

# The government's case for the Police, Crime and Sentencing Bill

I thought it would be helpful for constituents to share this explanation of the government's Bill being debated and voted on today:

## Police, Crime, Sentencing and Courts Bill

- The first job of any government is to keep people safe, and we have been committed to cutting crime and reforming our justice system so that it serves the law-abiding majority.
- That is why, through our new Police, Crime, Sentencing and Courts Bill, we are overhauling our justice system to give the police and courts the powers they need to keep our streets safe, while providing greater opportunities for offenders to turn their lives around and better contribute to society.

We are reforming our justice system to make sure criminals spend longer in jail:

- Extending Whole Life Orders for the premeditated murder of a child as well as ending the automatic early release of dangerous criminals – keeping the worst offenders behind bars and off our streets. These measures send a clear message that those who commit the most heinous crimes will spend the rest of their lives behind bars. As well as Whole Life Orders, new powers announced today will halt the automatic early release of offenders convicted of serious violent and sexual offences – ensuring they spend at least two-thirds of their sentence behind bars.
- Introducing life sentences for killer drivers, restoring faith in our justice system that the punishment must fit the crime. Drivers who cause fatal accidents while speeding, racing, using a mobile phone or who are under the influence of drugs or alcohol will now face life sentences, ensuring they feel the full force of the law for their selfish actions that cause the deaths of loved ones on our roads.
- Increasing the maximum penalty for criminal damage of a memorial from three months to 10 years, protecting our memorials from desecration. The desecration of our war memorials is an abhorrent act and offenders will face the full force of the law for their actions.
- Doubling the maximum sentence for assaulting an emergency worker from twelve months to two years. In line with our manifesto commitment, this legislation doubles the maximum sentence for those convicted of assaults on frontline staff including police officers, firefighters and paramedics.
- Extending 'positions of trust' laws to protect teenagers from abuse by sports coaches and religious leaders so that our young people can trust the adults they look to for support. This landmark step to protect our young people sends a clear message that positions of trust must not be abused by

the very people that our young people look up to and seek guidance from.

- Introducing 'Kay's Law' to better protect victims and witnesses in cases of violent and sexual offences. 'Kay's Law' encourages the police to impose strict conditions on bail in high harm cases, introduces new pre-charge bail time periods for suspects and introduces a new duty to seek the views of victims on pre-charge bail conditions. 'Kay's Law' is in memory of Kay Richardson who tragically lost her life at her ex-partner's hands while he was released under investigation, rather than on bail. He committed suicide before he could be convicted.
- Introducing tougher community sentences – ensuring offenders give back to society. The measures will double the amount of time offenders can be subject to curfew restrictions, rising from 12 months to two years.
- Enabling profoundly deaf people to sit on juries – extending participation in our justice system further into our society. Under the new legislation a British Sign Language Interpreter will be allowed to be present in the jury deliberation room.

We are backing the police to cut crime:

- Enshrining the Police Covenant into law – strengthening the support for serving and retired officers and their families. The covenant creates a statutory duty for the Government to do more to support the police, both those currently serving and retired, whilst also placing a focus on physical protection, health and wellbeing, as well as support for families.
- Introducing Serious Violence Reduction Orders to help officers target persistent offenders. SVRO's are court-imposed orders which will apply to individuals previously convicted of carrying a knife or offensive weapon. Police will be able to stop and search those who are subject to an SVRO to check if they are carrying a knife or offensive weapon again.
- Strengthening police powers to tackle non-violent protests that cause significant disruption to the public. The measures in the Bill will allow the police to take a more proactive approach in managing highly disruptive protests and will increase the police's ability to prevent protests causing serious disruption to the public.
- Introducing Homicide Reviews where an offensive weapon was involved to identify lessons to be learnt and reduce violent crime. We are introducing a requirement on the police, local authorities, and local health boards to review the circumstances of homicides involving the use of an offensive weapon. The purpose of the review is to identify the lessons to be learnt from the tragic death and to decide whether further action should be taken.
- Criminalising trespass and strengthening police powers to tackle unauthorised encampments that can cause harm, disruption and distress to our local communities. Under the new legislation police will have the power to seize vehicles and arrest or fine trespassers who intend to reside on private and public land without permission, whilst also ensuring they are not able to

return for at least 12 months. The new criminal offence will carry a maximum sentence of three months in prison, a fine of up to £2,500 or both.

This builds on our record of cutting crime and backing our frontline officers:

- Boosting police funding by £636 million this year, ensuring our frontline officers have everything need to keep us safe. This brings total police funding up to £15.8 billion for 2021-2022, including £400 million to recruit 20,000 new officers by 2023, £914 million for counter-terrorism policing, and £1.1 billion to target national priorities such as reducing serious violence and clamping down on county lines.
- Recruiting 20,000 new police officers, helping to keep our streets safe. We have already recruited 8,771 new officers, and we are on track to recruit 20,000 extra officers by 2023. As part of this year's £636 million police funding settlement, more than £400 million will go towards recruiting additional officers.
- Cutting crime by 9 per cent between March 2019 and March 2020, delivering on our promise to cut crime in our communities. In the year before the pandemic, overall crime fell by 9 per cent – demonstrating that by putting more police on the streets, with increased investment and resources, we are delivering on our promise to cut crime and build back safer.
- Delivering an extra £30 million to help the police enforce coronavirus regulations, helping to protect the NHS and save lives. The £30 million funding will allow police forces to increase patrols in town centres, ensuring that people are complying with the new restrictions, particularly in high-risk areas.
- Dismantling county lines gangs through a £40 million funding boost, keeping our towns and children safe from drug gangs. The £40 million of new money to tackle county lines and drugs supply brings the total invested to £65 million since November 2019. The funding has already seen more than 3,400 people arrested, more than 550 lines closed, more than £9 million street value of drugs and £1.5 million cash seized and more than 770 vulnerable people safeguarded.
- Delivering £148 million of new investment to cut crime and protect communities from the scourge of illegal drugs. This funding represents a comprehensive drive to cut drug-fuelled crime and violence in communities as we build back safer after the pandemic. Our investment includes £28 million for Project ADDER that brings together the police and drug recovery services to target and reduce drug-related offending and drug use.
- Delivering £45 million through the Safer Streets Fund to tackle theft, robberies and burglaries in our towns. This funding delivers proven measures to cut neighbourhood crime including locked gates around alleyways, increased street-lighting and the installation of CCTV. The third round of the Safer Streets Fund is now open and will focus on projects that help women and girls feel safer in our communities.

## Amendments:

- **Pet Theft.** We are deeply concerned by the rise in pet theft, and we are keen to take the right action to tackle this abhorrent and distressing crime. That is why we have launched the cross-Government Pet Theft Taskforce to undertake an end-to-end review of pet theft and consider every aspect from prevention, reporting, enforcement and prosecution. The taskforce will report in the summer and begin work to implement approved policy recommendations in the autumn. This amendment would reduce the sentence available for theft of a pet from seven years down to a maximum of two years. It is our intention to make any necessary changes to this Bill in the Lords, before it returns to the Commons once we have finalised the detail of exactly what is needed, using a range of powers including primary legislation.
- **Minimum sentences for rape.** We recognise that sexual violence is a devastating crime that can have life-long impacts on victims and survivors. The maximum penalty for rape is life imprisonment and it is already the case that rape offenders receive lengthy sentences, with two thirds in 2020 receiving custodial sentences above the seven-year minimum that Labour is proposing. By extending the automatic release point, we are already increasing the time served in custody of the same offenders that the Labour amendment would affect.
- **Voyeurism.** We recognise the importance of ensuring that the law on taking and sharing intimate images is effectively protecting victims and we share concerns about reports of these distressing incidents. That is why we have asked the Law Commission to carry out a detailed review of the law around the taking, making and sharing of intimate images without consent. It is important that we consider the Law Commission's analysis and recommendations before committing to changing legislation in this area.
- **Increasing maximum sentences for assaulting retail workers.** It is completely unacceptable to threaten or assault retail staff, especially when they are working so hard to keep vital services running. That is why we have led work with the retail sector to understand their concerns. Our review identified that victims and employers not reporting offences and wider concerns about police handling of reports was the key issue to address, rather than creating a new specific offence which is already covered in law. We certainly do not rule out an amendment on this issue – if appropriate – in the Lords.
- **Increasing maximum sentences for allowing a child to suffer injury or death.** We can confirm that officials are conducting a review into the law in this area, as the matter is more complex than simply increasing the maximum penalty.
- **Street Harassment.** We recognise the shocking extent of street harassment suffered particularly by women and girls and the strength of feeling in the House concerning the need for a new offence. While there are existing offences available to address sexual harassment, we remain open-minded on how to further address this issue. Tackling sexual harassment is not a matter we can expect the criminal law to solve on its own and our VAWG strategy will be

seeking to drive cultural change through education and awareness raising.

- 'Sex for rent'. 'Sex for rent' is an abhorrent practice and we are committed to protecting vulnerable individuals from harm and exploitation. However, the Sexual Offences Act 2003 already covers many of the offences involved in 'sex for rent' cases and recently the CPS pursued the prosecution of a man for two such alleged offences under the Sexual Offences Act. We are continuing to examine this issue in the context of the development of our VAWG strategy and in the light of the outcome of the current criminal proceedings.
- Sex offenders: change of name. We already have some of the toughest measures in the world to manage sex offenders, and the provisions in the Bill, which have been informed by feedback from the police, will help ensure our system is as robust, adaptable and effective as possible. If a registered sex offender changes their name, the existing law requires them to notify the police within three days. Failure to do so is a criminal offence punishable by a maximum of five years' imprisonment. We are committed to ensuring the current system is working and we intend to undertake a review of the issue to understand the scale of the problem and address any weaknesses.
- New offence of failing to stop or report incidents involving actual or potential serious or fatal injury with 14-year max penalty. We take road safety very seriously and we understand the traumatic effects of drivers failing to stop when a person is caused serious injury or even killed. We know that in a small number of cases, the failure to stop and report may be related to an event which leads to the death or serious injury of another person. But in the vast majority of cases, convictions for failure to stop are against drivers who have failed to stop, after causing minor property damage or low-level personal injury. The proposed amendment would create serious anomalies within the driving offences framework and as a result the Department for Transport are exploring how to address the offence in the wider context of road safety.