

BILL ESSENTIALS

BILL ESSENTIALS NO. 1 of 2024-2025

5th SESSION, 12th PARLIAMENT

The Sexual Offences (Amendment) Bill, 2024



THE PARLIAMENT OF
TRINIDAD AND TOBAGO

BILL ESSENTIALS

Date Introduced: March 19, 2024

House: Senate

Minister: Attorney General and
Minister of Legal Affairs

Senate Bill: 1 of 2024

Links: The links to the Bill, and its
progress can be found on the Bill's
home page through the Parliament's
Website:

<https://www.ttparliament.org>

Table of Contents

BACKGROUND	2
KEY FEATURES OF THE BILL	4
INTERPRETATION	4
NEW PROVISIONS	5
VOYEURISM	5
TAKING AND SHARING OF AN INTIMATE IMAGE WITHOUT CONSENT	5
SHARING AN INTIMATE IMAGE	6
EXCEPTIONS	6
JURISDICTION	6
SEARCH AND SEIZURE	7
ORDER FOR THE REMOVAL OR DISABLEMENT OF DATA	7
PRODUCTION ORDER	7
EXPEDITED PRESERVATION	7
DISCLOSURE OF DETAILS OF AN ORDER	7
REMOTE FORENSIC TOOLS	8
ORDERS BY THE COURT	8
PENALTIES: SECTION 22A(2); 22B(2); 22C(2); 22M(4); 22Q(5)	9
SCHEDULE	10
COMPARATIVE LEGISLATION	10
KEY LEGISLATION	16

BACKGROUND

1. **The Sexual Offences (Amendment) Bill, 2024**¹ (“the Bill”) was introduced in the Senate on March 19, 2024, by Senator the Honourable Reginald Armour, SC, Attorney General and Minister of Legal Affairs. The Bill seeks to amend **the Sexual Offences Act, Chapter 11:28** (the “Act”).²
2. This Bill is a reincarnation of the Sexual Offences (Amendment) No. 3, 2021 (“the 2021 Bill”), which was introduced in the Senate on December 7, 2021.³ The 2021 Bill was committed to a Special Select Committee of the Senate on January 11, 2022 and the Committee’s Report was laid in the Senate on June 14, 2022.⁴ The 2021 Bill lapsed at the end of the Second Session of the Twelfth Parliament. Recommendations of the Special Select Committee on the 2021 Bill were included in the Bill, and new provisions were added to encapsulate the advancement of technology.
3. Technological advancement means that harm of a sexual nature can be committed utilising technological devices and media. Persons’ private lives and activities are more easily transmitted to a wider audience and displayed over the internet where it forms part of the permanent public record. Therefore, it has long-lasting implications for a victim.
4. At present, the only redress available to persons who have been victims of “revenge pornography” or voyeurism, is a claim for breach of confidence as in the case of **Therese Ho -v- Lendl Simmons**.⁵ In that case Justice Frank Seepersad lamented the dearth of legislation to effectively prevent and punish persons who reveal intimate images as an act of revenge designed to humiliate another person. The learned Justice averred:

“The internet is a comprehensive and cohesive data base and there is really no anonymity in relation to the use of same. Photographs uploaded onto the internet can be retrieved forever. The impact upon an individual’s privacy is tremendous and the absence of clear and cohesive legislation to protect our citizens’ privacy and to punish those who violate the rights of others, can cause us to descend into a bottomless pit of anarchy... The time for legislative intervention is long overdue.”

¹ <https://www.ttparliament.org/wp-content/uploads/2024/03/b2024s01.pdf>

² <https://agla.gov.tt/downloads/laws/11.28.pdf>

³ The history of the Sexual Offences (Amendment) (No.3) Bill, 2021 is illustrated

<https://www.ttparliament.org/publication/the-sexual-offences-amendment-no-3-bill-2021/>

⁴ [Senate Paper No. 14 of 2022](#) - Report of the Special Select Committee of the Senate, appointed to consider and report on a Bill entitled, “An act to amend the Sexual Offences Act, Chap. 11:28”

⁵ **Claim No. CV 2014-01949 Therese Ho -v- Lendl Simmons**

https://webopac.ttlawcourts.org/LibraryJud/Judgments/HC/seepersad/2014/cv_14_01949DD26oct2015.pdf

5. The Bill seeks to address this lacuna in the law and, once passed, will come into operation on such date as fixed by the President by Proclamation.


BILL SUMMARY

- Prohibits the act of voyeurism;
- Prohibits the taking, sharing or threatening to share intimate images without consent;
- Prohibits the altering of images to make it appear as an intimate image of the individual and sharing the image without consent;
- Empowers District Court Judges, Masters or Registrars to, inter alia:
 - order a search and seizure of apparatus and computer data necessary for establishing an offence;
 - order an internet service provider to immediately remove or disable access to intimate images;
 - order the production/ disclosure of computer data allowing for the identification of the internet service provider or the path through which the data message was transmitted (for criminal investigations);
 - order the payment of compensation and rectification where the complainant has suffered loss or damage as a result of the offence; and
- Amends the Schedule of the Children Act, Chap. 46:01 to prohibit the mentioned offences in relation to children.

KEY FEATURES OF THE BILL

Interpretation

6. **Clause 2** of the Bill introduces new definitions to account for the use of electronic devices to facilitate the commission of sexual offences. Some of the new definitions include *inter alia*:


 **“device”** means any electronic programmable apparatus used, whether by itself or as part of a computer network, an electronic communications network or any other apparatus or equipment, or any part thereof, to perform pre-determined arithmetic, logical, routing or storage operations and includes—

- (a) an input device;
- (b) an output device;
- (c) a processing device;
- (d) a computer data storage medium;
- (e) a program; or
- (f) equipment,

that is related to, connected with or used with such a device or any part thereof;

 **“intimate image”** means a visual recording of a person that depicts –


- (a) the person engaged in a sexual act;
- (b) the person in a manner or context that is sexual; or
- (c) the private parts of the person;


 **“private act”** means an act done by a person where the person is in a place which, in the circumstances, would reasonably be expected to provide privacy and –

- (a) the private parts of the person are fully or partially exposed or covered only with underwear;
- (b) the person is using the toilet, showering or bathing; or
- (c) the person is doing a sexual act;

 **“private parts”** means –

- (a) the genitals, pubic area or buttocks of a person; or
- (b) the breasts of a female person, whether or not the breasts are sexually developed;

 **“sexual act”** means an act which a reasonable person would, in all the circumstances but regardless of the purpose of a person, consider to be sexual;

 **“share”** means –

- (a) publish, distribute, transmit, stream, sell, make available or advertise;
- (b) sharing online, including on websites, via email, live-streaming or through private messaging services;
- (c) sharing offline, including through the post or distribution by hand; or

(d) *showing to another person, including images stored on a device or printed copies;*

 **“visual recordings”** means a –

(a) *photograph or film;*

(b) *video recording; or*

(c) *live-stream,*


on any medium from which a still or moving image may be produced or transmitted by any means, whether or not accompanied by a soundtrack.


NEW PROVISIONS


7. **Clause 5** of the Bill seeks to amend the Act by inserting seventeen (17) new sections after the existing **section 22**.

Voyeurism

8. **New section 22A(1)** establishes the offence of Voyeurism. A person commits the offence of voyeurism if, whether for sexual gratification or causing humiliation or distress to another, they knowingly, and without consent:

 observe another in a private act;

 observe beneath the clothing of another to view their private parts (whether exposed or covered by underwear); or


 take, capture, record, stream, store, publish or transmit a visual recording of another, where said person has a reasonable expectation of privacy.


9. This section captures situations where the offender did not use any device and was in essence a ‘Peeping Tom’.


Taking and sharing of an intimate image without consent


10. **New section 22B** provides that a person commits an offence if, they knowingly and without consent:

 take and share an intimate image of another person;



 take and share an intimate image of another person to cause humiliation or distress to that person;

 take and share an intimate image of another person for sexual gratification;






 take and share an intimate image of another person and threaten to share said image; or

 alter an image of a person to make it appear to be an intimate image. This would expand the law and attempt to keep up with technology as it now captures and makes accommodations for deepfakes and content produced by artificial intelligence.

Sharing an intimate image

11. **New section 22C** makes it an offence to knowingly share an intimate image of another person:
-  without consent; or
 -  where the depicted person had a reasonable expectation that:
 - (i) they were doing a private act;
 - (ii) their private parts would not be exposed to the public; or
 - (iii) the image would not be shared without consent. It is of no consequence whether the intimate image was taken in a public or private place.
12. This provision will play a vital role in addressing the emergent issue of the act commonly known as ‘revenge porn’ and addresses the gap in the law highlighted by the Honourable Mr. Justice Frank Seepersad in the case of *Therese Ho -v- Lendl Simmons* (*supra*).

Exceptions




13. **Section 22D** establishes a list of exemptions for the offences created in the new sections 22A, 22B and 22C. Certain persons who engage in the conduct as identified in the aforementioned sections, will not be held liable for an offence if:
-  they are law enforcement officers in the lawful execution of their duty;
 -  they are authorised to engage in the conduct for medical, forensic, scientific or educational purposes;
 -  they acquired the images when conducting security monitoring of their home or a designated or marked space for surveillance;
 -  they reasonably believed that there was a level of necessity for engagement in the conduct for the purpose of:
 - (a) preventing, detecting, investigating or prosecuting a crime;
 - (b) legal proceedings; or
 - (c) the administration of justice; or
 -  they are acting in the public interest.
14. **Section 22D** also exempts persons who share intimate images with a professional legal adviser in soliciting legal advice and in connection with or for the purposes of legal proceedings. Professional legal advisers will also not be held liable for sharing intimate images if it is done in connection with giving legal advice or for the purposes of legal proceedings.

Jurisdiction

15. Per **section 22E**, Courts in Trinidad and Tobago shall have the right to adjudicate matters regarding offences committed under sections 22A, 22B, or 22C, if the offence is committed in Trinidad and Tobago, by a citizen of Trinidad and Tobago, or by a person on board a vessel or aircraft registered in Trinidad and Tobago.

16. Notably an act is deemed to be carried out in Trinidad and Tobago if the effect of the act or the damage resulting from the act occurs within Trinidad and Tobago. This section seeks to widen the jurisdiction of the Courts and enable acts done outside of Trinidad and Tobago to be tried locally once the effect of the act or damage resulting from the act occurs in Trinidad and Tobago.

Search and seizure

17. **Section 22F** empowers a District Court Judge, Master or Registrar to issue a warrant authorising a police officer to search and seize any building, aircraft, vessel, vehicle, box, receptacle, computer, device or place, an apparatus or computer data, where there is reasonable ground for believing that:
 -  an offence under section 22A, 22B or 22C, has been or is suspected to have been committed;
 -  evidence would be gathered as it relates to an offence under section 22A, 22B or 22C;
 - or
 -  there is an intention to commit an offence under section 22A, 22B or 22C.

Order for the Removal or Disablement of data

18. **Section 22G** empowers the District Court Judge, Master or Registrar to order an internet service provider to immediately remove or disable access to information, being stored, transmitted or accessed in contravention of section 22A, 22B or 22C.

Production Order

19. For the purposes of a criminal investigation, **section 22H** permits the District Court Judge, Master or Registrar to order persons in Trinidad and Tobago to produce computer data. Internet service providers in Trinidad and Tobago may also be subject to a Production Order requiring them to provide information about a person who subscribes to or uses its services.

Expedited preservation

20. For the purposes of a criminal investigation, under **section 22I** a District Court Judge, Master or Registrar may authorise a police officer of specified rank to mandate, by notice in writing, that a person preserve the computer data for a maximum period of ninety (90) days where there are reasonable grounds to believe that the data may be lost or altered.

Disclosure of details of an order

21. **Section 22J** makes it an offence to disclose details of either an order made under section 22H or a notice given under 22I.

Remote Forensic Tools

22. **Section 22L** provides for the use of remote forensic tools by a police officer of the rank of Superintendent or above in a criminal investigation regarding offences under sections 22A, 22B and 22C, if a Judge is satisfied that the necessary computer data cannot be collected without their use.
23. With the use of remote forensic tools, modifications to a computer are limited to those necessary for the investigation. Further, any modifications made to a computer must be undone, as far as possible, after the investigation. The police officer is also responsible for protecting the information, acquired through the use of remote forensic tools, from unauthorised deletion and access.

Orders by the Court

24. **Section 22M(1)** empowers the Court to prohibit the person charged with an offence under sections 22A, 22B or 22C from sharing an intimate image pending proceedings by issuing an interim order. This order can be made at any time before or during the hearing, once the Court is satisfied, on the balance of probabilities, that it is necessary to ensure the safety and protection of the complainant.
25. The Court is empowered under **new section 22O**, to make a probation order⁶ or a community service order⁷, in addition to any other penalty.
26. Pursuant to **new section 22Q**, upon the conviction for an offence under sections 22A, 22B or 22C, the court may order the convicted person to pay compensation to the complainant, once satisfied that the complainant suffered loss or damage as a result of the commission of the offence. This compensation is without prejudice to any other remedy and does not deprive the complainant of the right to claim compensation in any other court.
27. The Court can also order the convicted person to take reasonable actions to remove, retract, recover, delete or destroy any intimate image of the complainant.

⁶ According to section 2 of the [Probation of Offenders Act, Chap. 13:51](#), a “probation order” means an order made under this Act placing a person under the supervision of a welfare officer (probation).

⁷ Pursuant to section 3 (1) of the [Community Service Orders Act, Chap. 13:06](#) “ Where a person of or over sixteen years of age is convicted of an offence (in this Act referred to as “the offender”) and is to be sentenced for a period of imprisonment of twelve months or less, including a sentence of imprisonment imposed in default of payment of a fine, the Court by or before which he is to be sentenced may pass the sentence but may order the operation of the whole or part of the sentence to be suspended for a period not exceeding two years and may then make a community service order requiring him to perform unpaid work in accordance with the provisions of this Act.”

Penalties: Section 22A(2); 22B(2); 22C(2); 22M(4); 22Q(5)

28. As highlighted above, the Bill introduced new penalties and increased penalties proposed under the 2021 Bill. Table I below summarises same:

Table 1: Penalties for offences under the Sexual Offences (Amendment) Bill 2024

Section	Offence	Penalties
22A(2)	Voyeurism.	<i>Summary Conviction:</i> \$500,000 and 3 years imprisonment. <i>Conviction on Indictment:</i> \$750,000 and 5 years imprisonment.
22B(2)	Taking and sharing an intimate image without consent.	<i>Summary Conviction:</i> \$500,000 and 3 years imprisonment. <i>Conviction on Indictment:</i> \$750,000 and 5 years imprisonment.
22C(2)	Sharing an intimate image.	<i>Summary Conviction:</i> \$500,000 and 3 years imprisonment. <i>Conviction on Indictment:</i> \$750,000 and 5 years imprisonment
22J(2)	Disclosure of details of an order. (Production Order under 22H or a Notice for preservation under 22I)	<i>Summary Conviction:</i> \$250,000 and 2 years imprisonment. <i>Conviction on Indictment:</i> \$500,000 and 5 years imprisonment
22M(4)	Contravention of an Interim Order.	<i>Summary Conviction:</i> \$250,000 and 2 years imprisonment. <i>Conviction on Indictment:</i> \$500,000 and 5 years imprisonment
22Q(5)	Contravention of an Order to pay compensation.	<i>Summary Conviction:</i> \$250,000 and 2 years imprisonment. <i>Conviction on Indictment:</i> \$500,000 and 5 years imprisonment

SCHEDULE

Clause 7 of the Bill consequentially amends the **Children Act**⁸ by inserting after Part VIII a **new Part VIIIA** to include the offences and protections created in this Bill.

COMPARATIVE LEGISLATION

Voyeurism

BERMUDA	GUYANA	CANADA	UNITED KINGDOM
Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act ⁹	Sexual Offence Act, Chapter 8:03 ¹⁰	Criminal Code of Canada ¹¹	Sexual Offences Act 2003 ¹²
Section 119A – states that a person commits an offence if they observe or visually record another person or another person’s genital or anal region without their consent or the person is engaged in a private act.	Section 29 – a person commits the offence of Voyeurism if without consent they: <ul style="list-style-type: none"> - observe another for the purpose of sexual gratification; - installs equipment or modifies a structure or part thereof to enable the observation of another for sexual gratification for oneself or another; - records another doing a private act for oneself or to be used by another for the purpose of sexual gratification. 	Section 162(1) – states that a person commits the offence of Voyeurism if they surreptitiously observe with or without mechanical or electronic means, or make a visual recording of a person who has a reasonable expectation of privacy, if: <ul style="list-style-type: none"> - the person is in a place in which a person can reasonably be expected to be nude, exposed or engaged in sexual activity; - the observation or recording is done with the purpose of 	Section 67 – states that a person commits an offence if for the purpose of sexual gratification he: <ul style="list-style-type: none"> - observes another doing a private act without consent; - operates equipment with the intention of enabling another to observe someone doing a private act knowing that the person did not consent to being observed; - records another doing a private act, with the intention of reviewing same knowing that the

⁸ Children Act, Chap 46:01 - <https://agla.gov.tt/downloads/laws/46.01.pdf>

⁹ Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act – Bermuda: [https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20\(Non-Consensual%20Sharing%20of%20Intimate%20Images\)%20Act%202021](https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20(Non-Consensual%20Sharing%20of%20Intimate%20Images)%20Act%202021)

¹⁰ Sexual Offences Act, Chap 8:03 – Guyana: https://mola.gov.gy//laws/Volume_.071696982578.pdf

¹¹ Criminal Code of Canada: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>

¹² Sexual Offences Act 2003 – United Kingdom: <https://www.legislation.gov.uk/ukpga/2003/42/contents>

		<p>observing or recording a nude, exposed or someone engaged in a sexual activity;</p> <p>or</p> <p>- the observation or recording is done for a sexual purpose.</p>	<p>person did not consent;</p> <p>- instals equipment, or constructs or adapts a structure or part of a structure, with the intention of enabling himself or another person to commit an offence.</p>
<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment not exceeding three (3) years.</p> <p><i>Conviction on Indictment:</i> Imprisonment not exceeding five (5) years.</p>	<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment for two (2) years and not a fine of \$500,000.00.</p> <p><i>Conviction on Indictment:</i> Imprisonment for five (5) years.</p>	<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment not exceeding two (2) years and/or fine not exceeding \$5,000.00.¹³</p> <p><i>Conviction on Indictment:</i> Imprisonment not exceeding five (5) years.</p>	<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment not exceeding six (6) months and/or fine not exceeding the statutory maximum.</p> <p><i>Conviction on Indictment:</i> Imprisonment not exceeding two (2) years.</p>

¹³ Criminal Code (R.S.C., 1985, c. C-46) – General Penalty: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>.

Distribution; Publication; Sending Intimate Images

BERMUDA	GUYANA	CANADA	UNITED KINGDOM
Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act¹⁴	Sexual Offence Act, Chapter 8:03¹⁵	Criminal Code of Canada¹⁶	Sexual Offences Act 2003¹⁷
<p>Section 119B – states that a person commits an offence if they distribute an intimate image of another without consent and in a way that would cause the other person distress.</p> <p>Penalty: <i>Summary Conviction:</i> Imprisonment not exceeding three (3) years.</p>	N/A	<p>Section 162.1 (1) – states that a person commits an offence if they publish, distribute, transmit, sell, make available or advertise an intimate image of a person without consent.</p> <p>Penalty: <i>Summary Conviction:</i> Imprisonment not exceeding two (2) years and/or fine not exceeding \$5,000.00.¹⁸</p>	<p>Section 66A – states that a person commits an offence if, for the purpose of sexual gratification, he intentionally sends; gives or places for a particular person to find; a photograph or film of another person’s genitals with the purpose of causing alarm, distress or humiliation.</p> <p>Penalty: <i>Summary Conviction:</i> Imprisonment not exceeding six (6) months and/or fine not exceeding the statutory maximum.</p>

¹⁴ Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act – Bermuda: [https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20\(Non-Consensual%20Sharing%20of%20Intimate%20Images\)%20Act%202021](https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20(Non-Consensual%20Sharing%20of%20Intimate%20Images)%20Act%202021)

¹⁵ Sexual Offences Act, Chap 8:03 – Guyana: https://mola.gov.gy/laws/Volume_.071696982578.pdf

¹⁶ Criminal Code of Canada: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>

¹⁷ Sexual Offences Act 2003 – United Kingdom: <https://www.legislation.gov.uk/ukpga/2003/42/contents>

¹⁸ Criminal Code (R.S.C., 1985, c. C-46) – General Penalty: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>

<i>Conviction on Indictment:</i> Imprisonment not exceeding five (5) years.		<i>Conviction on Indictment:</i> Imprisonment not exceeding five (5) years.	<i>Conviction on Indictment:</i> Imprisonment not exceeding two (2) years.
--	--	--	---

Distribution; Publication; Sending Intimate Visual Recordings

BERMUDA	GUYANA	CANADA	UNITED KINGDOM
Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act¹⁹	Sexual Offence Act, Chapter 8:03²⁰	Criminal Code of Canada²¹	Sexual Offences Act 2003²²
<p>Section 119C – states that a person commits an offence if they distribute prohibited visual recordings of another without consent.</p> <p>Penalty: <i>Summary Conviction:</i> Imprisonment not exceeding three (3) years.</p>	N/A	<p>Section 162(4) – states that a person commits an offence if they print, copy, publish, distribute, circulate, sell, advertise or make available recordings or keep recordings with the purpose of doing the forgoing knowing that the recording was obtained by the commission of Voyeurism.</p> <p>Penalty: <i>Summary Conviction:</i> Imprisonment not exceeding two (2) years and/or fine not exceeding \$5,000.00.²³</p>	(see Section 66B below)

¹⁹ Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act – Bermuda: [https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20\(Non-Consensual%20Sharing%20of%20Intimate%20Images\)%20Act%202021](https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20(Non-Consensual%20Sharing%20of%20Intimate%20Images)%20Act%202021)

²⁰ Sexual Offences Act, Chap 8:03 – Guyana: https://mola.gov.gy/laws/Volume_071696982578.pdf

²¹ Criminal Code of Canada: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>

²² Sexual Offences Act 2003 – United Kingdom: <https://www.legislation.gov.uk/ukpga/2003/42/contents>

²³ Criminal Code (R.S.C., 1985, c. C-46) – General Penalty: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>

<p><i>Conviction on Indictment:</i> Imprisonment not exceeding five (5) years</p>		<p><i>Conviction on Indictment:</i> Imprisonment not exceeding five (5) years.</p>	
---	--	--	--

Threats to Share or Distribute Intimate Images or Visual Recordings

BERMUDA	GUYANA	CANADA	UNITED KINGDOM
<p>Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act²⁴</p>	<p>Sexual Offence Act, Chapter 8:03²⁵</p>	<p>Criminal Code of Canada²⁶</p>	<p>Sexual Offences Act 2003²⁷</p>
<p>Section 119D – a person commits an offence if they threaten to distribute intimate images or prohibited visual recordings of another without consent and in a way that would cause the other person distress.</p>	<p><i>N/A</i></p>	<p><i>N/A</i></p>	<p>Section 66B – states that a person commits an offence if he intentionally shares a photograph or film which shows or appears to show another person in an intimate state and:</p> <ul style="list-style-type: none"> - the person did not consent to the sharing; - he does so with the intention of causing alarm, distress or humiliation; - he does so for the purpose of sexual gratification; - he threatens to share with the intention that the other person would fear that the

²⁴ Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act – Bermuda: [https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20\(Non-Consensual%20Sharing%20of%20Intimate%20Images\)%20Act%202021](https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20(Non-Consensual%20Sharing%20of%20Intimate%20Images)%20Act%202021)

²⁵ Sexual Offences Act, Chap 8:03 – Guyana: https://mola.gov.gy/laws/Volume_.071696982578.pdf

²⁶ Criminal Code of Canada: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>

²⁷ Sexual Offences Act 2003 – United Kingdom: <https://www.legislation.gov.uk/ukpga/2003/42/contents>

			threat will be carried out.
<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment not exceeding three (3) years.</p> <p><i>Conviction on Indictment:</i> Imprisonment not exceeding five (5) years.</p>			<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment not exceeding six (6) months and/or fine not exceeding the statutory maximum.</p> <p><i>Conviction on Indictment:</i> Imprisonment not exceeding two (2) years.</p>

Failure to Comply

BERMUDA	GUYANA	CANADA	UNITED KINGDOM
Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act²⁸	Sexual Offence Act, Chapter 8:03²⁹	Criminal Code of Canada³⁰	Sexual Offences Act 2003³¹
Section 119E – a person commits an offence if they fail to take reasonable action to comply with an order of the court to remove, retract, recover, delete or destroy an intimate image or visual recording of another.	N/A	Section 162.2(4) – a person commits an offence if they fail to comply with the order of the court prohibiting the use of the internet or other digital networks.	N/A

²⁸ Criminal Code Amendment (Non-Consensual Sharing of Intimate Images) Act – Bermuda: [https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20\(Non-Consensual%20Sharing%20of%20Intimate%20Images\)%20Act%202021](https://www.bermudalaws.bm/Laws/Annual%20Law/Acts/2021/Criminal%20Code%20Amendment%20(Non-Consensual%20Sharing%20of%20Intimate%20Images)%20Act%202021)

²⁹ Sexual Offences Act, Chap 8:03 – Guyana: https://mola.gov.gy/laws/Volume_.071696982578.pdf

³⁰ Criminal Code of Canada: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>

³¹ Sexual Offences Act 2003 – United Kingdom: <https://www.legislation.gov.uk/ukpga/2003/42/contents>

<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment not exceeding twelve (12) months.</p>		<p>Penalty:</p> <p><i>Summary Conviction:</i> Imprisonment not exceeding two (2) years and/or fine not exceeding \$5,000.00.³²</p> <p><i>Conviction on Indictment:</i> Imprisonment not exceeding four (4) years.</p>	
---	--	---	--

KEY LEGISLATION



Children Act, Chapter 46:01

https://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/46.01.pdf



Community Service Orders Act, Chap 13:06

<https://agla.gov.tt/downloads/laws/13.06.pdf>



Probation of Offenders Act, Chap 13:51

<https://agla.gov.tt/downloads/laws/13.51.pdf>



The Sexual Offences (Amendment) (No. 3) Bill, 2021

[The Sexual Offences \(Amendment\) \(No. 3\) Bill, 2021 \(ttparliament.org\)](http://ttparliament.org)



The Sexual Offences (Amendment) No.2 Bill, 2021

[The Sexual Offences \(Amendment\) \(No. 2\) Bill, 2021 \(ttparliament.org\)](http://ttparliament.org)



Sexual Offences (Amendment) Bill, 2021

[The Sexual Offences \(Amendment\) Bill, 2021 \(ttparliament.org\)](http://ttparliament.org)



Sexual Offences (Amendment) Act, 2019

[Act No. 19. Vol. 58, No. 135, 3rd October, 2019 \(news.gov.tt\)](http://news.gov.tt)



The Sexual Offences (Amendment)(No.2) Bill, 1999

[The Sexual Offences \(Amendment\)\(No.2\) Bill, 1999 \(ttparliament.org\)](http://ttparliament.org)



The Sexual Offences Act, Chapter 11:28

[Sexual Offences Act, Chapter 11:28 \(legalaffairs.gov.tt\)](http://legalaffairs.gov.tt)

³² Criminal Code (R.S.C., 1985, c. C-46) – General Penalty: <https://laws-lois.justice.gc.ca/pdf/c-46.pdf>



Legal Unit
Parliament Secretariat
Parliament of the Republic of Trinidad and Tobago
Cabildo Parliamentary Complex
No. 23-27 St. Vincent Street, Port of Spain

October 25, 2024

Disclaimer: Bill Essentials are prepared to support the work of the Members of the Parliament of Trinidad and Tobago and is not intended to address the specific circumstances of any particular individual. They are produced under time and resource constraints and aim to be available in time for debate in the Houses.

The views expressed in Bill Essentials do not reflect an official position of the Legal Unit, nor do they constitute professional legal opinion. Bill Essentials reflect the relevant legislation as introduced and do not canvass subsequent amendments or developments. To determine the official status of the Bill or follow its progress click here: <https://www.ttparliament.org>

