

Victims and Courts Act 2026

CHAPTER 19

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

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CHAPTER 19

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Victims and Courts Act 2026

2026 CHAPTER 19

An Act to make provision about the experience of victims within the criminal justice system; about the functions of the Commissioner for Victims and Witnesses; and about procedure and the administration of criminal justice. [29th April 2026]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Attendance at sentencing hearings

1 Power to compel attendance at sentencing hearing

In Part 3 of the Sentencing Code (procedure), after Chapter 2 insert—

"CHAPTER 2A

ATTENDANCE AT SENTENCING HEARINGS

41A Power to order offender to attend

(1) This section applies where—

(a) an offender has been convicted of an offence,

(b) the offender is to be detained in custody while awaiting sentencing by the Crown Court, and

(c) the offender has refused, or there are reasonable grounds to suspect that the offender will refuse, to attend court for the sentencing hearing.

(2) The Crown Court may order the offender to attend court for the sentencing hearing.

(3) An order under subsection (2) may be made by the court of its own motion or on the application of the prosecutor.

(4) Before making an order under subsection (2) in relation to an offender aged under 18, the court must consult the relevant youth offending team.

(5) Where the court makes an order under subsection (2) in relation to an offender who is aged 18 or over, a relevant officer may, in exercising any function for the purpose of delivering the offender to the courtroom, use reasonable force, if necessary and proportionate.

(6) An offender who fails, without reasonable excuse, to comply with an order under subsection (2) commits a criminal contempt of court (see also section 41B).

(7) In this section—

"relevant officer" means—

(a) a prison officer;

(b) an officer of a young offender institution;

(c) a prisoner custody officer (within the meaning of section 89 of the Criminal Justice Act 1991);

"the relevant youth offending team" means the youth offending team established under section 39 of the Crime and Disorder Act 1998 that is providing support to the offender while awaiting sentence;

"sentencing hearing" means a hearing following conviction that is held for the purpose of sentencing the offender.

(8) Nothing in this section limits—

(a) any other power of a court to order an offender to attend court for a sentencing hearing;

(b) any part of the law of contempt;

(c) any other power of a relevant officer to use force.

41B Attendance orders: prison sanctions for contempt

(1) This section applies where—

(a) the Crown Court makes an order under section 41A requiring an offender to attend a sentencing hearing in respect of an offence,

(b) the offender—

(i) commits a contempt of court by failing to comply with the order as mentioned in section 41A(6), or

(ii) commits a contempt of court by interrupting the hearing or otherwise misbehaving and is removed from the hearing because of their conduct,

(c) the offender is 18 or over at the time at which the contempt is committed, and

(d) the offender is sentenced to imprisonment or detention for the offence or committed for the contempt.

(2) In dealing with the contempt the court may make a prison sanctions order in relation to the offender (instead of or in addition to exercising any other power).

(3) But a prison sanctions order may not be made in relation to an offender aged 18, 19 or 20 unless the place where the offender is to be taken for detention immediately after the order is made is—

(a) a prison, or

(b) a young offender institution that is provided exclusively as a place for the detention of persons aged 18 to 20.

(4) In this section "prison sanctions order" means an order—

(a) imposing one or more sanctions of a description specified for the purpose of this section by regulations made by the Secretary of State, and

(b) in relation to any sanction for which the regulations provide for there to be a maximum period, specifying the period for which it is imposed, which must not exceed the maximum.

(5) The only sanctions that may be specified in the regulations are sanctions that correspond to the punishments that may be imposed by a governor under prison rules for an offence against discipline.

(6) The regulations must specify a maximum period for which the sanction may be imposed if the corresponding punishment under prison rules has a maximum period for which it may be imposed.

(7) The maximum period specified in the regulations for a sanction must not exceed the maximum period specified for the corresponding punishment under prison rules.

(8) The regulations may make further provision as to the effect of a sanction being imposed by a prison sanctions order.

(9) Regulations made by virtue of subsection (8) may, in particular—

(a) create exceptions;

(b) confer a discretion on the governor of the prison or young offender institution in which the person is detained.

(10) Regulations under this section are subject to the affirmative resolution procedure.

(11) In this section—

"governor", in relation to a prison or youth offender institution, includes a director of the prison or institution;

"prison" has the same meaning as in the Prison Act 1952;

"prison rules" means rules made in respect of prisons under section 47 of the Prison Act 1952."

2 Power to compel attendance at sentencing hearing: armed forces

(1) The Armed Forces Act 2006 is amended as follows.

(2) After section 259 insert—

"Attendance at sentencing hearings

259A Power to order attendance

(1) This section applies where—

(a) an offender has been convicted of a service offence,

(b) the offender is to be detained in custody while awaiting sentencing by the Court Martial or the Service Civilian Court, and

(c) the offender has refused, or there are reasonable grounds to suspect the offender will refuse, to attend court for the sentencing hearing.

(2) The court may order the offender to attend court for the sentencing hearing.

(3) An order under subsection (2) may be made by the court of its own motion or on the application of the Director of Service Prosecutions.

(4) Before making an order under subsection (2) in relation to an offender aged under 18, the court must consult the relevant youth offending team.

(5) In deciding whether to make an order under subsection (2) in relation to an offender aged under 18, the court must have regard to the welfare of the offender.

(6) Where the court makes an order under subsection (2) in relation to an offender who is aged 18 or over, a person subject to service law who is authorised for the purposes of this subsection by the Provost Marshal of the Royal Military Police may, in exercising any function for the purpose of delivering the offender to the courtroom, use reasonable force, if necessary and proportionate.

(7) In this section—

"the relevant youth offending team" means the youth offending team established under section 39 of the Crime and Disorder Act 1998 that is providing support to the offender while awaiting sentence;

"sentencing hearing" means a hearing following conviction that is held for the purpose of sentencing the offender.

(8) Nothing in this section limits—

(a) any other power of the court to order an offender to attend court for a sentencing hearing;

(b) any other power of a person authorised as mentioned in subsection (6) to use reasonable force."

(3) In section 309 (offences of misbehaviour in court etc)—

(a) in subsection (1)—

(i) omit the "or" at the end of paragraph (d);

(ii) at the end of paragraph (e) insert ", or

(f) fails without reasonable excuse to comply with an order made by the court under section 259A(2) (order by Court Martial or Service Civilian Court to attend sentencing hearing).";

(b) after subsection (3) insert—

"(3A) Subsection (3B) applies where—

(a) a qualifying service court makes an order under section 259A(2) requiring an offender to attend a sentencing hearing in respect of a service offence,

(b) the offender—

(i) engages in conduct within subsection (1)(d) at the hearing, or

(ii) fails to comply with the order as mentioned in subsection (1)(f),

(c) the offender is 18 or over at the time of that conduct or failure, and

(d) the offender is sentenced to imprisonment or detention for the service offence.

(3B) The court may make a prison sanctions order in relation to the offender (instead of or in addition to exercising any other power under this section).

(3C) But a prison sanctions order may not be made in relation to an offender aged 18, 19 or 20 unless the place where the offender is to be taken for detention immediately after the order is made is—

(a) a prison, or

(b) a young offender institution that is provided exclusively as a place for the detention of persons aged 18 to 20.";

(c) omit subsection (5);

(d) after subsection (6) insert—

"(7) In this section—

"prison sanctions order" has the meaning given by section 41B(4) of the Sentencing Code;

"qualifying service court" means—

(a) the Court Martial;

(b) the Summary Appeal Court;

(c) the Service Civilian Court."

Restricting parental responsibility

3 Restricting parental responsibility of certain sex offenders

(1) After section 10B of the Children Act 1989 insert—

"10C Duty to make prohibited steps order where serious sexual offence committed

(1) This section applies where—

(a) the Crown Court sentences a person ("the offender") to a life sentence, or a term of imprisonment or detention of 4 years or more, for a serious sexual offence committed against a child, and

(b) the offender has parental responsibility for at least one child.

(2) The Crown Court must make a prohibited steps order with respect to each child for whom the offender has parental responsibility.

(3) The order must—

(a) specify that no step of any kind which could be taken by a parent in meeting their parental responsibility for a child may be taken by the offender with respect to the child without the consent of the High Court or the family court, and

(b) be made to have effect until the order is varied or discharged by the High Court or the family court.

(4) But the Crown Court must not make a prohibited steps order under this section if—

(a) making the order is prohibited by section 29(3) of the Adoption and Children Act 2002,

(b) a prohibited steps order is already in force that meets the requirements in subsection (3), or

(c) it appears to the Crown Court that it would not be in the interests of justice to do so.

(5) A prohibited steps order made under this section does not cease to have effect if—

(a) the offender is acquitted of the offence on appeal, or

(b) the sentence is reduced, on appeal, so that it is no longer a life sentence or a term of imprisonment or detention of 4 years or more,

but see section 10D.

(6) Sections 1, 7 and 11 do not apply where the Crown Court proceeds under this section.

(7) A prohibited steps order made under this section is to be treated for the purposes of section 31F(6) of the Matrimonial and Family Proceedings Act 1984 (proceedings and decisions) as if it were made by the family court.

(8) The Crown Court does not have jurisdiction to entertain any proceedings in connection with the enforcement of a prohibited steps order made under this section.

(9) A reference in this Act to an order under this section includes, so far as the context permits, an order varying or discharging it.

(10) In this section—

"life sentence" means a sentence of imprisonment, detention or custody for life, or during His Majesty's pleasure;

"serious sexual offence" means an offence listed in Schedule ZA1.

(11) The Secretary of State may by regulations amend the list of offences in Schedule ZA1.

10D Review of orders made under section 10C

(1) This section applies if—

(a) a prohibited steps order is made under section 10C prohibiting the taking of steps with respect to a child, and

(b) either—

(i) the offender is acquitted of the offence on appeal, or

(ii) the sentence is reduced, on appeal, so that it is no longer a life sentence or a term of imprisonment or detention of 4 years or more.

(2) The local authority that is the relevant local authority at the time the verdict of acquittal is entered or the sentence is reduced (if any) must make an application to the court (see section 92(7)) to review the order.

(3) An application under this section must be made as soon as is reasonably practicable and in any event before the end of the period of 30 days beginning with the day after the day on which the verdict of acquittal was entered or the sentence was reduced.

(4) The Secretary of State may by regulations amend the period specified in subsection (3).

(5) In this section—

"life sentence" has the meaning given by section 10C(10);

"relevant local authority" means—

(a) where the child with respect to whom the order was made is ordinarily resident within the area of a local authority in England or Wales, that local authority;

(b) where the child with respect to whom the order was made does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority."

(2) Schedule 1 to this Act inserts a Schedule into the Children Act 1989 setting out the serious sexual offences for the purposes of the new section 10C of that Act inserted by subsection (1).

4 Restricting parental responsibility for child conceived as a result of rape

After section 10D of the Children Act 1989 (review of orders made under section 10C) (inserted by section 3) insert—

"10E Duty to make prohibited steps order following rape

(1) This section applies where the Crown Court—

(a) sentences a person ("the offender") for an offence under section 1 of the Sexual Offences Act 2003 (rape), and

(b) is satisfied that a child ("the child") for whom the offender has parental responsibility was conceived as a result of the rape.

(2) The Crown Court must make a prohibited steps order when sentencing the offender.

(3) The order must—

(a) specify that no step of any kind which could be taken by a parent in meeting their parental responsibility for a child may be taken by the offender with respect to the child without the consent of the High Court or the family court, and

(b) be made to have effect until the order is varied or discharged by the High Court or the family court.

(4) But the Crown Court must not make a prohibited steps order under this section if—

(a) making the order is prohibited by section 29(3) of the Adoption and Children Act 2002,

(b) a prohibited steps order is already in force that meets the requirements in subsection (3), or

(c) it appears to the Crown Court that it would not be in the interests of justice to do so.

(5) A prohibited steps order made under this section does not cease to have effect if the offender is acquitted of the offence on appeal, but see section 10G.

(6) Sections 1, 7 and 11 do not apply where the Crown Court proceeds under this section.

(7) A prohibited steps order made under this section is to be treated for the purposes of section 31F(6) of the Matrimonial and Family Proceedings Act 1984 (proceedings and decisions) as if it were made by the family court.

(8) The Crown Court does not have jurisdiction to entertain any proceedings in connection with the enforcement of a prohibited steps order made under this section.

(9) A reference in this Act to an order under this section includes, so far as the context permits, an order varying or discharging it.

10F Duty to apply to court where child may have been conceived as a result of rape

(1) This section applies where—

(a) the Crown Court sentences a person ("the offender") for an offence under section 1 of the Sexual Offences Act 2003 (rape),

(b) the Crown Court is satisfied that there is a child ("the child") for whom the offender has parental responsibility,

(c) the Crown Court considers that the child may have been conceived as a result of the rape, and

(d) section 10E does not apply.

(2) The Crown Court must notify the local authority that is the relevant local authority at the time the offender is sentenced (if any) of the matters set out in subsection (1).

(3) The notification under subsection (2) must be given before the end of the period of 30 days beginning with the day after the day on which the offender is sentenced.

(4) Before the end of the period of six months beginning with the day after the day on which the Crown Court notifies the local authority under subsection (2), the local authority must make enquiries into whether—

(a) the victim of the rape, or

(b) if the victim is deceased, any person with parental responsibility for the child other than the offender,

consents to an application being made to the court (see section 92(7)) for the court to determine whether to make a section 8 order.

(5) If consent is given, the local authority must make that application as soon as is reasonably practicable and in any event before the end of the period of 30 days beginning with the day after the day on which the consent is given.

(6) Subsections (4) and (5) do not apply if the local authority is satisfied that the court would not have jurisdiction to make a section 8 order (see sections 2 and 3 of the Family Law Act 1986).

(7) The Secretary of State may by regulations amend the periods specified in subsections (3), (4) and (5).

(8) In this section, "relevant local authority" means—

(a) where the child is ordinarily resident within the area of a local authority in England or Wales, that local authority;

(b) where the child does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority.

10G Review of orders made under section 10E or following an application under section 10F

(1) This section applies where—

(a) either—

(i) a prohibited steps order has been made under section 10E, or

(ii) an order under Part 2 has been made following an application under section 10F, and

(b) the offender is acquitted of the offence following an appeal.

(2) The local authority that is the relevant local authority at the time the verdict of acquittal is entered (if any) must make an application to the court (see section 92(7)) to review the order.

(3) An application under this section must be made as soon as is reasonably practicable and in any event before the end of the period of 30 days beginning with the day after the day on which the verdict of acquittal was entered.

(4) The Secretary of State may by regulations amend the period specified in subsection (3).

(5) In this section, "relevant local authority" means—

(a) where the child with respect to whom the order was made is ordinarily resident within the area of a local authority in England or Wales, that local authority;

(b) where the child with respect to whom the order was made does not fall within paragraph (a) but is present within the area of a local authority in England or Wales, that local authority."

5 Sections 3 and 4: consequential amendments

(1) The Children Act 1989 is amended in accordance with subsections (2) to (8).

(2) In section 8(3), after "10A" insert ", 10C or 10E".

(3) In section 9(1), (6A) and (8) (as amended or inserted by section 18 of the Victims and Prisoners Act 2024), after "10A" insert ", 10C or 10E".

(4) In section 10A (inserted by section 18 of the Victims and Prisoners Act 2024)—

(a) for the heading substitute "Duty to make prohibited steps order where one parent kills another";

(b) after subsection (9) insert—

"(10) A reference in this Act to an order under this section includes, so far as the context permits, an order varying or discharging it."

(5) In section 10B, in subsection (2), after "made" insert "(if any)".

(6) In section 33(3A) (inserted by section 18 of the Victims and Prisoners Act 2024)—

(a) after "10A" insert ", 10C or 10E";

(b) for "parent", in both places it occurs, substitute "person".

(7) In section 91—

(a) in subsection (2), after "10A" (inserted by section 18 of the Victims and Prisoners Act 2024) insert ", 10C or 10E";

(b) after subsection (14) insert—

"(14A) The reference in subsection (14) and section 91A(5)(a)(iii) to the disposal of an application includes an application under the following provisions—

section 10B,

section 10D,

section 10F, or

section 10G."

(8) In section 104(3AZA) (inserted by section 18 of the Victims and Prisoners Act 2024), for "section 10B(6)" substitute—

"section 10B(6),

section 10C(11),

section 10D(4),

section 10F(7), or

section 10G(4)."

(9) In section 50(2A) of the Criminal Appeal Act 1968 (inserted by section 18 of the Victims and Prisoners Act 2024), after "10A" insert ", 10C or 10E".

(10) In section 379 of the Sentencing Code (other behaviour orders etc), after subsection (1) insert—

"(1A) See sections 10A, 10C and 10E of the Children Act 1989 for circumstances in which the Crown Court may be required to make a prohibited steps order when dealing with an offender."

Victims' rights

6 Victims' rights to make disclosures relating to criminal conduct

For section 17 of the Victims and Prisoners Act 2024 (disclosures by victims that cannot be precluded by agreement) substitute—

"17 Disclosures by victims that cannot be precluded by agreement

(1) Any provision in an agreement is void in so far as it purports to preclude a victim, or a person who reasonably believes they are a victim, from making—

(a) an allegation of, or a disclosure of information relating to, relevant criminal conduct, or

(b) an allegation, or a disclosure of information, relating to the response of any other party to the agreement to—

(i) relevant criminal conduct, or

(ii) the making of an allegation or disclosure within paragraph (a).

(2) Subsection (1) does not apply to provision in an agreement (an "excepted agreement") that satisfies such conditions as the Secretary of State may specify by regulations.

(3) But the Secretary of State may by regulations provide that any provision in an excepted agreement is void in so far as it purports to preclude the victim, or the person who reasonably believes they are a victim, from making an allegation or disclosure within subsection (1)(a) or (b)—

(a) to a specified description of person;

(b) for a specified purpose;

(c) in specified circumstances.

(4) Nothing in this section affects the operation of any other enactment or rule of law by virtue of which provision in an agreement may be void.

(5) Subject to subsections (6), (7) and (8), this section binds the Crown.

(6) This section does not apply to provision in an agreement entered into by His Majesty in his private capacity (within the meaning of the Crown Proceedings Act 1947).

(7) This section does not apply to provision in an agreement entered into by the Crown for the purposes of—

(a) the Security Service;

(b) the Secret Intelligence Service;

(c) the Government Communications Headquarters.

(8) This section does not apply to provision in an agreement which—

(a) is between the Crown and a member or former member of the special forces, and

(b) governs the disclosure by the member or former member of any information relating to the work of the special forces.

(9) In this section—

"relevant criminal conduct" means conduct by virtue of which the person making the allegation or disclosure is, or reasonably believes they are, a victim (see section 1(1) and (2) of this Act);

"special forces" means those units of the armed forces of the Crown the maintenance of whose capabilities is the responsibility of the Director of Special Forces or which are for the time being subject to the operational command of that Director;

"specified" means specified in the regulations."

7 Victims' rights to make representations and receive information etc

Schedule 2 makes provision about the rights of victims of certain offences to make representations and receive information about offenders.

Victims' Commissioner

8 Commissioner's power to act in individual cases relevant to public policy

(1) Section 51 of the Domestic Violence, Crime and Victims Act 2004 (restrictions on exercise of victims' commissioner's functions) is amended as follows.

(2) The existing text becomes subsection (1).

(3) In that subsection, in paragraph (a), at the end insert ", except as mentioned in subsection (2)".

(4) After that subsection insert—

"(2) Where the Commissioner considers that—

(a) the case of a particular victim or witness raises issues of public policy of relevance to other victims or witnesses, and

(b) the exercise of a function of the Commissioner in relation to that case is likely to promote the interests of other victims or witnesses in relation to those issues of public policy,

the Commissioner may exercise that function for that purpose."

(5) The amendments made by this section have effect in relation to a person who is a victim or witness regardless of when the conduct in relation to which the person is a victim or witness occurred.

(6) In subsection (5) "victim" and "witness" have the meaning given by section 52 of the Domestic Violence, Crime and Victims Act 2004.

9 Duty to co-operate with Commissioner: anti-social behaviour

(1) The Domestic Violence, Crime and Victims Act 2004 is amended as follows.

(2) After section 51A (duty to co-operate with Commissioner) insert—

"51B Duty to co-operate with Commissioner: anti-social behaviour

(1) The Commissioner may request a local authority or a relevant provider of social housing to co-operate with the Commissioner in any way that the Commissioner considers necessary for the purposes of the Commissioner's functions, so far as those functions are exercisable in respect of victims and witnesses of anti-social behaviour.

(2) But such a request may be made to a relevant provider of social housing only in respect of matters that relate to social housing.

(3) A local authority or a relevant provider of social housing must comply with a request made to it under this section, so far as it is appropriate and reasonably practicable for the authority or the provider to do so.

(4) In this section—

"local authority"—

(a) in relation to England, means—

(i) a district council;

(ii) a county council;

(iii) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

(iv) a combined county authority established under section 9 of the Levelling-up and Regeneration Act 2023;

(v) a London borough council;

(vi) the Common Council of the City of London in its capacity as a local authority;

(vii) the Council of the Isles of Scilly;

(b) in relation to Wales, means a county council or a county borough council;

"relevant provider of social housing" means a private registered provider of social housing or a body registered as a social landlord under section 3 of the Housing Act 1996;

"social housing" has the same meaning as in Part 2 of the Housing and Regeneration Act 2008."

(3) In section 51A, in the heading, at the end insert ": providers of victims' code services".

(4) In section 52 (meaning of "victims" and "witnesses" etc), in subsection (1), for "51" substitute "51B".

10 Duty of Commissioner to report on compliance with victims' code

(1) The Victims and Prisoners Act 2024 is amended as follows.

(2) In section 11 (reviewing code compliance: Secretary of State and Attorney General)—

(a) in subsection (4) omit paragraph (a);

(b) after subsection (8) insert—

"(8A) In preparing a report under subsection (1)(b) in relation to a period, the Secretary of State and the Attorney General must have regard to any report made by the Commissioner for Victims and Witnesses under section 11A(1) that relates to that period."

(3) After section 11 insert—

"11A Reviewing code compliance: Commissioner for Victims and Witnesses

(1) The Commissioner for Victims and Witnesses must make a report to the Secretary of State and the Attorney General about the code compliance of the persons mentioned in section 11(6) for each period

in relation to which the Secretary of State and the Attorney General are required to prepare and publish a report under section 11(1)(b).

(2) Reports under subsection (1) must be published by the Commissioner.

(3) Section 49A of the Domestic Violence, Crime and Victims Act 2004 (duty to respond to Commissioner's recommendations) applies in relation to a report under subsection (1) containing recommendations to an authority within the Commissioner's remit as it applies in relation to a report under section 49(2)(b) or (4) of that Act.

(4) Section 53 of that Act (authorities within the Commissioner's remit) applies for the purposes of subsection (3) as it applies for the purposes of Part 3 of that Act.

(5) In this section "code compliance" has the meaning given by section 11(7)(b)."

Prosecutions

11 Appointment of Crown Prosecutors

(1) The Prosecution of Offences Act 1985 is amended as follows.

(2) In section 1 (the Crown Prosecution Service)—

(a) in subsection (3) omit "who has a general qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990)";

(b) after subsection (7) insert—

"(8) Nothing in this section confers on a person designated for the purposes of subsection (3) who does not have a general qualification (within the meaning given by section 71 of the Courts and Legal Services Act 1990)—

(a) any rights of audience, or

(b) any right to conduct litigation,

for the purposes of Part 3 of the Legal Services Act 2007 (reserved legal activities).

(9) The following provisions of the Legal Services Act 2007 accordingly do not apply to such a person—

(a) paragraph 1(3) of Schedule 3 (exemption for persons with statutory rights of audience), and

(b) paragraph 2(3) of that Schedule (exemption for persons with statutory right to conduct litigation)."

(3) In section 5 (conduct of prosecutions on behalf of the Crown Prosecution Service)—

(a) in subsection (1) omit "but who has a general qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990)";

(b) after subsection (2) insert—

"(3) Nothing in this section confers on a person appointed under subsection (1) who does not have a general qualification (within the meaning given by section 71 of the Courts and Legal Services Act 1990)—

(a) any rights of audience, or

(b) any right to conduct litigation,

for the purposes of Part 3 of the Legal Services Act 2007 (reserved legal activities).

(4) The following provisions of the Legal Services Act 2007 accordingly do not apply to such a person—

(a) paragraph 1(3) of Schedule 3 (exemption for persons with statutory rights of audience), and

(b) paragraph 2(3) of that Schedule (exemption for persons with statutory right to conduct litigation)."

12 Private prosecutions: regulations about costs payable out of central funds

(1) The Prosecution of Offences Act 1985 is amended as follows.

(2) In section 17 (prosecution costs)—

(a) in subsection (1)—

(i) in the words before paragraph (a), for "subsections (2) and (2A)" substitute "subsection (2)";

(ii) for the words after paragraph (b) substitute "make an order in favour of the prosecutor for a payment to be made out of central funds in respect of the prosecutor's expenses.";

(b) after subsection (2) insert—

"(2ZA) An order under this section is, subject to the following provisions of this section, to be for the payment out of central funds to the prosecutor of such amount as the court considers reasonably sufficient to compensate the prosecutor for any expenses properly incurred by them in the proceedings.";

(c) in subsection (2A), for "subsection (1)" substitute "subsection (2ZA)";

(d) after subsection (2A) insert—

"(2AA) Subsections (2ZA) and (2A) have effect subject to regulations under section 20(1A)(d)."

(3) In section 20 (regulations)—

(a) in subsection (1B) omit paragraph (a) together with the final "and", and

(b) after subsection (4) insert—

"(4A) Before making regulations under subsection (1A) that relate to costs orders under section 17, the Lord Chancellor must—

(a) consult—

(i) the Law Society,

(ii) the General Council of the Bar, and

(iii) such other persons as the Lord Chancellor considers appropriate, and

(b) publish an impact assessment in respect of the regulations."

Sentencing reviews etc

13 Reviews of sentencing: time limits

(1) Schedule 3 to the Criminal Justice Act 1988 (reviews of sentencing — supplementary) is amended as follows.

(2) In paragraph 1 (time limit for notice of application for leave to refer a case)—

(a) the existing provision becomes sub-paragraph (1);

(b) at the end of that sub-paragraph insert "; but in England and Wales this is subject to sub-paragraphs (2) and (5).";

(c) after that sub-paragraph insert—

"(2) Where—

(a) the Attorney General receives a request to review the sentencing of a person, and

(b) the request is received in the last 14 days of the 28-day period mentioned in sub-paragraph (1),

notice of an application for leave to refer the case in question to the Court of Appeal under section 36 may be given within 14 days from the day on which the request is received.

(3) For the purposes of this Part, a certificate of the Attorney General as to the date on which a request to review the sentencing of a person was received is conclusive evidence of that fact.

(4) Where more than one request to review the sentencing of a person is received, references in sub-paragraphs (2) and (3) to a request are to the first request that is received.";

(d) after sub-paragraph (4) (inserted by paragraph (c)) insert—

"(5) The Court of Appeal may allow notice of an application for leave to refer a case to be given after the expiry of the period in sub-paragraph (1) (and any extension of that period under sub-paragraph (2)) where the Court of Appeal is satisfied that—

(a) notice of the application is given pursuant to a request, by a person who is a victim in the case falling within section 1(1)(a) or (2)(c) of the Victims and Prisoners Act 2024 (meaning of "victim"), to review the sentencing of a person,

(b) notice of the application is given—

(i) within six months from the day on which the sentence, or the last of the sentences, in the case was passed, or

(ii) where the request is received by the Attorney General within the last 14 days of the six-month period mentioned in sub-paragraph (i), within 14 days from the day on which the request is received, and

(c) it is in the interests of justice to allow notice to be given after the expiry of the period in sub-paragraph (1) (and any extension of that period under sub-paragraph (2)).".

(3) In paragraph 12 (application of Schedule to Northern Ireland), after paragraph (d) insert—

"(da) paragraph 1 has effect as if sub-paragraphs (2) to (5) were omitted;".

(4) The amendment made by subsection (2)(d) applies only in relation to cases where the sentence, or the last of the sentences, was passed after it came into force.

14 Reviews of sentencing: duty to notify victims

(1) Section 2 of the Victims and Prisoners Act 2024 (victims' code) is amended in accordance with subsections (2) and (3).

(2) After subsection (3) insert—

"(3A) The victims' code must make provision about informing victims of the opportunity to ask the Attorney General to refer a case to the Court of Appeal under section 36 of the Criminal Justice Act 1988 (unduly lenient sentences).

(3B) Subsection (3A) applies only in respect of—

(a) a person who is a victim by virtue of section 1(1)(a) or (2)(c), and

(b) cases relating to the criminal conduct as a result of which that person is such a victim."

(3) In subsection (13), after "references in" insert "subsection (3A) and".

(4) In section 35 of the Criminal Justice Act 1988, in subsection (1), at the end insert "(for requests for referrals by victims of crime in England and Wales, see section 2(3A) of the Victims and Prisoners Act 2024)".

15 Terms of imprisonment for certain offences on summary conviction

(1) In each of the following provisions for "6 months" substitute "the general limit in a magistrates' court"—

section 1(6)(a) of the Prevention of Social Housing Fraud Act 2013 (unlawful sub-letting: secure tenancies);

section 2(7)(a) of that Act (unlawful sub-letting: assured tenancies and secure contracts);

section 30(3)(b) of the Modern Slavery Act 2015 (breach of certain orders or requirements);

section 339(2)(a) of the Sentencing Code (breach of criminal behaviour order);

section 354(4)(a) of the Sentencing Code (breach of sexual harm prevention order);

section 363(2)(a) of the Sentencing Code (breach of restraining order).

(2) An amendment made by subsection (1) has effect only in relation to an offence for which a person is convicted on or after the day on which this section comes into force.

Final provisions

16 Power to make consequential provision

(1) The Secretary of State may by regulations made by statutory instrument make provision that is consequential on this Act.

(2) Regulations under this section may amend, repeal or revoke provision made by or under an Act passed—

(a) before this Act, or

(b) later in the same session of Parliament as this Act.

(3) Regulations under this section may make supplementary, incidental, transitional or saving provision.

(4) A statutory instrument containing (whether alone or with other provision) regulations under this section that amend or repeal provision made by an Act may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(5) Any other statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

17 Extent

(1) An amendment or repeal made by this Act has the same extent within the United Kingdom as the provision amended or repealed.

(2) Subsections (1) and (2) of section 384 of the Armed Forces Act 2006 (extent outside the United Kingdom) apply to the amendments made by section 2 as those subsections apply to the provisions of that Act.

(3) Except as mentioned above, this Act extends to England and Wales, Scotland and Northern Ireland.

18 Commencement and transitional provision

(1) Except as mentioned in subsections (2) and (3), this Act comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.

(2) The following provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—

(a) section 11 (appointment of Crown Prosecutors);

(b) section 12 (private prosecutions: costs payable out of central funds);

(c) section 13(1), (2)(a) to (c), and (3) (reviews of sentencing: time limits);

(d) section 14 (reviews of sentencing: duty to notify victims);

(e) section 15 (terms of imprisonment for certain offences on summary conviction).

(3) Sections 16 and 17, this section and section 19 come into force on the day on which this Act is passed.

(4) The Secretary of State may by regulations made by statutory instrument make transitional provision and savings in connection with the coming into force of any provision of this Act.

(5) Transitional provision and savings made under this section are additional, and without prejudice, to those made by or under any other provision of this Act.

(6) Regulations under this section may make different provision for different purposes.

19 Short title

This Act may be cited as the Victims and Courts Act 2026.

SCHEDULES

SCHEDULE 1

Section 3

RESTRICTION OF PARENTAL RESPONSIBILITY: SERIOUS SEXUAL OFFENCES

1 Before Schedule A1 to the Children Act 1989 insert—

"SCHEDULE ZA1

Section 10C

SERIOUS SEXUAL OFFENCES FOR THE PURPOSES OF SECTION 10C

Protection of Children Act 1978

1 An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children).

Criminal Justice Act 1988

2 An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of a child).

Sexual Offences Act 2003

3 An offence under any of the following provisions of the Sexual Offences Act 2003—

(a) section 1 (rape);
(b) section 2 (assault by penetration);
(c) section 3 (sexual assault);
(d) section 4 (causing a person to engage in sexual activity without consent);
(e) section 5 (rape of a child under 13);
(f) section 6 (assault of a child under 13 by penetration);
(g) section 7 (sexual assault of a child under 13);
(h) section 8 (causing or inciting a child under 13 to engage in sexual activity);
(i) section 9 (sexual activity with a child);
(j) section 10 (causing or inciting a child to engage in sexual activity);
(k) section 11 (engaging in sexual activity in the presence of a child);
(l) section 12 (causing a child to watch a sexual act);
(m) section 13 (child sex offences committed by children or young persons);
(n) section 14 (arranging or facilitating commission of a child sex offence);

(o) section 15 (meeting a child following sexual grooming etc);
(p) section 16 (abuse of position of trust: sexual activity with a child);
(q) section 17 (abuse of position of trust: causing or inciting a child to engage in sexual activity);
(r) section 18 (abuse of position of trust: sexual activity in the presence of a child);
(s) section 19 (abuse of position of trust: causing a child to watch a sexual act);
(t) section 25 (sexual activity with a child family member);
(u) section 26 (inciting a child family member to engage in sexual activity);
(v) section 47 (paying for sexual services of a child);
(w) section 48 (causing or inciting sexual exploitation of a child);
(x) section 49 (controlling a child in relation to sexual exploitation);
(y) section 50 (arranging or facilitating sexual exploitation of a child).

Inchoate offences

4 An inchoate offence (within the meaning of section 398 of the Sentencing Code) in relation to any offence specified in this Schedule."

SCHEDULE 2

Section 7

VICTIMS' RIGHTS TO MAKE REPRESENTATIONS AND RECEIVE INFORMATION ETC

PART 1

REPRESENTATIONS AND INFORMATION

Introduction

1 The Domestic Violence, Crime and Victims Act 2004 is amended as follows.

2 (1) Chapter 2 of Part 3 (representations and information) becomes Chapter 1 of a new Part 3A.

(2) New Part 3A (created by sub-paragraph (1)) is to have the heading "Victims' rights to make representations and receive information etc".

(3) Chapter 3 of Part 3 (other matters relating to victims etc) becomes a new Part 3B with the heading "Other matters relating to victims etc".

Imprisonment or detention

3 (1) Section 35 (victims' rights to make representations and receive information) is amended as follows.

(2) For subsection (1) substitute—

"(1) This section applies if—

(a) a court convicts a person of an offence listed in Part 1 of Schedule 6A and a life sentence or a sentence of imprisonment or detention for a term of at least the specified sentence length is imposed on the person in respect of the offence, or

(b) a court convicts a person of an offence listed in Part 2 of Schedule 6A and a sentence of imprisonment or detention is imposed on the person in respect of the offence."

(3) In subsection (3), in the words before paragraph (a)—

(a) for "local probation board for the area in which the sentence is imposed, or the provider of probation services operating in the local justice area in which the sentence is imposed," substitute "provider of probation services";

(b) for "the board" substitute "the provider".

(4) Omit subsection (3A).

(5) For subsection (5) substitute—

"(5) The information is—

(a) information about the release, or consideration for release, of the offender;

(b) information about any licence conditions or supervision requirements in connection with the offender's release."

(6) In subsection (6)—

(a) for "local probation board or provider of probation services mentioned in that subsection or the relevant probation body" substitute "provider of probation services";

(b) for "relevant probation body must" substitute "provider of probation services must".

(7) For subsection (7) substitute—

"(7) If the provider of probation services has ascertained under subsection (3) that a person wishes to receive the information specified in subsection (5), the provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the release, or consideration for release, of the offender;

(ii) information about the imposition of licence conditions or supervision requirements in connection with the offender's release;

(iii) details of any such conditions or requirements which the provider considers relate to the victim or the victim's family, and

(b) to provide that person with such other information as the provider considers appropriate in all the circumstances of the case."

(8) Omit subsection (8).

Hospital orders

4 (1) Section 36 (victims' rights: preliminary) is amended as follows.

(2) In subsection (2), in the words before paragraph (a), for "a sexual, violent or terrorism offence" substitute "an offence listed in Part 1 or Part 2 of Schedule 6A".

(3) In subsection (4), in the words before paragraph (a)—

(a) for the words from "local probation board" to "must" substitute "provider of probation services must";

(b) for "the board" substitute "the provider".

(4) Omit subsection (4A).

(5) For subsection (6) substitute—

"(6) The information is—

(a) information about the discharge or release, or consideration for discharge or release, of the patient;

(b) information about any conditions in connection with the patient's discharge;

(c) information about any licence conditions or supervision requirements in connection with the patient's release."

5 (1) Section 36A (supplemental provision for case where no restriction order made) is amended as follows.

(2) In subsection (2), in the words before paragraph (a)—

(a) for "Subsection (3) applies" substitute "Subsections (3) and (3A) apply";

(b) for "local probation board or provider of probation services mentioned in section 36(4)" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of that person's wish and of that person's name and address.

(3A) The provider of probation services may notify that person of the name and address of the relevant hospital."

(4) In subsection (4)—

(a) for "Subsection (5) applies" substitute "Subsections (5) and (5A) apply";

(b) for "local probation board or provider of probation services mentioned in section 36(4)" substitute "provider of probation services".

(5) In subsection (5)—

(a) in the words before paragraph (a), for "local probation board or provider of probation services mentioned in section 36(4)" substitute "provider of probation services";

(b) in paragraph (b)—

(i) in the words before sub-paragraph (i) omit "board or";

(ii) omit the "and" after sub-paragraph (i);

(iii) omit sub-paragraph (ii).

(6) After subsection (5) insert—

"(5A) The provider of probation services may notify that person of the name and address of the relevant hospital."

6 (1) Section 37 (representations where restriction order made) is amended as follows.

(2) In subsection (2)—

(a) in paragraph (a), for "local probation board or provider of probation services mentioned in section 36(4) or the relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services";

(c) in the words after paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) In subsection (4), in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services".

(4) In subsection (5)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), after "section 71" insert "or 75".

(5) In subsection (6)—

(a) in paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b)—

(i) in the words before sub-paragraph (i), for "relevant probation body" substitute "provider of probation services";

(ii) in sub-paragraph (ii), for "relevant probation body or the local probation board or provider of probation services mentioned in section 36(4)" substitute "provider of probation services".

(6) In subsection (7), for "relevant probation body must" substitute "provider of probation services must, so far as the provider considers appropriate to do so,".

(7) Omit subsection (8).

7 (1) Section 37ZA (inserted by section 21 of the Victims and Prisoners Act 2024) is amended as follows.

(2) In subsection (2)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (a), for "body", in both places it occurs, substitute "provider".

(3) In subsection (5) omit the definition of "the relevant probation body".

8 (1) Section 37A (representations where restriction order not made) is amended as follows.

(2) For subsection (8) substitute—

"(8) The managers of the relevant hospital must, so far as the managers consider it appropriate to do so, provide the information to the person or the provider of probation services."

(3) After subsection (8) insert—

"(8A) If the managers of the relevant hospital provide the information to the provider of probation services, it must provide the information to the person."

9 (1) Section 38 (information where restriction order made) is amended as follows.

(2) In subsection (2)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the discharge, or consideration for discharge, of the patient;

(ii) information about the imposition of conditions in connection with the patient's discharge;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(b) if the restriction order in respect of the patient is to cease to have effect, so far as the provider considers it appropriate to do so, to notify that person of the date on which it is to cease to have effect;

(c) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(ii) information about the imposition of conditions in connection with the grant of such leave to the patient;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(d) to provide that person with such other information as the provider considers appropriate in all the circumstances of the case."

(4) In subsection (4), in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services".

(5) In subsection (5), in paragraph (b), after "section 71" insert "or 75".

(6) In subsection (6), in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services".

(7) In subsection (7), for "relevant probation body" substitute "provider of probation services".

(8) Omit subsection (9).

10 (1) Section 38A (information where restriction order not made) is amended as follows.

(2) For subsection (2) substitute—

"(2) The responsible clinician must provide the managers of the relevant hospital with information the responsible clinician has about—

(a) the making of an order for discharge in respect of the patient under section 23(2) of the Mental Health Act 1983;

(b) the making of a community treatment order in respect of the patient;

(c) any conditions in connection with a community treatment order in respect of the patient;

(d) if a community treatment order is in force in respect of the patient, of any variation to be made under section 17B(4) of the Mental Health Act 1983 of the conditions specified in the order;

(e) if a community treatment order in respect of the patient is to cease to be in force, of the date on which it is to cease to be in force;

(f) if, following the examination of the patient under section 20 of the Mental Health Act 1983, it does not appear to the responsible clinician that the conditions set out in subsection (4) of that section are satisfied, of the date on which the authority for the patient's detention is to expire;

(g) the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(h) details of any conditions in connection with the grant to the patient of such leave."

(3) For subsection (7) substitute—

"(7) The managers of the relevant hospital must take all reasonable steps—

(a) so far as the managers consider it appropriate to do so, to provide that person or the provider with—

(i) information about the discharge, or consideration for discharge, of the patient under section 23 or 72 of the Mental Health Act 1983;

(ii) information about the making of a community treatment order in respect of the patient;

(iii) details of any conditions specified in a community treatment order made in respect of the patient which the managers consider relate to the victim or the victim's family;

(b) if a community treatment order is in force in respect of the patient and the conditions specified in the order are to be varied under section 17B(4) of the Mental Health Act 1983, so far as the managers consider it appropriate to do so, to provide that person or the provider with details of any variation which the managers consider relates to the victim or the victim's family;

(c) if a community treatment order in respect of the patient is to cease to be in force, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which it is to cease to be in force;

(d) if, following the examination of the patient under section 20 of the Mental Health Act 1983, the authority for the patient's detention is not to be renewed, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which the authority is to expire;

(e) so far as the managers consider it appropriate to do so, to provide that person or the provider with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(ii) information about the imposition of conditions in connection with the grant to the patient of such leave;

(iii) details of any such conditions which the managers consider relate to the victim or the victim's family;

(f) to provide that person or the provider with such other information as the managers consider appropriate in all the circumstances of the case."

(4) After subsection (7) insert—

"(7A) If the provider of probation services is provided with information under subsection (7), it must provide the information to the person."

11 (1) Section 38B (removal of restriction) is amended as follows.

(2) In subsection (2)—

(a) in the words before paragraph (a)—

(i) for "Subsection (3) applies" substitute "Subsections (3) and (3A) apply";

(ii) for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of an address at which that person may be contacted.

(3A) The provider of probation services may notify that person of the name and address of the relevant hospital."

(4) Omit subsection (6).

Hospital directions

12 (1) Section 39 (victims' rights: preliminary) is amended as follows.

(2) In subsection (1)—

(a) in paragraph (a), for the words from "is convicted" to the end substitute "—

(i) is convicted of an offence listed in Part 1 of Schedule 6A and a life sentence or a sentence of imprisonment or detention for a term of at least the specified sentence length is imposed on the offender in respect of the offence, or

(ii) is convicted of an offence listed in Part 2 of Schedule 6A and a sentence of imprisonment or detention is imposed on the offender in respect of the offence, and";

(b) omit paragraph (b) and the "and" at the end.

(3) In subsection (2), in the words before paragraph (a)—

(a) for "local probation board for the area in which the hospital direction is given, or the provider of probation services operating in the local justice area in which the hospital direction is given," substitute "provider of probation services";

(b) for "the board" substitute "the provider".

(4) Omit subsection (2A).

(5) For subsection (4) substitute—

"(4) The information is—

(a) information about the discharge or release, or consideration for discharge or release, of the offender;

(b) information about any conditions in connection with the offender's discharge;

(c) information about any licence conditions or supervision requirements in connection with the offender's release."

13 (1) Section 40 (representations) is amended as follows.

(2) In subsection (2)—

(a) in paragraph (a), for "local probation board or provider of probation services mentioned in section 39(2) or the relevant probation body" substitute "provider of probation services";

(b) in paragraph (b) for "relevant probation body" substitute "provider of probation services";

(c) in the words after paragraph (b) for "relevant probation body" substitute "provider of probation services".

(3) In subsection (4), in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services".

(4) In subsection (5)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), after "section 71" insert "or 75".

(5) In subsection (6)—

(a) in paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b)—

(i) in the words before sub-paragraph (i), for "relevant probation body" substitute "provider of probation services";

(ii) in sub-paragraph (ii) for the words from "relevant probation body" to the end substitute "provider of probation services".

(6) In subsection (7), for "relevant probation body must" substitute "provider of probation services must, so far as the provider considers it appropriate to do so,".

(7) Omit subsection (8).

14 (1) Section 41 (information) is amended as follows.

(2) In subsection (2)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the discharge, or consideration for discharge, of the offender;

(ii) information about the imposition of conditions in connection with the offender's discharge;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(b) if the limitation direction in respect of the offender is to cease to have effect, so far as the provider considers it appropriate to do so, to notify that person of the date on which it is to cease to have effect;

(c) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the release, or consideration for release, of the offender;

(ii) information about the imposition of licence conditions or supervision requirements in connection with the offender's release;

(iii) details of any such conditions or requirements which the provider considers relate to the victim or the victim's family;

(d) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the grant to the offender of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the offender for such leave;

(ii) information about the imposition of conditions in connection with the grant to the offender of such leave;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(e) to provide that person with such other information as the provider considers appropriate in all the circumstances of the case."

(4) In subsection (4)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) after paragraph (e) insert—

"(f) whether the offender is to be granted leave to be absent from hospital under section 17 of the Mental Health Act 1983;

(g) if so, whether the offender is to be granted such leave subject to conditions;

(h) if so, what the conditions are to be."

(5) In subsection (5), in paragraph (b), after "section 71" insert "or 75".

(6) In subsection (6), in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services".

(7) In subsection (7), for "relevant probation body" substitute "provider of probation services".

(8) Omit subsection (9).

15 (1) Section 41A (removal of restriction) is amended as follows.

(2) In subsection (2)—

(a) in the words before paragraph (a)—

(i) for "Subsection (3) applies" substitute "Subsections (3) and (3A) apply";

(ii) for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of an address at which that person may be contacted.

(3A) The provider of probation services may notify that person of the name and address of the relevant hospital."

(4) Omit subsection (6).

Transfer directions

16 (1) Section 42 (victims' rights: preliminary) is amended as follows.

(2) In subsection (1)—

(a) in paragraph (a), for the words from "is convicted" to the end substitute "—

"(i) is convicted of an offence listed in Part 1 of Schedule 6A and a life sentence or a sentence of imprisonment or detention for a term of at least the specified sentence length is imposed on the offender in respect of the offence, or

(ii) is convicted of an offence listed in Part 2 of Schedule 6A and a sentence of imprisonment or detention is imposed on the offender in respect of the offence, and"

(b) omit paragraph (b) and the "and" at the end.

(3) In subsection (2), in the words before paragraph (a)—

(a) for the words from "local probation board" to "must" substitute "provider of probation services must";

(b) omit "the board or".

(4) Omit subsection (2A).

(5) For subsection (4) substitute—

"(4) The information is—

(a) information about the discharge, or consideration for discharge, of the offender;

(b) information about any conditions in connection with the offender's discharge."

17 (1) Section 42A (supplemental provision for case where no restriction direction given) is amended as follows.

(2) In subsection (2), in the words before paragraph (a)—

(a) for "Subsection (3) applies" substitute "Subsections (3) and (3A) apply";

(b) for "local probation board or provider of probation services mentioned in section 42(2)" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must notify the managers of the hospital in which the patient is detained of that person's wish and of that person's name and address.

(3A) The provider of probation services may notify that person of the name and address of the hospital in which the patient is detained."

(4) In subsection (4)—

(a) for "Subsection (5) applies" substitute "Subsections (5) and (5A) apply";

(b) for "local probation board or provider of probation services mentioned in section 42(2)" substitute "provider of probation services".

(5) In subsection (5)—

(a) in the words before paragraph (a), for "local probation board or provider of probation services mentioned in section 42(2)" substitute "provider of probation services";

(b) in paragraph (b)—

(i) in the words before sub-paragraph (i) omit "the board or";

(ii) omit the "and" at the end of sub-paragraph (i);

(iii) omit sub-paragraph (ii).

(6) After subsection (5) insert—

"(5A) The provider of probation services may notify that person of the name and address of the relevant hospital."

18 (1) Section 43 (representations where restriction direction made) is amended as follows.

(2) In subsection (2)—

(a) in paragraph (a), for "local probation board or provider of probation services mentioned in section 42(2) or the relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services";

(c) in the words after paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) In subsection (3), for "offender" substitute "patient".

(4) In subsection (4)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraphs (a), (b) and (c), for "offender" substitute "patient".

(5) In subsection (5)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (a), for "offender" substitute "patient";

(c) in paragraph (b)—

(i) for "offender's" substitute "patient's";

(ii) after "section 71" insert "or 75".

(6) In subsection (6)—

(a) in paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b)—

(i) in the words before sub-paragraph (i), for "relevant probation body" substitute "provider of probation services";

(ii) in sub-paragraph (ii), for "relevant probation body" to the end substitute "provider of probation services".

(7) In subsection (7), for "relevant probation body must" substitute "provider of probation services must, so far as the provider considers it appropriate to do so,".

(8) Omit subsection (8).

19 (1) Section 43A (representations where restriction direction not given) is amended as follows.

(2) For subsection (8) substitute—

"(8) The managers of the relevant hospital must, so far as the managers consider it appropriate to do so, provide the information to the person or the provider of probation services."

(3) After subsection (8) insert—

"(8A) If the provider of probation services is provided with information under subsection (8), it must provide the information to the person."

20 (1) Section 44 (information where restriction direction made) is amended as follows.

(2) In subsection (2)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the discharge, or consideration for discharge, of the patient;

(ii) information about the imposition of conditions in connection with the patient's discharge;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(b) if the restriction direction in respect of the patient is to cease to have effect, so far as the provider considers it appropriate to do so, to notify that person of the date on which it is to cease to have effect;

(c) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the release, or consideration for release, of the patient;

(ii) information about the imposition of licence conditions or supervision requirements in connection with the patient's release;

(iii) details of any such conditions or requirements which the provider considers relate to the victim or the victim's family;

(d) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the offender for such leave;

(ii) information about the imposition of conditions in connection with the grant to the patient of such leave;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(e) to provide that person with such other information as the provider considers appropriate in all the circumstances of the case."

(4) In subsection (4)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (a), for "offender" substitute "patient".

(5) In subsection (5)—

(a) in paragraph (a), for "offender" substitute "patient";

(b) in paragraph (b)—

(i) for "offender's" substitute "patient's";

(ii) after "section 71" insert "or 75".

(6) In subsection (6)—

(a) in the words before paragraph (a), for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "offender" substitute "patient".

(7) In subsection (7), for "relevant probation body" substitute "provider of probation services".

(8) Omit subsection (9).

21 (1) Section 44A (information where restriction direction not given) is amended as follows.

(2) For subsection (2) substitute—

"(2) The responsible clinician must provide the managers of the relevant hospital with information the responsible clinician has about—

(a) the making of an order for discharge in respect of the patient under section 23(2) of the Mental Health Act 1983;

(b) the making of a community treatment order in respect of the patient;

(c) any conditions in connection with a community treatment order in respect of the patient;

(d) if a community treatment order is in force in respect of the patient, of any variation to be made under section 17B(4) of the Mental Health Act 1983 of the conditions specified in the order;

(e) if a community treatment order in respect of the patient is to cease to be in force, of the date on which it is to cease to be in force;

(f) if, following the examination of the offender under section 20 of the Mental Health Act 1983, it does not appear to the responsible clinician that the conditions set out in subsection (4) of that section are satisfied, of the date on which the authority for the patient's detention is to expire;

(g) the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(h) details of any conditions in connection with the grant to the patient of such leave."

(3) For subsection (7) substitute—

"(7) The managers of the relevant hospital must take all reasonable steps—

(a) so far as the managers consider it appropriate to do so, to provide that person or the provider of probation services with—

(i) information about the discharge, or consideration for discharge, of the patient under section 23 or 72 of the Mental Health Act 1983;

(ii) information about the making of a community treatment order in respect of the patient;

(iii) details of any conditions specified in a community treatment order in respect of the patient which the managers consider relate to the victim or the victim's family;

(b) if a community treatment order is in force in respect of the patient and the conditions specified in the order are to be varied under section 17B(4) of the Mental Health Act 1983, so far as the managers consider it appropriate to do so, to provide that person or the provider with details of any variation which the managers consider relates to the victim or the victim's family;

(c) if a community treatment order in respect of the patient is to cease to be in force, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which it is to cease to be in force;

(d) if, following the examination of the offender under section 20 of the Mental Health Act 1983, the authority for the patient's detention is not to be renewed, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which the authority is to expire;

(e) so far as the managers consider it appropriate to do so, to provide that person or the provider with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(ii) information about the imposition of conditions in connection with the grant to the patient of such leave;

(iii) details of any such conditions which the managers consider relate to the victim or the victim's family;

(f) to provide that person or the provider with such other information as the managers consider appropriate in all the circumstances of the case."

(4) After subsection (7) insert—

"(7A) If the provider of probation services is provided with information under subsection (7), it must provide the information to the person who made the request."

22 (1) Section 44B (removal of restriction) is amended as follows.

(2) In subsection (2)—

(a) in the words before paragraph (a)—

(i) for "Subsection (3) applies" substitute "Subsections (3) and (3A) apply";

(ii) for "relevant probation body" substitute "provider of probation services";

(b) in paragraph (b), for "relevant probation body" substitute "provider of probation services".

(3) For subsection (3) substitute—

"(3) The provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of an address at which that person may be contacted.

(3A) The provider of probation services may notify that person of the name and address of the relevant hospital."

(4) Omit subsection (6).

PART 2

INFORMATION

Introduction

23 New Part 3A of the Domestic Violence, Crime and Victims Act 2004 (created by paragraph 2(1) of this Schedule) is amended as follows.

Victims' rights to receive information

24 After section 44B insert—

"CHAPTER 2

INFORMATION: VICTIMS' RIGHTS

Imprisonment or detention

44C Victims' rights to receive information

(1) This section applies if—

(a) one of these applies in respect of a person—

(i) the person is convicted of an offence listed in Part 1 of Schedule 6A and a sentence of imprisonment or detention for a term of less than the specified sentence length is imposed on the offender in respect of the offence,

(ii) the person is convicted of an offence listed in Part 3 of Schedule 6A and a sentence of imprisonment or detention is imposed on the offender in respect of the offence, or

(iii) the person is convicted of an offence where the behaviour giving rise to the offence involved domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act) and a sentence of imprisonment or detention is imposed on the offender in respect of the offence,

(b) the provider of probation services receives a request for information to be provided in accordance with this section, and

(c) the person who made the request appears to the provider of probation services to be the victim of the offence or to act for the victim of the offence.

(2) But section 44H applies (instead of this section) if a hospital direction and a limitation direction are given in relation to the offender.

(3) The provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide the person who made the request with—

(i) information about the release, or consideration for release, of the offender;

(ii) information about the imposition of licence conditions or supervision requirements in connection with the offender's release;

(iii) details of any such conditions or requirements which the provider considers relate to the victim or the victim's family;

(b) to provide the person with such other information as the provider considers appropriate in all the circumstances of the case.

Hospital orders

44D Information where restriction order made

(1) This section applies if—

(a) a person ("the patient") is charged with—

(i) an offence that is listed in Part 3 of Schedule 6A, or

(ii) an offence where the behaviour giving rise to the charge involved domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act),

(b) one of these applies in respect of the patient—

(i) the patient is convicted of the offence;

(ii) a verdict is returned that the patient is not guilty of the offence by reason of insanity;

(iii) a finding is made under section 4 of the Criminal Procedure (Insanity) Act 1964 that the patient is under a disability, and under section 4A of that Act that the patient did the act or made the omission charged against the patient as the offence,

(c) a hospital order is made with a restriction order in respect of the patient by a court dealing with the patient for the offence,

(d) the provider of probation services receives a request for information to be provided in accordance with this section, and

(e) the person who made the request appears to the provider of probation services to be the victim of the offence or to act for the victim of the offence.

(2) The provider of probation services must take all reasonable steps to ascertain whether the hospital order and the restriction order made in respect of the patient continue in force.

(3) If the hospital order and the restriction order continue in force, the provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide the person who made the request with—

(i) information about the discharge, or consideration for discharge, of the patient;

(ii) information about the imposition of conditions in connection with the patient's discharge;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(b) if the restriction order in respect of the patient is to cease to have effect, so far as the provider considers it appropriate to do so, to notify that person of the date on which it is to cease to have effect;

(c) so far as the provider considers it appropriate to do so, to provide the person with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(ii) information about the imposition of conditions in connection with the grant to the patient of such leave;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(d) to provide that person with such other information as the provider considers appropriate in all the circumstances of the case.

(4) The Secretary of State must give the provider of probation services such information as the Secretary of State considers appropriate for the purpose of enabling the provider to carry out its functions under subsection (3).

(5) But the Secretary of State is not required by subsection (4) to give the provider of probation services information that the tribunal is required to give the provider under subsection (7).

(6) Subsection (7) applies if—

(a) an application is made to the First-tier Tribunal or the Mental Health Review Tribunal for Wales by the patient under section 69, 70 or 75 of the Mental Health Act 1983 (applications concerning restricted patients), or

(b) the Secretary of State refers the patient's case to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 71 or 75 of that Act (applications and references concerning restricted patients).

(7) The tribunal must inform the provider of probation services—

(a) whether the patient is to be discharged;
(b) if so, whether the patient is to be discharged absolutely or subject to conditions;
(c) if the patient is to be discharged subject to conditions, what the conditions are to be;
(d) if the patient has been discharged subject to conditions, of any variation of the conditions by the tribunal;
(e) if the restriction order is to cease to have effect by virtue of action to be taken by the tribunal, of the date on which the restriction order is to cease to have effect.

44E Victim impact statements where restriction order made

(1) This section applies where—
(a) a person ("the patient") is charged with—
(i) an offence that is listed in Part 3 of Schedule 6A, or
(ii) an offence where the behaviour giving rise to the charge involved domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act),
(b) one of these applies in respect of the patient—
(i) the patient is convicted of the offence;
(ii) a verdict is returned that the patient is not guilty of the offence by reason of insanity;
(iii) a finding is made under section 4 of the Criminal Procedure (Insanity) Act 1964 that the patient is under a disability, and under section 4A of that Act that the patient did the act or made the omission charged against the patient as the offence,
(c) a hospital order is made with a restriction order in respect of the patient by a court dealing with the patient for the offence,
(d) either—
(i) an application is made to the First-tier Tribunal or the Mental Health Review Tribunal for Wales by the patient under section 69, 70 or 75 of the Mental Health Act 1983 (applications concerning restricted patients), or
(ii) the Secretary of State refers the patient's case to the tribunal under section 71 or 75 of that Act (references concerning restricted patients), and
(e) the provider of probation services considers it appropriate to give a person who appears to the provider to be the victim of the offence the opportunity to provide a victim impact statement under this section.

(2) The provider of probation services—

(a) must take all reasonable steps to ascertain whether the person wishes to provide a victim impact statement to the provider, and

(b) if the person provides such a statement, must forward it to the tribunal.

(3) Where a victim impact statement has been forwarded to the tribunal under subsection (2), the tribunal must—

(a) allow the person who made the statement to request permission to read the statement to the tribunal at a relevant hearing, and

(b) grant such permission unless the tribunal considers that there are good reasons not to.

(4) The tribunal may have regard to the statement when determining any of the following matters (but must not have regard to it for any other purpose)—

(a) whether the patient should be subject to any conditions in the event of the patient's discharge from hospital while a restriction order is in force in respect of the patient;

(b) if so, what conditions;

(c) what conditions the patient should be subject to in the event of the patient's discharge from hospital under a community treatment order.

(5) In this section—

"relevant hearing" means any hearing held by the tribunal before making a decision which disposes of proceedings on the application or reference mentioned in subsection (1)(d);

"victim impact statement" means a statement about the way in which, and the degree to which, the offence has affected and (as the case may be) continues to affect the victim or any other person.

44F Information where restriction order not made

(1) This section applies if—

(a) a person ("the patient") is charged with—

(i) an offence that is listed in Part 3 of Schedule 6A, or

(ii) an offence where the behaviour giving rise to the charge involved domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act),

(b) one of these applies in respect of the patient—

(i) the patient is convicted of the offence;

(ii) a verdict is returned that the patient is not guilty of the offence by reason of insanity;

(iii) a finding is made under section 4 of the Criminal Procedure (Insanity) Act 1964 that the patient is under a disability, and under section 4A of that Act that the patient did the act or made the omission charged against the patient as the offence,

(c) a hospital order is made without a restriction order in respect of the patient by a court dealing with the patient for the offence,

(d) the provider of probation services receives a request for information to be provided in accordance with this section, and

(e) the person who made the request appears to the provider of probation services to be the victim of the offence or to act for the victim of the offence.

(2) The provider of probation services must take all reasonable steps to ascertain—

(a) whether the hospital order made in respect of the patient continues in force, and

(b) if so, whether a community treatment order is in force in respect of the patient.

(3) If the hospital order made in respect of the patient continues in force—

(a) the provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of the request and of the name and address of the person who made it, and

(b) the provider may notify that person of the name and address of the relevant hospital.

(4) If notified under subsection (3)(a), the managers of the relevant hospital must take all reasonable steps—

(a) so far as the managers consider it appropriate to do so, to provide the person who made the request or the provider of probation services with—

(i) information about the discharge, or consideration for discharge, of the patient under section 23 or 72 of the Mental Health Act 1983;

(ii) information about the making of a community treatment order in respect of the patient;

(iii) details of any conditions specified in a community treatment order made in respect of the patient which the managers consider relate to the victim or the victim's family;

(b) if a community treatment order is in force in respect of the patient and the conditions specified in the order are to be varied under section 17B(4) of the Mental Health Act 1983, so far as the managers consider it appropriate to do so, to provide that person or the provider with details of any variation which the managers consider relates to the victim or the victim's family;

(c) if a community treatment order in respect of the patient is to cease to be in force, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which it is to cease to be in force;

(d) if, following the examination of the patient under section 20 of the Mental Health Act 1983, the authority for the patient's detention is not to be renewed, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which the authority is to expire;

(e) so far as the managers consider it appropriate to do so, to provide that person or the provider with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(ii) information about the imposition of conditions in connection with the grant to the patient of such leave;

(iii) details of any such conditions which the managers consider relate to the victim or the victim's family;

(f) to provide that person or the provider with such other information as the managers consider appropriate in all the circumstances of the case.

(5) If the provider of probation services is provided with information under subsection (4), it must, so far as it considers it appropriate to do so, provide the information to the person who made the request.

(6) The responsible clinician must provide the managers of the relevant hospital with any information which the responsible clinician has and which is requested by the managers for the purpose of carrying out their functions under subsection (4).

(7) Subsection (8) applies if—

(a) an application is made to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 66 or 69 of the Mental Health Act 1983,

(b) the patient's case is referred to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 67 of that Act, or

(c) the managers of the relevant hospital refer the patient's case to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 68 of that Act.

(8) The tribunal must inform the managers of the relevant hospital if it directs that the patient is to be discharged.

(9) In this section "the relevant hospital" is—

(a) the hospital in which the patient is detained, or

(b) if a community treatment order is in force in respect of the patient, the responsible hospital.

44G Removal of restriction

(1) This section applies if—

(a) the provider of probation services is required to provide information to a person in accordance with section 44D, and

(b) the restriction order mentioned in section 44D(1)(c) has ceased to have effect (whether before or after the request for the information was made) while the hospital order continues in force.

(2) The provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of an address at which the person who made the request for the information may be contacted.

(3) The provider of probation services may notify the person who made the request of the name and address of the relevant hospital.

(4) While the hospital order continues in force—

(a) the patient in respect of whom the hospital order was made with the restriction order is to be regarded as a patient in respect of whom a hospital order was made without a restriction order; and section 44F applies in relation to the patient accordingly, and

(b) the request for information under section 44D is to be treated as a request for information to be provided in accordance with section 44F.

(5) In this section "the relevant hospital" has the meaning given by section 44F(9).

Hospital directions

44H Information

(1) This section applies if—

(a) one of these applies in respect of a person—

(i) the person is convicted of an offence that is listed in Part 1 of Schedule 6A and a sentence of imprisonment or detention for a term of less than the specified sentence length is imposed on the person in respect of the offence,

(ii) the person is convicted of an offence that is listed in Part 3 of Schedule 6A and a sentence of imprisonment or detention is imposed on the person in respect of the offence, or

(iii) the person is convicted of an offence where the behaviour giving rise to the offence involved domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act) and a sentence of imprisonment or detention is imposed on the person in respect of the offence,

(b) a hospital direction and a limitation direction are given in relation to the offender by a court dealing with the offender for the offence,

(c) the provider of probation services receives a request for information to be provided in accordance with this section, and

(d) the person who made the request appears to the provider of probation services to be the victim of the offence or to act for the victim of the offence.

(2) The provider of probation services must take all reasonable steps to ascertain whether the hospital direction and the limitation direction given in respect of the offender continue in force.

(3) If the hospital direction and the limitation direction continue in force, the provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide the person who made the request with—

(i) information about the discharge, or consideration for discharge, of the offender;

(ii) information about the imposition of conditions in connection with the offender's discharge;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(b) if the limitation direction in respect of the offender is to cease to have effect, so far as the provider considers it appropriate to do so, to notify that person of the date on which it is to cease to have effect;

(c) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the release, or consideration for release, of the offender;

(ii) information about the imposition of licence conditions or supervision requirements in connection with the offender's release;

(iii) details of any such conditions or requirements which the provider considers relate to the victim or the victim's family;

(d) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the grant to the offender of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the offender for such leave;

(ii) information about the imposition of conditions in connection with the grant to the offender of such leave;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(e) to provide that person with such other information as the provider considers appropriate in all the circumstances of the case.

(4) The Secretary of State must give the provider of probation services such information as the Secretary of State considers appropriate for the purpose of enabling the provider to carry out its functions under subsection (3).

(5) But the Secretary of State is not required by subsection (4) to give the provider of probation services information that the tribunal is required to give the provider under subsection (7).

(6) Subsection (7) applies if—

(a) an application is made to the First-tier Tribunal or the Mental Health Review Tribunal for Wales by the offender under section 69, 70 or 75 of the Mental Health Act 1983 (applications concerning restricted patients), or

(b) the Secretary of State refers the offender's case to the First-tier tribunal or the Mental Health Review Tribunal for Wales under section 71 or 75 of that Act (applications and references concerning restricted patients).

(7) The tribunal must inform the provider of probation services—

(a) whether the offender is to be discharged;

(b) if so, whether the offender is to be discharged absolutely or subject to conditions;

(c) if the offender is to be discharged subject to conditions, what the conditions are to be;

(d) if the offender has been discharged subject to conditions, of any variation of the conditions by the tribunal;

(e) if the limitation direction is to cease to have effect by virtue of action to be taken by the tribunal, of the date on which the limitation direction is to cease to have effect.

44I Removal of restriction

(1) This section applies if—

(a) the provider of probation services is required to provide information to a person in accordance with section 44H,

(b) the limitation direction mentioned in section 44H(1)(b) has ceased to have effect (whether before or after the request for the information was made), and

(c) the offender in respect of whom the request for the information was made is treated for the purposes of the Mental Health Act 1983 as a patient in respect of whom a hospital order has effect.

(2) The provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of an address at which the person who made the request for the information may be contacted.

(3) The provider of probation services may notify the person who made the request of the name and address of the relevant hospital.

(4) The offender is to be regarded as a patient in respect of whom a hospital order was made without a restriction order; and section 44F applies in relation to the offender accordingly.

(5) The request for information under section 44H is to be treated as a request for information to be provided in accordance with section 44F.

(6) In this section "the relevant hospital" means the hospital in which the offender is detained.

Transfer directions

44J Information where restriction direction given

(1) This section applies if—

(a) one of these applies in respect of a person—

(i) the person is convicted of an offence listed in Part 1 of Schedule 6A and a sentence of imprisonment or detention for a term of less than the specified sentence length is imposed on the offender in respect of the offence,

(ii) the person is convicted of an offence listed in Part 3 of Schedule 6A and a sentence of imprisonment or detention is imposed on the offender in respect of the offence, or

(iii) the person is convicted of an offence where the behaviour giving rise to the offence involved domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act) and a sentence of imprisonment or detention is imposed on the person in respect of the offence,

(b) while the person is serving the sentence, the Secretary of State gives a transfer direction with a restriction direction in respect of the person,

(c) the provider of probation services receives a request for information to be provided in accordance with this section, and

(d) the person who made the request appears to the provider of probation services to be the victim of the offence or to act for the victim of the offence.

(2) The provider of probation services must take all reasonable steps to ascertain whether the transfer direction and the restriction direction continue in force.

(3) If the transfer direction and the restriction direction continue in force, the provider of probation services must take all reasonable steps—

(a) so far as the provider considers it appropriate to do so, to provide the person who made the request with—

(i) information about the discharge, or consideration for discharge, of the patient;

(ii) information about the imposition of conditions in connection with the patient's discharge;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(b) if the restriction direction in respect of the patient is to cease to have effect, so far as the provider considers it appropriate to do so, to notify that person of the date on which it is to cease to have effect;

(c) so far as the provider considers it appropriate to do so, to provide that person with—

(i) information about the release, or consideration for release, of the patient;

(ii) information about the imposition of licence conditions or supervision requirements in connection with the patient's release;

(iii) details of any such conditions or requirements which the provider considers relate to the victim or the victim's family;

(d) so far as the provider of probation services considers it appropriate to do so, to provide that person with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the patient for such leave;

(ii) information about the imposition of conditions in connection with the grant to the patient of such leave;

(iii) details of any such conditions which the provider considers relate to the victim or the victim's family;

(e) to provide that person with such other information as the provider considers appropriate in all the circumstances of the case.

(4) The Secretary of State must give the provider of probation services such information as the Secretary of State considers appropriate for the purpose of enabling the provider to carry out its functions under subsection (3).

(5) But the Secretary of State is not required by subsection (4) to give the provider of probation services information that the tribunal is required to give the provider under subsection (7).

(6) Subsection (7) applies if—

(a) an application is made to the First-tier Tribunal or the Mental Health Review Tribunal for Wales by the patient under section 69, 70 or 75 of the Mental Health Act 1983 (applications concerning restricted patients), or

(b) the Secretary of State refers the patient's case to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 71 or 75 of that Act (applications and references concerning restricted patients).

(7) The tribunal must inform the provider of probation services—

(a) whether the patient is to be discharged;

(b) if so, whether the patient is to be discharged absolutely or subject to conditions;

(c) if the patient is to be discharged subject to conditions, what the conditions are to be;

(d) if the patient has been discharged subject to conditions, of any variation of the conditions by the tribunal;

(e) if the restriction order is to cease to have effect by virtue of action to be taken by the tribunal, of the date on which the restriction order is to cease to have effect.

44K Information where restriction direction not given

(1) This section applies if—

(a) one of these applies in respect of a person—

(i) the person is convicted of an offence listed in Part 1 of Schedule 6A and a sentence of imprisonment or detention for a term of less than 12 months is imposed on the offender in respect of the offence,

(ii) the person is convicted of an offence listed in Part 3 of Schedule 6A and a sentence of imprisonment or detention is imposed on the offender in respect of the offence, or

(iii) the person is convicted of an offence where the behaviour giving rise to the offence involved domestic abuse within the meaning of the Domestic Abuse Act 2021 (see section 1 of that Act) and a sentence of imprisonment or detention is imposed on the person in respect of the offence,

(b) while the person is serving the sentence, the Secretary of State gives a transfer direction without a restriction direction in respect of the person,

(c) the provider of probation services receives a request for information to be provided in accordance with this section, and

(d) the person who made the request appears to the provider of probation services to be the victim of the offence or to act for the victim of the offence.

(2) The provider of probation services must take all reasonable steps to ascertain—

(a) whether the transfer direction given in respect of the patient continues in force, and

(b) if so, whether a community treatment order is in force in respect of the patient.

(3) If the transfer direction given in respect of the patient continues in force—

(a) the provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of the request and of the name and address of the person who made it, and

(b) the provider of probation services may notify the person of the name and address of the relevant hospital.

(4) If notified under subsection (3)(a), the managers of the relevant hospital must take all reasonable steps—

(a) so far as the managers consider it appropriate to do so, to provide the person who made the request or the provider of probation services with—

(i) information about the discharge, or consideration for discharge, of the patient under section 23 or 72 of the Mental Health Act 1983;

(ii) information about the making of a community treatment order in respect of the patient;

(iii) details of any conditions specified in a community treatment order made in respect of the patient which the managers consider relate to the victim or the victim's family;

(b) if a community treatment order is in force in respect of the patient and the conditions specified in the order are to be varied under section 17B(4) of the Mental Health Act 1983, so far as the managers consider it appropriate to do so, to provide that person or the provider with details of any variation which the managers consider relates to the victim or the victim's family;

(c) if a community treatment order in respect of the patient is to cease to be in force, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which it is to cease to be in force;

(d) if, following the examination of the offender under section 20 of the Mental Health Act 1983, the authority for the patient's detention is not to be renewed, so far as the managers consider it appropriate to do so, to inform that person or the provider of the date on which the authority is to expire;

(e) so far as the managers consider it appropriate to do so, to provide that person or the provider with—

(i) information about the grant to the patient of leave to be absent from hospital under section 17 of the Mental Health Act 1983, or the consideration of the offender for such leave;

(ii) information about the imposition of conditions in connection with the grant to the patient of such leave;

(iii) details of any such conditions which the managers consider relate to the victim or the victim's family;

(f) to provide that person or the provider with such other information as the managers of the relevant hospital consider appropriate in all the circumstances of the case.

(5) If the provider of probation services is provided with information under subsection (4), it must provide the information to the person who made the request.

(6) The responsible clinician must provide the mangers of the relevant hospital with any information which the responsible clinician has and which is requested by the managers for the purpose of carrying out their functions under subsection (4).

(7) Subsection (8) applies if—

(a) an application is made to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 66 or 69 of the Mental Health Act 1983,

(b) the patient's case is referred to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 67 of that Act, or

(c) the managers of the relevant hospital refer the patient's case to the First-tier Tribunal or the Mental Health Review Tribunal for Wales under section 68 of that Act.

(8) The tribunal must inform the managers of the relevant hospital if it directs that the patient be discharged.

(9) In this section "the relevant hospital" means—

(a) the hospital in which the patient is detained, or

(b) if a community treatment order is in force in respect of the patient, the responsible hospital.

44L Removal of restriction

(1) This section applies if—

(a) the provider of probation services is required to provide information to a person in accordance with section 44J, and

(b) the restriction direction mentioned in section 44J(1)(b) has ceased to have effect (whether before or after the request for the information was made) while the transfer direction continues in force.

(2) The provider of probation services must take all reasonable steps to notify the managers of the relevant hospital of an address at which the person who made the request for the information may be contacted.

(3) The provider of probation services may notify that person of the name and address of the hospital.

(4) While the transfer direction continues in force—

(a) the patient in respect of whom the transfer direction was made with the restriction direction is to be regarded as a patient in respect of whom a transfer direction was made without a restriction direction; and section 44K applies in relation to the offender accordingly, and

(b) the request for information under section 44J is to be treated as a request for information to be provided in accordance with section 44K.

(5) In this section "the relevant hospital" has the meaning given by section 44K(9)."

25 After Chapter 2 (inserted by paragraph 24 of this Schedule) insert—

"CHAPTER 3

INFORMATION: POWERS ETC

44M Power to disclose information to victims

(1) This section applies if—

(a) one of the conditions specified in the table is met in relation to a person ("the offender"),

(b) the provider of probation services receives a request for information to be provided in accordance with this section from a person who appears to the provider to be the victim of the offence in respect of which the condition is met or of similar criminal conduct carried out by the offender, or to act for such a victim, and

(c) the provider of probation services considers that the victim would be at risk of physical or psychological harm if the information is not provided in accordance with this section.

Condition	*Specified provision*
the person is serving a sentence of imprisonment or detention in England and Wales in respect of an offence	section 44C
a hospital order is made with a restriction order in relation to the person by a court dealing with the person for an offence	section 44D
a hospital order is made without a restriction order in relation to the person by a court dealing with the person for an offence	section 44F
a hospital direction and a limitation direction are given in relation to the person by a court dealing with the person for an offence	section 44H
the Secretary of State gives a transfer direction with a restriction direction in respect of the person while the person is serving a sentence of imprisonment or	section 44J

Condition	*Specified provision*
detention in England and Wales in respect of an offence	
the Secretary of State gives a transfer direction without a restriction direction in respect of the person while the person is serving a sentence of imprisonment or detention in England and Wales in respect of an offence	section 44K

(2) The provider of probation services may provide the person who made the request with any information that would be required or permitted to be provided to that person (by the provider or otherwise) under Chapter 2 of this Part if the request were made under the provision specified in the relevant entry in column 2 of the table.

(3) Where—

(a) a person would be required or permitted to provide information to the provider of probation services or to the managers of a hospital under Chapter 2 of this Part if the request mentioned in subsection (1)(b) were made under the provision specified in the relevant entry in column 2 of the table, and

(b) the provider of probation services or hospital managers request the information from that person,

that person must take all reasonable steps to provide the information to the provider or hospital managers.

(4) In this section—

(a) "offence" includes an offence under the law of any place outside England and Wales;

(b) "similar criminal conduct", in relation to an offence, means conduct that—

(i) the provider of probation services considers to be similar to the conduct constituting the offence, and

(ii) itself constitutes an offence;

(c) "victim" includes a person who is a victim within the meaning of section 1 of the Victims and Prisoners Act 2024 by virtue of subsection (2)(a) of that section.

44N Victim impact statements where hospital order made with restriction order

(1) This section applies where—

(a) one of these applies in respect of a person ("the patient") charged with an offence—

(i) the patient is convicted of the offence;

(ii) a verdict is returned that the patient is not guilty of the offence by reason of insanity;

(iii) a finding is made under section 4 of the Criminal Procedure (Insanity) Act 1964 that the patient is under a disability, and under section 4A of that Act that the patient did the act or made the omission charged against the patient as the offence,

(b) a hospital order is made with a restriction order in respect of the patient by a court dealing with the patient for the offence,

(c) the provider of probation services provides information in accordance with section 44M about the patient to a person who appears to the provider to be the victim of the offence, or to act for the victim of the offence,

(d) either—

(i) an application is made to the First-tier Tribunal or the Mental Health Review Tribunal for Wales by the patient under section 69, 70 or 75 of the Mental Health Act 1983 (applications concerning restricted patients), or

(ii) the Secretary of State refers the patient's case to the tribunal under section 71 or 75 of that Act (references concerning restricted patients), and

(e) the provider of probation services considers it appropriate to give the person who appears to the provider to be the victim of the offence the opportunity to provide a victim impact statement under this section.

(2) The provider of probation services—

(a) must take all reasonable steps to ascertain whether the person who appears to the provider to be the victim of the offence wishes to provide a victim impact statement to the provider, and

(b) if the person provides such a statement, must forward it to the tribunal.

(3) Where a victim impact statement has been forwarded to the tribunal under subsection (2), the tribunal must—

(a) allow the person who made the statement to request permission to read the statement to the tribunal at a relevant hearing, and

(b) grant such permission unless the tribunal considers that there are good reasons not to.

(4) The tribunal may have regard to the statement when determining any of the following matters (but must not have regard to it for any other purpose)—

(a) whether the patient should be subject to any conditions in the event of the patient's discharge from hospital while a restriction order is in force in respect of the patient;

(b) if so, what conditions;

(c) what conditions the patient should be subject to in the event of the patient's discharge from hospital under a community treatment order.

(5) In this section—

"relevant hearing" means any hearing held by the tribunal before making a decision which disposes of proceedings on the application or reference mentioned in subsection (1)(d);

"victim" includes a person who is a victim within the meaning of section 1 of the Victims and Prisoners Act 2024 by virtue of subsection (2)(a) of that section;

"victim impact statement" means a statement about the way in which, and the degree to which, the offence has affected and (as the case may be) continues to affect the victim or any other person.

44O Saving for other powers of provider of probation services

Nothing in this Part limits any power that the provider of probation services has otherwise than under this Part."

PART 3

REPRESENTATIONS AND INFORMATION: OFFENCES

Offences

26 After Schedule 6 to the Domestic Violence, Crime and Victims Act 2004 (intermittent custody) insert—

"SCHEDULE 6A Section 35

REPRESENTATIONS AND INFORMATION: OFFENCES

PART 1

OFFENCES IN RESPECT OF WHICH CERTAIN CUSTODIAL SENTENCE IMPOSED

Common law offences

1 Murder.

2 Manslaughter.

3 Kidnapping.

4 False imprisonment.

Offences against the Person Act 1861

5 An offence under any of the following provisions of the Offences against the Person Act 1861—

(a) section 4 (soliciting murder);
(b) section 16 (threats to kill);
(c) section 18 (wounding with intent to cause grievous bodily harm);
(d) section 20 (malicious wounding);
(e) section 21 (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence);
(f) section 22 (using chloroform etc to commit or assist in the committing of any indictable offence);
(g) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);
(h) section 27 (abandoning children);
(i) section 28 (causing bodily injury by explosives);
(j) section 29 (using explosives etc with intent to do grievous bodily harm);
(k) section 30 (placing explosives with intent to do bodily injury);
(l) section 31 (setting spring guns etc with intent to do grievous bodily harm);
(m) section 32 (endangering the safety of railway passengers);
(n) section 35 (injuring persons by furious driving);
(o) section 37 (assaulting officer preserving wreck);
(p) section 38 (assault with intent to resist arrest);
(q) section 47 (assault occasioning actual bodily harm).

Explosive Substances Act 1883

6 An offence under any of the following provisions of the Explosive Substances Act 1883—

(a) section 2 (causing explosion likely to endanger life or property);
(b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property);
(c) section 5 (punishment of accessories to offences of causing or attempting to cause explosions or making or possessing explosives).

Infant Life (Preservation) Act 1929

7 An offence under section 1 of the Infant Life (Preservation) Act 1929 (child destruction).

Children and Young Persons Act 1933

8 An offence under section 1 of the Children and Young Persons Act 1933 (cruelty to children).

Infanticide Act 1938

9 An offence under section 1 of the Infanticide Act 1938 (infanticide).

Sexual Offences Act 1956

10 An offence under any of the following provisions of the Sexual Offences Act 1956—

(a) section 1 (rape);
(b) section 2 (procurement of woman by threats);
(c) section 3 (procurement of woman by false pretences);
(d) section 4 (administering drugs to obtain or facilitate intercourse);
(e) section 5 (intercourse with girl under 13);
(f) section 6 (intercourse with girl under 16);
(g) section 7 (intercourse with a defective);
(h) section 9 (procurement of a defective);
(i) section 10 or 11 (incest);
(j) section 14 (indecent assault on a woman);
(k) section 15 (indecent assault on a man);
(l) section 16 (assault with intent to commit buggery);
(m) section 17 (abduction of woman by force or for the sake of her property);
(n) section 19 (abduction of unmarried girl under 18 from parent or guardian);
(o) section 20 (abduction of unmarried girl under 16 from parent or guardian);
(p) section 21 (abduction of defective from parent or guardian);
(q) section 22 (causing prostitution of women);
(r) section 23 (procuration of girl under 21);
(s) section 24 (detention of woman in brothel);
(t) section 25 (permitting girl under 13 to use premises for intercourse;
(u) section 26 (permitting girl under 16 to use premises for intercourse);

(v) section 27 (permitting defective to use premises for intercourse);
(w) section 28 (causing or encouraging prostitution of, intercourse with, or indecent assault on, girl under 16);
(x) section 29 (causing or encouraging prostitution of defective);
(y) section 32 (soliciting by men);
(z) section 33A (keeping a brothel used for prostitution).

Mental Health Act 1959

11 An offence under section 128 of the Mental Health Act 1959 (sexual intercourse with patients).

Indecency with Children Act 1960

12 An offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards young child).

Sexual Offences Act 1967

13 An offence under either of the following provisions of the Sexual Offences Act 1967—
(a) section 4 (procuring others to commit homosexual acts);
(b) section 5 (living on earnings of male prostitution).

Firearms Act 1968

14 An offence under any of the following provisions of the Firearms Act 1968—
(a) section 16 (possession of firearm with intent to endanger life);
(b) section 16A (possession of firearm with intent to cause fear of violence);
(c) section 17(1) (use of firearm to resist arrest);
(d) section 17(2) (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act);
(e) section 18 (carrying a firearm with criminal intent).

Theft Act 1968

15 An offence under any of the following provisions of the Theft Act 1968—
(a) section 8 (robbery or assault with intent to rob);
(b) section 9(1)(a) (burglary with intent to commit certain other offences);
(c) section 10 (aggravated burglary);

(d) section 12A (aggravated vehicle-taking), where the offence involves an accident which caused the death of any person.

Misuse of Drugs Act 1971

16 An offence under section 4(3) of the Misuse of Drugs Act 1971 (supply etc of controlled drugs).

Criminal Damage Act 1971

17 (1) An offence of arson under section 1 of the Criminal Damage Act 1971.

(2) An offence under section 1(2) of that Act (destroying or damaging property) other than an offence of arson.

Criminal Law Act 1977

18 An offence under section 54 of the Criminal Law Act 1977 (inciting girl under 16 to have incestuous sexual intercourse).

Protection of Children Act 1978

19 An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children).

Taking of Hostages Act 1982

20 An offence under section 1 of the Taking of Hostages Act 1982 (hostage-taking).

Aviation Security Act 1982

21 An offence under any of the following provisions of the Aviation Security Act 1982—

(a) section 1 (hijacking);

(b) section 2 (destroying, damaging or endangering safety of aircraft);

(c) section 3 (other acts endangering or likely to endanger safety of aircraft);

(d) section 4 (offences in relation to certain dangerous articles).

(e) section 6(2) (inducing or assisting the commission of offences relating to safety of aircraft).

Nuclear Material (Offences) Act 1983

22 An offence under section 2 of the Nuclear Material (Offences) Act 1983 (preparatory acts and threats).

Mental Health Act 1983

23 An offence under section 127 of the Mental Health Act 1983 (ill-treatment of patients).

Child Abduction Act 1984

24 An offence under section 1 of the Child Abduction Act 1984 (offence of abduction of child by parent etc).

Prohibition of Female Circumcision Act 1985

25 An offence under section 1 of the Prohibition of Female Circumcision Act 1985 (prohibition of female circumcision).

Public Order Act 1986

26 An offence under any of the following provisions of the Public Order Act 1986—

(a) section 1 (riot);

(b) section 2 (violent disorder);

(c) section 3 (affray).

Criminal Justice Act 1988

27 An offence under any of the following provisions of the Criminal Justice Act 1988—

(a) section 134 (torture);

(b) section 160 (possession of indecent photograph of a child).

Road Traffic Act 1988

28 An offence under any of the following provisions of the Road Traffic Act 1988—

(a) section 1 (causing death by dangerous driving);

(b) section 1A (causing serious injury by dangerous driving);

(c) section 2B (causing death by careless or inconsiderate driving);

(d) section 3ZC (causing death by driving: disqualified drivers);

(e) section 3A (causing death by careless driving when under influence of drink or drugs).

Aviation and Maritime Security Act 1990

29 An offence under any of the following provisions of the Aviation and Maritime Security Act 1990—

(a) section 1 (endangering safety at aerodromes);

(b) section 9 (hijacking of ships);

(c) section 13 (offences involving threats).

Chemical Weapons Act 1996

30 An offence under section 2 of the Chemical Weapons Act 1996 (use etc of chemical weapons).

Crime and Disorder Act 1998

31 (1) An offence under section 29 of the Crime and Disorder Act 1998 (racially or religiously aggravated assaults).

(2) An offence falling within section 31(1)(a) or (b) of that Act (racially or religiously aggravated offences under section 4 or 4A of the Public Order Act 1986).

Terrorism Act 2000

32 An offence under section 58A of the Terrorism Act 2000 (publishing information about members of the armed forces).

Anti-Terrorism, Crime and Security Act 2001

33 An offence under any of the following provisions of the Anti-Terrorism, Crime and Security Act 2001—

(a) section 47 (use etc of nuclear weapons);

(b) section 50 (assisting or inducing certain weapons-related acts overseas);

(c) section 113 (use of noxious substance or thing to cause harm or intimidate).

Female Genital Mutilation Act 2003

34 An offence under any of the following provisions of the Female Genital Mutilation Act 2003—

(a) section 1 (female genital mutilation);

(b) section 2 (assisting a girl to mutilate her own genitalia);

(c) section 3 (assisting a non-UK person to mutilate overseas a girl's genitalia).

Sexual Offences Act 2003

35 An offence under any of the following provisions of the Sexual Offences Act 2003—

(a) section 1 (rape);

(b) section 2 (assault by penetration);

(c) section 3 (sexual assault);

(d) section 4 (causing a person to engage in sexual activity without consent);

(e) section 5 (rape of a child under 13);
(f) section 6 (assault of a child under 13 by penetration);
(g) section 7 (sexual assault of a child under 13);
(h) section 8 (causing or inciting a child under 13 to engage in sexual activity);
(i) section 9 (sexual activity with a child);
(j) section 10 (causing or inciting a child to engage in sexual activity);
(k) section 11 (engaging in sexual activity in the presence of a child);
(l) section 12 (causing a child to watch a sexual act);
(m) section 13 (child sex offences committed by children or young persons);
(n) section 14 (arranging or facilitating commission of a child sex offence);
(o) section 15 (meeting a child following sexual grooming etc);
(p) section 15A (sexual communication with a child);
(q) section 16 (abuse of position of trust: sexual activity with a child);
(r) section 17 (abuse of position of trust: causing or inciting a child to engage in sexual activity);
(s) section 18 (abuse of position of trust: sexual activity in the presence of a child);
(t) section 19 (abuse of position of trust: causing a child to watch a sexual act);
(u) section 25 (sexual activity with a child family member);
(v) section 26 (inciting a child family member to engage in sexual activity);
(w) section 30 (sexual activity with a person with a mental disorder impeding choice);
(x) section 31 (causing or inciting a person with a mental disorder impeding choice to engage in sexual activity);
(y) section 32 (engaging in sexual activity in the presence of a person with a mental disorder impeding choice);
(z) section 33 (causing a person with a mental disorder impeding choice to watch a sexual act);
(z1) section 34 (inducement, threat or deception to procure sexual activity with a person with a mental disorder);
(z2) section 35 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception);
(z3) section 36 (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder);

(z4) section 37 (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception);
(z5) section 38 (care workers: sexual activity with a person with a mental disorder);
(z6) section 39 (care workers: causing or inciting sexual activity);
(z7) section 40 (care workers: sexual activity in the presence of a person with a mental disorder);
(z8) section 41 (care workers: causing a person with a mental disorder to watch a sexual act);
(z9) section 47 (paying for sexual services of a child);
(z10) section 48 (causing or inciting sexual exploitation of a child);
(z11) section 49 (controlling a child in relation to sexual exploitation);
(z12) section 50 (arranging or facilitating sexual exploitation of a child);
(z13) section 52 (causing or inciting prostitution for gain);
(z14) section 53 (controlling prostitution for gain);
(z15) section 57 (trafficking into the UK for sexual exploitation);
(z16) section 58 (trafficking within the UK for sexual exploitation);
(z17) section 59 (trafficking out of the UK for sexual exploitation);
(z18) section 59A (trafficking for sexual exploitation);
(z19) section 61 (administering a substance with intent);
(z20) section 62 (committing an offence with intent to commit a sexual offence);
(z21) section 63 (trespass with intent to commit a sexual offence);
(z22) section 64 (sex with an adult relative: penetration);
(z23) section 65 (sex with an adult relative: consenting to penetration);
(z24) section 66 (exposure);
(z25) section 66A (sending etc photograph or film of genitals);
(z26) section 66AA (taking or recording intimate photograph or film);
(z27) section 66AC (installing etc equipment to enable taking or recording of intimate photograph or film);
(z28) section 66B(2) (sharing intimate photograph or film with intent to cause alarm, distress or humiliation);
(z29) section 66B(3) (sharing intimate photograph or film for purpose of obtaining sexual gratification);
(z30) section 67 (voyeurism);
(z31) section 70 (sexual penetration of a corpse);

(z32) section 91 (offences relating to notification).

Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

36 An offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking people for exploitation) in a case where the person in relation to whom the offence is committed is under the age of 18.

Domestic Violence, Crime and Victims Act 2004

37 An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing a child or vulnerable adult to die or suffer serious physical harm).

Terrorism Act 2006

38 An offence under any of the following provisions of the Terrorism Act 2006—

(a) section 10 (misuse of radioactive device or material for terrorist purposes etc);

(b) section 11 (terrorist threats relating to radioactive devices etc).

Criminal Justice and Immigration Act 2008

39 An offence under section 63 of the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images).

Coroners and Justice Act 2009

40 An offence under section 62 of the Coroners and Justice Act 2009 (possession of prohibited images of children).

Serious Crime Act 2015

41 An offence under section 75A of the Serious Crime Act 2015 (strangulation or suffocation).

Modern Slavery Act 2015

42 An offence under any of the following provisions of the Modern Slavery Act 2015—

(a) section 1 (slavery, servitude and forced or compulsory labour);

(b) section 2 (human trafficking).

Crime and Policing Act 2026

43 An offence under any of the following provisions of the Crime and Policing Act 2026—

(a) section 77 (online facilitation of child sex exploitation and abuse);

(b) section 78 (offence under section 77 outside the United Kingdom).

Inchoate offences

44 An inchoate offence (within the meaning of section 398 of the Sentencing Code) in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule.

PART 2

REPRESENTATIONS AND INFORMATION: OTHER OFFENCES

Family Law Act 1996

45 An offence under section 42A of the Family Law Act 1996 (offence of breaching non-molestation order).

Protection from Harassment Act 1997

46 An offence under any of the following provisions of the Protection from Harassment Act 1997—

(a) section 2 (offence of harassment);

(b) section 2A (offence of stalking);

(c) section 4 (putting people in fear of violence);

(d) section 4A (stalking involving fear of violence or serious alarm or distress);

(e) section 5 (restraining orders on conviction);

(f) section 5A (restraining orders on acquittal).

Crime and Disorder Act 1998

47 An offence under section 32 of the Crime and Disorder Act 1998 (racially or religiously aggravated harassment etc).

Serious Crime Act 2015

48 An offence under section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship).

Stalking Protection Act 2019

49 An offence under section 8 of the Stalking Protection Act 2019 (offence of breaching stalking protection order etc).

Sentencing Code

50 An offence under section 363 of the Sentencing Code (breaching restraining order).

Inchoate offences

51 An inchoate offence (within the meaning of section 398 of the Sentencing Code) in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule.

PART 3

INFORMATION: OTHER OFFENCES

Common law offences

52 Common assault.

53 Battery.

Offences against the Person Act 1861

54 An offence under any of the following provisions of the Offences Against the Person Act 1861—

(a) section 24 (maliciously administering poison etc with intent to injure, aggrieve or annoy any other person);

(b) section 58 (administering drugs or using instruments to procure abortion);

(c) section 59 (procuring drugs etc to cause abortion).

Prevention of Crime Act 1953

55 An offence under section 1A of the Prevention of Crime Act 1953 (offence of threatening with offensive weapon in public).

Suicide Act 1961

56 An offence under section 2 of the Suicide Act 1961 (criminal liability for complicity in another's suicide).

Criminal Law Act 1967

57 An offence under section 4 of the Criminal Law Act 1967 (penalties for assisting offenders).

Criminal Law Act 1977

58 An offence under section 6 of the Criminal Law Act 1977 (violence for securing entry).

Mental Health Act 1983

59 An offence under section 127 of the Mental Health Act 1983 (ill-treatment of patients).

Criminal Justice Act 1988

60 An offence under any of the following provisions of the Criminal Justice Act 1988—

(a) section 139 (offence of having an article with blade or point in public place);

(b) section 139A (offence of having article with blade or point (or offensive weapon) on education premises);

(c) section 139AA (offence of threatening with article with blade or point or offensive weapon).

Police Act 1996

61 An offence under section 89 of the Police Act 1996 (assaults on constables).

Crime and Disorder Act 1998

62 An offence under section 31 of the Crime and Disorder Act 1998 (racially or religiously aggravated public order offences).

Sexual Offences (Amendment) Act 2000

63 An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of position of trust).

Sexual Offences Act 2003

64 An offence under any of the following provisions of the Sexual Offences Act 2003—

(a) section 66B(1) (sharing intimate photograph or film without consent);

(b) section 67A (voyeurism: additional offences);

(c) section 91 (offences relating to notification);

(d) section 103I (breach of sexual harm prevention order etc);

(e) section 113 (breach of sexual offences prevention order etc);

(f) section 122H (breach of sexual risk order etc).

Mental Capacity Act 2005

65 An offence under section 44 of the Mental Capacity Act 2005 (ill-treatment or neglect).

Criminal Justice and Courts Act 2015

66 An offence under any of the following provisions of the Criminal Justice and Courts Act 2015—

(a) section 20 (ill-treatment or wilful neglect: care worker offence);

(b) section 21 (ill-treatment or wilful neglect: care provider offence).

Assaults on Emergency Workers (Offences) Act 2018

67 An offence under section 1 of the Assaults on Emergency Workers (Offences) Act 2018 (common assault and battery).

Offensive Weapons Act 2019

68 An offence under section 52 of the Offensive Weapons Act 2019 (offence of threatening with an offensive weapon etc in a private place).

Sentencing Code

69 An offence under any of the following provisions of the Sentencing Code—

(a) section 342G (offences relating to a serious violence reduction order);

(b) section 354 (breach of sexual harm prevention order).

Domestic Abuse Act 2021

70 An offence under section 39 of the Domestic Abuse Act 2021 (breach of domestic abuse protection order).

Crime and Policing Act 2026

71 An offence under section 45 of the Crime and Policing Act 2026 (assault of retail worker).

Inchoate offences

72 An inchoate offence (within the meaning of section 398 of the Sentencing Code) in relation to an offence specified in any of the preceding paragraphs of this Part of this Schedule."

PART 4

CONSEQUENTIAL AND OTHER PROVISION

Introduction

27 The Domestic Violence, Crime and Victims Act 2004 is amended as follows.

Consequential provision etc

28 Section 45 (interpretation: sections 35 to 44B) and section 46 (victims of mentally disordered persons) become new Chapter 4 of new Part 3A (created by paragraph 2(1) of this Schedule) with the heading "Interpretation etc".

29 Omit the italic heading before section 45.

30 (1) Section 45 is amended as follows.

(2) In subsection (1)—

(a) in the words before the list of definitions, for "sections 35 to 44B" substitute "this Part";

(b) omit the definitions of "local probation board" and "relevant sentence";

(c) at the appropriate places insert—;

""life sentence" means a sentence of imprisonment, detention or custody for life, or during His Majesty's pleasure;";

""release" includes temporary release;";

""sentence of imprisonment or detention" includes a detention and training order;";

""the specified sentence length", in relation to an offence, means 12 months;";

""victim" means a person who is a victim within the meaning given by section 1 of the Victims and Prisoners Act 2024 other than by virtue of subsection (2)(a) of that section (but see sections 44M(4)(c) and 44N(5) which extend the definition of victim in those sections)."

(3) After subsection (1) insert—

"(1A) A reference in any provision of this Part to "the provider of probation services" is—

(a) where there is only one provider of probation services within the meaning given by section 3(6) of the Offender Management Act 2007, to that provider;

(b) otherwise, to the provider of probation services identified as having the functions of the provider of probation services for the purposes of that provision by arrangements under

section 3 of that Act (and different providers may be identified for different purposes)."

(4) Omit subsection (2).

(5) In subsection (3), for "sections 35 to 44B" substitute "this Part".

(6) In subsection (4), for "sections 35 to 44B of this Act" substitute "this Part".

(7) In the heading, for ": sections 35 to 44B" substitute "of Part 3A".

31 After section 45 insert—

"45A Power to amend list of offences in Schedule 6A

The Secretary of State may by regulations amend the list of offences for the time being specified in Schedule 6A.

45B Power to specify duration of term of imprisonment etc

The Secretary of State may by regulations amend this Part for the purposes of changing the meaning of "the specified sentence length" either generally or in relation to particular offences."

32 Omit the italic heading before section 46 (victims of mentally disordered persons).

33 In section 46, in the heading, at the end insert ": Northern Ireland".

34 (1) Section 61 of the Domestic Violence, Crime and Victims Act 2004 (orders) is amended as follows.

(2) In subsection (1), in the words before paragraph (a), after "order" insert "or regulations".

(3) In subsection (2), after "order" insert "or regulations".

(4) In subsection (4)—

(a) after "order", in both places it occurs, insert "or regulations";

(b) after "section 14(5)," insert "45A, 45B,".

(5) In the heading, at the end insert "and regulations".

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