

Voyeurism (Offences) Bill

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Make certain acts of voyeurism an offence.

BE IT ENACTED by the Queen’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:—

1 Amendments to the Sexual Offences Act 2003

- (1) The Sexual Offences Act 2003 is amended as follows.
- (2) After section 67 (voyeurism) insert—

“67A Voyeurism: additional offences

- (1) A person (“A”) commits an offence if A — 5
 - (a) without another person (“B”) consenting, and
 - (b) without any reasonable belief that B consents,
operates equipment beneath B’s clothing with the intention of enabling A or another person (“C”), for a purpose mentioned in subsection (3), to observe B’s genitals or buttocks (whether exposed or covered with underwear) or the underwear covering B’s genitals or buttocks, in circumstances where the genitals, buttocks or underwear would not otherwise be visible. 10
- (2) A person (“A”) commits an offence if A — 15
 - (a) without another person (“B”) consenting, and
 - (b) without any reasonable belief that B consents,
records an image beneath B’s clothing of B’s genitals or buttocks (whether exposed or covered with underwear) or the underwear covering B’s genitals or buttocks, in circumstances where the genitals, buttocks or underwear would not otherwise be visible, with the intention that A or another person (“C”), for a purpose mentioned in subsection (3), will look at the image. 20
- (3) The purposes referred to in subsections (1) and (2) are— 25
 - (a) obtaining sexual gratification (whether for A or C), or
 - (b) humiliating, distressing or alarming B.

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- (4) A person guilty of an offence under this section is liable –
- (a) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years. 5
- (5) In relation to an offence committed before the coming into force of section 154(1) of the Criminal Justice Act 2003 (increase in maximum term that may be imposed on summary conviction of offence triable either way), the reference in subsection (4)(a) to 12 months is to be read as a reference to 6 months. 10
- (6) This section applies only in relation to offences committed on or after the day it comes into force.”
- (3) In section 68 (voyeurism: interpretation), after subsection (2), insert –
- “(3) For the purposes of section 67A(1), operating equipment includes enabling or securing its activation by another person without that person’s knowledge.” 15

2 Extent, commencement and short title

- (1) This Act extends to England and Wales.
- (2) This Act comes into force on the day on which this Act is passed.
- (3) This Act may be cited as the Voyeurism (Offences) Act 2018. 20

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To make certain acts of voyeurism an offence.

*Presented by Wera Hobhouse
supported by
Sir Vince Cable, Jo Swinson,
Christine Jardine, Layla Moran,
Caroline Lucas, Anna Soubry,
Jeremy Lefroy, Catherine West,
Grahame Morris, Tonia Antoniazzi
and Ben Lake*

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