

**Bills Committee on Crimes (Amendment) Bill 2021**

**List of follow-up actions arising from the discussion  
at the meeting on 16 July 2021**

The Administration is requested to:

- (a) in relation to the Administration's proposed amendments to remove the element of "no consent is given by the subject individual" from the offences under the proposed new sections 159AAB, 159AAC and 159AAD, (i) whether the prosecution would have to prove as a fact that no consent is given by the subject individual to the offence concerned; (ii) in view of the Administration's prior explanations as to the necessity for prosecution to prove the absence of consent as a fact, whether the proposed amendments reflect a change in the legislative intent; and (iii) if the prosecution would not bear the onus of proving that no consent is given by the subject individual, whether the prosecution threshold for the proposed new offences would be lower than that of other existing sexual offences;
- (b) in relation to the Administration's proposed amendments to expand the definition of "intimate image" in the proposed new section 159AA to cover "altered image", provide relevant provisions of the Penal Code of Singapore with relevant court cases (if any) for members' reference;
- (c) consider revising the drafting of the Administration's proposed amendments to the proposed new section 159AAB(1)(a)(i);
- (d) in relation to the Administration's proposed amendments to the proposed new section 159AAC, consider (i) amending the heading of the proposed new section having regard to the proposed removal of the element of "no consent is given by the subject individual"; and (ii) whether it is necessary to include the elements of "sexual purpose" and "dishonesty" in the proposed offence;
- (e) in relation to the proposed new section 159AAI, consider whether there should be absolute liability where the relevant proposed offences involve children under the age of 16; and
- (f) provide written responses to various issues raised in the submission from Les Corner Empowerment Association (LC Paper No. CB(2) 1301/20-21(01)) and further submission from the Association Concerning Sexual Violence Against Women (LC Paper No. CB(2) 1310/20-21(01)) on the Bill.

Council Business Division 2  
Legislative Council Secretariat  
19 August 2021