



Sexual Offences Act 2003

2003 CHAPTER 42

PART 1

SEXUAL OFFENCES

Other offences

[^{F1}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—
 - (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,

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- (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—

- ^{F2}(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) [^{F3}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

- ^{F4}(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 [^{F5}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.

(5) In relation to an offence committed before [^{F6}2 May 2022], the reference in subsection (4)(a) to [^{F7}the general limit in a magistrates' court] is to be read as a reference to 6 months.]

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Textual Amendments

- F1** S. 67A inserted (12.4.2019) by Voyeurism (Offences) Act 2019 (c. 2), **ss. 1(2)**, 2(2)
- F2** 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)
- F3** 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)
- F4** 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)
- F5** 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**
- F6** 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**
- F7** 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**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)