

Coroners and Justice Bill

LORDS AMENDMENT IN LIEU, INSISTENCE AND REASONS

[The page and line references are to HL Bill 33, the bill as first printed for the Lords]

After Clause 5

LORDS AMENDMENT NO. 1

1 Insert the following new Clause –

“Information for inquests

In section 15 of the Regulation of Investigatory Powers Act 2000 (c. 23) (general safeguards), after subsection (4)(c) insert –

“(ca) it is necessary to ensure that an inquest has the information it needs to enable the matters required to be ascertained by the investigation to be ascertained;”.

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 1 for the following Reason –

1A *Because intercepted material and related communications data, and information about the circumstances in which they were obtained, should not be publicly disclosed.*

LORDS NON-INSISTENCE AND AMENDMENT IN LIEU

The Lords do not insist on their Amendments 1, 2 and 216, but do propose Amendment 1B in lieu.

Schedule 1

1B Page 115, line 29, leave out sub-paragraph (1) and insert –

(1) “Subject to sub-paragraph (2), a senior coroner must suspend an investigation under this Part of this Act into a person’s death if –

(a) the Lord Chancellor requests the coroner to do so on the ground that the cause of death is likely to be adequately investigated by

an inquiry under the Inquiries Act 2005 (c. 12) that is being or is to be held,

- (b) a senior judge has been appointed under that Act as chairman of the inquiry, and
- (c) the Lord Chief Justice has indicated approval to the Lord Chancellor, for the purposes of this paragraph, of the appointment of that judge.

In paragraph (b) “senior judge” means a judge of the High Court or the Court of Appeal or a Justice of the Supreme Court.”

LORDS AMENDMENT NO. 2

2 Insert the following new Clause –

“Amendment to the Regulation of Investigatory Powers Act 2000

- (1) Section 18 of the Regulation of Investigatory Powers Act 2000 (c. 23) (exceptions to section 17) is amended as follows.
- (2) In subsection (7), after paragraph (c) insert –
 - “(d) a disclosure to a coronial judge or to a person appointed as counsel to an inquest or to members of a jury at an inquest or to an interested person in which the coronial judge has ordered the disclosure.”
- (3) After subsection (8A) insert –
 - “(8B) A coronial judge shall not order a disclosure under subsection (7)(d) except where the judge is satisfied that the circumstances of the case make the disclosure necessary to enable the matters required to be ascertained by the investigation to be ascertained.
 - (8C) An order for disclosure made under subsection (7)(d) may include directions enabling the redaction of any material relating to the method or means by which the information was obtained.”
- (4) After subsection (13) insert –
 - “(14) In this section “interested person” has the same meaning as in section 38 of the Coroners and Justice Act 2009.
 - (15) In this section “coronial judge” means a judge nominated by the Lord Chief Justice under the Coroners and Justice Act 2009 to conduct an investigation into a person’s death and who has agreed to do so.””

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 2 for the following Reason –

2A *Because intercepted material and related communications data, and information about the circumstances in which they were obtained, should not be publicly disclosed.*

LORDS NON-INSISTENCE AND AMENDMENT IN LIEU

The Lords do not insist on their Amendments 1, 2 and 216, but do propose Amendment 1B in lieu.

Clause 61

LORDS AMENDMENT NO. 59

59 Leave out Clause 61

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 59 for the following Reason –

59A *Because section 29JA of the Public Order Act 1986 makes unnecessary provision.*

LORDS INSISTENCE AND REASON

The Lords insist on their Amendments 59, 119, 121, 236 and 239 for the following Reason –

59B *Because the provision made by section 29JA of the Public Order Act 1986 is necessary.*

Clause 165

LORDS AMENDMENT NO. 119

119 Page 111, line 26, leave out paragraph (b)

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 119 for the following Reason –

119A *Because section 29JA of the Public Order Act 1986 makes unnecessary provision.*

LORDS INSISTENCE AND REASON

The Lords insist on their Amendments 59, 119, 121, 236 and 239 for the following Reason –

119B *Because the provision made by section 29JA of the Public Order Act 1986 is necessary.*

LORDS AMENDMENT NO. 121

121 Page 111, line 37, leave out sub-paragraphs (i) and (ii)

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 121 for the following Reason –

121A *Because section 29JA of the Public Order Act 1986 makes unnecessary provision.*

LORDS INSISTENCE AND REASON

The Lords insist on their Amendments 59, 119, 121, 236 and 239 for the following Reason –

121B *Because the provision made by section 29JA of the Public Order Act 1986 is necessary.*

Schedule 20

LORDS AMENDMENT NO. 216

216 Page 212, line 28, at end insert –

“3A Section (*Amendment to the Regulation of Investigatory Powers Act 2000*) has effect in relation to investigations that have begun, but have not been concluded, before the day on which that section comes into force (as well as to inquests beginning on or after that day).”

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 216 for the following Reason –

216A *Because it is consequential on Lords Amendment No. 2 to which the Commons disagree.*

LORDS NON-INSISTENCE AND AMENDMENT IN LIEU

The Lords do not insist on their Amendments 1, 2 and 216, but do propose Amendment 1B in lieu.

Schedule 21

LORDS AMENDMENT NO. 236

236 Page 224, leave out line 38

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 236 for the following Reason –

236A *Because section 29JA of the Public Order Act 1986 makes unnecessary provision.*

LORDS INSISTENCE AND REASON

The Lords insist on their Amendments 59, 119, 121, 236 and 239 for the following Reason –

236B *Because the provision made by section 29JA of the Public Order Act 1986 is necessary.*

LORDS AMENDMENT NO. 239

239 Page 224, leave out lines 39 and 40

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 239 for the following Reason –

239A *Because section 29JA of the Public Order Act 1986 makes unnecessary provision.*

LORDS INSISTENCE AND REASON

The Lords insist on their Amendments 59, 119, 121, 236 and 239 for the following Reason –

239B *Because the provision made by section 29JA of the Public Order Act 1986 is necessary.*

LORDS AMENDMENT IN LIEU,
INSISTENCE AND REASONS TO THE
CORONERS AND JUSTICE BILL

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