



December 2021

Dear Constituent,

Thank you for contacting me about the sexual harassment of women and girls in public.

Sexual harassment of women and girls, including in public places, is totally unacceptable. No one should be forced to change the way they live to avoid harassment and abuse.

I am glad that action is already being taken. The Law Commission has recently concluded a wide-ranging review into hate crime. In its final report, the Commission made several recommendations to provide greater protection on the basis of sex and gender, including extending the offence of stirring up hatred to cover stirring up hatred on the grounds of sex or gender. It is suggested this would help to tackle the growing threat of extremist misogynist “incel” ideology, and its potential to lead to serious criminal offending. Furthermore, it recommended that the Government launch a review into the need for a specific offence to tackle public sexual harassment, arguing that it would likely be more effective than adding sex or gender to hate crime laws.

You might also be aware that the Commission recommended that “sex or gender” should not be added to the protected characteristics for aggravated offences and enhanced sentencing, suggesting it would be ineffective at protecting women and girls and in some cases, be counterproductive. For example, if applied in the context of rape and domestic abuse the commission says it could make it more difficult to secure prosecutions and create unhelpful hierarchies of victims. However, if these contexts are excluded, it would make sex or gender very much the poor relation of hate crime characteristics, applicable only in certain, limited contexts. The Government will now carefully review and consider the recommendations of the report before issuing a full response and any future action.

I welcome the publication of the tackling violence against women and girls strategy to ensure women and girls are safe everywhere - at home, online and on the streets. The strategy will increase support for victims and survivors, increase the number of perpetrators brought to justice and to reduce the prevalence of violence against women and girls in the long-term.

In addition, the new Voyeurism (Offences) Act criminalises the reprehensible behaviour of up-skirting. There can now be no doubt that this activity is criminal and will not be tolerated. For the most serious offences, this law will ensure that the offender is also placed on the sex offenders’ register.

Relationships education is now compulsory for all primary pupils and relationships and sex education compulsory for all secondary school pupils. This ensures that concepts such as healthy relationships, consent and boundaries are taught to children.

While there is not a specific offence of street harassment, there are a number of offences in place depending on the specific circumstances. These include offences under the Protection from Harassment Act 1997, the Public Order Act 1986 and the Sexual Offences Act 2003. It is important



Chris Heaton-Harris

Member of Parliament for Daventry
House of Commons, London SW1A 0AA
Tel: 020 7219 7048

to ensure that not only that the laws are in place, but that they work in practice. I am concerned that women and girls may not report some forms of public sexual harassment because they do not think that it is criminal behaviour, nor that it will be taken seriously by the police. The Government has been clear in the importance of ensuring that the police enforce the law properly and give women the confidence that if they report an incident, it will be dealt with.

I welcome the fact that Ministers are looking carefully at where there may be gaps in existing law and how a specific offence for public sexual harassment could address those. This is a complex area, and it is important that time is taken to ensure that any potential legislation is proportionate and reasonably defined. I will be paying close attention to the important work which is underway.

Thank you again for taking the time to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Chris'.

**CHRIS HEATON-HARRIS MP
MEMBER OF PARLIAMENT FOR DAVENTRY**