



Online Safety Act 2023

2023 CHAPTER 50

PART 10

COMMUNICATIONS OFFENCES

Offences to be inserted into Sexual Offences Act 2003

187 Sending etc photograph or film of genitals

In the Sexual Offences Act 2003, after section 66 insert—

“66A Sending etc photograph or film of genitals

- (1) A person (A) who intentionally sends or gives a photograph or film of any person’s genitals to another person (B) commits an offence if—
 - (a) A intends that B will see the genitals and be caused alarm, distress or humiliation, or
 - (b) A sends or gives such a photograph or film for the purpose of obtaining sexual gratification and is reckless as to whether B will be caused alarm, distress or humiliation.
- (2) References to sending or giving such a photograph or film to another person include, in particular—
 - (a) sending it to another person by any means, electronically or otherwise,
 - (b) showing it to another person, and
 - (c) placing it for a particular person to find.
- (3) “Photograph” includes the negative as well as the positive version.
- (4) “Film” means a moving image.
- (5) References to a photograph or film also include—
 - (a) an image, whether made or altered by computer graphics or in any other way, which appears to be a photograph or film,

Status: This is the original version (as it was originally enacted).

- (b) a copy of a photograph, film or image within paragraph (a), and
 - (c) data stored by any means which is capable of conversion into a photograph, film or image within paragraph (a).
- (6) A person who commits an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years.”