



Ministry
of Justice

Alex Davies-Jones MP
Parliamentary Under-
Secretary of State

Gweinyddiaeth
Cyfiawnder

Sarah Owen MP, Chair
Women and Equalities Committee
House of Commons
London
SW1A 0AA

MoJ ref: SUB 120381

06 January 2025

Dear Sarah,

OFFENCES RELATING TO TAKING INTIMATE PHOTOGRAPHS AND FILMS AND THE CREATION OF SEXUALLY EXPLICIT DEEPPAKE IMAGES WITHOUT CONSENT

This Government is committed to tackling violence against women and girls. One key part of this is tackling the proliferation of intimate image abuse. I am grateful to the Women and Equalities Committee for all their work to tackle non-consensual intimate image abuse, so I am writing to inform you of an announcement we will be making tomorrow to change the criminal law in this area.

We will introduce new offences for the taking of intimate images without consent and the installation of equipment with intent to enable the taking of intimate images without consent. These will also be introduced the Crime and Policing Bill which will be introduced later this year. These are based on recommendations from the Law Commission in its report on *Intimate Image Abuse*, published in July 2022. This letter briefly explains the offences we are introducing.

These new offences will build on the offences for sharing intimate images in the Sexual Offences Act 2003, as inserted by the Online Safety Act 2023. Our provisions will do this by repealing two existing voyeurism offences of recording a person doing a private act, and recording an image beneath a person's clothing (the so-called 'upskirting' offence) in sections 67(3) and 67A(2) of the Sexual Offences Act 2003 respectively, and replacing them with three new offences:

- 1) a new "base" offence of taking or recording an intimate photograph or film without consent or reasonable belief in consent;
- 2) a new offence of taking or recording an intimate photograph or film without consent and with intent to cause alarm, distress or humiliation; and
- 3) a new offence of taking or recording an intimate photograph or film without consent or reasonable belief in it, and for the purpose of sexual gratification of oneself or another.

Those who commit the offence (3) may be subject to notification requirements, commonly known as being on the “sex offender’s register”. These new offences cover a broader range of behaviours than current offences, providing greater protection for victims.

We will also introduce new offences that criminalise someone if they instal or adapt, prepare or maintain equipment, and do so with the intent of enabling themselves or another to commit one of the three offences of taking or recording an intimate photograph or film without consent. Victims of any of these new offences may qualify, where applicable, for anonymity and special measures. We will also amend the Sentencing Code to ensure Courts have the power to order, upon conviction, that the offender be deprived of any images in respect of which they were convicted of a taking or recording offence, as well as anything on which the images were stored (such as a computer or hard drive). The Courts already have this power in relation to offenders convicted of sharing intimate images without consent.

In our manifesto, we committed to ban the creation of sexually explicit deepfake images, which will be central to this mission. We are bringing forward legislation to honour that commitment in the Crime and Policing Bill which will be introduced later this year, making this behaviour criminal so that perpetrators can be brought to justice.

I would like to thank you again for your constructive engagement and tireless work on this matter over the years. These measures give law enforcement a holistic package of offences to effectively tackle this abhorrent behaviour. They will offer victims whose images have been taken or shared without consent the clear and comprehensive protection they deserve. This is an important step towards our commitment to halving violence against women and girls in the next decade.

Yours Sincerely

A handwritten signature in black ink that reads "Alex Davies-Jones". The signature is written in a cursive, slightly slanted style.

ALEX DAVIES-JONES MP
Minister for Victims and Violence Against Women and Girls