



PRESS RELEASE

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Bill for a specific “upskirting” offence to be introduced

The Minister for Health, Care and Justice has announced that, following recent news in the UK Parliament, HM Government of Gibraltar has today published a Bill to make “upskirting” a specific criminal offence in Gibraltar.

“Upskirting” is a term used to describe the act of taking a photograph under a person’s clothing, typically up someone’s skirt, without that person’s knowledge or permission. It is a form of sexual harassment that is incredibly violating and which currently is not specifically prohibited in Gibraltar. “Upskirting” is already specifically illegal in Scotland, Australia, New Zealand and some US states.

Creating a specific “upskirting” offence will strengthen the law in this area, and will also ensure that this behaviour will be listed as a sexual offence for the purposes of placing offenders in the sex offenders register. The Bill will ensure that all instances where such a photograph is taken for the purpose of obtaining sexual gratification or causing humiliation, distress or alarm are covered. The offence will be triable either at the Magistrates’ Court or the Supreme Court and on summary conviction will carry a sentence of up to one year in prison and/or a fine, and on indictment would carry a sentence of up to two years in prison.

The Minister for Health, Care and Justice the Hon. Neil F Costa MP, said: “HM Government of Gibraltar has noted steps to make a specific offence to cover the despicable behaviour known as “upskirting”. This will ensure that individuals who violate other persons in this way may be prosecuted and, in the most serious offences, subject to terms of imprisonment in line with other voyeuristic offences.”