



# House of Commons

## NOTICES OF AMENDMENTS

given on

**Thursday 11 December 2014**

*For other Amendment(s) see the following page(s) of Supplement to Votes:  
1240-43 and 1245*

## COMMITTEE OF THE WHOLE HOUSE

### COUNTER-TERRORISM AND SECURITY BILL

Secretary Theresa May

12

Clause 42, page 25, line 3, at end insert—

“( ) section 18(10);”

***Member’s explanatory statement***

*The effect of this amendment would be that the repeal of section 124 of the Nationality, Immigration and Asylum Act 2002 would come into force on whatever day Secretary of State appoints by regulations (rather than automatically on the day on which the Bill receives Royal Assent).*

Secretary Theresa May

13

Schedule 1, page 36, line 13, at and insert—

“( ) Anything done before the day on which this Act is passed is as valid as if done on or after that day for the purposes of sub-paragraphs (1) and (2).”

***Member’s explanatory statement***

*This would make it clear that the Secretary of State can comply with the obligations to publish a draft of the code of practice under Schedule 1, to consider representations, to make any appropriate modifications and to lay the draft before Parliament by doing so before the Bill receives Royal Assent.*

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**Counter-Terrorism and Security Bill, *continued***

Mr David Hanson  
Diana Johnson  
Phil Wilson  
Caroline Lucas

NC4

To move the following Clause—

**“Notification and managed return orders**

- (1) A “notification and managed return order” is an order requiring a person (“a carrier”) to notify the Home Secretary that—
  - (a) a specified individual intends to travel to the UK, and
  - (b) the date, time and location of the specified person’s scheduled arrival.
- (2) The Secretary of State may impose a notification and managed return order if conditions A to D are met.
- (3) Condition A is that the Secretary of State reasonably suspects that the specified individual is, or has been, involved in terrorism related activity outside the United Kingdom.
- (4) Condition B is that the Secretary of State reasonably considers that it is necessary, for purposes connected with protecting members of the public in the United Kingdom from a risk of terrorism, for a notification and managed return order to be imposed on a carrier in relation to a specified individual.
- (5) Condition C is that the Secretary of State reasonably considers that the specified individual is outside the United Kingdom.
- (6) Condition D is that the specified individual has the right of abode in the United Kingdom.
- (7) During the period that a notification and managed return order is in force, the Secretary of State must keep under review whether condition B is met.”

Mr David Hanson  
Diana Johnson  
Phil Wilson  
Caroline Lucas

NC5

To move the following Clause—

**“Notification and managed return orders: supplementary provision**

- (1) The Secretary of State must give notice of the imposition of a notification and managed return order to the specified individual and the carrier.
- (2) Notice of the imposition of a notification and managed return order may include notice that the specified individual may be stopped, questioned and detained on return to the United Kingdom.
- (3) A notification and managed return order—
  - (a) comes into force when notice of its imposition is given; and
  - (b) is in force for the period of two years (unless revoked or otherwise brought to an end earlier).
- (4) The Secretary of State may revoke a notification and managed return order at any time.
- (5) The Secretary of State must give notice of the revocation of a notification and managed return order to the specified individual and the carrier.
- (6) If a notification and managed return order is revoked, it ceases to be in force when notice of its revocation is given to the specified individual and the carrier.

**Counter-Terrorism and Security Bill, *continued***

- (7) The validity of a notification and managed return order is not affected by the specified individual—
  - (a) returning to the United Kingdom, or
  - (b) departing from the United Kingdom.
- (8) The imposition of a notification and managed return order does not prevent a further notification and managed return order from being imposed on a carrier in relation to the same specified individual (including in a case where an order ceases to be in force at the expiry of its two year duration).
- (9) The imposition of a notification and managed return order does not prevent a further notification and managed return order from being imposed on another carrier contemporaneously or consecutively in relation to the same specified individual.”

Mr David Hanson  
 Diana Johnson  
 Phil Wilson  
 Caroline Lucas

NC6

To move the following Clause—

**“Penalty for breach of notification and managed return order**

- (1) The Secretary of State may make regulations setting out the penalties to be imposed for breaching a notification and managed return order.
- (2) Regulations under subsection (1) must make provision—
  - (a) about how a penalty is to be calculated;
  - (b) about the procedure for imposing a penalty;
  - (c) about the enforcement of penalties;
  - (d) allowing for an appeal against a decision to impose a penalty;
 and the regulations may make different provision for different purposes.
- (3) Provision in the regulations about the procedure for imposing a penalty must provide for a carrier to be given an opportunity to object to a proposed penalty in the circumstances set out in the regulations.
- (4) Any penalty paid by virtue of this section must be paid into the Consolidated Fund.
- (5) Regulations under this section are to be made by statutory instrument; and any such statutory instrument may not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.”

Mr David Hanson  
 Diana Johnson  
 Phil Wilson  
 Caroline Lucas

14

Clause 11, page 7, leave out lines 16 and 17 and insert—

““specified individual” means a person named in a notification and managed return order and in relation to whom Conditions A-D of section [Notification and managed return orders] are met.

“a carrier” has the same meaning as at section 18.”

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**Counter-Terrorism and Security Bill, *continued***

Mr David Hanson  
Diana Johnson  
Phil Wilson  
Caroline Lucas

Clause 11, page 7, leave out lines 20 to 24

15

Mr David Hanson  
Diana Johnson  
Phil Wilson  
Caroline Lucas

Clause 11, page 7, leave out line 41

16

Mr David Hanson  
Diana Johnson  
Phil Wilson

Schedule 1, page 30, line 14, at end insert—

“(c) the individual subject whose travel document has been removed may appeal against this decision in the courts over the evidence on which conditions in paragraph 2(1)(a) and (b) of this schedule were met.”

17

Diana Johnson  
Mr David Hanson  
Phil Wilson

Clause 38, page 23, line 31, at end insert—

“(4A) The Secretary of State must consult with Welsh Ministers before making provisions under subsection (1) so far as relating to any Measure or Act of the National Assembly of Wales.

(4B) The Secretary of State must consult with Scottish Ministers before making provisions under subsection (1) so far as relating to any Act or instrument of the Scottish Parliament.

(4C) The Secretary of State must consult with the Northern Ireland Executive before making provisions under subsection (1) so far as relating to any Act or instrument of the Northern Ireland Assembly.”

***Member’s explanatory statement***

*This would ensure that the Secretary of State could not amend legislation from the Scottish Parliament or Welsh Assembly or Northern Ireland Assembly without first consulting with the Scottish or Welsh Governments or the Northern Ireland Executive.*

18

Diana Johnson  
Mr David Hanson  
Phil Wilson

Clause 24, page 15, line 6, leave out “may” and insert “must”

***Member’s explanatory statement***

*Changes it from optional to compulsory for the Secretary of State to issue guidance to accompany the statutory obligation provided for under Clause 21.*

19

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**Counter-Terrorism and Security Bill, continued**

Diana Johnson  
Mr David Hanson  
Phil Wilson

20

Clause 24, page 15, line 21, leave out subsection (5) and insert—

- “(5) Before giving guidance under this section, or revising guidance already given, the Secretary of State must lay before Parliament—
- (a) the proposed guidance or proposed revisions, and
  - (b) a draft of an order providing for the guidance, or revisions to the guidance, to come into force.
- (6) The Secretary of State must make the order, and issue the guidance or (as the case may be) make the revisions to the guidance, if the draft of the order is approved by a resolution of each House of Parliament.
- (7) Guidance, or revisions to guidance, come into force in accordance with an order under this section.
- (8) Such an order—
- (a) is to be a statutory instrument, and
  - (b) may contain transitional, transitory or saving provision.”

***Member’s explanatory statement***

*This would ensure that statutory guidance produced under Clause 24 was subject to an affirmative resolution of each House.*

Diana Johnson  
Mr David Hanson  
Phil Wilson

21

Clause 29, page 17, line 29, leave out subsection (7) and insert—

- “(7) To support panels exercising their functions under this section the Secretary of State must—
- (a) provide guidance on the exercise of those functions;
  - (b) provide a list of approved providers for de-radicalisation programmes that may be referred to under subsection (4);
  - (c) ensure that the providers listed under paragraph (b) are subject to monitoring.”

***Member’s explanatory statement***

*This would give a greater role to the Secretary of State in supporting the role of local support panels. The Secretary would have to provide guidance (rather than it being optional) and she would also have to provide a list of approved providers for de-radicalisation programmes and ensure they would be subject to monitoring.*

Diana Johnson  
Mr David Hanson  
Phil Wilson

22

Clause 29, page 17, line 41, at end insert—

- “(c) the responsible local healthcare commissioning group; and
- (d) local representative of the National Offender Management Service.”

***Member’s explanatory statement***

*This would include local health bodies and the probation service on the assessment and support panels.*

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**Counter-Terrorism and Security Bill, *continued***

Diana Johnson  
Mr David Hanson  
Phil Wilson

23

Clause 36, page 22, line 22, leave out “Privacy and Civil Liberties Board” and insert “Counter Terrorism Oversight Panel”  
***Member’s explanatory statement***  
*This would rename the body created by Clause 36.*

Diana Johnson  
Mr David Hanson  
Phil Wilson

24

Clause 36, page 22, line 14, leave out subsection (1) and insert—  
“(1) The Secretary of State shall by regulations made by statutory instrument establish a body to—

- (a) provide advice and assistance to the persons appointed under—
  - (i) section 36(1) of the Terrorism Act 2006,
  - (ii) section 31(1) of the Terrorist Asset-Freezing &c. Act 2010, and
  - (iii) section 20(1) of the Terrorism Prevention and Investigation Measures Act 2011,
 in the discharge of their statutory functions;
- (b) review the operation, effectiveness and implications of the Anti-Terrorism Crime and Security Act 2001, the Counter-Terrorism Act 2008, this Act, and any other law or prerogative power to the extent that it relates to counter-terrorism;
- (c) consider whether such legislation contains appropriate safeguards, is proportionate and remains necessary;
- (d) review intelligence-sharing guidance and practice to the extent that it relates to counter-terrorism and the functions of the Board;
- (e) make recommendations to any public authority about the exercise of its statutory functions relating to the prevention of terrorism;
- (f) undertake inquiries relating to counter-terrorism when invited to do so by the Home Secretary, the Treasury or the Secretary of State for Northern Ireland, or on the initiative of the Board;
- (g) encourage good practice in the prevention, investigation, detection and prosecution of terrorism.
- (h) provide advice and assistance to Government on the development and implementation of policy relating to the prevention of terrorism.”

***Member’s explanatory statement***

*This expands the remit of the body to match that which is described in the Government’s Terms of Reference for this body.*

Diana Johnson  
Mr David Hanson  
Phil Wilson

25

Clause 36, page 22, line 25, at end insert “in accordance with the Code of Public Appointments”

**Counter-Terrorism and Security Bill, continued**

Diana Johnson  
Mr David Hanson  
Phil Wilson

26

Clause 36, page 22, line 32, at end insert—

- “(i) the information-gathering powers of the board;
- (j) reporting requirements, and the formulation of and consultation on an annual work plan;
- (k) the access to such relevant classified material as may be required in order for the board to undertake its functions under subsection (1);”

**Member’s explanatory statement**

*This increases the points that have to be included in regulation brought forward by the Secretary of State to include information gathering powers, formulation of an annual work plan and relevant to classified material.*

Diana Johnson  
Mr David Hanson  
Phil Wilson

NC7

To move the following Clause—

**“Review of Intelligence and Security Committee of Parliament resources and powers**

The Secretary must, within a reasonable time period, consult the Intelligence and Security Committee of Parliament and lay a report before Parliament within six months of the commencement of this Act, on the resources and powers of the Intelligence and Security Committee of Parliament.”

Caroline Lucas

27

Page 1, line 5, leave out Clause 1

Caroline Lucas

28

Page 26, line 1, leave out Schedule 1

Caroline Lucas

NC8

To move the following Clause—

**“Police bail for terrorism suspects**

- (1) Section 34 of the Police and Criminal Evidence Act 1984 is amended as follows.
- (2) In subsection (1) after “offence” insert “or on suspicion of being a terrorist under section 41 of the Terrorism Act 2000”.
- (3) In subsection (2)(b) after “Act” insert “or section 41 of the Terrorism Act 2000”.
- (4) After subsection (5) insert—

“(5A) A grant of bail under this section shall last no longer than six months from the date of release.””

**Member’s explanatory statement**

*As an alternative to the ad hoc passport seizure and retention scheme set out at Clause 1 and*

**Counter-Terrorism and Security Bill, continued**

*Schedule of the Bill this new clause would make police bail, with conditions, available for those suspected of terrorism.*

Yvette Cooper  
Mr David Hanson  
Diana Johnson  
Phil Wilson

29

Clause 1, page 1, line 8, at end insert—

- “(2) This section shall be repealed on 31 December 2016 unless both Houses of Parliament have passed a resolution that it should continue in force until a future date.
- (3) The date specified in a resolution of both Houses of Parliament under subsection ( ) may be modified by subsequent resolutions of both Houses of Parliament.”

Yvette Cooper  
Mr David Hanson  
Diana Johnson  
Phil Wilson

NC9

To move the following Clause—

**“Imposition of terrorism prevention and investigation measures**

- (1) The Secretary of State may by notice (a “TEO”) impose a “temporary exclusion order” which requires an individual not to return to the United Kingdom on an individual if conditions A to E in section [Conditions A to E] are met.
- (2) In this Act “temporary exclusion order” means requirements, restrictions and other provision which may be made in relation to an individual by virtue of sections [Conditions A to E] “prior permission of the court” and Schedule ( ) [Terrorism prevention and investigation measures].
- (3) An individual subject to a TEO may not return to the UK unless—
  - (a) the return is in accordance with a permit to return issued by the Secretary of State before the individual began the return, or
  - (b) the return is the result of the individual’s deportation to the United Kingdom.”

Yvette Cooper  
Mr David Hanson  
Diana Johnson  
Phil Wilson

NC10

To move the following Clause—

**“Conditions A to E**

- (1) Condition A is that the Secretary of State reasonably suspects that the individual is, or has been, involved in terrorism-related activity outside the United Kingdom.
- (2) Condition B is that the Secretary of State reasonably considers that it is necessary, for purposes connected with protecting members of the public in the United Kingdom from a risk of terrorism, for a temporary exclusion order to be imposed on the individual.
- (3) Condition C is that the Secretary of State reasonably considers that the individual is outside the United Kingdom.



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**Counter-Terrorism and Security Bill, *continued***

- (4) Condition D is that the individual has the right of abode in the United Kingdom.
- (5) Condition E is that—
  - (a) the court gives the Secretary of State permission under section 3, or
  - (b) the Secretary of State reasonably considers that the urgency of the case requires a temporary exclusion order to be imposed without obtaining such permission.
- (6) During the period that a temporary exclusion order is in force, the Secretary of State must keep under review whether condition B is met.”

Yvette Cooper  
Mr David Hanson  
Diana Johnson  
Phil Wilson

NC11

To move the following Clause—

**“Prior permission of the court**

- (1) This section applies if the Secretary of State—
  - (a) makes the relevant decisions in relation to an individual, and
  - (b) makes an application to the court for permission to impose measures on the individual.
- (2) The application must set out a draft of the proposed TEO notice.
- (3) The function of the court on the application is—
  - (a) to determine whether the relevant decisions of the Secretary of State are obviously flawed, and
  - (b) to determine whether to give permission to impose measures on the individual and (where applicable) whether to exercise the power of direction under subsection (9).
- (4) The court may consider the application—
  - (a) in the absence of the individual;
  - (b) without the individual having been notified of the application; and
  - (c) without the individual having been given an opportunity (if the individual was aware of the application) of making any representations to the court.
- (5) But that does not limit the matters about which rules of court may be made.
- (6) In determining the application, the court must apply the principles applicable on an application for judicial review.
- (7) In a case where the court determines that a decision of the Secretary of State that condition A, condition B, or condition C is met is obviously flawed, the court may not give permission under this section.
- (8) In any other case, the court may give permission under this section.
- (9) If the court determines that the Secretary of State’s decision that condition D is met is obviously flawed, the court may (in addition to giving permission under subsection (8) give directions to the Secretary of State in relation to the measures to be imposed on the individual.
- (10) In this section “relevant decisions” means the decisions that the following conditions are met—
  - (a) condition A;
  - (b) condition B;
  - (c) condition C; and
  - (d) condition D.”

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**Counter-Terrorism and Security Bill, *continued***

Yvette Cooper  
Mr David Hanson  
Diana Johnson  
Phil Wilson

NS1

To move the following Schedule—

“PROCEEDINGS RELATING TO TEMPORARY EXCLUSION ORDERS

*Introductory*

1 In this Schedule—

“appeal proceedings” means proceedings in the Court of Appeal or the Inner House of the Court of Session on an appeal relating to temporary exclusion order proceedings;

“the relevant court” means—

- (a) in relation to TEO proceedings, the court;
- (b) in relation to appeal proceedings, the Court of Appeal or the Inner House of the Court of Session;

“rules of court” means rules for regulating the practice and procedure to be followed in the court, the Court of Appeal or the Inner House of the Court of Session.

*Rules of court: general provision*

- 2 (1) A person making rules of court relating to TEO proceedings or appeal proceedings must have regard to the need to secure the following—
- (a) that the decisions that are the subject of the proceedings are properly reviewed, and
  - (b) that disclosures of information are not made where they would be contrary to the public interest.
- (2) Rules of court relating to TEO proceedings or appeal proceedings may make provision—
- (a) about the mode of proof and about evidence in the proceedings;
  - (b) enabling or requiring the proceedings to be determined without a hearing;
  - (c) about legal representation in the proceedings;
  - (d) enabling the proceedings to take place without full particulars of the reasons for the decisions to which the proceedings relate being given to a party to the proceedings (or to any legal representative of that party);
  - (e) enabling the relevant court to conduct proceedings in the absence of any person, including a party to the proceedings (or any legal representative of that party);
  - (f) about the functions of a person appointed as a special advocate (see paragraph 10);
  - (g) enabling the court to give a party to the proceedings a summary of evidence taken in the party’s absence.
- (3) In this paragraph—
- (a) references to a party to the proceedings do not include the Secretary of State;
  - (b) references to a party’s legal representative do not include a person appointed as a special advocate.

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**Counter-Terrorism and Security Bill, *continued***

- (4) Nothing in this paragraph is to be read as restricting the power to make rules of court or the matters to be taken into account when doing so.

*Rules of court: disclosure*

- 3 (1) Rules of court relating to TEO proceedings or appeal proceedings must secure that the Secretary of State is required to disclose—
- (a) material on which the Secretary of State relies,
  - (b) material which adversely affects the Secretary of State's case, and
  - (c) material which supports the case of another party to the proceedings.
- (2) This paragraph is subject to paragraph 4.
- 4 (1) Rules of court relating to TEO proceedings or appeal proceedings must secure—
- (a) that the Secretary of State has the opportunity to make an application to the relevant court for permission not to disclose material otherwise than to the relevant court and any person appointed as a special advocate;
  - (b) that such an application is always considered in the absence of every party to the proceedings (and every party's legal representative);
  - (c) that the relevant court is required to give permission for material not to be disclosed if it considers that the disclosure of the material would be contrary to the public interest;
  - (d) that, if permission is given by the relevant court not to disclose material, it must consider requiring the Secretary of State to provide a summary of the material to every party to the proceedings (and every party's legal representative);
  - (e) that the relevant court is required to ensure that such a summary does not contain material the disclosure of which would be contrary to the public interest.
- (2) Rules of court relating to TEO proceedings or appeal proceedings must secure that provision to the effect mentioned in sub-paragraph (3) applies in cases where the Secretary of State—
- (a) does not receive the permission of the relevant court to withhold material, but elects not to disclose it, or
  - (b) is required to provide a party to the proceedings with a summary of material that is withheld, but elects not to provide the summary.
- (3) The relevant court must be authorised—
- (a) if it considers that the material or anything that is required to be summarised might adversely affect the Secretary of State's case or support the case of a party to the proceedings, to direct that the Secretary of State—
    - (i) is not to rely on such points in the Secretary of State's case, or
    - (ii) is to make such concessions or take such other steps as the court may specify, or
  - (b) in any other case, to ensure that the Secretary of State does not rely on the material or (as the case may be) on that which is required to be summarised.
- (4) In this paragraph—
- (a) references to a party to the proceedings do not include the Secretary of State;
  - (b) references to a party's legal representative do not include a person appointed as a special advocate.

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**Counter-Terrorism and Security Bill, *continued***

*Article 6 rights*

- 5 (1) Nothing in paragraphs 2 to 4, or in rules of court made under any of those paragraphs, is to be read as requiring the relevant court to act in a manner inconsistent with Article 6 of the Human Rights Convention.
- (2) The “Human Rights Convention” means the Convention within the meaning of the Human Rights Act 1998 (see section 21(1) of that Act).

*Rules of court: anonymity*

- 6 (1) Rules of court relating to TEO proceedings or appeal proceedings may make provision for—
- (a) the making by the Secretary of State or the relevant individual of an application to the court for an order requiring anonymity for that individual, and
  - (b) the making by the court, on such an application, of an order requiring such anonymity;
- and the provision made by the rules may allow the application and the order to be made irrespective of whether any other TEO proceedings have been begun in the court.
- (2) Rules of court may provide for the Court of Appeal or the Inner House of the Court of Session to make an order in connection with any appeal proceedings requiring anonymity for the relevant individual.
- (3) In sub-paragraphs (1) and (2) the references, in relation to a court, to an order requiring anonymity for the relevant individual are references to an order by that court which imposes such prohibition or restriction as it thinks fit on the disclosure—
- (a) by such persons as the court specifies or describes, or
  - (b) by persons generally,
- of the identity of the relevant individual or of any information that would tend to identify the relevant individual.
- (4) In this paragraph “relevant individual” means an individual on whom the Secretary of State is proposing to impose, or has imposed, measures.

*Initial exercise of rule-making powers by Lord Chancellor*

- 7 (1) The first time after the passing of this Act that rules of court are made in exercise of the powers conferred by this Schedule in relation to proceedings in England and Wales or in Northern Ireland, the rules may be made by the Lord Chancellor instead of by the person who would otherwise make them.
- (2) Before making rules of court under sub-paragraph (1), the Lord Chancellor must consult—
- (a) in relation to rules applicable to proceedings in England and Wales, the Lord Chief Justice of England and Wales;
  - (b) in relation to rules applicable to proceedings in Northern Ireland, the Lord Chief Justice of Northern Ireland.
- (3) But the Lord Chancellor is not required to undertake any other consultation before making the rules.
- (4) A requirement to consult under sub-paragraph (2) may be satisfied by consultation that took place wholly or partly before the passing of this Act.
- (5) Rules of court made by the Lord Chancellor under sub-paragraph (1)—
- (a) must be laid before Parliament, and

**Counter-Terrorism and Security Bill, *continued***

- (b) if not approved by a resolution of each House before the end of 40 days beginning with the day on which they were made, cease to have effect at the end of that period.
- (6) In determining that period of 40 days no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.
- (7) If rules cease to have effect in accordance with sub-paragraph (5)—
  - (a) that does not affect anything done in previous reliance on the rules, and
  - (b) sub-paragraph (1) applies again as if the rules had not been made.
- (8) The following provisions do not apply to rules of court made by the Lord Chancellor under this paragraph—
  - (a) section 3(6) of the Civil Procedure Act 1997 (Parliamentary procedure for civil procedure rules);
  - (b) section 56(1), (2) and (4) of the Judicature (Northern Ireland) Act 1978 (statutory rules procedure).
- (9) Until the coming into force of section 85 of the Courts Act 2003, the reference in sub-paragraph (8)(a) to section 3(6) of the Civil Procedure Act 1997 is to be read as a reference to section 3(2) of that Act.

*Use of advisers*

- 8 (1) In any TEO proceedings or appeal proceedings the relevant court may if it thinks fit—
  - (a) call in aid one or more advisers appointed for the purposes of this paragraph by the Lord Chancellor, and
  - (b) hear and dispose of the proceedings with the assistance of the adviser or advisers.
- (2) The Lord Chancellor may appoint advisers for the purposes of this paragraph only with the approval of—
  - (a) the Lord President of the Court of Session, in relation to an adviser who may be called in aid wholly or mainly in Scotland;
  - (b) the Lord Chief Justice of Northern Ireland, in relation to an adviser who may be called in aid wholly or mainly in Northern Ireland;
  - (c) the Lord Chief Justice of England and Wales, in any other case.
- (3) Rules of court may regulate the use of advisers in proceedings who are called in aid under sub-paragraph (1).
- (4) The Lord Chancellor may pay such remuneration, expenses and allowances to advisers appointed for the purposes of this paragraph as the Lord Chancellor may determine.
- 9 (1) The Lord President of the Court of Session may nominate a judge of the Court of Session who is a member of the First or Second Division of the Inner House of that Court to exercise the function under paragraph 8(2)(a).
- (2) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise the function under paragraph 8(2)(b)—
  - (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
  - (b) a Lord Justice of Appeal (as defined in section 88 of that Act).
- (3) The Lord Chief Justice of England and Wales may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise the function under paragraph 8(2)(c).

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**Counter-Terrorism and Security Bill, *continued***
*Appointment of special advocate*

- 10 (1) The appropriate law officer may appoint a person to represent the interests of a party in any TEO proceedings or appeal proceedings from which the party (and any legal representative of the party) is excluded.
- (2) A person appointed under sub-paragraph (1) is referred to in this Schedule as appointed as “special advocate”.
- (3) The “appropriate law officer” is—
- (a) in relation to proceedings in England and Wales, the Attorney General;
  - (b) in relation to proceedings in Scotland, the Advocate General for Scotland;
  - (c) in relation to proceedings in Northern Ireland, the Advocate General for Northern Ireland.
- (4) A person appointed as a special advocate is not responsible to the party to the proceedings whose interests the person is appointed to represent.
- (5) A person may be appointed as a special advocate only if—
- (a) in the case of an appointment by the Attorney General, the person has a general qualification the purposes of section 71 of the Courts and Legal Services Act 1990;
  - (b) in the case of an appointment by the Advocate General for Scotland, the person is an advocate or a solicitor who has rights of audience in the Court of Session or the High Court of Justiciary by virtue of section 25A of the Solicitors (Scotland) Act 1980;
  - (c) in the case of an appointment by the Advocate General for Northern Ireland, the person is a member of the Bar of Northern Ireland.”

Hazel Blears  
Dr Julian Lewis

30

Clause 21, page 13, line 34, at end insert “and must also develop capacity to combat and reject the messages of extremism”

***Member’s explanatory statement***

*This amendment introduces a requirement to support work combating the ideology of extremism as part of preventing people being drawn into terrorism.*

Hazel Blears  
Dr Julian Lewis

31

Clause 24, page 15, line 7, at end insert—

“(1A) Any such guidance should include a requirement to develop capacity to combat and reject the messages of extremism”

***Member’s explanatory statement***

*This amendment introduces a requirement to support work combating the ideology of extremism as part of preventing people being drawn into terrorism.*

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Counter-Terrorism and Security Bill, *continued*

Caroline Lucas

NC12

To move the following Clause—

**“Review of international best practice around deradicalisation**

- (1) The Secretary of State Shall, within three months of this Act coming into force, lay before both Houses of Parliament a review into international best practice around deradicalisation.
- (2) The review under subsection (1) shall include in particular—
  - (a) examination of best practice in—
    - (i) Germany;
    - (ii) Denmark;
    - (iii) Sweden;
    - (iv) other countries as determined by the Secretary of State.
  - (b) the role of community-based organisations in developing and delivering strategies to prevent radicalisation and to deradicalise individuals.
  - (c) evidence-based recommendations for the rapid implementation of a comprehensive radicalisation programme in the UK.”

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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 11 December 2014:*

Amendments 1, 2 and 3

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