



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 2

PREVENTION, INVESTIGATION AND PROSECUTION OF CRIME

CHAPTER 4

OTHER PROVISIONS

Sexual offences

48 Voyeurism: breast-feeding

(1) Section 67A of the Sexual Offences Act 2003 (voyeurism: additional offences) is amended as follows.

(2) After subsection (2) insert—

“(2A) A person (A) commits an offence if—

- (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,

Changes to legislation: *There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 48. (See end of Document for details)*

- (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) In subsection (3), for “and (2)” substitute “to (2B)”.
- (4) After subsection (3) insert—
- “(3A) In this section a reference to B breast-feeding a child includes B re-arranging B’s 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.”

Commencement Information

- I1** S. 48 not in force at Royal Assent, see [s. 208\(1\)](#)
- I2** S. 48 in force at 28.6.2022 by [S.I. 2022/520](#), [reg. 5\(e\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 48.