



Sexual Offences Act 2003

2003 CHAPTER 42

PART 1

SEXUAL OFFENCES

Other offences

66 Exposure

[^{F1}(1) A person commits an offence if—

- (a) he intentionally exposes his genitals, and
- (b) he intends that someone will see them and be caused alarm or distress.

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.]

Textual Amendments

F1 Ss. 66-72 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(e), [Sch. 3](#); (with Sch. 2 para. 1) [S.R. 2008/510](#), [art. 2](#)

67 Voyeurism

[^{F2}(1) A person commits an offence if—

- (a) for the purpose of obtaining sexual gratification, he observes another person doing a private act, and

Status: Point in time view as at 07/02/2023.

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- (b) he knows that the other person does not consent to being observed for his sexual gratification.
- (2) A person commits an offence if—
 - (a) he operates equipment with the intention of enabling another person to observe, for the purpose of obtaining sexual gratification, a third person (B) doing a private act, and
 - (b) he knows that B does not consent to his operating equipment with that intention.
- (3) A person commits an offence if—
 - (a) he records another person (B) doing a private act,
 - (b) he does so with the intention that he or a third person will, for the purpose of obtaining sexual gratification, look at an image of B doing the act, and
 - (c) he knows that B does not consent to his recording the act with that intention.
- (4) A person commits an offence if he installs equipment, or constructs or adapts a structure or part of a structure, with the intention of enabling himself or another person to commit an offence under subsection (1).
- (5) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.]

Textual Amendments

F2 Ss. 66-72 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(e), [Sch. 3](#); (with Sch. 2 para. 1) [S.R. 2008/510](#), [art. 2](#)

[^{F3}67A Voyeurism: additional offences

- (1) A person (A) commits an offence if—
 - (a) A operates equipment beneath the clothing of another person (B),
 - (b) A does so with the intention of enabling A or another person (C), for a purpose mentioned in subsection (3), to observe—
 - (i) B's genitals or buttocks (whether exposed or covered with underwear), or
 - (ii) the underwear covering B's genitals or buttocks,
 in circumstances where the genitals, buttocks or underwear would not otherwise be visible, and
 - (c) A does so—
 - (i) without B's consent, and
 - (ii) without reasonably believing that B consents.
- (2) A person (A) commits an offence if—
 - (a) A records an image beneath the clothing of another person (B),
 - (b) the image is of—

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- (i) B's genitals or buttocks (whether exposed or covered with underwear), or
 - (ii) the underwear covering B's genitals or buttocks,in circumstances where the genitals, buttocks or underwear would not otherwise be visible,
 - (c) A does so with the intention that A or another person (C) will look at the image for a purpose mentioned in subsection (3), and
 - (d) A does so—
 - (i) without B's consent, and
 - (ii) without reasonably believing that B consents.
- [A person (A) commits an offence if—
- ^{F4}(2A)
 - (a) A operates equipment,
 - (b) A does so with the intention of enabling A or another person (C), for a purpose mentioned in subsection (3), to observe another (B) while B is breast-feeding a child, and
 - (c) A does so—
 - (i) without B's consent, and
 - (ii) without reasonably believing that B consents.
- (2B) A person (A) commits an offence if—
 - (a) A records an image of another (B) while B is breast-feeding a child,
 - (b) A does so with the intention that A or another person (C) will look at the image for a purpose mentioned in subsection (3), and
 - (c) A does so—
 - (i) without B's consent, and
 - (ii) without reasonably believing that B consents.]
- (3) The purposes referred to in subsections (1) [^{F5}to (2B)] are—
 - (a) obtaining sexual gratification (whether for A or C);
 - (b) humiliating, alarming or distressing B.
- [In this section a reference to B breast-feeding a child includes B re-arranging B's
- ^{F6}(3A) clothing—
 - (a) in the course of preparing to breast-feed the child, or
 - (b) having just finished breast-feeding the child.
- (3B) It is irrelevant for the purposes of subsections (2A) and (2B)—
 - (a) whether or not B is in a public place while B is breast-feeding the child,
 - (b) whether or not B's breasts are exposed while B is breast-feeding the child, and
 - (c) what part of B's body—
 - (i) is, or is intended by A to be, visible in the recorded image, or
 - (ii) is intended by A to be observed.]
- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding [^{F7}the general limit in a magistrates' court], or to a fine, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.

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- (5) In relation to an offence committed before [^{F8}2 May 2022], the reference in subsection (4)(a) to [^{F9}the general limit in a magistrates' court] is to be read as a reference to 6 months.]

Textual Amendments

- F3** S. 67A inserted (12.4.2019) by [Voyeurism \(Offences\) Act 2019 \(c. 2\)](#), **ss. 1(2)**, 2(2)
- F4** S. 67A(2A)(2B) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 48(2)**, 208(1); S.I. 2022/520, reg. 5(e)
- F5** Words in s. 67A(3) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 48(3)**, 208(1); S.I. 2022/520, reg. 5(e)
- F6** S. 67A(3A)(3B) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 48(4)**, 208(1); S.I. 2022/520, reg. 5(e)
- F7** Words in s. 67A(4)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**
- F8** Words in s. 67A(5) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), **Sch. Pt. 1**
- F9** Words in s. 67A(5) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**

68 Voyeurism: interpretation

- [^{F10}(1) For the purposes of section 67, a person is doing a private act if the person is in a place which, in the circumstances, would reasonably be expected to provide privacy, and—
- (a) the person's genitals, buttocks or breasts are exposed or covered only with underwear,
 - (b) the person is using a lavatory, or
 - (c) the person is doing a sexual act that is not of a kind ordinarily done in public.

[^{F11}(1A) For the purposes of sections 67 and 67A, operating equipment includes enabling or securing its activation by another person without that person's knowledge.]

- (2) In section 67, "structure" includes a tent, vehicle or vessel or other temporary or movable structure.]

Textual Amendments

- F10** Ss. 66-72 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(e), **Sch. 3**; (with Sch. 2 para. 1) S.R. 2008/510, **art. 2**
- F11** S. 68(1A) inserted (12.4.2019) by [Voyeurism \(Offences\) Act 2019 \(c. 2\)](#), **ss. 1(3)**, 2(2)

69 Intercourse with an animal

- [^{F12}(1) A person commits an offence if—
- (a) he intentionally performs an act of penetration with his penis,
 - (b) what is penetrated is the vagina or anus of a living animal, and

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- (c) he knows that, or is reckless as to whether, that is what is penetrated.
- (2) A person (A) commits an offence if—
 - (a) A intentionally causes, or allows, A’s vagina or anus to be penetrated,
 - (b) the penetration is by the penis of a living animal, and
 - (c) A knows that, or is reckless as to whether, that is what A is being penetrated by.
- (3) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.]

Textual Amendments

F12 Ss. 66-72 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(e), [Sch. 3](#); (with Sch. 2 para. 1) [S.R. 2008/510](#), [art. 2](#)

70 Sexual penetration of a corpse

- [^{F13}(1) A person commits an offence if—
- (a) he intentionally performs an act of penetration with a part of his body or anything else,
 - (b) what is penetrated is a part of the body of a dead person,
 - (c) he knows that, or is reckless as to whether, that is what is penetrated, and
 - (d) the penetration is sexual.
- (2) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.]

Textual Amendments

F13 Ss. 66-72 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(e), [Sch. 3](#); (with Sch. 2 para. 1) [S.R. 2008/510](#), [art. 2](#)

71 Sexual activity in a public lavatory

- [^{F14}(1) A person commits an offence if—
- (a) he is in a lavatory to which the public or a section of the public has or is permitted to have access, whether on payment or otherwise,
 - (b) he intentionally engages in an activity, and,
 - (c) the activity is sexual.
- (2) For the purposes of this section, an activity is sexual if a reasonable person would, in all the circumstances but regardless of any person’s purpose, consider it to be sexual.

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- (3) A person guilty of an offence under this section is liable on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale or both.]

Textual Amendments

F14 Ss. 66-72 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(e), **Sch. 3**; (with Sch. 2 para. 1) S.R. 2008/510, **art. 2**

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