

# Boost for public safety as four justice bills receive Royal Assent

- More powers to police and tougher sentences for worst offenders
- Minimum age of marriage in England and Wales raised to 18 to keep children safe
- New courts measures to reduce delays for victims

The Police, Crime, Sentencing and Courts (PCSC) Act equips the police with the powers and tools they need to combat crime and create safer communities, while overhauling sentencing laws to keep serious sexual and violent offenders behind bars for longer.

New court orders will crack down on knife crime, making it easier to stop and search known knife offenders and prevent future tragedies. Alongside this a new legal duty will be placed on different parts of the public sector to work together to tackle serious violence.

The act will also give greater protection to the vulnerable – domestic abuse victims will be given more time to report incidents of common assault or battery and higher maximum penalties will be introduced for child cruelty offences. Judges will now be able to hand down life sentences to dangerous drivers who kill on our roads and the act also halts the automatic early release of offenders deemed to be a danger to the public.

Meanwhile, the Judicial Review and Courts Act delivers on a manifesto commitment to ensure courts are not open to abuse and delay and provides much needed flexibility on the outcome of Judicial Reviews (JR). Crucially, it also ends inefficient so-called ‘Cart’ JRs to minimise delays in immigration, asylum and other cases that have already been refused permission to appeal by judges.

Two important government-backed Private Members’ Bills were also added onto the statute book today. Under the Marriage and Civil Partnership (Minimum Age) Act the legal age of marriage will be raised to 18 in England and Wales to protect children from the scourge of forced marriage.

The Approved Premises (Substance Testing) Act strengthens the Probation Service’s ability to tackle drug abuse among offenders through new compulsory testing to reduce reoffending.

Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice Dominic Raab said:

This government has been clear in its commitment to cut crime and protect the public – and today we are delivering on that promise.

These new laws give the police and courts the tools they need to

keep people safe – particularly women and children – and will restore confidence in the criminal justice system by making sure punishments fit the severity of the crime.

The laws passed today build on the government's Beating Crime Plan to reduce crime, better protect victims and make the country safer. It has already seen the recruitment of more than 13,500 of the 20,000 extra police officers promised by March 2023 – one of the Prime Minister's first commitments in office.

The PCSC Act also doubles the maximum penalty from 12 months to 2 years for those who assault police or other emergency workers, such as prison officers, fire service personnel or frontline health workers – helping to protect those who put their lives on the line to keep communities safe. It will also bring 'Harpers Law' onto the statute book, introducing mandatory life sentences for anyone convicted of killing an emergency worker whilst committing a crime.

Home Secretary Priti Patel said:

Today is a landmark moment for the people of our country. The measures we promised to introduce to cut crime and make our streets safer are now law.

Passing the Police, Crime, Sentencing and Courts Act is integral to our Beating Crime Plan and delivers on our commitments to back the police, level up the entire country and give everyone the security of a safe street and home.

This act will support the 20,000 additional police recruits that will be in place this time next year to reduce serious violence, including knife crime and domestic abuse, and make sure the very worst criminals are thrown behind bars for the longest possible time.

Today's announcement comes as the government is investing £477m to deliver speedier justice for victims and reduce the backlog of cases which rose significantly during the pandemic. This includes lifting the cap on Crown Court sitting days for another year to ensure courts can continue working at full capacity to minimise delays.

The Marriage and Civil Partnership (Minimum Age) Act was sponsored as a Private Members' Bill by Pauline Latham MP. It will also make it an offence to arrange a child marriage under any circumstances with perpetrators facing up to 7 years behind bars.

The Approved Premises (Substance Testing) Act was brought forward by Rob Butler MP and toughens drug testing within accommodation used by the probation service to house recently released high-risk offenders on licence. The move will help probation staff better identify those at risk, keep them on the path to rehabilitation and cut crime.

## Notes to editors:

### Police, Crime, Sentencing and Courts Act key measures:

- Mandatory life sentences for those who kill an emergency worker in the course of their duty, known as Harper's Law.
- Increasing the maximum penalties for child cruelty offences, including up to life imprisonment for those who cause or allow the death of a child or vulnerable adult in their household, known as Tony's Law.
- Creation of new offences of breastfeeding voyeurism punishable with up to 2 years in custody.
- Extending the prosecution time limit for domestic abuse-related common assault and battery charges from 6 months of the offence to 6 months of it being formally reported to the police, up to a maximum of 2 years.
- Whole life orders for the premeditated murder of a child as well as allowing judges to hand out this maximum punishment to 18-20-year-olds in exceptional cases to reflect the gravity of a crime. For example, acts of terrorism which lead to mass loss of life.
- New powers to halt the automatic early release of offenders who pose a danger to the public.
- For children who commit murder, introducing new starting points for deciding the minimum amount of time in custody based on age and seriousness of offence, and reducing the opportunities for over 18s who committed murder as a child to have their minimum term reviewed.
- Ending the halfway release of offenders sentenced to between 4 and 7 years in prison for serious violent and sexual offences such as rape, manslaughter and GBH with intent. Instead, they will have to spend two-thirds of their time behind bars.
- Ensuring the courts pass at least the minimum sentence for certain offences, including repeat knife possession and third strike burglary, unless there are exceptional circumstances.
- Reforming criminal records disclosure to reduce the time period people have to declare previous non-violent, sexual or terrorist convictions to employers – covering both adult and youth offences.
- Increasing the maximum penalty to life for killer drivers.
- Tougher community sentences which double the amount of time offenders can be subject to curfew restrictions to 2 years.
- Extended 'positions of trusts' laws to protect teenagers from abuse by making it illegal for sports coaches and religious leaders to engage in sexual activity with 16 and 17-year-olds.
- New rules to end the need for participants to travel unnecessarily to court by allowing criminal courts to maximise the use of video and audio technology as it develops.
- Enshrining open justice principles by allowing for remote observers – using video and audio technology – across the vast majority of our courts and tribunals improving public access and transparency.
- For the first time enabling profoundly deaf people to sit on juries. Current laws ban the presence of a 'stranger' being in the jury deliberation room – this will be scrapped and instead allow a British Sign Language interpreter into the room.
- Increasing the maximum penalty for criminal damage of a memorial from 3

months to 10 years.

- Stronger youth community sentencing options, including greater use of location monitoring and longer daily curfews, providing robust alternatives to custody.
- Doubling the maximum penalty for assaulting an emergency worker from 12 months to 2 years.
- A legal duty on local authorities, the police, criminal justice agencies, health and fire and rescue services to work together to reduce serious violence.

#### **New protections and powers for the police include:**

- Serious Violence Reduction Orders – new stop and search powers against convicted knife offensive weapons offenders designed to ensure offenders are steered away from crime and if they persist in carrying a knife or an offensive weapon, that they are more likely to be caught and put in prison.
- Homicide reviews following deaths of adults involving offensive weapons to better understand the drivers of violent crime and stop it happening in the first place.
- Enshrining the police covenant in law.
- A new law to allow police to obtain a search warrant for evidence related to the location of human remains where it is not possible to bring about a prosecution, for example where a suspect is dead, unfit to plead, or has already been convicted of the offence in the absence of a body.
- Strengthen police powers to tackle non-violent protests that have a significant disruptive effect on the public or on access to Parliament.
- Reform pre-charge bail to better protect vulnerable victims and witnesses. Known as Kay's Law, this will put victims of crime at the heart of police decision making and support the timely progression of investigations.
- Strengthen police powers to tackle unauthorised encampments that significantly interfere with a person's or community's ability to make use of the land.

#### **Judicial Review and Courts Act:**

- Will protect certain decisions of the Upper Tribunal from Judicial Review, subject to exceptions, thereby removing Cart Judicial Reviews.
- Government analysis shows that typically only 3.4% of Cart judicial review claims succeed, compared to between a 30 percent and 50 percent success rate in other types of judicial review.
- With the 'Cart' route scrapped, 150 judge days of High Court time will be freed up as well as 30 judge days in the Upper Tribunal, estimated to save nearly half a million pounds which can be better used to tackle the backlog. It will introduce the power to make two modifications to remedies, to be available at judges' discretion:
  - Suspended quashing orders mean that a judge can set a time limit for government to act on the orders of the court. For example, a department might have a month to consult on the best way to resolve an administrative error, rather than rush to do it immediately.

- Prospective quashing orders (instead of retrospective) mean judges can determine the government's decision unlawful but without invalidating any prior actions based on that decision. For example, if a judgment found a copyright regulation unlawful, it could uphold the validity of past transactions (for example the copying of music for private use) taken in good faith based on that regulation.

#### **Marriage and Civil Partnership (Minimum Age) Act:**

- Raises the legal age of marriage in England and Wales to 18, from the current 16 with parental or judicial consent.
- Creates a new offence of arranging a child marriage without the use of coercion. It is already illegal to arrange a child marriage with the use or threat of violence or other abuse.

#### **Approved Premise (Substance Testing) Act:**

- Creates a statutory framework to test high-risk offenders on probation for drugs while they are resident in Approved Premises. This widens the number and type of drugs that are tested for – helping to reduce the number of drug-related deaths and keep those within and living around Approved Premises safe.
- It ensures that staff can react quickly to misuse and implement the necessary treatment. This would replicate the regime in prisons and ensure continuity of support between prison and Approved Premises.