

Wales Safer Communities Network response to: Home Office - Creating an offence of public sexual harassment

Closed 01 September 2022

Response submitted via the online survey

Questions

1. How widespread a problem do you think that public sexual harassment is in this country?

An increasing issue, every woman and girl that exercises either walking, running or cycling has multiple stories of receiving public sexual harassment either criticising their bodies or asking to see more. Cat calling or comments at women which are not sought or required. It can lead to women not wanting to leave the house on their own which has a negative impact on mental health and on opportunities for community cohesion.

2. Do you think that there should be a specific criminal offence of public sexual harassment?

- Yes

3. If you do think that there should be a specific offence of public sexual harassment, would this be because (tick all that apply):

- It would criminalise behaviour which is not already criminal.
- It would raise awareness that these behaviours are illegal.
- It would prevent people engaging in these behaviours.

4. If you think that a new law would criminalise behaviours which are not already criminal, please specify which behaviours.

Those which do not involve physical touching but are harassment but can be seen as just part of particular cultures.

5. If you do not think that there should be a specific offence of public sexual harassment, would this be because (tick all that apply):

N/A

Questions 6 – 13 would apply if there were to be a new criminal offence of public sexual harassment. We welcome responses both from those who do support and from those who do not support a new offence of public sexual harassment.

6. Would Option 1 be a viable model?

- Yes

7. Would Option 2 be a viable model?

- Yes

8. If you consider that both Option 1 and Option 2 would be viable models, do you think either option would be more effective? Please explain why.

- Yes (Option 2 would be more effective) – because it provides examples of inappropriate behaviour and where the new legislation would apply, whilst it does not include all possibilities it should assist in limiting other types of crimes for which legislation is already in place.

9. Do you think there is a better way to construct a public sexual harassment offence than either Option 1 or Option 2?

- Don't know

10. Noting that the list of example behaviours in Option 2 is not exhaustive, do you think that it captures the most common types of public sexual harassment behaviour?

- Yes
- No
- Don't know

If No, which additional ones would you include?

There may need to be one that focuses on specific abuse whilst exercising or active travel whether that is walking, cycling, running, using public transport or any other mode of transport that is not within an enclosed modular mechanical vehicle.

11. Do you consider that any of the example behaviours in Option 2 should be excluded? If so, please state why.

- Following a person;
- Making an obscene or aggressive comment towards a person;
- Making an obscene or offensive gesture towards a person;
- Obstructing a person making a journey;
- Driving or riding a vehicle slowly near to a person making a journey.
- **None of them should be excluded.**
- Don't know

12. Do you consider that the maximum sentence included is the correct one?

- Yes

13. Do you have any other comments on Options 1 and 2?

- No

14. Do you think that introducing a new offence of public sexual harassment would have implications for the resources of the police and the criminal justice system?

- Yes (please provide further details) – it will lead to the need for resources to record incidents and to follow up with perpetrators.

15. Do you think that the non-legislative actions which the Government and other statutory authorities have been taking to tackle public sexual harassment – as set out in section 2 of this document – are sufficient? We welcome answers both from those who think that there should be a new criminal offence of public sexual harassment and from those who do not.

- No

16. If you think that those actions are not sufficient, which additional non-legislative actions do you think that the Government and other statutory authorities should take?

There needs to be a stronger awareness campaign. It was acceptable to smoke in doors at public venues, legislation and awareness campaigns stopped this from happening. That was a culture change just as stopping public sexual harassment will be.

17. In particular, are there any other non-legislative actions which the Government should take to tackle public sexual harassment which takes place in the night-time economy?

- Yes (please specify which ones) – a stronger campaign that demonstrates that it is not acceptable behaviour online as well as in physical public spaces. An increase in misogyny language and behaviour will move between the physical public spaces and the online public spaces with ease, one will not be resolved without the other also being focused on. Whilst harassment online may be managed within other legislation should not prevent a shared campaign that ensures that sexual harassment is not acceptable in any arena in the UK in the 21st Century.