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Serious Crime Bill: Government amendments for Lords Third Reading

I am writing to let you have details of some technical and drafting amendments I have tabled yesterday for Third Reading on 5 November.

Drug-cutting agents (amendments to clauses 61 and 74)

Part 4 of the Bill provides for the seizure and forfeiture of substances used as drug-cutting agents. Clause 60 of the Bill enables a magistrates' court (in England and Wales), a sheriff (in Scotland) or a court of summary jurisdiction (in Northern Ireland), on application by a police or customs officer, to order the forfeiture of a substance if the court or sheriff, as the case may be, is satisfied that it is intended for use as a drug-cutting agent. Clause 61 provides for a right of appeal against a decision under clause 60 to order the forfeiture of a substance or to order its return to the person entitled to it. In Scotland, the appeal is to the sheriff principal. The Scottish Parliament has recently passed the Courts Reform (Scotland) Act 2014. Amongst other things, that Act establishes a new right of appeal from the sheriff to the Sheriff Appeal Court and, in the process, abolishes the current right of appeal from a sheriff to the sheriff principal. The amendments to clause 61 accordingly modify the avenue of appeal in respect of decisions under clause 60. The consequential amendment to clause 74 provides for a transitional provision so that, prior to the commencement of the relevant provisions of Courts Reform (Scotland) Act 2014, the avenue of appeal in Scotland under clause 61 will be to the sheriff principal, should this be necessary.

Female Genital Mutilation (amendments to clauses 67, 75 and 76)

These drafting amendments simply split into two clauses the provisions in clause 67 (which extends the extra-territorial reach of the offences in the Female Genital Mutilation Act 2003 and Prohibition of Female Genital Mutilation (Scotland) Act 2005, and amends the 2003 Act to provide for lifelong anonymity for the victims of FGM), and makes consequential amendments to the extent and commencement clauses.

I am copying this letter to Baroness Hamwee, Lord Laming, Baroness Meacher, Baroness Butler-Sloss, Baroness Tonge, Lord Dobbs, the Bishop of Rochester, Baroness Hughes of Stretford and Lord Lester of Herne Hill. I am also placing a copy in the library of the House and on the Bill page of the Government website.

Great this is helpful.
With best wishes,
Michael

Lord Bates