



Home Office legislation since the 1997 General Election

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This note lists Home Office legislation introduced since the General Election of 1997, and gives a brief summary of the main points of each Act or Bill. It does not include Private Members' Bills which received Government support.

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A. 1997

Firearms (Amendment) No 2 Act

This Act extended the class of prohibited weapons under the Firearms Act 1968 to include small-calibre pistols.

Special Immigration Appeals Commission Act

This Act established the Special Immigration Appeals Commission to handle those immigration and asylum appeals which have a national security element.

European Parliamentary Elections Bill 1997/98

This Bill would have introduced a regional list system for elections in Great Britain, while retaining STV for Northern Ireland. The Bill failed as a result of disagreements between the Commons and the Lords over the issue of open and closed lists.

B. 1998

Human Rights Act

This Act incorporated the European Convention on Human Rights into UK law, enabling people who consider that their rights under the Convention have been breached to raise such matters in the UK courts. Although the Act is not expressly concerned with the criminal justice system, it is likely to have an impact on criminal justice as several of the Convention rights have a bearing on criminal proceedings.

See also [Criminal Justice Legislation 1997-2005](#)

Crime and Disorder Act

This Act introduced a number of orders to deal with Anti-social Behaviour, notably Anti-social Behaviour Orders, and requires police and local authorities to draw up Crime and Disorder Reduction Strategies in partnership with other organisations.

See also [Criminal Justice Legislation 1997-2005](#)

Data Protection Act

This Act gave effect in UK law to EC Directive 95/46EC (*The Data Protection Directive*) and made new provision for the regulation of the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information.

See also [The Data Protection Bill \[HL\]](#)

Registration of Political Parties Act

This Act deals with the registration of political party names and emblems for a number of specific purposes, primarily to control and eliminate potentially misleading candidate descriptions at elections.

See also [The Registration of Political Parties Bill](#)

Criminal Justice (Terrorism and Conspiracy) Act

This Act deals with procedure and forfeiture in relation to offences concerning proscribed organisations, and about conspiracy to commit offences outside the United Kingdom.

See also [Criminal Justice Legislation 1997-2005](#)

Sexual Offences (Amendment) Bill 1998/99

This Bill aimed to equalise the age of consent for homosexual and heterosexual acts and to protect young people from abuse of trust. It was blocked in the House of Lords.

See also [The Sexual Offences \(Amendment\) Bill 'Age of Consent' and abuse of a position of trust](#)

C. 1999

European Parliamentary Elections Act

This Act enabled the 1999 and subsequent European parliamentary elections in Great Britain to be conducted using a regional list electoral system. This system is designed to ensure that in each region parties will win a share of the seats which is broadly proportional to their share of the vote in that region. The system did not apply to Northern Ireland, which elected its three MEPs using the single transferable vote system.

Youth Justice and Criminal Evidence Act

This Act provided for the referral of offenders under 18 to youth offender panels; made provision in connection with the giving of evidence or information for the purposes of criminal proceedings; amended section 51 of the Criminal Justice and Public Order Act 1994; and made pre-consolidation amendments relating to youth justice.

See also [Criminal Justice Legislation 1997-2005](#)

Immigration & Asylum Act

This Act created a new asylum support scheme to replace social security benefits etc for asylum seekers; made wholesale changes to immigration and asylum appeal rights, and introduced a new scheme for regulating immigration advisers. It also included measures on detention, bail, carriers' liability, powers of immigration officers, sham marriages, immigration offences, removal of overstayers and removal of asylum seekers to 'safe third countries'.

See also [Immigration and Asylum Policy since 1997](#)

Criminal Justice (Mode of Trial) Bill 1999/2000 & Criminal Justice (Mode of Trial) (No 2) Bill 1999/2000

These Bills were both designed to remove the right of a defendant charged with an either-way offence to elect jury trial. The first version of the Bill was presented in the House of Lords but later withdrawn after the Government was defeated on an amendment introduced during its committee stage there. The measure was then re-introduced in the House of Commons as a Bill entitled the *Criminal Justice (Mode of Trial) (No. 2) Bill*. This Bill completed its passage through the House of Commons but was then also withdrawn following a Government defeat in the House of Lords.

See also [The Criminal Justice \(Mode of Trial\) \(No 2\) Bill](#)

D. 2000

Disqualifications Act

This Act amends existing legislation so as to allow members of the Irish legislature to sit in the House of Commons, the Scottish Parliament, the Northern Ireland Assembly and the National Assembly for Wales.

See also [The Disqualification Bill](#)

Political Parties and Referendums Act

This Act established an Electoral Commission and made provision about the registration and finances of political parties; about donations and expenditure for political purposes; about election and referendum campaigns and the conduct of referendums; about election petitions and other legal proceedings in connection with elections; reduced the qualifying periods set out in sections 1 and 3 of the Representation of the People Act 1985; and made pre-consolidation amendments relating to European Parliamentary Elections.

See also [The Political Parties, Elections and Referendums Bill - Donations](#) and [The Political Parties, Elections and Referendums Bill – Electoral aspects](#)

Representation of the People Act

This Act changed electoral procedures in relation to electoral registration and absent voting and allowed for experiments involving innovative electoral procedures. It also made some miscellaneous changes to electoral law to make it easier for the disabled to vote and to create an offence of supplying false particulars on a nomination form.

Freedom of Information Act

This Act introduced a right of access to information held by a wide range of public authorities, including central government, local government, public bodies and Parliament.

See also [The Freedom of Information Bill – Lords amendments](#)

Terrorism Act

This Act was responsible for permanent UK-wide anti-terrorist legislation (to replace the existing, separate pieces of temporary legislation for Northern Ireland and Great Britain); gave a new definition of terrorism, to apply to all types of terrorism; and introduced more powers to seize suspected terrorist cash at borders.

See also [Criminal Justice Legislation 1997-2005](#)

Sexual Offences (Amendment) Act

This Act reduced from 18 to 16 the age at which acts of buggery and acts of indecency between men are lawful. It also made it an offence for a person aged 18 or over to engage in sexual activity with or directed towards a person under that age if he is in a position of trust in relation to that person. The Bill had originally been introduced the previous session but the Government used the Parliament Acts to overcome opposition in the House of Lords.

See also [The Sexual Offences \(Amendment\) Bill: 'Age of Consent' and abuse of a position of trust](#)

Race Relations (Amendment) Act

This Act extended the application of the Race Relations Act 1976 to the police and other public authorities and amended the exemption under that Act for acts done for the purpose of safeguarding national security.

See also [The Race Relations Amendment Bill \[HL\]](#)

Criminal Justice and Court Service Act

This Act established a National Probation Service for England and Wales and a Children and Family Court Advisory and Support Service; made further provision for the protection of children; made further provision about dealing with persons suspected of, charged with or convicted of offences; and amended the law relating to access to information held under Part III of the Road Traffic Act 1988.

See also [Criminal Justice Legislation 1997-2005](#)

Regulation of Investigatory Powers Act

This Act made provision for and about the interception of communications, the acquisition and disclosure of data relating to communications, the carrying out of surveillance, the use of covert human intelligence sources and the acquisition of the means by which electronic data protected by encryption or passwords may be decrypted or accessed.

See also [The Regulation of Investigatory Powers Bill](#)

Football (Disorder) Act

This Act strengthened existing legislation and gave police new powers in relation to suspected hooligans.

See also [Criminal Justice Legislation 1997-2005](#)

Hunting Bill 2000/01

This Bill dealt with hunting with dogs – either by supervision, regulation or prohibition. It fell due to the calling of the May 2001 General Election.

See also [The Hunting Bill \(Revised edition\)](#)

E. 2001

Elections Act

This Act, as a consequence of the outbreak of foot and mouth disease, deferred local government elections which would otherwise have been held in the period 3 May 2001 - 6 June 2001 to 7 June 2001.

See also [The Elections Bill](#)

Election Publications Act

This Act postponed the operation of new requirements relating to the imprint on election publications introduced by the Political Parties, Elections and Referendums Act 2000.

See also [The Elections Publications Bill](#)

House of Commons (Removal of Clergy Disqualification) Act

This Act removes any disqualification from membership of the House of Commons that arises by reason of a person having been ordained or being a Minister of a religious denomination, but continues the disqualification of Lords Spiritual from such membership.

See also [The House of Commons \(Removal of Clergy Disqualification\) Bill](#)

Vehicles (Crime) Act

This Act regulates motor salvage operators and registration plate suppliers; makes further provision for preventing or detecting vehicle crime; and enables the Secretary of State to make payments in respect of certain expenditure relating to vehicle crime.

Anti-Terrorism Crime and Security Act

This Act allows non-British suspected international terrorists to be detained indefinitely under immigration powers; extends existing racially aggravated offences to cover offences motivated by religious hatred and increases the penalties; extends the law on hoaxes; strengthens the protection and security of aviation and civil nuclear sites; tightens the security of dangerous substances held in laboratories and universities; allows law

enforcement agencies to freeze suspected terrorists' assets; and provides for the retention of communications data.

See also [Criminal Justice Legislation 1997-2005](#)

Criminal Justice and Police Act

This set up on-the-spot fines for disorderly behaviour, and gave the police and other law enforcement agencies new powers of seizure. It also made changes to the *Police and Criminal Evidence Act 1984* (PACE) in relation to detention and arrest and made changes to police training and police organisation.

See also [Criminal Justice Legislation 1997-2005](#)

Private Security Industry Act

This Act set up the Security Industry Authority to regulate the private security industry.

See also [The Private Security Industry Act \[HL\] Bill](#)

F. 2002

Mobile Telephones (Re-programming) Act

This Act created offences for changing or interfering with a unique device identifier – a unique device identifier being a device unique to a mobile wireless communications device.

See also [The Mobile Telephone \(Re-programming\) Bill \[HL\]](#)

Civil Defence (Grant) Act

This Act replaces section 3 of the Civil Defence Act 1948.

Proceeds of Crime Act

This Act established the Assets Recovery Agency; makes provision for the recovery of property which is or represents property obtained through unlawful conduct or which is intended to be used in unlawful conduct; makes provision about money laundering and about investigations relating to benefit from criminal conduct or to property which is or represents property obtained through unlawful conduct or to money laundering.

See also [Criminal Justice Legislation 1997-2005](#)

Police Reform Act

This Act requires the Secretary of State to produce an annual National Policing Plan and set up the Independent Police Complaints Commission. It broadened the circumstances in which senior officers can be removed in the interests of the efficiency or effectiveness of the force, and provided for police powers to be exercised by civilians - notably Community Support Officers.

See also [The Police Reform Bill \[HL\]: Amendments in the House of Lords](#) and [The Police Reform Bill \[HL\]](#)

Nationality Immigration and Asylum Act

This Act made changes to the rules on acquisition and deprivation of citizenship; established a system of asylum accommodation centres; restricts asylum support; amends and restates the appeals system; makes changes to carriers' liability; and introduced new immigration and human trafficking offences.

See also [Immigration and Asylum Policy since 1997](#)

Football (Disorder) (Amendment) Act

This Act amends section 5 of the Football (Disorder) Act 2000.
See also [The Football \(Disorder\) \(Amendment\) Bill](#)

G. 2003

Criminal Justice Act

This Act makes provision about criminal justice (including the powers and duties of the police) and about dealing with offenders; amends the law relating to jury service; amends Chapter 1 of Part 1 of the Crime and Disorder Act 1998 and Part 5 of the Police Act 1997; and makes provision about civil proceedings brought by offenders.

See also [Criminal Justice Legislation 1997-2005](#)

Crime (International Co-operation) Act

This Act makes provision for furthering co-operation with other countries in respect of criminal proceedings and investigations; extends jurisdiction to deal with terrorist acts or threats outside the United Kingdom; amends section 5 of the Forgery and Counterfeiting Act 1981 and makes corresponding provision in relation to Scotland.

See also [Criminal Justice Legislation 1997-2005](#)

Anti-social Behaviour Act

This Act contains a wide range of measures to deal with anti-social behaviour, including closure of crack houses, new powers for social landlords, dispersal of groups and environmental measures.

See also [The Anti-social Behaviour Bill](#)

Sexual Offences Act

This Act replaces most of the existing sexual offences with a new, more comprehensive, non-gender-specific set of offences. It covers issues such as consent in rape cases, child protection and protection of vulnerable people, but not prostitution-related offences.

See also [Criminal Justice Legislation 1997-2005](#)

Extradition Act

This Act replaced the existing extradition arrangements with a new streamlined system which would have simplified appeal procedures. It introduces a new scheme for extradition to territories which will be designated as category 1 territories. This is to be based on the European arrest warrant, and will not include some of the safeguards which have hitherto been considered necessary.

See also [Criminal Justice Legislation 1997-2005](#)

H. 2004

Asylum and Immigration (Treatment of Claimants, etc) Act

This Act restructures the immigration and asylum appeals system; removes support from failed asylum-seeking families at an earlier stage; creates new offences relating to asylum seekers without documents and human trafficking; extends the definitions of 'safe countries'; allows charges for immigration applications to be increased; and increases the powers of immigration officers and the Immigration Services Commissioner.

See also [Immigration and Asylum Policy since 1997](#)

Domestic Violence Crime and Victims Act

This Act seeks to improve protection for victims of domestic violence and introduces a new offence of causing or allowing the death of a child or vulnerable adults. It also introduced a new statutory code of practice for victims and a new 'Commissioner for Victims and Witnesses'.

See also [The *Domestic Violence Crime and Victims Bill* \[HL\] Criminal procedure and victims](#)
And [The *Domestic violence Crime and Victims Bill* \[HL\] Domestic violence provisions](#)

Civil Partnership Act

This Act allows same-sex couples to make a formal, legal commitment to each other by entering into a civil partnership through a statutory civil registration procedure.

See also [The *Civil Partnership Bill* \[HL\] Background and debate](#)
And [The *Civil Partnership Bill* \[HL\] The detail & legal implications](#)

I. 2005

Drugs Act

This Act makes provision in connection with controlled drugs and for the making of orders to supplement anti-social behaviour orders in cases where behaviour is affected by the misuse of drugs.

See also [The *Drugs Bill*](#)

Serious Organised Crime and Police Act

This Act established the Serious Organised Crime Agency and sets out its constitution, functions, general powers and its relationship with Ministers. It also gives investigating authorities new powers to compel individuals to answer questions or produce relevant documents; formalises and adds to the existing arrangements relating to "Queen's Evidence"; makes all offences arrestable; makes search warrants more flexible; and gives community support officers more powers.

See also [The *Serious Organised Crime and Police Bill* – the new Agency; and new powers in criminal proceedings](#)

And [The *Serious Organised Crime and Police Bill* – Police Powers, Public Order and Miscellaneous Provisions](#)

Prevention of Terrorism Act

This Act allows the Secretary of State to make 'control orders' to restrict the movements or behaviour of suspected terrorists who cannot be prosecuted or deported, or impose obligations on them.

See also [The *Serious Organised Crime and Police Bill* – Police Powers, Public Order and Miscellaneous Provisions](#)

J. 2006

Charities Act

This Act amended the law relating to charities. It sets out the statutory meaning of "charity" and "charitable purpose"; established the Charity Commission for England and Wales (in place of the office of Charity Commissioner for England and Wales) as the regulatory body

for charities and sets out the Commission's objectives, general functions and duties. It also modified the rules relating to the registration of charities and the application of property if a charitable gift has failed. It also covers charitable collections and other fundraising.

See also [The Charities Bill](#)

Violent Crime Reduction Act

This Act contains a variety of measures designed to combat alcohol-related violence and disorder, including new "drinking banning orders" and "alcohol disorder zones". It amends licensing law to promote the objectives of crime prevention and child welfare. It also tightens the law on airguns, imitation firearms and the purchase of knives and introduces a new power for school staff to search pupils for weapons.

See also [The Violent Crime Reduction Bill](#)

Fraud Act

This Act replaced the previous statutory offences involving fraud with a single general offence of fraud, which may be committed in three ways. It also created a number of new offences.

See also [The Fraud Bill \[HL\]](#)

Identity Cards Act

This Act established a framework for the introduction of a national identity card scheme based on secure biometric information.

See also [The Identity Cards Bill](#)

Immigration Asylum and Nationality Act

This Act restricts appeals for those refused entry to the UK to work or study; tackles illegal working through a new civil penalties scheme for employers by introducing fines of up to £2,000 per illegal employee, custodial sentences of up to two-years and unlimited fines for those found knowingly to use or exploit illegal workers; strengthens UK borders by allowing data sharing between the Immigration Service, police and customs, as part of the e-Borders programme; supports the global roll-out of fingerprinting visa applicants by giving powers to Immigration Officers to verify identity against biometrics contained in travel documents; and responds to new security threats by denying asylum to terrorists, improving the ability to strip citizenship from and deport those who pose a serious risk to UK interests; and speeds up the appeals process in national security deportation cases.

See also [The Immigration Asylum and Nationality Bill](#)

Racial and Religious Hatred Act

This Act made it illegal to threaten people because of their religion, or to stir up hatred against a person because of their faith. It was designed to fill gaps in existing laws, which already protected people from threats based on their race or ethnic background.

See also [The Racial and Religious Hatred Bill](#)

Terrorism Act

This Act created a number of new offences: acts preparatory to terrorism; encouragement to terrorism; dissemination of terrorist publications; and terrorist training offences.

It also amended the *Terrorism Act 2000* and other legislation.

See also [The Terrorism Bill 2005-06](#)

Police and Justice Act

This Act established the National Policing Improvement Agency, a new body to replace Centrex (the Central Police Training and Development Authority) and PITO (the Police Information Technology Organisation). It also amended the *Police Act 1996* regarding the composition and functions of police authorities. Originally the reorganisation was intended to prepare for the amalgamation of police forces but this was not taken forward. It standardises the powers of Community Support Officers (CSOs) and provides a new power in relation to dealing with truancy. It also gives police powers to track the movements of suspected terrorists and serious criminals within Britain,

See also [The Police and Justice Bill](#)

Corporate Manslaughter and Corporate Homicide Bill (carry over Bill from 2005)

This Bill would have made provision for a new offence of corporate manslaughter (to be called corporate homicide in Scotland). It will apply to companies and other organisations including Government Departments and Crown bodies where they are engaged in similar activities. The Bill is intended to target corporate liability, as opposed to the responsibility of individual directors or others. It will still be possible for individuals to be prosecuted under existing legislation,

See also [The Corporate Manslaughter and Corporate Homicide Bill](#)

Fraud (Trials without a jury) Bill

The Bill would have enabled trials in England and Wales involving allegations of serious and complex fraud, to be tried without a jury.

See also [The Fraud \(Trials without a jury\) Bill 2006-07](#)

K. 2007

Serious Crime Act

This Act will introduce new civil Serious Crime Prevention Orders, imposing conditions on individuals or organisations to prevent illegal activity; will introduce a power for the police to stop and search for offensive weapons without requiring reasonable suspicion in a locality, for a limited period of time, where a serious violent incident has taken place; will allow greater information sharing between the public and private sectors for the prevention and detection of fraud; introduces new offences of encouraging or assisting another person to commit an offence; merges the key functions of the Assets Recovery Agency with the Serious Organised Crime Agency; and extends HM Revenue and Customs' existing surveillance powers to a wider range of criminal activity to combat organised tax crime.

See also [The Serious Crime Bill](#)

UK Borders Act

The Act introduces compulsory ID Cards for foreign nationals to help tackle fraud, illegal working and multiple identity; provides new powers to immigration officers at ports in England, Wales and Northern Ireland; extends powers to enable the prosecution of those who facilitate or traffic from abroad, even if their crimes were committed outside the UK; allows automatic consideration for deportation of foreign national prisoners; introduces a Code of Practice to keep Children Safe from Harm; and establishes a Chief Inspector for the Border and Immigration Agency.

See also [The UK Borders Bill](#)

Offender Management Act

This Act allows for the establishment of probation trusts; supports the development of the commissioning of probation services; and enables greater partnership working with providers in the voluntary, charitable and private sectors.

See also [The *Offender Management Bill*: Committee Stage Report](#)

L. 2008

Counter-Terrorism Act

This Act introduces a system of control orders designed to disrupt and prevent terrorist activity.

See also [The *Counter-Terrorism Bill* : Committee Stage Report](#)

Criminal Justice and Immigration Act

This Act covers a wide area including: a new criminal offence of incitement to hatred on the grounds of sexual orientation; new civil penalties for serious breaches of data protection principles; abolishing the common law offences of blasphemy and blasphemous libel; ending automatic discounts for offenders given an indeterminate sentence after the initial sentencing decision has been judged unduly lenient; powers for courts to make dangerous offenders given a discretionary life sentence serve a higher proportion of their tariff before being eligible for parole; a new offence of possession of extreme pornographic images; non-dangerous offenders who breach the terms of their licence to be recalled to prison for a fixed 28 day period; creating a Youth Rehabilitation Order for children and young offenders; bringing compensation for those wrongly convicted broadly into line with compensation for victims of crime; and providing for special immigration status for terrorists and serious criminals who cannot currently be removed from the UK for legal reasons.

See also [The *Criminal Justice and Immigration Bill*: Committee Stage Report](#)

M. 2009

Borders, Citizenship and Immigration Act

The Act deals with the transfer of border customs functions to the new UK Border Agency. It will also introduce new naturalisation requirements; covers various other citizenship issues; and will place a new duty on the UK Border Agency to safeguard the welfare of children as well as making provisions in relation to trafficking babies and children for exploitation.

See also [Borders, Citizenship and Immigration Bill \[HL\]: Committee Stage Report](#)

Policing and Crime Act

This Act introduces a wide range of measures including: a mandatory code of practice for alcohol retailers; the creation of a new offence of paying for sex with a prostitute who has been coerced or deceived; the power for police and local authorities to apply for injunctions against people involved in gang-related violence; increasing the effectiveness and public accountability of policing; regulation of lap dancing clubs; enhancing airport security; strengthening the arrangements for recovery of assets obtained through criminal means; and improving the efficiency of arrangements for judicial co-operation between the UK and its international partners.

See also [The *Policing and Crime Bill*: Committee Stage Report](#)