



House of Commons  
Women and Equalities  
Committee

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**Sexual harassment  
of women and girls  
in public places:  
Government response  
to the Committee's  
Sixth Report of Session  
2017–19**

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**Eighth Special Report of Session  
2017–19**

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## Women and Equalities Committee

The Women and Equalities Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Government Equalities Office (GEO).

### Current membership

[Mrs Maria Miller MP](#) (*Conservative, Basingstoke*) (Chair)

[Tonia Antoniazzi MP](#) (*Labour, Gower*)

[Sarah Champion MP](#) (*Labour, Rotherham*)

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[Teresa Pearce MP](#) (*Labour, Erith and Thamesmead*) were members of the Committee during this inquiry.

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Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

### Committee staff

The current staff of the Committee are Jyoti Chandola (Clerk), Radhika Handa and Luanne Middleton (Second Clerks), Holly Dustin, Tansy Hutchinson, and Shai Jacobs (Committee Specialists), Renuka Rawlins (Inquiry Manager), Ellie Goodchild (Senior Committee Assistant), Mandy Sullivan (Committee Assistant), and Liz Parratt and Simon Horswell (Media Officers).

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# Eighth Special Report

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The Women and Equalities Committee published its Sixth Report of Session 2017–19, *Sexual Harrasment of women and girls in public places* (HC 701), on 23 October 2018. The Government’s response was received on 4 April 2019 and is appended to this report.

## Government response

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### Introduction

The Government takes all forms of harassment extremely seriously. Unwelcome advances that intimidate, degrade, or humiliate are an abuse of power and are unlawful.

Violence against women and girls (VAWG) can shatter the lives of victims, their families and those closest to them, and protecting individuals from violence, and supporting victims and survivors, remains a key priority for this Government. Violence and abuse can affect anyone, and is still far too prevalent.

We would like to thank the Committee for its report on sexual harassment of women and girls in public places published on 23 October 2018, which has identified some uncomfortable findings about British society.

This Government response recognises the Committee’s report has helped to build a national picture and highlight where we might focus to tackle the issues raised. We understand that Violence Against Women and Girls, and sexual harassment, are both a cause and consequence of wider gender inequality, and so our response is framed as such. We have now incorporated our approach to tackling sexual harassment within our recently published refreshed Ending VAWG Strategy.<sup>1</sup>

The Government’s full response to recommendations made to it is set out below.

### Making public places safe for all women and girls

#### Recommendation 1:

**The Equality and Human Rights Commission must set out a plan of action for working with other regulators such as the Office for Students and transport regulators to ensure that the prevalence and impact of sexual harassment, and the effectiveness of actions being taken to eliminate it, are transparent.**

#### Government response:

The Equality and Human Right’s Commission (ECHR) will respond to this recommendation.

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1 <https://www.gov.uk/government/publications/strategy-to-end-violence-against-women-and-girls-2016-to-2020>

## Criminal laws

### Recommendation 2:

**The Government should introduce a new law on image-based sexual abuse which criminalises all non-consensual creation and distribution of intimate sexual images, including altered images, and threats to do so. This should be a sexual offence based on the victim’s lack of consent and not on perpetrator motivation, and include an automatic right to life-long anonymity for the complainant, as with other sexual offences.**

#### Government response:

The Government agrees that the non-consensual taking and sharing of intimate imagery is a deeply distressing behaviour and is committed to addressing it, especially as it becomes more prevalent with the increasing access to technology for people of all ages. Many laws exist that already capture such behaviour, such as the offence of Voyeurism under the Sexual Offences Act 2003, and the “revenge porn” offence under section 33 of the Criminal Justice and Courts Act 2015. It could also be captured by the Protection from Harassment Act 1997 if an image is sent more than twice and constitutes a “course of conduct”. However, there is no room for complacency and this government wants to ensure that there is no gap in the law on this issue. This is why Minister Frazer announced that the Ministry of Justice will commission the Law Commission to review the law covering the taking and sharing of intimate non-consensual images. This review will begin in early 2019.

We have recently introduced the Voyeurism (Offences) (No.2) new legislation, which specifically tackles the behaviour known as upskirting, by inserting two new offences into the Sexual Offences Act 2003. These offences closely mirror the measures set out in Wera Hobhouse MP’s Private Members’ Bill and the Scottish offences. The new offences criminalise a person who operates equipment or records an image under another person’s clothing with the intention of viewing, or enabling another person to view, their genitals or buttocks (whether exposed or covered with underwear), or the underwear covering genitals or buttocks, for the purpose of obtaining sexual gratification or with the intention of humiliating, alarming, or distressing the victim. As with other sexual offences, it ensures an automatic right to life-long anonymity for the complainant.

The Government also welcomes the support of the committee for the review of hate crime legislation that Minister Frazer QC MP announced in September. The Law Commission’s review is underway and will be a wide-ranging study, including looking at the harassment of women and girls. The Law Commission will consult widely to identify the range of issues with the current law.

In addition, the forthcoming joint DCMS-Home Office Online Harms White Paper, will draw together a wide range of Government measures to protect online users, and set out the Government’s approach to strengthen our response to all forms of online harm.

## Policy on violence against women and girls

### Recommendation 3:

The Government already has a well-regarded cross-departmental strategy for tackling Violence Against Women and Girls. It is astonishing that the most common form of violence against women—sexual harassment—is currently almost entirely overlooked in that strategy. We welcome the Minister’s commitment to refreshing the Violence Against Women and Girls strategy later in 2018, and we expect to see specific actions to address sexual harassment, much of which is already prohibited in law, in the new document. Those actions need to be supported by dedicated funding and staffing, and developed in partnership with community organisations. The Government must exploit the full range of policy levers at its disposal, and must set out the milestones to be met on the way to fulfilling the 2030 goal. We expect the strategy to set out a comprehensive programme of work to make all public places safe for all women and girls.

#### Government response:

Sexual harassment is indicative of harmful attitudes, primarily towards women, that creates an environment in which violence against women and girls is both hidden and normalised. Whether it’s in the workplace, on the street, or as part of domestic or sexual abuse; sexual harassment in any situation is unacceptable.

Much has changed since the Ending VAWG Strategy was published in 2016, not least the advent of the #MeToo and #TimesUp campaigns, which have brought the issues of sexual harassment to the forefront of public awareness. Therefore, we have published a refreshed Strategy, which provides an overview of progress made since 2016, captures the new programme of work to transform our response to domestic abuse, and sets out new actions including on sexual harassment.

The VAWG Strategy Refresh now provides our strategic response to sexual harassment and makes reference to the commitments made in this response. The full detail of Government’s programme to tackle sexual harassment is set out in this response to the Women and Equalities Select Committee, and the two documents support and complement one another.

## Data collection on sexual harassment in public places

### Recommendation 4:

Data on sexual harassment in public places should be collected through the Crime Survey of England and Wales or brought together through other official data-gathering processes. It should be broken down so that the Government can start to build a picture about the particular ways that different groups of women and girls are targeted for abuse. This data should underpin the development of the comprehensive programme of work to tackle sexual harassment in public places.

Government response:

Government strongly supports the intention of this recommendation. It makes sense to build the evidence on sexual harassment of women and girls in public places, and we need to get a better understanding of how sexual harassment affects different women and girls.

In response to the WESC recommendations on sexual harassment in the workplace, we are developing plans to collect data on the prevalence of sexual harassment in the workplace. We will incorporate sexual harassment in public places into this data collection.

## Preventing sexual harassment in public places

**Recommendation 5:**

**The introduction of Relationships Education in all primary schools and Relationships and Sex Education in all secondary schools provides a welcome opportunity to ensure that concepts such as healthy relationships, consent and boundaries are communicated to children. It is disappointing that the statutory guidance will not come into force until September 2020, and we urge schools not to wait until then to review their policies and practices to ensure they are taking every possible action to prevent sexual harassment and other forms of sexual violence.**

Government response:

Government is making Relationships Education compulsory in all primary schools, Relationships and Sex Education (RSE) compulsory in all secondary schools and Health Education (state-funded schools) compulsory for primary and secondary.

Additionally, in November 2018 the Department for Education (DfE) also published 'Respectful School Communities',<sup>2</sup> a self-review and signposting tool to support schools to develop a whole-school approach which promotes respect and discipline. This can help combat bullying, harassment and prejudice of any kind. This tool follows a commitment made by the Department for Education in response to the Women and Equalities Select Committee inquiry into sexual harassment and sexual violence in schools. We committed to help schools build on existing duties to create a wider preventative approach to promoting inclusive and tolerant school communities. All schools will be required to teach these subjects from September 2020. Schools will also be encouraged to start teaching the subjects from September 2019.

In addition, the Online Harms White Paper will also set out cross Government work to support young people's resilience online, with a focus on teaching young people, as well as parents and carers, about the importance of online safety.

**Recommendation 6:**

**As with any social harm, prevention should be the Government's aim. Prevention must therefore be the foundation of the new programme of work to eliminate sexual harassment. The Government has previously committed to tackling harmful social norms that underpin sexual harassment, but we have seen little evidence of specific or comprehensive work underway to do this. Opportunities to embed a preventative**

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2 <http://educateagainsthate.com/download/36/>

**approach in schools, through media regulation, through public awareness campaigns and through crime policy (such as the Modern Crime Strategy), for example, are being missed. The Government must show leadership in seeking to change the cultural acceptability of sexual harassment. It should develop a long-term, evaluated programme of public campaigns to tackle the attitudes that underpin sexual harassment, targeted at both adults and children.**

Government response:

The Government supports the spirit of this recommendation. We recognise that rigid gender stereotypes can hold back both women and men at work and in society, and can create an environment that enables and normalises sexual harassment. However, we first need to understand, through gathering relevant evidence, the extent to which the methods outlined could effectively raise awareness and challenge harmful behaviours and attitudes.

Media organisations have a responsibility to take these issues very seriously, including setting their own standards and monitoring content where relevant. Likewise, media regulators and other relevant bodies in the UK also play a role in preventing harmful or abusive material in the media through standards set out in their codes of practice. Ofcom sets and oversees the Ofcom Broadcasting Code;<sup>3</sup> most newspapers are signed up to IPSO's Editors Code of Practice;<sup>4</sup> and the Advertising Standards Authority has consulted on a new rule to tackle harmful gender stereotypes, which will come into force in June 2019. We will continue to support media regulators and other relevant bodies in their efforts to prevent sexual harassment and discrimination in the media, and to work with them to promote the benefits of stereotype-free advertising within the industry, while recognising their independent status.

Alongside this, the Government Equalities Office (GEO) will take forward an initial exercise to explore which method or methods would work best to raise awareness and tackle harmful norms that can lead to sexual harassment. This may include a communications campaign, but will also consider alternative options. Through this approach we will ensure that any intervention is evidence-based and effective in making real-world change.

The Department for Education (DfE) is committed to promoting healthy relationships and respect in schools, and preventing abuse and harassment. Children and young people need to know how to be safe and healthy, and how to manage their personal and social lives in a positive way. This is why the Government is making Relationships Education compulsory in all primary schools in England and Relationships and Sex Education compulsory in all secondary schools from September 2020.

We have recently published draft statutory guidance and legislation for the subjects.<sup>5</sup> In primary schools, we want the subjects to put in place the key building blocks of healthy, respectful relationships. At secondary, teaching will build on the knowledge gained at primary, while introducing concepts about healthy intimate relationships. The proposed statutory guidance states that pupils should be taught about the concepts of, and laws relating to: sexual consent, sexual exploitation, abuse, grooming, coercion, harassment and domestic abuse, and how these can affect current and future relationships.

3 <https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-codes/broadcast-code>

4 <https://www.ipso.co.uk/editors-code-of-practice/>

5 <https://www.gov.uk/government/consultations/relationships-and-sex-education-and-health-education>

We are helping schools implement a whole school approach to promoting healthy relationships and tackling abuse, with our recently published ‘Respectful School Communities’, a self-review and signposting tool and through commitments made in the government response to the WESC inquiry into sexual harassment and sexual violence in schools, which promotes respect and discipline. All of these efforts can help combat bullying, harassment and prejudice of any kind.

Our statutory guidance, *Keeping Children Safe in Education*,<sup>6</sup> was strengthened and updated in September 2018. The guidance sets out the legal duties schools must follow to safeguard and promote the welfare of children and young people under that age of 18. There is a new section (Part 5) that provides specific guidance to schools and colleges on how they should respond to reports of child on child sexual violence and sexual harassment.

The Government is committed to keeping both the *Keeping Children Safe in Education* guidance and the *Sexual Violence and Sexual Harassment* advice under review, and to update and strengthen it where required.

Prevention remains the cornerstone of the *Violence Against Women and Girls Strategy*, which recognises that sexual harassment is part of a harmful continuum of gender-based abuse, and that it can create an environment where violence is hidden and normalised. Addressing sexual harassment, and the harmful gender norms that underpin it, forms an important part of preventing violence against women and girls. The refreshed Strategy includes a new section on sexual harassment and sets out the Government’s strategic approach to addressing it.

## Hate crime

### Recommendation 7:

**The Government’s preventative work should be clearly based on the available research evidence—from the UK and elsewhere—about the cultural factors, attitudes and norms that lead to or enable sexual harassment to take place and how these can be effectively challenged. The available research is not sufficient, however. The Government must also commission ongoing, large-scale research into these factors in the UK to inform its programme over the longer term.**

#### Government response:

The Government agrees with this recommendation, it reflects our continued commitment to using strong evidence in the development of preventative work, as outlined in our response to recommendation 6. In June 2018, the GEO launched the £1.1 million Workplace and Gender Equality Programme (WAGE), a two-year programme, which will invest in new academic research, and deliver evidence-based tools for employers on what works to close their gender pay gaps. The WAGE Programme works closely with leading academics and policymakers to gather existing evidence and identify and fill research gaps.

The GEO will consider options to use the WAGE Programme to review existing evidence about the norms and attitudes that contribute to sexual harassment and explore areas for new research to strengthen our understanding of how these could be effectively tackled.

## Creating a healthier media and culture

### Recommendation 8:

**We support the Government’s approach of asking the Law Commission to review hate crime legislation. That review should consider whether categorising sexual harassment of women and girls in public places as a hate crime would bring substantive advantages to victims and achieve a reduction in the incidence of such harassment.**

#### Government response:

As set out in our response to recommendation 2 we have asked the Law Commission to review hate crime. Their review will explore the categorisation of sexual harassment of women and girls in public places as a hate crime.

### Recommendation 9:

**There are examples of lawful behaviours which the Government recognises as harmful, such as smoking, which are addressed through public health campaigns and huge investment designed to reduce and prevent those harms. The Government should take a similar, evidence-based approach to addressing the harms of pornography.**

#### Government response:

The Government has taken steps to protect children and young people from the potential harm caused by viewing pornography. The Digital Economy Act has introduced age verification for viewing pornographic material online, which is being taken forward by the British Board of Film Classification (BBFC).

Nevertheless, we are not complacent and do want to understand this issue more. We have already begun work to identify whether links exist between consuming pornography and attitudes to women and girls, and harmful behaviours. Through qualitative research with frontline providers and a review of the existing evidence base, we aim to build our understanding of relationships between pornography use and harmful attitudes and behaviours. The consideration of whether this could be addressed via a campaign will also be included as part of the market research work set out in the response to Recommendation 6.

### Recommendation 10:

**The definition of ‘commercial pornography services’ for the Government’s policy on age verification of pornography websites should be amended to include social media, to ensure that this policy is as effective and comprehensive as possible.**

#### Government response:

Government is committed to supporting everyone to access the benefits of the Internet whilst also staying safe, and that’s why the Digital Economy Act brought in provisions to enable age-verification for online pornography.

If less than a third of the content of a website is pornography, we believe that pornography does not make up a significant portion of the overall commercial benefit that the person

receives in operating that website. Therefore, it should not be regarded as a commercial pornographic website. Nevertheless, websites that market themselves as pornographic will be captured by the regulations regardless of the volume of content.

The inclusion of social media companies and definitions of pornography content was specifically considered during the passage of the Digital Economy Act. It was agreed that its scope should be focused on commercial pornography sites, not popular social media platforms where the overwhelming majority of content is not pornographic.

However, we do recognise that there is some pornography available on some social media platforms and we expect those platforms to enforce their own terms and conditions and protect children from harmful content. The draft Online Pornography (Commercial Basis) Regulations will set out the circumstances in which pornography should be regarded as made available on a commercial basis. We will continue to work with the technology sector to identify new tools and approaches that could be used to verify the age of users, without requiring it in law.

The Government has been clear that online platforms must do more to protect users from harmful content more broadly, and will set out our plans to ensure that companies make their platforms safer in the forthcoming Online Harms White Paper.

#### **Recommendation 11:**

**British Board of Film Classification policies and guidelines should be explicit about categorising normalised sexism as discrimination. The policies and guidelines should name sexual harassment as a form of sexual violence in order to be clearer about regulation of its depiction.**

#### British Board of Film Classification response

The British Board of Film Classification (BBFC) is an independent, non-governmental body. The classification of films for theatrical (cinema) release is a non-statutory function and the Government has no say over classification decisions.

The BBFC makes classification decisions in accordance with its published Classification Guidelines. In order to ensure these guidelines remain in line with broad public opinion, the BBFC undertakes a large scale public consultation exercise every four to five years. The most recent consultation exercise took place throughout 2018 and canvassed the views of over 10,000 people across the UK. The results of the research, and the new Classification Guidelines that result from that research, was published in January 2019 and came into operation in February 2019 .

The BBFC has already publicly confirmed that the preliminary results show that by far the greatest area of public concern was sexual violence. In general terms, viewers felt the BBFC's already strict standards on sexual violence should be further tightened and the standards it already applies should be made clearer and more transparent.

In response to these concerns, the BBFC now gives sexual violence its own section within the Classification Guidelines, rather than dealing with the issue as a subset of violence, within the Guidelines published in January 2019. The BBFC has also set out, for the first time, its approach towards sexual threat and sexually abusive behaviour in general, in addition to the stronger forms of sexual violence, including rape. The new Guidelines are

stricter on sexual violence at 12A/12, expressly prohibiting any depictions of the stronger forms of sexual violence, including rape, and making it clear that any sexual threat or sexually abusive behaviour must be both brief and negatively presented.

The new Guidelines are also stricter on sexual violence at 15, requiring that any depictions of stronger forms of sexual violence, including rape, must not be detailed or prolonged, and that a strong or sustained focus on sexual threat will be unacceptable. They also clarify existing policy, by additionally setting out the aggravating factors in terms of depictions of sexual violence that are likely to lead to a more restrictive classification.

#### **Recommendation 12:**

**Online spaces are public places where sexual harassment of women and girls is rife. This has damaging effects on their health, and their ability to have their voices heard in public. Online spaces are public places where sexual harassment of women and girls is rife. This has damaging effects on their health, and their ability to have their voices heard in public. The internet safety strategy and social media code of practice should include specific, robust and proportionate action to prevent and address sexual harassment and abuse of women and girls online. There must be clear consequences for those organisations that fail to effectively address sexual harassment consequences that hurt their bottom line.**

#### Government response:

The Government has been clear that online platforms must do more to protect users from harmful content and our forthcoming Online Harms White Paper (Joint DCMS-Home Office) will set out our plans to keep UK citizens safe. In addition, the new UK Council for Internet Safety (UKCIS) has been established to allow organisations, including the End Violence Against Women Coalition, to collaborate and coordinate a UK-wide approach to online safety, engaging directly with industry and with Government.

The Council will look at addressing a range of issues including cyberbullying; violence against women and girls; hate crime and hate speech; and forms of discrimination against groups protected under the Equality Act, for example on the basis of disability or race.

### **Women and girls' safety on public transport**

#### **Recommendation 13:**

**The good work that Transport for London and British Transport Police have taken to address sexual misconduct under the Project Guardian and Report It to Stop It campaigns should be supported across the national rail network. The Department for Transport should require train operators in their Franchise Agreements to have a robust policy on sexual misconduct which should include action to prevent all forms of sexual violence including sexual harassment happening on their services in the first place, as well as tackling it when it happens. The Department for Transport should issue guidance to local authorities who let public transport contracts to ensure that bus operators, light rail, tram and other transport providers to whom they let contracts are required to have a robust policy on sexual harassment.**

Government response:

Government is wholly committed to combatting sexual harassment on the rail network. Our aim is to have a safe and secure network where passengers have the confidence to travel. That is why within franchise agreements, train operators are required to have a Safeguarding Strategy agreed with British Transport Police (BTP). Combatting Sexual Offences is an important feature within Safeguarding.

The Government accepts in full the principle behind this recommendation. However, due to the nature of the franchising model we are of the view that it would be delivered both more quickly and encompass more of the rail network by using a different mechanism. Not all train and station operators hold the Department for Transport franchises, for example those running open access services, those franchised to devolved bodies such as the Scottish and Welsh Governments or Merseytravel, and Network Rail who manage the largest stations. In many cases there will also be a considerable length of time, up to ten years for some operators, before individual franchises end presenting an opportunity to include the recommended requirement in future franchise agreements.

Therefore in line with an approach commonly taken in the rail industry to deliver changes urgently and comprehensively, and building on the current provisions within franchise agreements, the Rail Minister has written to ask the Rail Delivery Group, the leadership body established to take responsibility for coordinating and leading on cross-industry initiatives, to deliver a package of measures which would be available to all train and station operators. Using the Rail Delivery Group ensures that **all** operators are included, ensuring action across the whole network and not confined to those rail franchises awarded by the Department of Transport (DfT).

The measures are likely to include

- Adoption of the Report It to Stop It campaign by industry or a commitment to develop a national campaign based on Report It to Stop It's principles and explore partnership funding options;
- Posters and messaging on the network,
- Supporting British Transport Police operational activity and
- Improvements to staff training and support for operators.

Joint working between the Rail Delivery Group and BTP in this way will ensure an immediate operational focus on tackling these crimes by operators, building on the good work pointed to in the Committee's report.

Recent initiatives on the railways including the launch of the BTP 61016 text service have seen an increase in reporting of sexual offences, which is a sign of increasing confidence in victims to come forward, and an increase in BTP arrests for those committing these crimes.

BTP is strengthening its Sexual Offences Co-ordination Unit, which focuses on identifying offenders, series of offences, patterns, vulnerable locations and offender management. DfT

in partnership with BTP will continue to develop the Rail Safety Accreditation Scheme allowing BTP to task participants to combat hot spot areas for sexual offences both as a preventative and re-assurance measure.

DfT also played an active role in the Violence Against Women and Girls (VAWG) Strategy 2016–20 hosting an internationally-attended seminar to look at approaches to tackling sexual offending on the railway.

We understand the need for local authorities to consider the impact of the Public Sector Equality Duty (PSED) in exercising their functions, including those relating to the provision of bus services. We will encourage them to remain mindful of their duties under PSED.

## Women and girls' safety at night

### Recommendation 14:

**Technological developments and widespread use of mobile devices means that viewing pornography on public transport has developed as a new form of sexual harassment in public. Policy needs to take account that public transport is not an age-restricted space; any pornographic material viewed in this space is therefore potentially seen by children. The Government should use rail Franchise Agreements to require train operators to block pornography through public WiFi on public transport and prohibit this activity through individual internet connection so that all passengers can travel comfortably and safely. The Department for Transport should direct bus companies to fulfil their obligations on passenger safety by bringing forward amendments to the Public Service Vehicles Regulations 1990 to specifically prohibit sexual harassment as defined by the Equality Act 2010, and to prohibit viewing pornography on buses.**

#### Government response

The Government accepts in full the principle behind this recommendation. All passengers should be able to travel comfortably and safely without being subjected to the wholly inappropriate viewing of pornographic material.

All three equipment providers of WiFi on board trains already provide filtering protection against inappropriate content, which includes pornography.

In addition, the Rail Minister has asked the Rail Delivery Group to seek a national commitment from train and station operators to sign up to the Friendly WiFi scheme, a government-initiated safe certification standard for public WiFi which confirms a service meets minimum filtering standards. This will ensure that all operators, not just those who hold Department for Transport (DfT) franchises, are covered. DfT will monitor operators' engagement with the Rail Delivery Group on this project.

The Railway Byelaws and Public Order Act offences prohibit watching sexually offensive material in a public place.

The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 provide on-board staff and Police Officers with the means to challenge inappropriate behaviour on buses. We will consider how the Regulations might be

amended to prevent the inappropriate use of electronic media. We do however believe that legislation is unlikely to be an adequate response in and of itself, and will encourage operators to share good practice on creating a safe space for all passengers on-board their services.

### **Recommendation 15:**

**Tackling sexual harassment should be overtly embedded into the new alcohol strategy and the modern crime strategy. Action should be focused on tackling the social norms that mean that sexual harassment of women and girls is allowed to be an accepted part of a night out.**

#### Government response:

We agree with this recommendation and will explore approaches to find the most appropriate and suitable mechanism that will help us achieve the most impact, through our developing work on alcohol policy.

The harmful effects of rigid gender stereotypes in perpetuating violence against women and girls must be challenged robustly. At their worst these stereotypes can create an environment that enables violence against women and girls. Government is working hard to tackle this, and we will feed this into our work as set out in recommendation 4.

### **Recommendation 16:**

**Local community safety partnerships (CSPs) should be required to include sexual harassment, including in public places, in their violence against women and girls strategies.**

#### Government response:

Local community safety partnerships (CSPs) are best placed to identify local needs and priorities of their communities, and directly elected councils and Police Crime Commissioners are held to account through their local electorate.

However, we recognise that Government plays an important role in supporting local commissioners to improve their response to all forms of violence against women and girls.

In December 2016, Government published the National Statement of Expectations (NSE), which sets out a national blueprint for how VAWG services should be commissioned.<sup>7</sup> It emphasises the importance of bringing local service providers together, understanding local needs, developing a strategy to meet the identified needs, commissioning services accordingly and setting out clear leadership and joint accountability for delivery. We recognise that we need to do more to support local areas therefore we will review the National Statement of Expectations and will include sexual harassment within the updated guidance.

We will work closely with the women's sector and local commissioners to understand how best to incorporate a response to sexual harassment within this guidance.

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<sup>7</sup> <https://www.gov.uk/government/publications/violence-against-women-and-girls-national-statement-of-expectations>

**Recommendation 17:**

**The Government should evaluate the impact of the Purple Flag scheme, whether it is effective at reducing sexual harassment in Purple Flag areas and whether the scheme should be extended.**

Response

We are supportive of the Purple Flag accreditation scheme, which seeks to encourage and accredit safe measures in towns and is owned by the Association for Town and City Management (ATCM).

As Purple Flag is wholly independent of Government and responsible for funding its own activities we would not typically evaluate it, but welcome their important work and will work with the Local Government Association to encourage local areas to consider signing up to this scheme and promote similar initiatives to encourage local businesses to provide vulnerability awareness training for frontline staff working in the night time economy.

**Recommendation 18:**

**Licensing Act guidance (section 10) should be amended to require all licensed premises to have a policy to respond to and eliminate sexual harassment including training for licensees and taxi drivers.**

Government response:

Currently licensing authorities are responsible for the training of taxi and private hire vehicle. To strengthen our response to sexual harassment the Department for Transport is consulting on statutory guidance which states that licensing authorities should provide safeguarding advice and guidance to the trade and that taxi and Private Hire Vehicle (PHV) drivers are required to undertake safeguarding training. This is often produced in conjunction with the police and other agencies.

These programmes have been developed to help drivers and operators; to provide a safe and suitable service to vulnerable passengers of all ages; to recognise what makes a person vulnerable; to understand how to respond to, and report safeguarding concerns and where to get advice.

The Home Office regularly reviews the need for improving the statutory Licensing Act guidance, where relevant, to better interpret the legislation governing the sale and supply of alcohol in England and Wales (the Licensing Act 2003) as it currently stands. We will consider the Committee's recommendation in line with work already underway to professionalise the licensing system.

The Government will also continue to work closely with Arm's Length Bodies such as the Security Industry Authority (a Home Office Non-Departmental Public Body and statutory regulator) in bringing forward further safeguarding arrangements. Government and the SIA are both keen for the SIA to continue to play a key role in supporting wider safeguarding aims and raising awareness across the private security sector. With many thousands of licensed private security staff in regulated roles (i.e. door supervisors and

security teams at clubs and bars), through SIA's national licensing and mandatory training requirements private security operatives can contribute significantly to keeping women safe in the night time economy and preventing sexual harassment.

**Recommendation 19:**

**Local authorities should consult with local stakeholders including sexual violence specialists and women's groups to conduct a gender equality impact assessment before setting their policy on sexual entertainment venues and when considering licence applications and renewals. They should consider adopting stringent zero tolerance conditions for any existing sexual entertainment venues. These conditions should make it clear that they will withdraw licenses following evidence of harm to women in and around sexual entertainment venues and following evidence of any failure to follow conditions designed to keep women safe within venues.**

Government response:

Local Authorities are best placed to make decisions about sexual entertainment licensing, and we encourage local authorities to consult with local residents and stakeholders before making a decision to issue a licence.

Our refreshed VAWG Strategy sets out how Government will approach this serious issue with local agencies, specialist third sector organisations and the public, and through a revised National Statement of Expectations will support local authorities to respond to sexual harassment in their whole area, not just around sexual entertainment venues.

## Women and girls' safety at university

**Recommendation 20:**

**The Government should put in place legal obligations that mirror provisions in the US to link state funding with a requirement to prohibit sex discrimination and sexual harassment, and to collect and publish data on the effectiveness of institutional policies. This could be done by introducing Regulations under s.153 of the Equality Act 2010.**

Government response:

Government is committed to tackling sexual harassment in higher education. This is why we asked Universities UK (UUK) to set up the UUK Taskforce on Harassment and Hate Crime in 2015. We have been working closely with Universities UK, the Office for Students (OfS) and its predecessor, the Higher Education Funding Council for England (HEFCE), to support the implementation of the UUK Taskforce's recommendations, published in October, 2016 .

As a result, significant progress has been made, including through a total investment of £4.7m, match funded by higher education providers, in 119 safeguarding projects; £2.45m of which was given to 63 projects specifically focussed on tackling sexual and gender-based violence in higher education. These projects are now being supported and evaluated by the OfS.

Higher education providers already have legal duties in relation to discrimination and harassment, which are set out in the Equality Act 2010. Sections 91–92 comprise specific duties relating to higher education which apply to those HE providers which receive public funding, and such providers are also subject to the Public-Sector Equality Duty (PSED). These duties are enforceable by the Equality and Human Rights Commission (EHRC).

The Government's current approach to tackling sexual harassment and hate crime in higher education is in line with the wider risk-based regulatory approach to higher education, brought in through the Higher Education and Research Act 2017, which aims to foster continuous improvement and create the space for innovation.

UUK has committed to carrying out research to assess the progress of the higher education sector and, as the committee notes, the first stage of this reported in March 2018. UUK is prioritising work relating to the areas where the need for further work has been required, including staff to student sexual misconduct and supporting institutions to implement the 'Guidance for Higher Education Institutions on How to Handle Alleged Student Misconduct, which may also constitute a Criminal Offence'. Building on the outcomes of the qualitative research study, a survey was distributed by UUK to all universities in October 2018 to support institutions in assessing progress and identifying where further action was required. The outcomes from this survey will be published in early 2019 and used to determine further action and guidance from UUK to support the delivery of continuous improvement across the sector and drive cultural change.

Government recognises the importance of ensuring effective institutional policies are in place. This is a focus of the UUK Taskforce recommendations and the next stage of UUK's research will provide further information relating to the existence and effectiveness of institutional policies. In addition, since the committee's report was published, the Office for the Independent Adjudicator (OIA) has published guidance for providers on good practice for disciplinary procedures, including those relating to sexual misconduct. This sets out key principles, including that procedures should be: accessible, clear, proportionate, independent and contribute towards improving the student experience. All higher education providers on the OfS register are required to join the OIA.

Government will continue to work closely with partners, including UUK and the OfS, to drive progress on matters of sexual harassment in higher education. We will continue to monitor the progress of the sector and will keep under review whether the current non-legislative approach to tackling sexual harassment in HE remains an effective means of driving change in the sector.