

## **Voyeurism (Offences) No 2 Bill – Public Bill Committee**

### **Briefing from the Mayor of London**

- The Mayor of London has consistently called for the abhorrent practice of upskirting to become a criminal offence recognised within the Sexual Offences Act. He welcomes the Voyeurism (Offences) No 2 Bill which contains measures to achieve this.
- The Mayor strongly believes that upskirting should be couched in the understanding that this is a form of Violence Against Women and Girls (VAWG). To this end, he would like the Bill to go further in the following ways:
- That the sharing of these images and/or subsequent publication online should be recognised within legislation. This Bill as it currently stands does not fully satisfy this.
- While the Mayor is supportive of the efforts to address upskirting, the definition within the Bill is still very narrow. The Mayor believes the views of victims' groups must be taken into account when deciding whether the definition of being limited to 'genitals or buttocks (whether exposed or covered with underwear)' has implications for them.
- While the Bill does make provision to address the taking of images for the intention of sharing, it could go further with specific sanctions 'if shared' and further still to identify sharing online as an aggravating factor. This is an area that the Mayor's Office for Policing And Crime (MOPAC) has identified significant gaps around protection of VAWG victims of abuse. The Mayor has called for Government to strengthen the laws on the use of digital images around consent as he feels strongly that there is a gap in our response to these victims.
- He would also like the Bill to go further in addressing other ways in which technology is used to enable abuse towards women. London's Victims Commissioner has highlighted the shocking advice offered by the Crown Prosecution Service (CPS) to some rape victims informing them that it is not illegal for their attacker to have taken video footage of the complainant whilst unconscious without her consent. The CPS has advised that this is an 'unsettled' piece of law and one they feel could be easily clarified and strengthened when creating change around upskirting.
- The narrow nature of what is being proposed, while useful in its application towards some instances of upskirting, misses an opportunity to recognise that images of a sexual nature taken of women without their consent constitutes a Sexual Offence in all instances. It also misses the opportunity to recognise the significant impact sharing these images, particularly in a digital format/online, has on victims.

For more information, please contact Leigh Greenhalgh, Principal Government Relations Officer  
on 020 7983 4147