

Review of the Sexual Offences and Obscene Publications Act 2021

Overview

An independent review of the Sexual Offences and Obscene Publications Act 2021 has been launched by the Department of Home Affairs. The review is being led by [Kate Blackwell KC \(opens in a new tab\)](https://www.lincolnhousechambers.com/members/kate-blackwell-k-c/) and will evaluate how effectively the Act has been working since it came into effect in March 2024. It will examine the implementation across law enforcement, prosecution services, the courts, and victim support organisations, as well as its impact on victims and the wider criminal justice system.

The Act was introduced to modernise previous legislation from 1992, including updating the law to address offences such as image-based abuse, online grooming, voyeurism, upskirting, and other contemporary forms of sexual harm.

The review is part of a commitment to ensure the legislation is delivering its intended outcomes and to identify where future amendments may be beneficial.

Why your views matter

If you have experience in relation to the legislation and how it is used, either as a victim, a witness or some other way, and you want to share your views, then the review would like to hear from you.

Public input will help ensure the review considers a wide range of perspectives and lived experiences related to the Act. Your comments will be used to inform the recommendations of the review.

Please note this review cannot investigate or reopen past or existing cases.

The Review will not be able to provide a response to individual submissions.

As part of the standard consultation process you will be asked the question 'May we publish your response?' with options. However, please note that whilst individual submissions will be considered to inform the Review, it is not proposed to reference individual submissions in the final Report or the executive public summary. Any factual material referenced in the executive public summary will be suitably anonymised to prevent identification of those involved.

Reasonable adjustment and alternative formats

The Department is committed to equal opportunities, and our aim is to make our documents easy to use and accessible to all.

We will take steps to accommodate any reasonable adjustment and provide such assistance as you may require to enable you to access, or reply to, this consultation.

If you would like to receive this document in another format or need assistance with accessing or replying to this consultation, please email Victoria.Naylor2@gov.im or call +44 1624 693833.

How to respond

Please click on the 'Share your views' link below to enter your comments or feedback.

Alternatively you can download a paper version of this survey from the 'Related' section below and email it to Victoria.Naylor2@gov.im or post it to:

Department of Home Affairs Headquarters,
Tromode Road,
Douglas,
IM2 5PA

You may include your name and contact details so that the Review may contact you about your submission.

Terms of Reference

Background

The Sexual Offences and Obscene Publications Act 2021 ('the Act') was introduced to modernise the Isle of Man's legal framework concerning sexual offences and obscene publications.

The previous act, the Sexual Offences Act 1992 was based largely on earlier UK legislation and although it included provisions for offences such as rape, indecent assault, and unlawful sexual intercourse, it lacked coverage of many modern offences. It did not reflect contemporary understandings of consent, digital abuse, or safeguarding.

Key limitations of the 1992 Act included:

- **Outdated definitions** of sexual offences, particularly around consent and coercion
- **Limited scope** for offences involving digital technology (e.g., image-based abuse, online grooming)
- **Insufficient sentencing powers** for serious offences against children
- **No provision** for preventative orders such as Sexual Harm Prevention Orders or Sexual Risk Orders
- **No legal recognition** of offences like voyeurism, upskirting, or revenge porn

The 2021 Act modernised and consolidated laws relating to sexual offences and obscene publications. It was developed to completely replace the Sexual Offences Act 1992 and to respond to digital offending such as upskirting and revenge porn.

The Minister for Justice and Home Affairs committed to undertaking a review of the impact of the Act 18 months after its introduction. The Act took effect for the most part from 25 March 2024, so has now been in operation for 18 months.

Purpose of this review

To evaluate the operationalisation, impact, and effectiveness of the Act across law enforcement, prosecution, judiciary, and victim support services, with a view to identifying areas for improvement or future amendment.

Objectives

Implementation and enforcement:

- Assess how the Act has been operationalised by:
 - Law enforcement agencies
 - Prosecution services
 - The judiciary
- Examine effectiveness of training requirements, systems, and processes introduced or adapted to support implementation

Impact of the introduction of the Act:

- Determine whether the Act has created additional demand. Evaluate the impact on resourcing and capacity within:
 - The Police
 - Prosecution services
 - The judiciary

Impact for victims:

- Review access to justice for victims under the Act.
- Analyse the overall victim journey, including support services and procedural experience.

Sentencing:

- Review sentences imposed under the Act
- Consider comparators

Particular focus: Child Sexual Offences

- Assess enforcement, prosecution, and sentencing data specific to child sexual offences
- Review the impact on child victims, including access to justice and support services

Areas for consideration

- **Document and data review:** Legislation, operational guidance, statistical data and invited written submissions
- **Stakeholder engagement:** Interviews and surveys with Police, prosecutors, judiciary, victim support organisations, advocacy groups and defence advocates via the Isle of Man Law Society
- **Case analysis:** Selected case studies to illustrate implementation and outcomes
- **Comparative review:** Benchmarking against similar legislation in other jurisdictions
- **Anonymity** provisions and their impact

Governance

The review is commissioned by the Department of Home Affairs.

The Terms of Reference have been approved by the Department and shared with the Council of Ministers for consideration, given the significant public interest in this matter.

Publication and Next Steps

It is proposed that the executive public summary and recommendations will be published alongside a department response outlining how the recommendations will be taken forward.

The timing for deliverables (interim report, final report and executive summary) is currently indicative and will be finalised once discussions with the commissioned reviewer have concluded. Planning timing will be included once confirmed.

Deliverables

- Interim findings report
- Final review report with recommendations and executive public summary to be published during summer 2026

About you and your experience with the legislation

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1 What is your name?

Name

2 What is your email address?

Email

3 Are you responding on behalf of:

Please select only one item

- A public body (e.g. a Government Department, Statutory Board or Local Authority)
- A business
- A charity
- A community organisation
- As a member of Tynwald
- As a member of the public

If you are responding other than as a member of the public, please provide your job title:

4 May we publish your response?

Please read our [Privacy Policy](#) for more details and your rights.

More information

- Publish in full – your name, organisation name, along with full answers **may** be published on the hub (your email will **not** be published)
- Publish anonymously – only your responses **may** be published on the hub (your name, organisation and email will **not** be published)
- Do not publish – **nothing will** be published publicly on the hub (your response will only be part of a larger summary response document)

(Required)

Please select only one item

- Yes, you can publish my response in full
- Yes, you may publish my response anonymously
- No, please do not publish my response

5 If you have experience in relation to the Sexual Offences and Obscene Publications Act 2021 legislation and how it is used, either as a victim, a witness or some other way, and you want to share your views, please do so in the box below: