the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images) is amended as follows.

(2) In subsection (7) after paragraph (a) insert—

'(aa) an act which affects a person's ability to breath and constitutes battery of that person.'"

This new clause would extend the legal definition of the extreme pornography to include the depiction of non-fatal strangulation.

Matt Vickers: New clause 6 would introduce a safeguard to ensure that all individuals featured in pornographic content online were verified as adults. By requiring verification before content was created and before it was published, the new clause would strengthen protections against the inclusion of minors, whether through coercion, deception or manipulation, and ensure that no content involving under-age individuals was ever legally uploaded in the first place. This is a clear and necessary step to combat child sexual exploitation online, and one that aligns with wider public expectations about safety and decency on digital platforms.

My hon. Friend the Member for Reigate (Rebecca Paul) has raised this issue in the House on multiple occasions, reflecting deep concern over the ease with which harmful and unlawful content can slip through the cracks of unregulated online platforms. The new clause takes that concern seriously and would place a firm legal duty on content hosts to verify the age and consent of all individuals involved. It would shift the burden on to platforms—where it rightly belongs—to adopt robust age verification measures and uphold basic standards of safety and legality. The new clause would not only protect children from exploitation, but help to rebuild public trust in the digital environment by demonstrating that the law was keeping pace with technology.

The new clause's suggestion that pornographic content can be uploaded without the age of the individuals involved being verified is very disturbing. I would be grateful if the Minister could comment on that and why she feels that the new clause might not be necessary. What is in place to prevent content featuring minors from being uploaded?

The pornography review led by Baroness Bertin has recommended that individuals who feature in pornography should have the right at any time to withdraw their consent to the continued publication of that content. The review states:

"Even if a performer or creator has provided consent for the initial recording and sharing of pornographic content, they should have every right to withdraw consent at a later point…and have that content removed."

I am keen to hear the Minister's view and, in particular, why she thinks that that recommendation is wrong.

New clause 51 seeks to update section 63 of the Criminal Justice and Immigration Act 2008 by expanding the definition of extreme pornographic material to include depictions of non-fatal strangulation where it constitutes an act of battery and affects a person's ability to breathe. The purpose of the new clause is to reflect growing concern from victims' groups, criminal justice professionals and law enforcement about the increasing normalisation and distribution of such harmful content. Depictions of strangulation, even when simulated, have been linked to increased risk of real-world violence, especially against women. It has been suggested that strangulation is a strong predictor of future domestic homicide and normalising its portrayal in pornography risks reinforcing abusive behaviour.

Currently, the law prohibits extreme pornography that portrays serious injury or life-threatening acts. However, non-fatal strangulation, although deeply dangerous and traumatic, is not consistently covered by the existing legal framework. The new clause would close that gap by providing clarity to police and prosecutors and sending a clear message that depictions of life-threatening violence for sexual gratification are unacceptable. By targeting depictions in which the act affects a person's ability to breathe and amounts to battery, the new clause is narrowly focused to avoid capturing consensual and legal adult activity while still addressing that which represents serious harm. It would bring the law into line with recent legislative steps such as the introduction of the offence of non-fatal strangulation in the Domestic Abuse Act 2021, acknowledging the real risk and impact of that conduct. Ultimately, this change would strengthen protections for the public and uphold standards of decency, particularly in safeguarding against material that eroticises violence and coercion.

I do not wish to divide the Committee on new clause 6, but would like us to divide on new clause 51, which I understand will be decided on later.

Alex Davies-Jones: I want to make it very clear to hon. Members that I have immense sympathy for the sentiments behind all the new clauses in this group. All of us in the House wish to make society a safer place for women and girls. Indeed, this Government were elected with a commitment to halving violence against women and girls. I am sure we all agree that the fight against the proliferation of extreme pornography and access to harmful material is one step to achieving that goal, so before I respond to new clauses 5 to 7 and 51, I want to share a few thanks.

First, I thank my hon. Friend the Member for Lowestoft (Jess Asato) for tabling new clauses 5 to 7 and for tirelessly campaigning to raise awareness of online harm. I also thank the hon. Member for Stockton West for tabling new clause 51. Importantly, I thank Baroness Bertin, whose independent report on pornography provides us with invaluable insight into pornography and online harm, which the Government continue to consider carefully. All the new clauses shed light on serious issues, and I welcome their being brought to the fore today.

New clause 5 aims to equalise the treatment of pornography regulation online and offline, by making legal but harmful content prohibited online. It seeks to give effect to a recommendation made by Baroness Bertin in her review, which makes the case for parity in the regulation of pornography online and offline. She recommends achieving that through either a new pornography code under the Online Safety Act 2023, or a publication offence, which would render illegal a variety of currently legal pornography content. That approach is similar to what new clause 5 aims to do.

Before I respond to the new clause, I will set out the current legislative framework. Both online and offline pornography is subject to criminal and regulatory legislation and enforcement. The Video Recordings Act 1984 makes it an offence to distribute pornography in a physical media format that has not been classified by the British Board of Film Classification. The BBFC will not classify any content in breach of criminal law or certain other types of pornography. Section 368E of the Communications Act 2003 builds on that framework by prohibiting on-demand programme services, such as ITVX or Prime Video, from showing "prohibited material", which includes any video that has been refused classification certification by the BBFC and any material that would be refused a classification certificate if it were considered by the BBFC. That is enforced by Ofcom as a regulatory matter.

In addition, the Online Safety Act treats certain pornography or related material offences as priority offences, which means that user-to-user services must take proactive measures to remove extreme pornography, intimate image abuse and child sex abuse material from their platforms. The Act also places a duty on user-to-user service providers to take steps to prevent such material from appearing online in the first place. Those provisions apply to services even if the companies providing them are outside the UK, if they have links to the UK.

The criminal law also prohibits the possession of extreme pornography and the publication of obscene material, either online or offline. The Obscene Publications Act 1959 extends to the publication of obscene material other than pornography. The Video Recordings Act 1984, the Licensing Act 2003 and section 63 of the Criminal Justice and Immigration Act 2008 criminalise the simple possession of extreme pornographic images.

New clause 5 would make the publication, or facilitation of publication, of such content online a criminal offence, with regulatory enforcement of the new criminal regime where the person publishing the content is an online platform. The criminal offence created by the new clause would rely on the definition in section 368E of the Communications Act 2003, which requires a judgment to be made about whether the BBFC would classify content that has not been subject to the classification process. Creating this style of criminal offence would require a clearer and more certain definition of such content, as any individual would need to be able to clearly understand what conduct may result in their conviction. Extensive further work would be needed to consider and define what currently legal online pornography cannot be published with sufficient certainty to ensure that any offence was enforceable and workable as intended.

New clause 6 also attempts to give effect to the recommendations made by Baroness Bertin in her review of pornography. It seeks to create additional requirements for websites hosting pornographic material to verify that all individuals featured were over 18 before the content was created, consented to the publication of the material, and are able to withdraw that consent at any time. It would further regulate the online pornography sector and create a new criminal offence for individuals who publish or facilitate the publishing of content online, where the age and valid consent of the individuals featured have not been verified. The underlying conduct depicted if a person is under 18 or non-consenting would include child sexual abuse, sexual assault, non-consensual intimate image abuse and potentially modern slavery offences.

The existing criminal law prohibits the creation, distribution and possession of child sexual abuse material, and the possession of extreme pornographic material, which includes non-consensual penetrative sexual acts. The law on the distribution of indecent images of children is very clear. Under the Protection of Children Act 1978, the UK has a strict prohibition on the taking, making, circulation and possession with a view to

[Alex Davies-Jones]

distribution of any indecent photograph or pseudo-photograph of a child under 18, and these offences carry a maximum sentence of 10 years' imprisonment. Section 160 of the Criminal Justice Act 1988 also makes the simple possession of indecent photographs or pseudo-photographs of children an offence, which carries a maximum sentence of five years' imprisonment. In addition, all published material is subject to the Obscene Publications Act 1959.

1 pm

Alongside that legislation, and in response to concerns about people downloading violent sexual material from the internet, section 63 of the Criminal Justice and Immigration Act 2008 introduced a new offence, making it illegal to possess extreme pornographic images. The offence is subject to a three-year maximum prison sentence and targets a range of extreme material, which it is already an offence to publish or distribute under the Obscene Publications Act. The Online Safety Act 2023 created new offences for sharing and threatening to share intimate images, including deepfake pornography, without consent, and in this very Bill the Government are introducing new offences for taking intimate images without consent and installing equipment with intent to enable the taking of intimate images without consent.

Additionally, human trafficking for the purpose of sexual exploitation is an existing offence under sections 2 and 3 of the Modern Slavery Act 2015. Section 3 extends to the commission of an offence under the Protection of Children Act 1978, which covers indecent photographs of children, or part 1 of the Sexual Offences Act 2003, which includes non-consensual offences of rape and assault by penetration.

On the regulatory side, the Online Safety Act provides additional protections by regulating user-to-user services that enable users to share content online. Those services have duties to tackle illegal content, including child sexual exploitation or abuse, human trafficking and extreme pornography offences. Under their illegal content safety duties, user-to-user services must put in place measures to mitigate and manage the risks identified in their illegal content risk assessments and implement safety-by-design measures to mitigate the broad spectrum of factors that enable illegal activity on their platforms. This includes the risk that their service is used to facilitate child sexual exploitation or abuse offences. Those duties are now in force and Ofcom has strong enforcement powers, including fines of up to £18 million or 10% of qualifying worldwide revenue.

As I have set out, the existing criminal law already makes much of the content covered by new clause 6 illegal. The Government are actively considering how that works in the online space and how best to ensure that any gaps identified are filled.

I turn to new clause 7. As I have just mentioned, the Online Safety Act created a new regulatory framework that imposes legal duties on certain online service providers, including to protect users from the most egregious content. For example, it gave online services that facilitate user-generated content duties to put in place systems and processes to protect users from such content where it is illegal. Those duties apply to any provider that allows users to interact with each other or post content online as part of its service. The Online Safety Act also gave online providers that publish pornography on their own sites a specific new duty to prevent children from accessing it.

New clause 7 is intended to assign the Act's illegal content duties, which apply to providers that host user-generated content, also to companies that publish pornography on their sites. It is not necessary to do that to ensure that those providers are subject to the illegal content safety duties for any user-generated content that they host. Where any pornography company that publishes its own content also has functionality for the sharing of user-generated content, it will already be in scope of the Act's illegal content duties. It will also be subject to the other relevant duties in the Act that are for user-generated content, such as the duty to use age assurance to protect children from the most harmful content, such as pornography or suicide content, if they are likely to access the site.

Where a pornography company does not facilitate user-generated content on its service, it would serve no purpose to give it those legal duties for that kind of content. The duties require providers to use proportionate systems and processes to protect users from content over which they do not have direct control because it is uploaded by users. As providers do have control over which content they upload themselves, this type of duty is not appropriate.

Reflecting that position, pornography companies can straightforwardly be held criminally liable for content that they publish themselves, unlike user-generated content that they host on a service. If an online service provider commits an offence through the action of publishing its own content on its own site, it can be held liable for breaking the law. There is therefore no need to apply additional regulatory duties for content that it is already criminally liable for.

Finally, I turn to new clause 51. Graphic strangulation pornography is illegal, but it is not always treated as such and it remains widely accessible on mainstream pornography platforms. There is increasing evidence, which Baroness Bertin's independent review into pornography brought out, that choking is becoming a common part of real-life sexual encounters, despite the significant medical dangers associated with it. In response to the report, we committed to take urgent action to ensure that pornography platforms, law enforcement and prosecutors take all necessary steps to tackle this increasingly prevalent harm, and we stand by that commitment.

The intention behind the new clause is to extend the extreme pornography offence in section 63 of the Criminal Justice and Immigration Act 2008 to capture depictions of non-fatal strangulation that amounts to battery. It may be helpful if I very briefly explain the history and purpose of that offence. The extreme pornography offence, which is one of possession, was created after a full public consultation. It targets possession of pornographic images, meaning particular categories of image produced solely or principally for the purpose of sexual arousal. Such images need to be grossly offensive, disgusting or otherwise obscene. It is very clear that the offence captures the possession of extreme pornographic material that depicts explicitly and realistically acts that threaten a person's life.

Although it is always for the Crown Prosecution Service to decide on a case-by-case basis whether to prosecute the possession of extreme pornography, we believe that material depicting graphic strangulation is already covered by the offence. For example, a video depicting someone with their hands around the neck of someone else who is struggling to breathe may be captured by the existing offence, even if the result of the behaviour was non-fatal, because it is life-threatening.

I understand that the British Board of Film Classification would likely not pass for classification material that may depict less extreme acts of non-fatal strangulation for porn material accessed offline. As I have previously mentioned, the BBFC already regulates the distribution of pornography in physical form—for example, those old-school things known as DVDs. It will not classify material that is criminal or represents a credible harm risk. That generally includes pornographic content featuring strangulation, including depictions of throat-grabbing, choking, gagging, other plays on breath restriction, and verbal references encouraging such practices.

As I mentioned in relation to new clause 7, the Online Safety Act 2023 places duties on relevant service providers to prevent and remove illegal content. Although dedicated porn provider sites do not have duties, they will be held criminally liable if they are found to host illegal content. That does not specifically include content under the Obscene Publications Act, but does include content caught by section 63 of the Criminal Justice and Immigration Act—the extreme pornography offence.

The amendment of the extreme pornography offence proposed by the hon. Member for Stockton West would extend it to capture any strangulation that amounts to battery. I recognise what he is trying to achieve, but there is a tension here that we need to be mindful of. I wholeheartedly agree that we need to tackle the radical proliferation of misogynistic and violent pornographic material online, and the normalisation of strangulation in sex, particularly for young people. However, we must be clear that consensual strangulation between partners is legal unless it results in serious harm. We therefore need to be mindful of what is legal in real life and where a depiction of that act is of such seriousness that it warrants interference with an individual's right to privately possess it.

Furthermore, amending the offence in such a manner may cast unnecessary doubt on the scope of the existing offence by implying that strangulation must have otherwise fallen outside it, and therefore that the offence should be interpreted in a very restrictive manner. However, I must stress that that is not to say that action is not needed. Were the Government to find a need to legislate after considering Baroness Bertin's report on pornography, we would do so.

To summarise, it is absolutely right that we continue to adapt to ever-changing online harms to improve safety. I am incredibly grateful that the new clauses have been tabled, to give these important issues the debate they rightly deserve. However, they pre-empt the Government's important ongoing work to consider how best to respond to the suite of recommendations made by Baroness Bertin's review. I reassure the Committee that those ongoing considerations include how the withdrawal of consent is aligned across offline and online material, the aims, priorities, resourcing and powers of the relevant regulators, and whether further legislation or regulation of the possession and dissemination of material depicting non-fatal strangulation is required.

For the reasons I have set out previously, and given this Government's commitment to taking any necessary action following full consideration of Baroness Bertin's review, I urge the hon. Member for Stockton West to withdraw his motion.

Ordered, That the debate be now adjourned.—*(Keir Mather.)*

1.10 pm

Adjourned till this day at Two o'clock.