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Public Bill Committee

CRIME AND POLICING BILL

Ninth Sitting

Thursday 24 April 2025

(Morning)

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Monday 28 April 2025

The Committee consisted of the following Members:

Chairs: Sir Roger Gale, Mark Pritchard, Emma Lewell, † Dr Rosena Allin-Khan

† Barros-Curtis, Mr Alex *(Cardiff West)* (Lab)
Bishop, Matt *(Forest of Dean)* (Lab)
† Burton-Sampson, David *(Southend West and Leigh)* (Lab)
† Cross, Harriet *(Gordon and Buchan)* (Con)
† Davies-Jones, Alex *(Parliamentary Under-Secretary of State for Justice)*
† Johnson, Dame Diana *(Minister for Policing, Fire and Crime Prevention)*
† Jones, Louise *(North East Derbyshire)* (Lab)
† Mather, Keir *(Selby)* (Lab)
† Phillips, Jess *(Parliamentary Under-Secretary of State for the Home Department)*
Platt, Jo *(Leigh and Atherton)* (Lab/Co-op)
† Rankin, Jack *(Windsor)* (Con)
† Robertson, Joe *(Isle of Wight East)* (Con)
Sabine, Anna *(Frome and East Somerset)* (LD)
† Sullivan, Dr Lauren *(Gravesham)* (Lab)
† Taylor, David *(Hemel Hempstead)* (Lab)
† Taylor, Luke *(Sutton and Cheam)* (LD)
† Vickers, Matt *(Stockton West)* (Con)

Robert Cope, Claire Cozens, Adam Evans, *Committee Clerks*

† attended the Committee

Public Bill Committee

Thursday 24 April 2025

(Morning)

[Dr Rosena Allin-Khan *in the Chair*]

Crime and Policing Bill

11.30 am

The Chair: We continue line-by-line scrutiny of the Crime and Policing Bill. Before we begin, I have a few preliminary reminders for the Committee. Please switch electronic devices to silent. No food or drink is permitted during sittings of this Committee, except for the water provided. *Hansard* colleagues would be grateful if Members can email their speaking notes to hansardnotes@parliament.uk or alternatively pass on their written speaking notes to the *Hansard* colleagues in the room.

Clause 56

Offences relating to intimate photographs or films and voyeurism

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss schedule 8.

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): It is a pleasure to serve with you in the Chair, Dr Allin-Khan. I am very pleased to be able to speak to these provisions.

We live our lives surrounded by technology that allows us to take photographs or record film at the click of a button. Laptops, tablets, smartphones, smart TVs and minute cameras and recording devices have revolutionised our lives, but they do not come without the very real risk that they can be used for nefarious purposes, such as taking intimate images of a person without their knowledge or consent.

The scale of this problem is growing. When the Law Commission carried out its detailed review of the law in this area in 2020 to 2022, it found that the police recorded at least 28,201 reports of disclosing private sexual images without consent between April 2015 and December 2021. Only three years later, a Women and Equalities Committee investigation showed that the Revenge Porn Helpline went from receiving 3,200 cases in 2020 to 22,276 in 2024. Those figures include only those reporting to the helpline. As we are all aware, many, many more individuals may not report.

I have huge respect for the work of the Revenge Porn Helpline, which is committed to supporting victims. The Government and the wider violence against women and girls sector have moved away from using the terminology "revenge porn". Let us be clear: it is not revenge. Nothing a victim could ever do justifies any kind of abuse. It is not an act of revenge; it is an act of abuse. It is also not pornography. The participant is not consenting, and the subject never intended it to be available for public viewing. It is non-consensual intimate image abuse.

The Government share the Women and Equalities Committee's concerns. We have committed to halving violence against women and girls, who make up the majority of victims of intimate image abuse. Taking an intimate image of someone without their consent is a violation. Victims can experience significant harm and trauma. It can impact every aspect of their lives, from their physical and mental health to their relationships and careers. It is therefore vital that our legal framework deals effectively with that behaviour.

That type of offending needs to be seen as part of the wider landscape of sexual violence and sexual offending. It may be carried out by those who are also committing the most abhorrent physical sexual offences. That was so in the case of Gisèle Pelicot, whose husband was caught because he was taking photographs under women's clothing—an act similar to those covered by the upskirting offence in England and Wales. As is evident in that case and many others, intimate image abuse can be the beginning of an escalation, or can go hand in hand with those already perpetrating violent sexual crimes. If we can catch it early, perhaps we can prevent or stop further abuse in its tracks.

We know that there is a relationship between online and offline violent misogyny. We also know that many perpetrators start their campaigns of abuse with apparent low-level sexual offences. Sarah Everard's murderer had indecently exposed himself before he went on to brutally rape and murder her. The escalation is clear in both the online and the offline world. The Pelicot case shows that intimate image abuse cannot be viewed in isolation; it is part of wider violence against women and girls. That is why the Government, in this clause, are cracking down on the perpetrators of violence against women and girls in all its forms. Those perpetrators need to be stopped and held accountable for their crimes. As Gisèle Pelicot said:

"it's not for us to have shame—it's for them".

Existing law does address some of that behaviour, but it is far from comprehensive and effective. The previous Government introduced some new offences in this area to tackle sharing intimate images without consent, but they did not go far enough. They did not have the bravery or political will to take a real stand against this type of abuse, introducing offences on intimate image abuse in their Criminal Justice Bill, which they allowed to fall in favour of attempting to re-elect a failing Prime Minister and a failing Government. This has gone on long enough. That is why, in our first year in office and in our first crime and justice Bill, we are now doing what they should have done and are addressing the taking of those images, the first step in this type of offending.

The clause and schedule we are discussing build on what we have already done in the Data (Use and Access) Bill, fulfilling our manifesto commitment to ban the creation of sexual deepfakes. In that Bill, we introduced a new offence of creating purported intimate images—more commonly known as deepfakes—without consent, or reasonable belief in consent. We have also introduced an offence of requesting the creation of such an image

without consent or reasonable belief in consent. Those new offences will tackle a rapidly proliferating area of offending, providing further protection for victims.

The taking of real intimate images needs to be tackled as well, however. The taking of intimate images without consent is not new. It has been possible for many years, from analogue cameras through digital cameras to the ease of the smartphone. The law has rightly criminalised some of that behaviour, but changing technology has made it even easier to take such images. Only last week, *The Sunday Times* reported on the widespread practice of individuals installing covert cameras in order to secretly record intimate images of women getting changed at swimming pools. Some of that behaviour is already covered by existing offences, but we want to ensure that the law is consistent and comprehensive, and captures all the behaviour that it should, giving the police and the Crown Prosecution Service the tools to tackle it.

At the moment, taking such images is covered by the offence set out in section 67 of the Sexual Offences Act 2003. It is part of a wider set of offences in sections 67 and 67A, which cover "observing" and "recording" of individuals in certain intimate circumstances without their consent. Section 67(3) provides for an offence of recording images of a person "doing a private act" if the person recording it intends that he, or a third party, will gain sexual gratification from looking at the image, and the person recording knows that the person in the photo does not consent to being recorded with that intention. That means that the prosecution has to prove the perpetrator's intent and that they knew that the person in the photo had not consented to being recorded for that purpose.

The voyeurism offences also include the so-called upskirting offence in section 67A of the 2003 Act, which covers recording images, without consent or reasonable belief in consent, of a person's genitals or buttocks, or underwear covering them, under a person's clothes. The offence has different intent elements from the section 67 offence and a different definition of the photographs taken. Those differences were among many issues looked at by the Law Commission, which in 2019 was asked to review in detail the law on taking, making and sharing intimate images without consent. The commission submitted a final report in 2022, "Intimate image abuse", which recommended a comprehensive suite of intimate image abuse offences to ensure that the law was consistent and coherent. We agree that that is what is needed. Consistent law will be easier to understand and to work with, ensuring that perpetrators are brought to justice.

As I mentioned, the previous Government made some changes on sharing offences, but they left the law in a mess. We now have a situation where the offences relating to taking and to sharing intimate images without consent are not consistent. Different definitions of the images are covered and they include different intent elements. The Government will not tolerate that.

To address such offending properly and consistently, we will repeal two of the existing voyeurism offences, relating to

"recording a person doing a private act"

and

"recording an image beneath a person's clothing"—

the so-called upskirting offence—and replace them with three new criminal offences to tackle the taking or recording of intimate images without consent.

The base offence will be of taking or recording an intimate image without consent or a reasonable belief in consent. That offence carries no requirement to prove that the taking or recording was done for a particular reason. There will also be two more serious offences of taking or recording an intimate image without consent and with the intent to cause alarm, distress or humiliation, or without consent or reasonable belief in consent for the purpose of obtaining sexual gratification.

Consent must be at the heart of this new offence. It is the key element, and one that is long overdue. Previously, the onus was on the defence to prove that the accused intended to cause harm. Now, we are moving to a consent-based model that centres the autonomy of the victim. Consent is the most important element of any law of this nature. I am not interested in what consenting adults get up to in the privacy of their own relationship; what this Government are interested in is that, where consent is not given, the perpetrators are punished appropriately and the victim receives the justice they deserve for the violation and abhorrent abuse that they have experienced.

Crucially, these offences will all use the definition of a person in an "intimate state", which covers images in which the person's buttocks, genitals or breasts are exposed or covered with underwear; images depicting the person engaging in a sexual act of a sort not usually seen in public; and images showing the person using the toilet. That is broader than the current definition and provides a consistent definition across all the intimate image abuse offences, providing a package of offences.

These changes are important and overdue, but we will not stop there. One of our other concerns about the current law relates to people installing equipment in order for them, or someone else, to take an intimate image without consent. Section 67(4) of the Sexual Offences Act 2003 makes it an offence for someone to install equipment, or construct or adapt a structure, or any part of a structure, to enable someone to commit the offence of observing a person doing a private act. That means that I commit an offence if I drill a hole in a changing room wall to allow myself or someone else to spy on people getting changed for sexual gratification, knowing that those getting changed do not consent to being observed for this purpose. That is currently an offence even if I never actually use the hole to spy on those people—merely adapting the structure is sufficient.

However, the offence in section 67(4) of the 2003 Act is limited to installing equipment or adapting structures in relation to observing victims, not recording photographs or videos of them. That means that if I install a spy camera in the wall of a changing room so that I, or someone else, can remotely take photographs or videos of people getting changed, I am not committing that offence. I would have to have actually taken the photographs for that offence to have been committed. That cannot be right.

The new offence to be inserted at section 66 of the 2003 Act will change that. To address concerns about the increasing use of spy cameras to record people in public bathrooms, changing rooms, hotel rooms or holiday lets, it will be an offence to install equipment with the intention to enable anyone, whether the installer or a

[Alex Davies-Jones]

third party, to commit one of the taking offences. To address the harmful and culpable nature of that behaviour in and of itself, it will not be necessary for any images to have been taken using the equipment.

These offences will build on the sharing offences in the Sexual Offences Act 2003 to provide a holistic package of offences using the same definitions and core elements. That addresses the criticisms of the patchwork nature of the existing law, which has resulted in gaps in protection for victims. On top of that, we know that being a victim of one of these crimes can be humiliating and degrading, and that victims can be overwhelmed by shame and embarrassment despite having done nothing wrong. It is therefore vitally important that victims will automatically be eligible for lifelong anonymity.

We are also ensuring that those convicted of the new offences of taking or recording an intimate image for sexual gratification, or installing with the intent to enable the commission of that offence, may be subject to notification requirements. That means that they can be monitored in the community, helping the police to keep the public safer from these predators. The courts can already deprive offenders of the images and the devices on which they are held upon conviction for non-consensual sharing of an intimate image. We will update the sentencing code to give courts the same powers, upon conviction, for intimate images taken without consent. I am grateful to the Law Commission for its extensive review of the law relating to intimate images and its well-considered recommendations upon which these new provisions are based.

I also extend my gratitude to all those who took the time to contribute their views, knowledge and experience, particularly the victims. The courage needed to speak out about these crimes cannot be overestimated, and we are indebted to those brave victims who have shared their experiences so powerfully. We are also grateful to the bodies representing the police, prosecutors and legal practitioners. This allowed us to hear from experts in this area, from those supporting and campaigning on behalf of victims.

11.45 am

I am also very grateful to the Women and Equalities Committee and the many people who gave evidence to it, including many victims of this disgusting offending. I would like to pay tribute personally to Georgia Harrison, Jess Davies, Professor Clare McGlynn, JodieCampaigns, *Glamour* magazine—particularly purpose editor Lucy Morgan—and Baroness Owen in the other place for all their work in ensuring that the spotlight is kept on this behaviour and the crime that must be addressed, which has helped us to better understand the true scale of the impact of this offending. I commend clause 56 and schedule 8 to the Committee.

Matt Vickers (Stockton West) (Con): It is a pleasure to have you in the Chair, Dr Allin-Khan. Clause 56 introduces schedule 8, which sets out new or amended provisions concerning criminal offences related to the taking, sharing or misuse of intimate photographs without consent, as well as acts of voyeurism. We very much welcome the measures being brought forward.

Many members of the public may be surprised that there is currently no single criminal offence that covers intimate image abuse. In July 2022, the Law Commission completed its review of the laws surrounding the taking, creation and distribution of intimate images without consent. It described the current legal framework as fragmented and outdated, highlighting the fact that existing offences had not kept pace with advances in technology or changes in patterns of sexual offending.

The then Conservative Government intended to use the Criminal Justice Bill to introduce a range of complementary offences to tackle the taking or recording of such images, as well as installing equipment to enable a person to commit a taking or recording offence, before the Bill fell ahead of the 2024 general election. As such, we welcome clause 56 and the measures in schedule 8. Schedule 8 is intended to strengthen legal protections against such offences, reflect modern technology and behaviours, and ensure that victims of these deeply intrusive acts are better safeguarded and supported through the criminal justice system.

These offences aim to address harmful behaviours such as secretly filming or photographing someone in a sexual or private context without their knowledge or consent. There are three main offences: one for taking or recording an intimate image without consent; one where the act is done to cause distress or humiliation; and another where it is done for sexual gratification. The legislation also provides certain exemptions, including where the person had a reasonable belief in consent, or where images were taken for legitimate purposes, such as medical care or by family members in certain situations. It also clarifies that images taken in public, where a person has no reasonable expectation of privacy, are generally excluded.

The new offences carry different penalties depending on the intent behind the act. The general offence is punishable by up to six months imprisonment or a fine, while the more serious offences, involving intent to harm or sexual gratification, carry a maximum sentence of two years. Clause 56 also introduces offences for installing or maintaining equipment, such as hidden cameras, with the intent to commit these acts. This ensures that preparatory behaviour intended to facilitate such invasions of privacy is also criminalised. Overall, the clause rightly strengthens the legal framework around image-based abuse and helps to protect people from intimate violations in both private and public settings.

Being filmed or photographed in an intimate or vulnerable situation without consent is a deep violation of privacy and dignity. Victims often experience long-lasting emotional and psychological effects. In some cases, the fear of images being shared online can lead to isolation, damage to personal relationships, and even job loss or reputational harm. We know how much that particularly impacts specific groups—research suggests that up to 90% of victims of intimate image abuse are women. By criminalising not only the taking and sharing of intimate images without consent, but the installation of equipment intended to facilitate such acts, the law sends a clear message that those behaviours are unacceptable and will not be tolerated.

These changes also help to close existing legal gaps, offering victims stronger protection and greater confidence that their experiences will be taken seriously. Importantly, the new offences allow for appropriate punishment that

reflects the severity of the harm caused while also deterring future offenders. This is a vital step in modernising the law to reflect the realities of abuse in the digital age.

It would be useful to understand whether the voyeurism element of these proposals is sufficient in cases of extortion. The National Crime Agency and other organisations have launched campaigns to highlight the dangers of extortion involving intimate images. The Law Commission's study highlights reports of its prevalence among young men, with some estimates suggesting that young men account for 90% of victims. In cases where consent is initially given, does existing law sufficiently protect individuals who are subsequently extorted? It may be the case that this clause is not the place to address that, and that the Government feel that sufficient powers already exist. I am keen to hear the Minister's views on that.

Dr Lauren Sullivan (Gravesham) (Lab): It is a pleasure to serve under your chairmanship, Dr Allin-Khan.

I rise in full support of the Government's action to tackle internet image abuse through clause 56 and schedule 8. As the Member of Parliament for Gravesham, I have heard how digital abuse and coercion are becoming increasingly common in our schools, in our relationships and even in our homes. This measure is not just a policy update; it is a legal correction, a turning point in how the law confronts modern abuse. It stands in defence of dignity, particularly for women and girls who have borne the brunt of silence, shame and victim-blaming for far too long.

The abuse we are addressing through this Bill is often hidden, carried out online without witnesses but with devastating consequences. Victims are often blamed, disbelieved or told that they brought it on themselves. Clause 56 and schedule 8 will take a powerful step in changing that narrative, and I place on record my strong support for the Government's proposals. I also want to highlight why these offences are so necessary, how the cultural context has changed, what impact this Bill will have on real people, and why this is a turning point in our fight to end violence against women and girls.

As the Minister described, clause 56 and schedule 8 add the base offence of taking and recording intimate images without consent, regardless of motive, to the offences of doing so with intent to cause alarm, distress or humiliation, and of doing so for the purpose of sexual gratification. These offences are key to reflect the reality of modern abuse. The base offence rightly does not require intent, because the harm is real whether or not it was intended.

Unfortunately, we live in a world in which private moments can be turned into weapons, where trust can be shattered with a click and where a single image taken without consent or shared perniciously can spiral into shame, harassment and lifelong trauma. The Law Commission describes our current legal framework as a "patchwork," unable to keep up with the evolution of technology or the disturbing ways in which people are exploiting it, and the Law Commission is right. Until now, there has been no clear, single criminal offence of taking or recording intimate images without consent. Offences exist for sharing such images, but even then the law requires intent to cause distress or humiliation to be proven. The result is that many perpetrators escape justice while victims suffer in silence. This Bill changes that.

For the first time, we have a clear set of offences that target the taking of intimate images without consent whatever the intent behind the action, whether it is humiliation, distress or sexual gratification, and the installation of the hidden recording devices that enable abuse. It addresses that breakdown in trust.

The Kaspersky report "The Naked Truth" sets out the scale of the challenge. In a global survey of 9,000 people, 22% of respondents had saved explicit images of themselves on their devices and 25% had shared images with people they were dating—among 16 to 24-year-olds that figure rose to 34%. It is this younger generation who we must protect. Some 46% of people globally are either survivors or know somebody who has been a victim of intimate image abuse. That number rises to 69% for 16 to 25-year-olds. We really must act now to prevent this from continuing.

The need for reform has been recognised for some time, but the legislative space did not allow it to move forward. This Labour Government are now picking up the mantle and delivering on that commitment. Clause 56 and schedule 8 build on the groundwork of the Online Safety Act 2003, which acknowledges image sharing. The Bill addresses the act of recording, closing another legal gap. This Government will not stop there: deepfakes and AI-generated sexually explicit images will also be addressed in clause 135 of the Data (Use and Access) Bill. That shows a serious, layered, long-term response to a serious, layered, long-term problem.

We owe it to the survivors, to the next generation, and to every woman and girl who has ever been told that she should have known better. This Government will not look away; we will act, protect, and make it clear that everyone has the right to their own body, their privacy and their peace of mind.

Luke Taylor (Sutton and Cheam) (LD): The Liberal Democrats are very supportive of clause 56 and schedule 8, which tidy up existing measures, including those previously implemented by the Liberal Democrats. That includes our campaign to ban revenge porn—we note the excellent points made by the Minister, the hon. Member for Pontypridd, regarding both "revenge" and "porn"—which elevated the taking of intimate images to a criminal offence in 2015, with sentences of up to two years in prison for those convicted.

We also note the work of my hon. Friend the Member for Bath (Wera Hobhouse) on the Voyeurism (Offences) Act 2019, so shamefully blocked by the hon. Member for Christchurch (Sir Christopher Chope) in 2018, which made upskirting a specific crime. We congratulate the Government on bringing forward measures to combat these upsetting, intrusive and insidious crimes.

David Burton-Sampson (Southend West and Leigh) (Lab): It is a pleasure to serve under your chairmanship, Dr Allin-Khan.

Violence against women and girls is not just a societal problem—it is a national emergency. I am proud of the action that this Labour Government are taking in our Crime and Policing Bill to tackle it. Tough new action is needed, and we are bringing it. The Labour Government

[David Burton-Sampson]

have set out an unprecedented ambition, as we heard from the Minister, my hon. Friend the Member for Pontypridd, to halve violence against women and girls within a decade. We will use every lever available to deliver this change.

The commitment goes beyond promises. One of the deliverables is the inclusion of new offences for the taking of intimate images without consent, as we have heard. These steps are crucial in addressing the evolving nature of sexual offences, which have outpaced existing laws. We must address this issue—it demands action and our unwavering commitment. Unlike the last Tory Government, which failed to keep up with developments in technology and sexual offending, we are taking tough action against perpetrators and ensuring that protections are better for victims—that is paramount. The consequences of this abuse can be life-changing and tragic. We must take the steps outlined in clause 56 and schedule 8 to ensure that we do not miss the opportunity to protect people from this rapidly growing harm.

The Women and Equalities Committee, which I sit on, has heard evidence from victims of non-consensual intimate image abuse. They have described the far-reaching and continuing impact that the abuse has had on their lives, confidence and relationships. I have heard from the witnesses how this has affected them. Unless we meet the victims and hear it from the horse's mouth, the deep impact on them does not become real. Many of them are still suffering today. It has even pushed some to the brink of suicide. TV personality and campaigner Georgia Harrison told our predecessor Committee what happened in her case. She said:

> "It impacted me in every way you could imagine. So I always sort of compare it to grief: you have to actually grieve a former version of yourself, you feel like you lose your dignity and a lot of pride, there is so much shame involved in it...It got to the point where I was so emotionally affected by what happened to me that I ended up being physically ill as well, to the point where I was in hospital".

12 noon

Georgia is not alone in her experiences. A contributor to our inquiry described the impact of their NCII remaining online as "exhausting". She said:

> "I am terrified of applying for jobs for fear that the prospective employer will google my name and see"

the images.

> "I am terrified when meeting new people that they will google my name and see. I am terrified that every person I meet has seen."

These stories are sad and appalling, but they are a reality—so much so that I have received casework and have met victims in my constituency, including children, who have been impacted by this issue.

Non-consensual intimate image abuse is a deeply personal crime that can have life-altering consequences. Challenges in tackling intimate image-based sexual abuse remain. Platforms need to remove abuse content promptly—sadly, that is not always the case—and they must not leave victims vulnerable.

The Women and Equalities Committee has highlighted the alarming scale of non-consensual intimate image abuse, with a tenfold increase in reported cases over four years. Although 71% of the reports received by the Revenge Porn Helpline were made by women—where their gender was known—this crime also impacts boys and men. On average, women experienced more than 28 times more images being shared than men. However, nearly 93% of sextortion cases involved male victims, with the perpetrators consisting predominantly of organised criminal gangs.

I recognise the wonderful work of the Revenge Porn Helpline, and the way in which it helps survivors to get content taken down and finds ways to prevent it from being uploaded. The StopNCII.org website offers a simple and remote tool to support the removal of intimate images, and it also provides excellent emotional support. Again, I have seen that in person, in the wonderful bond that people who have used the organisation have built with the people who operate it.

As we have heard, the Bill sets out three offences for taking or recording intimate photographs or films without consent. The commitment to tackle violence against women and girls extends to creating those new offences, ensuring that taking or recording intimate images or videos without consent is cracked down on hard. The new offences will target heinous abusers who create artificial images either for sexual gratification or to cause alarm, distress or humiliation. Those found guilty face unlimited fines and potential prison sentences. It is also pleasing to see the criminalisation of the creation of deepfake intimate images in the Data (Use and Access) Bill.

The Women and Equalities Committee, which I am part of, welcomes the changes outlined in clause 56 and schedule 8. Our report on non-consensual intimate image abuse from March this year states:

> "We welcome the inclusion in the Crime and Policing Bill of the new offences of taking an intimate image without consent and of installing equipment for the purposes of enabling the commission of those offences. We also welcome the Government's recognition that the definition of what constitutes an image for these purposes should be broad in scope - something campaigners had been calling for. These measures represent significant legislative progress in the battle to protect people from NCII abuse and punish those who commit it."

I welcome clause 56 and schedule 8, and they have my full backing.

Jack Rankin (Windsor) (Con): It is a pleasure to serve under your chairmanship, Dr Allin-Khan, and to follow the powerful and well-researched contribution from the hon. Member for Southend West and Leigh.

In the digital age, the non-consensual capture and distribution of intimate images and the act of voyeurism have become all too common. Clause 56, which seeks to confront these violations and better protect individuals' privacy and dignity, is one that I am happy to support, and I thank the Minister for so clearly setting out the case. The clause expands existing laws to criminalise the non-consensual taking of intimate images, including instances such as downblousing, the creation and distribution of digitally altered images such as deepfakes without consent, and the installation of equipment intended to capture intimate images without consent. All are in response to the recommendation from the Law Commission's 2022 report on intimate image abuse.

The digital landscape has facilitated new forms of abuse, often with devastating consequences. Refuge has reported that one in 14 adults in England and Wales has

experienced threats to share intimate images—that is 4.4 million people. The Revenge Porn Helpline has detailed the rise in those figures—it received nearly 19,000 reports in 2023, marking a 106% increase from 2022, and a tenfold rise over five years.

I also welcome the Minister framing this crime in the Government's violence against women and girls strategy. There is a clear gender disparity when it comes to this crime. In 71% of cases, the victim is female and in over 81% of cases, the perpetrator is male. Those statistics underscore the urgent need for legal reforms to address and deter such abuses effectively, and to protect women and girls overwhelmingly. However, as we have heard frequently in Committee, it will also be critical that the measures are matched with improved enforcement. The sharing of intimate images has been illegal since 2015, and threatening to share intimate images has been a crime since 2021 but, shamefully, perpetrators are rarely held to account.

Data published by Refuge in 2023 showed that conviction rates for intimate abuse remain woefully low, with only 4% of cases that are reported to the police resulting in perpetrators being charged. I share Refuge's view that that must improve. I was also shocked to learn that there remains a gap in the law where non-consensual images remain on perpetrators' devices even after a conviction. That must be incredibly distressing for those affected by this crime. I ask the Minister to outline what provisions are in place to protect the dignity of victims, so that perpetrators are compelled to delete any non-consensual images.

Alex Davies-Jones: I thank the hon. Members who have contributed to the discussion, which has been deeply moving at times, particularly when it has touched on the impact on victims in all our constituencies and how widespread and horrific the problem is. That stresses the importance of us tackling it in the Bill.

The shadow Minister, the hon. Member for Stockton West, mentioned sextortion, as did other hon. Members. It is a growing problem. Just this week, its impact—on young men as well as young women—was highlighted on "Good Morning Britain". Sextortion is already covered by existing offences; we feel that it is already tackled. We are aware that it happens primarily online on social media platforms. Thankfully, the codes of practice that Ofcom is introducing under the powers in the Online Safety Act 2023 will compel platforms to do more to tackle this horrific abuse. However, it is already a crime, and I stress that any victim or survivor who is struggling with it should report it to the relevant authorities—to the police and to the social media platforms directly—because action should be taken to tackle it and the powers and offences to do so are available. These crimes have caused tragic suicides, and I would encourage anyone struggling to reach out and tell someone to contact the Revenge Porn Helpline, which is there to offer assistance and support. It is a brilliant resource, as has been highlighted.

The hon. Member for Windsor asked about deprivation orders, I believe, and how we can ensure that these images are removed from devices so that victims are not retraumatised but protected. We are updating sentencing guidelines, to ensure that that measure is available to the courts—that devices can be taken off perpetrators and the images removed so that victims retain their dignity and are not being revictimised consistently.

This has been a very important discussion, highlighting just how important these measures are. I commend this clause and schedule to the Committee.

Question put and agreed to.

Clause 56 accordingly ordered to stand part of the Bill.

Schedule 8 agreed to.

Clause 57

EXPOSURE

Question proposed, That the clause stand part of the Bill.

Alex Davies-Jones: The clause provides for a modest but important reform to strengthen the offence of exposure in section 66 of the Sexual Offences Act 2003. Currently, the offence, which carries a two-year maximum prison sentence, is committed when a person intentionally exposes their genitals and intends that someone will see them and be caused alarm or distress. Importantly, the offence—subject to certain conditions—attracts sexual offender notification requirements. That means that qualifying offenders released into the community will be required to notify the police of their personal details. Offenders have to provide their local police station with a record of, among other things, their name, address, date of birth and national insurance number.

In "Modernising Communications Offences: A final report", published in 2021, the Law Commission noted evidence in response to its public consultation that suggested that the intention to cause alarm or distress was "too narrow" a mental element for this offence. The commission highlighted the fact that sexual gratification and a desire to humiliate the victim were among the major drivers of exposure. Under the existing criminal law, if a person exposes their genitals to another with the intention to humiliate, or for the purpose of obtaining sexual gratification, and does not also have an intention to cause alarm or distress, the behaviour is not captured by the exposure offence in section 66 of the 2003 Act. If a person is exposing themselves only with the intent of obtaining sexual gratification and with no intent to cause alarm or distress, that is currently insufficient to commit the section 66 offence.

Crown Prosecution Service guidance makes that point clear and suggests that, in such cases, charging with the offence of outraging public decency should be considered. However, depending on the circumstances, outraging public decency might not be an appropriate or valid charge. That offence is committed only when someone does something lewd, obscene or disgusting in the presence of at least two members of the public. The offence requires at least two people to have witnessed the act or been capable of witnessing it, so if, for example, someone exposes themselves to a lone woman for sexual gratification, that very disturbing behaviour would not currently be captured by the outraging public decency offence—and it would not be captured by the existing sexual offence of exposure. If someone were to expose themselves, for sexual gratification, to a person in a private dwelling rather than in public, the behaviour would not fall within the terms of that offence, either. Furthermore, and very importantly, the offence of outraging public decency does not attract sexual offender registration requirements. On release, therefore, the additional protection

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to society that effective sex offender management provides would not apply to such an offender, even if they carried out the behaviour specifically to obtain sexual gratification.

It is important that we recognise the seriousness of the offence of exposure in the 2003 Act. For victims, it is clearly a disturbing and frightening experience, which can have lasting effects. It is a serious sexual offence that can be identified as a signal of potential for escalation towards even more serious and violent offences. Sadly, we have seen that time and again. Although what I am about to discuss is by no means the only example of escalation of sexual offences, it is perhaps one of the most prominent in recent history. It is one that I know has stayed with all of us across the House, and no one more so than the Minister for Policing, Fire and Crime Prevention, my very good and right hon. Friend the Member for Kingston upon Hull North and Cottingham. I pay tribute to the way she and her community have coped with the devastation of this tragic event five years ago.

12.15 pm

Libby Squire was a 21-year-old student of philosophy at the University of Hull, whose life was brutally taken on the night of 31 January 2019. She was horrifically raped and murdered by a despicable man who had a history of burglary and sexual offences, demonstrating clear and consistent criminal behaviour with dark sexual motivations. During the investigation, but prior to being charged with the rape and murder of Libby, the perpetrator was charged with five unrelated sexual and burglary offences that took place in the 14 months leading up to Libby's death. He was charged with voyeurism and outraging public decency and burglary offences, including masturbating in public, spying on women in their homes and stealing sex toys, underwear and cash during burglaries. The judge rightly characterised it as a

"perverted campaign of sexually deviant behaviour".

I pay tribute to Libby's mother, Lisa Squire, who has since tirelessly campaigned for men convicted of non-contact sexual offences to be given tougher sentences and therapy.

A similar pattern was seen with Sarah Everard's perpetrator's vile crimes, which I spoke about previously. I equally thank Sarah Everard's family for discussing that case with me recently. Those incredible people have found the strength through their grief to fight in their daughters' memories to protect other women and prevent the escalation of sexual violence. If those who perpetrate such abhorrent crimes get away with them or are not properly rehabilitated or monitored, the chance that they will continue their disgusting sexual crimes, searching for their next sadistic kick, is too great. We have to stop this. We have to hold these men to account. We have to ensure the intervention is early enough to prevent those horrific murders from being commonplace.

It is vital that we ensure that when offenders commit crimes for sexual gratification, they are prosecuted appropriately for that behaviour under the offence of exposure. That is not the case today. The Government intend to rectify that anomaly through the provisions in clause 57 that extend the offence of exposure in section 66 of the Sexual Offences Act 2003 to cover a wider range of intention elements. The offence will now capture those who expose their genitals with the intent to cause the victim humiliation, or for the purpose of obtaining sexual gratification while being reckless as to whether the person who sees their genitals will be caused alarm, distress or humiliation. That will rightly ensure that those who expose themselves with such intentions are captured under the section 66 exposure offence.

The reform will also align the intent elements of the section 66 exposure offence with the offence of sending a photograph or film of genitals, colloquially known as cyber-flashing, in section 66A of the 2003 Act. Unlike the section 66 exposure offence, the section 66A cyber-flashing offence already criminalises those who carry out the relevant act with intent to cause alarm, humiliation or distress, or for the purpose of obtaining sexual gratification and reckless as to whether the person will be caused alarm, distress or humiliation. Adding those elements to the offence in section 66 will make for good law by ensuring consistency between these analogous offences and strengthening protection for victims of this behaviour.

It is important to highlight briefly the excellent work in this sensitive area by the right hon. Lady Elish Angiolini. Broadly, the Angiolini inquiry was established initially to investigate how an off-duty police officer was able to abduct, rape and murder a member of the public. The report of part 1 of the inquiry was published in February 2024. Significantly, it included a range of recommendations on the investigation and policing of the offence of exposure. I understand that consideration and implementation of some of those recommendations is ongoing.

Although the inquiry did not officially call for any changes to the criminal law in this area, our measures follow its spirit by ensuring that the offence of exposure is tightened up so that victims of this intrusive and shocking behaviour are offered the protection that they rightly deserve. Exposure must be recognised as a serious sexual offence, and I hope our reforms help to reflect that view.

The Angiolini inquiry made the following recommendation relating to the offence of exposure:

"the College of Policing, in collaboration with the National Police Chiefs' Council, should improve guidance and training on indecent exposure, in order to improve the quality of investigations and management of indecent exposure cases. In particular, the College of Policing should:

a. review and update training, informed by crime statistics and research into the nature of indecent exposure and its impact on victims;

b. review and update the guidance for police officers to improve the handling of indecent exposure cases".

Hon. Members may be reassured to know that, following that recommendation, the College of Policing has introduced new training and guidance for its officers in this important area. They were formally introduced in February and March this year respectively, and they provide detailed guidance to police forces on how to deal with the full range of behaviours around exposure and public nudity.

As I have said, these provisions may initially appear modest, but they are crucial. They rightly ensure that those who expose themselves to cause humiliation to the victim or for sexual gratification will be captured by

the offence of exposure and, where appropriate, subject to sexual offender registration requirements in the community. This will help to keep the public safe from sexual predators. Our reforms will ensure consistency and clarity in the law and provide additional protection to the public from those who commit this disturbing, frightening and humiliating behaviour.

This important reform is, of course, in line with the Government's commitment to halve violence against women and girls over the next decade. It is a modest but vital step in that direction, and we hope that it will help to reduce this type of offending, prevent escalation and bring perpetrators to justice. I am sure that hon. Members want to ensure that such protections for victims and the broader public are put in place. I commend the clause to the Committee.

Matt Vickers: The clause updates the offence of exposure set out in section 66 of the Sexual Offences Act 2003. The current legislation criminalises a person who intentionally exposes their genitals intending that someone will see them and experience alarm or distress. With technologies ever expanding, the last Conservative Government's efforts to modernise the legal framework in response to the Law Commission's 2021 report "Modernising Communications Offences" included the addition of a cyber-flashing offence aimed at better addressing the realities of digital abuse and ensuring that the law keeps pace with the increasing use of technology to commit sexual offences.

The clause rightly expands that to cover not just situations where the individual exposes their genitals to cause alarm or distress, but those where they do so for the purpose of sexual gratification and are reckless as to whether the exposure may cause alarm, distress or humiliation to someone who sees it. That follows the Law Commission's reporting that it had received evidence indicating that limiting the offence to cases where there was intent to cause alarm or distress was too restrictive. It found that motivations such as seeking sexual gratification or aiming to humiliate the victim were also significant factors behind exposure-related behaviour. The Minister made a clear case for this change to the law, but also set out the impact that such behaviour can have or lead to.

Exposing yourself in public, often referred to as flashing, is a serious and unacceptable criminal offence. It is not just inappropriate; it can cause genuine fear, distress and long-term psychological harm to those who witness it, especially when the victim is a child or vulnerable person. Flashing is not a harmless prank or joke; it is a violation of personal boundaries and can be deeply traumatic. It demonstrates a lack of respect for others and a disregard for the basic right to feel safe in public spaces. This kind of behaviour erodes trust in the community and contributes to a culture of intimidation and discomfort. It is right that we take every measure to stop indecent exposure.

Proposed new section 66(1A) of the 2003 Act aims to introduce a safeguard by excluding certain scenarios, where the exposure is intended only for a specific person or group, from the offence. In such cases, the offence will not be committed under the sexual gratification limb unless the individual is also reckless as to whether one or more of those people will be caused alarm, distress or humiliation. This provision seeks to ensure that consensual acts of nudity—for example, between partners in a secluded area—are not criminalised simply because they are accidentally witnessed by a third party.

The clause will help to ensure that perpetrators of sexually motivated public exposure, such as flashing, can be held to account even if they deny intending to cause harm. The revised wording offers greater clarity for law enforcement and the courts, ensuring that such harmful behaviours are prosecuted more effectively while also providing reasonable protections for consensual and private conduct.

It has been reported that flashing offences have doubled in a decade, with more than 1,000 instances of indecent exposure being reported to the police every month, but barely one in 10 leads to a charge. In the light of that, can the Minister confirm whether she is confident that new subsection (1A) will not inadvertently create a loophole for perpetrators to evade accountability by claiming that their exposure was intended for only a particular person?

Jack Rankin: The clause aims to strengthen the protections for individuals from indecent exposure, and to ensure that our communities remain safe and respectful spaces for all. It seeks to provide clearer definitions and stricter penalties for offences involving indecent exposure so that perpetrators of such offences are held accountable and victims receive the justice that they deserve for this sexual crime.

While sometimes dismissed as minor, exposure of this kind can have a significant psychological and emotional impact on victims. It is not a trivial matter and can often be a precursor to more severe offences, as we saw with the tragic murder of Sarah Everard, and it contributes to a climate of fear and discomfort in public spaces. Multiple incidents of indecent exposure were linked to the convicted murderer of Sarah Everard before the tragic events of her death in March 2021. In 2015 and 2020, allegations of indecent exposure were made against him in Kent, where he was said to have exposed himself in public. Those reports were not fully investigated at the time. In February 2021, just days before he abducted and murdered Sarah Everard, he was reported to police for exposing himself to staff at a McDonald's drive-through in Kent. Despite that report being made on 28 February, no meaningful action was taken prior to the murder, which occurred on 3 March. Those incidents have since been heavily scrutinised during inquests and reviews, revealing systematic failures in policing responses to sexual offences, especially so-called lower-level offences such as exposure.

While I welcome the expansion of the scope of this offence through clause 57, I urge police to use the new powers and treat these crimes as the serious crimes that they are. They can be a warning of even worse crimes to come. I welcome the Minister's statement that the College of Policing guidance is being changed appropriately. Being subjected to indecent exposure by a stranger while walking home can leave a woman with lasting trauma. Such behaviour is unacceptable and should be met with appropriate consequences.

Alex Davies-Jones: I thank the hon. Member for Windsor for his important contribution. It is right that we expand the scope of the offence to ensure that all victims are properly protected and that perpetrators are

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brought to adequate justice. As he rightly pointed out, justice is a system; it needs every part to work. We need to ensure that the police are equipped with the guidance, training and tools to go after these foul perpetrators—they need to know what to do, what to look for and who to find. They should be taking this seriously, so I am glad that the College of Policing guidance is now in place. We need the CPS to have the offences available to charge the perpetrators—that is what this Bill will provide—and then we need the court system to be available to hear the cases so that justice can be brought.

The shadow Minister sought reassurance that perpetrators would be brought to justice. As I have just outlined, we are assured that we have all the tools available; we just need to stop these acts taking place. This modest but vital step is part of our wider strategy to halve violence against women and girls. These crimes may be low level and classed as non-contact, but sadly we all know what happens when they escalate. It is important that we take them seriously and have robust laws in place to deal with them.

Question put and agreed to.

Clause 57 accordingly ordered to stand part of the Bill.

Clause 58

Sexual activity with a corpse

Question proposed, That the clause stand part of the Bill.

12.30 pm

Alex Davies-Jones: I feel that I should provide hon. Members with a content warning before I discuss what this new offence does, and it is probably quite important that we are doing this before lunch. Clause 58 is on a gruesome but none the less important issue. The clause introduces an amendment by expanding the law on sexual activity with a corpse—a distinct and abhorrent type of offending, as shown in the recent case of David Fuller. The sheer horror and repulsiveness of the crime cannot be overstated. My heartfelt condolences go out to the families of those subject to the offence, who have been profoundly affected by these unimaginable, heinous acts. The clause will address a wider range of such despicable behaviour and mark the beginning of a very important step towards ensuring justice for all. We are committed to stopping all such behaviour by making a significant change today. I would like to take a moment to set out the history of the offence.

The Labour Government introduced the Sexual Offences Act 2003 after a full and extensive consultation called "Setting the Boundaries". It significantly modernised and strengthened the laws on sexual offences in England and Wales. One of the key recommendations from "Setting the Boundaries" was the inclusion of the offence of sexual penetration of a corpse, in chapter 8, "Other Offences". At the time, the consultation said:

> "It came as a surprise to most members of the review that there was no such protection in law for human remains and that necrophilia was not illegal."

That is why the recommendation was simply put that sexual penetration of a corpse needed to be a criminal offence. Then and now, a Labour Government have demonstrated the importance of getting such legislation right to prevent such heinous behaviour. The commitment was evident then and remains even more crucial now.

I would like to extend my heartfelt thanks to the independent inquiry for its thorough investigation into the horrific acts committed by David Fuller in the mortuaries of the Maidstone and Tunbridge Wells hospitals. The interim report, published on 15 October 2024, provides essential preliminary findings and recommendations for the funeral sector, highlighting areas that require attention. We eagerly await the final report and will carefully consider its findings to ensure that such atrocities are never repeated. At the core of our efforts, we remain deeply mindful of the families of those subjected to the offence. Their pain and suffering are unimaginable, and our thoughts are with them. We are grateful to the families of the deceased who have bravely come forward to speak publicly about their experiences in the hopes of making lasting change. We understand that revisiting these traumatic events is incredibly painful, and we are truly sorry for any additional distress caused by bringing these matters up in Parliament, but their voices are vital in ensuring justice.

Police officers have played a vital role in explaining the immense challenges faced while gathering evidence for the courts. Their painstaking work in sifting through the horrific images and explaining the evidence was crucial. Without their efforts, we might not have fully understood the importance of broadening the offence to include sexual touching. Their dedication and professionalism have been instrumental in bringing David Fuller to justice. David Fuller is serving a whole life sentence for his abhorrent crimes. As Mrs Justice Cheema-Grubb stated during the sentencing, his

> "actions go against everything that is right and humane. They are incomprehensible"

and

> "had no regard for the dignity of the dead."

These words resonate deeply with all of us, reinforcing the importance of upholding the dignity of, and respect for, those who have passed.

We are committed to ensuring that justice is secured for the families of the deceased in all cases of sexual activity with a corpse, not just in cases of penetration. That is why the clause repeals the existing offence of sexual penetration of a corpse in section 70 of the Sexual Offences Act 2003, and replaces it with a broader offence of sexual activity with a corpse. The broader offence still criminalises sexual penetration of a corpse, but it also criminalises non-penetrative sexual touching, adding it into the criminal law for the first time. It increases the maximum penalty for sexual penetration of a corpse from two to seven years' imprisonment. Where penetration is not involved, the maximum penalty will be five years' imprisonment. The new offence will be committed whenever a person intentionally touches the body of a dead person if they know they are dead or are reckless as to whether the person they are touching is dead, and the touching is sexual. Touching is already defined in section 79(8) of the 2003 Act.

We want to ensure that criminal law is robust and comprehensive, effectively addressing the harm caused by this reprehensible behaviour. It is imperative that our criminal law evolves to encompass additional forms of abuse, particularly those that violate the dignity and

sanctity of individuals both alive and deceased. By broadening the offence to include non-penetrative actions, such as the sexual touching of a corpse, the law will be more robust, ensuring that perpetrators cannot escape justice.

Our commitment extends beyond merely updating the law and involves a holistic approach to justice that prioritises respect for those affected. We strive to create an environment in which such heinous acts are met with the strongest possible legal repercussions, ensuring that justice is served and, importantly, that the families of the deceased receive the support and closure they so rightly deserve. I commend clause 58 to the Committee.

Matt Vickers: The clause updates and strengthens the current offence of sexual activity involving a corpse, as set out in section 70 of the Sexual Offences Act 2003. The revised provisions broaden the scope of the offence by replacing the term "sexual penetration" with the more encompassing term "sexual activity". The clause replicates a provision of the Conservative Government's Criminal Justice Bill, which fell due to the 2024 general election. The change ensures that any form of intentional sexual touching of a dead body—not just acts of penetration—will be captured by the law.

Many members of the public are shocked to hear that these vile and horrific offences take place, and will be further shocked that some of this activity is not covered by the law. Currently, section 70 of the 2003 Act defines the offence of sexual penetration of a corpse. That offence applies when a person intentionally sexually penetrates the body of a deceased individual, and knows or is reckless as to whether the body is that of a deceased person. The offence carries a maximum sentence of two years' imprisonment.

As the Minister mentioned, the provision was notably used in the high-profile case of David Fuller, a former hospital electrician who was convicted under section 70 for multiple instances of sexual penetration involving the bodies of at least 100 women and girls in hospital mortuaries. However, the current scope of section 70 does not extend to non-penetrative sexual acts, so it could not have been used to prosecute further allegations against Fuller relating to other forms of sexual activity with the bodies of his victims. Under this legislation, a person commits an offence if they intentionally touch a part of a dead person's body, with that touching being sexual in nature, and if they either know or are reckless as to the fact that the body is that of a deceased person.

The clause also provides a new, tiered sentencing structure. Where the sexual activity involves penetration, the offence carries a maximum penalty of seven years' imprisonment. In all other cases, the maximum penalty is five years. These sentencing thresholds aim to reflect the seriousness of the conduct, while allowing courts flexibility to reflect the nature of the offence. The new offence introduces different maximum sentences depending on whether penetration is involved. Can the Minister explain how these sentencing thresholds were determined, and have the Government considered how the updated offence aligns with comparable offences in other jurisdictions? Does this bring us into line with international best practice?

Jack Rankin: There have been some truly harrowing cases that have exposed the inadequacies of our current legal framework in this regard. As both the Minister and the shadow Minister highlighted, the case of David Fuller is the obvious and most extreme example—a hospital electrician who, over 12 years, sexually abused the bodies of more than 100 women and girls in women and mortuaries. His crimes went undetected for decades, revealing significant systematic failure. I fully support the clause that the Minister has outlined, particularly because, as Baroness Noakes has highlighted during parliamentary debates, had Fuller not been convicted of murder, he might have faced only a minimal sentence for his other offences.

I have several critical questions on clause 58. I appreciate that the clause would significantly increase the penalty, but are those proposed penalties sufficient? Given the gravity of these offences, should the maximum sentence not be even higher, so that it serves as a stronger deterrent? Take the example of David Fuller. If we had caught him before the murder, under the provisions of the Bill, would he have been given seven years, and is that enough? What safeguards are in place? How can institutions, especially hospitals and funeral homes, implement stricter protocols to prevent such abuses? Perhaps the Minister can comment on that. How do we support the victims' families? Beyond legal measures, what support systems are available to help families to cope with the trauma inflicted by disgusting crimes such as this? Clause 58 is clearly a necessary and long overdue reform that acknowledges the sanctity of the deceased and the rights of the families, and provides greater justice for those who can no longer speak for themselves. I welcome it.

Alex Davies-Jones: I welcome the comments from the shadow Minister and the hon. Member for Windsor. Both touched on sentencing, and I am happy to address their questions. We have considered a range of options. Increasing the statutory maximum for section 70 to seven years is in keeping with the other serious contact offences in the Sexual Offences Act, while it remains lower than most of the serious contact sexual offences against living victims. Sexual assault and rape, for example, have a maximum penalty of 10 years and life imprisonment respectively. The statutory maximum set out in the clause is for a single offence. If a person receives multiple convictions for this offence, or if that offence is committed alongside other offences, then the court may adjust the overall sentence to reflect the totality of the offending in the ordinary way.

We also heard strong evidence of the harm caused by this offending to victims' families and believe that two years does not reflect the harm caused. We have, therefore, considered, in particular, the serious emotional and psychological distress and the feelings of shame and embarrassment that the families undergo, knowing that the bodies of their loved ones have been sexually abused. It is therefore right that the new law takes

> "Concealment, destruction, defilement or dismemberment of the body"

as a factor that indicates high culpability on the part of the offender, and that a more serious punishment may, therefore, be appropriate.

I remind hon. Members that we currently have a sentencing review in place, which is reviewing all the offences available and looking at this. That independent review is ongoing and we anticipate that it will report this year. We are also aware that the Law Commission is

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considering a review of the criminal law around the desecration of bodies as part of its next programme of law reform. We are currently discussing the possibility of looking into this with it. Let me reassure Members that we are not stopping and that we will not hesitate to go further if required.

On the support available for victims, I would like to reassure the hon. Member for Windsor that victim support is always available for anyone who has been a victim of crime, whether or not that crime has been reported to the police. I encourage any victim, survivor or family to reach out to victim support. The Ministry of Justice funds a number of victim support organisations and provides grants to local police and crime commissioners to provide tailored support in their areas for whatever they feel is necessary. We also have the victims' code, which outlines exactly what victims are entitled to if they have been a victim of crime, and support is one of the many elements available to them there. I encourage anyone to reach out and seek the support that is available.

Question put and agreed to.

Clause 58 accordingly ordered to stand part of the Bill.

Clause 59

Notification of name change

Matt Vickers (Stockton West) (Con): I beg to move amendment 36, in clause 59, page 59, line 11, at end insert—

"(11) If a relevant offender does not comply with the requirements of this section, they shall be liable to a fine not exceeding Level 4 on the standard scale."

This amendment imposes a fine of up to £2,500 if a registered sex offender does not notify the police when they change their name.

The Chair: With this it will be convenient to discuss the following:

Amendment 50, in clause 59, page 59, line 11, at end insert—

"(11) Police must notify victims of relevant offender's new name—

(a) No less than three days before an offender intends to use it, or

(b) If that is not reasonably practicable, no less than three days after the date the offender began using it."

This amendment would place a duty on police forces to notify victims if their abuser legally changed their name.

Clause stand part.

Amendment 37, in clause 60, page 60, line 25, at end insert—

"(10) If a relevant offender does not comply with the requirements of this section, they shall be liable to a fine not exceeding Level 4 on the standard scale."

This amendment imposes a fine of up to £2,500 if a registered sex offender does not notify the police when they are absent from their sole or main residence.

Clause 60 stand part.

Amendment 38, in clause 61, page 63, line 4, at end insert—

"(9) If a relevant offender does not comply with the requirements of this section, they shall be liable to a fine at Level 5 of the standard scale."

This amendment imposes an unlimited fine if a relevant registered sex offender does not notify police if they are entering a premises where children are presented.

Clause 61 stand part.

Clause 66 stand part.

New clause 55—*Annual statement on employment status of sexual offenders—*

"(1) The Secretary of State must publish an annual report on the employment status of convicted sexual offenders at the time of their offence.

(2) For the purpose of subsection (1), 'Sexual offenders' means any person found guilty of an offence stipulated in the Sexual Offences Act 2003."

This new clause would require the Secretary of State to release an annual report on the employment status of convicted sexual offenders.

Matt Vickers: Opposition amendment 36 introduces a financial penalty for a registered sex offender who fails to notify the police of a name change. The penalty, set at a fine not exceeding £2,500, aims to ensure that offenders remain fully accountable for complying with the notification requirements under the Sexual Offences Act 2003. The failure to notify the police of a change in name could undermine the effectiveness of the existing system designed to monitor and track sex offenders, making it crucial to incentivise full adherence to the notification process.

Sexual offences are among the most serious and traumatic crimes, leaving deep and lasting harm on victims, emotionally, psychologically and socially. These offences often involve a profound breach of trust and personal safety, with long-term consequences for victims' wellbeing and mental health. The most severe cases can shatter lives and destroy families. Because of the gravity and impact of these crimes, it is vital that society sets a clear and uncompromising message that such behaviour will not be tolerated, including in the conditions and requirements that follow conviction.

12.45 pm

Our amendment 36 would strengthen public safety by creating a clear financial deterrent for offenders who attempt to evade detection or accountability by altering their name. It would provide law enforcement with additional tools to enforce the requirements, thus enhancing the integrity and functionality of the sex offenders register. The financial penalty would be proportionate to the seriousness of failing to meet those legal obligations, and reflect the potential risks associated with offenders attempting to conceal their identity.

By introducing a fine, the amendment would not only enforce the existing legal obligations, but close a potential gap in the system, whereby non-compliance could be entirely overlooked or unaddressed. In 2023, the BBC revealed that more than 700 sex offenders had slipped off the police radar over three years, many due to identity changes. Freedom of information requests made by BBC News to 45 police forces revealed that, from 2019 to 2021, 729 sex offenders went missing or were wanted for arrest.

There must be consequences for sex offenders who change their name and fail to notify the police. It is therefore right that there is a significant penalty. I would welcome the Minister's comments on whether the Government believe that sufficient sanctions and enforcement mechanisms are currently in place to identify when an offender has changed their name without notification and, if not, how this amendment might address that gap.

Opposition amendment 50 would meaningfully add to the Bill because it would strengthen victims' rights and prioritise their safety and peace of mind by requiring police to notify victims when a relevant offender, such as a convicted sex offender or abuser, changes their legal name. The amendment would help to ensure that those affected are not left in the dark. It acknowledges the ongoing trauma and risk that victims may face, especially when offenders attempt to obscure their identity. A victim often lives with a lasting fear that their abuser could re-enter their life, contact them under a new name, or avoid detection altogether. Without the amendment's safeguard, name changes could allow perpetrators to bypass restrictions, breach restraining orders or apply for positions of trust without raising alarms.

By ensuring that victims are kept informed, the amendment supports their right to feel safe, make informed decisions and take necessary precautions, particularly in situations involving children, vulnerable individuals or ongoing safeguarding concerns. The Government have already highlighted the importance of providing victims with the right to know, recognising the need to give them knowledge of their offenders. They have said that their statutory guidance aims to tell victims the identity of their abuser at the earliest opportunity.

Given the fair concerns of victims, would it not be right for police forces to have a duty to notify victims if their abuser legally changes their name? How does the Minister intend to ensure that victims are properly safeguarded if they are not notified when their offender changes name? Given the psychological impact of victims not knowing where, or under what name, their abuser may be living, does the Minister agree that victims have a right to be kept informed of such significant identity changes?

Clause 59 introduces a requirement for relevant offenders subject to the sex offender notification regime to notify the police of any intention to use a new name. The offender must notify the police at least seven days before they start to use the new name or, if that is not reasonably practicable, as soon as possible, but no later than three days after using it. The offender must also specify the date on which they expect to begin using that new name. If the offender uses the name more than two days before the specified date, they must notify the police within three days. If the new name is not used within three days of the specified date, the offender must notify the police within six days to confirm this.

The clause aims to ensure that an offender cannot easily evade detection by changing their identity without oversight, thus enhancing the effectiveness of the sex offender management system. It establishes clear guidelines on when and how offenders must notify the police of a name change and aligns the notification process with existing provisions under section 83 of the Sexual Offences Act 2003. What safeguards are in place to ensure that the police can effectively manage and track the notification of name changes by offenders, particularly when the notification is made late or after the name is used?

Opposition amendment 37 seeks to ensure compliance with the notification requirements for registered sexual offenders who are absent from their sole or main residence. The amendment introduces a penalty in the form of a fine for offenders who fail to comply with the requirement to notify the police of their absence within the stipulated timeframe. As hon. Members can see, this amendment is similar to Opposition amendment 36. Under the amendment, if "a relevant offender" does not notify the police about their absence from their residence, they will be

"liable to a fine not exceeding Level 4 on the standard scale."

That equates to a fine of up to £2,500, and is designed to encourage compliance with notification requirements, which are crucial for monitoring and managing offenders in the community. Like amendment 36, the rationale behind the amendment is to strengthen compliance with and enforcement of sex offender management mechanisms.

The introduction of a financial penalty serves as a deterrent, ensuring that offenders comply with their statutory obligations, thereby contributing to public safety. By proposing the fine, the amendment also addresses any potential non-compliance issues, offering an alternative enforcement mechanism to imprisonment, particularly in cases where the breach is not sufficiently serious to warrant a custodial sentence. This change is aimed at promoting greater accountability among registered sex offenders, while ensuring that law enforcement agencies can effectively monitor their movements and whereabouts, which is critical in preventing reoffending.

Clause 60 inserts new section 85ZA into the Sexual Offences Act 2003. It outlines additional notification requirements for relevant offenders regarding absences from their notified residence. This section applies to offenders whose last notified address is in England, Wales or Scotland, and sets out specific rules if the offender intends to be absent from that address for more than five days. The section establishes that if an offender intends to be away, they are required to notify the police at least 12 hours before leaving and provide the information that the provision sets out.

There are provisions for adjustments to the notification requirements through new section 85ZA(8), which gives the Secretary of State the power to increase that period by regulations, allowing for flexibility in the length of the absence period. What factors will be considered by the Secretary of State and the Scottish Ministers when determining whether to extend the minimum absence period for notification, and how will those factors be communicated to the public? Why was the decision made to allow for flexibility of the relevant period for absence notifications, and what safeguards are in place to ensure that this power is not used excessively?

On the whole, the clause ensures that relevant offenders remain properly monitored, even when they are temporarily absent from their main residence, thereby enhancing public safety and the effectiveness of the offender management system.

Ordered, That the debate be now adjourned.—*(Keir Mather.)*

12.53 pm

Adjourned till this day at Two o'clock.