# PARLIAMENTARY BRIEFING NOVEMBER 2021

PLAN INTERNATIONAL



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#### **ABOUT**

Plan International UK is a global children's charity. We strive to deliver and protect the rights of millions of children – especially girls – across Latin America, Africa, Asia and the UK. We work to give every child the same chance in life. But when you're a girl it is even harder to be safe, to be in school and to be in charge of your body.

Our Streets Now is a grassroots, youth-led campaign to end public sexual harassment in the UK through cultural and legislative change. Led by those with lived experience of harassment, the movement aims to tackle the problem of harassment through educational, cultural and legislative change.

Together, we are seeking your support in tackling public sexual harassment by making the issue a #CrimeNotCompliment.

## WHAT IS PUBLIC SEXUAL HARASSMENT?

Public sexual harassment (PSH) is a form of violence against women and girls (VAWG). It is unwanted sexual behaviour, actions or gestures, which can be verbal, non-verbal, physical or technology-enabled. It disproportionately impacts girls and women, and perpetrators are overwhelmingly male. The underlying causes are shared with other forms of VAWG; PSH is driven by harmful social norms and attitudes, gender inequality and unequal power relations between men and women.

**PSH** is not 'just wolf whistling'. It can be defined as a wide range of behaviours including:

- Sexual gestures and explicit comments
- Leering and persistent staring
- Following
- So called 'catcalling' and 'wolf-whistling'
- Non-consensual physical contact such as kissing and groping
- Non-contact technology-enabled sexual behaviour, such as 'Air Dropping' unwanted illicit images to someone's phone
- 'Up-skirting'
- Viewing or showing pornography in public

Plan International UK's 2018 report, Street Harassment: I Say It's Not Ok, used the term 'street harassment'.

Using this widely understood term helps raise awareness and build a movement. However, we believe the term 'public sexual harassment' removes misconceptions that incidents only take place on the streets, while 'street harassment' can have the effect of trivialising the harmful and abusive nature of sexual harassment

Below are examples of PSH that are not protected against any law. This is based on real testimony gathered by Plan International UK and Our Streets Now from young women and girls across the country.

• A girl of 14, who is out on a walk during lockdown, has a series of sexual comments about his genitalia and her genitalia made to her by a 50 year-old man.

- A girl of 16 is approached and sexually propositioned by a man suggesting that he can grope her breasts and buttocks.
- A 15 year-old girl is out jogging and is slowly followed by an unmarked van. The van
  pulls alongside her in the dark and the driver makes sexually explicit comments to her
  about her body. As she jogs away he beeps the van horn repeatedly.

## THE SCALE AND IMPACT OF THE PROBLEM

PSH significantly impacts women and girls' mental health, making them feel unsafe in public spaces and limiting their freedom. In 2021, Plan International UK's report What Works for Ending Public Sexual Harassment explored the scale and impact of the issue and analysed the interventions needed to tackle it.

Based on a survey of girls and young women aged 12 to 21, it found that **75% have experienced a form of sexual harassment in a public space in their lifetime**. This figure rose for a number of groups:

- 92% of girls and young women who consider themselves to have a disability have experienced PSH.
- 90% of lesbian, gay and bi-sexual girls and young women have experienced PSH.
- 88% of mixed-race girls, 82% of Black, African, Caribbean and Black British girls, 75% of white girls and 70% of Asian and Asian British girls have experienced PSH.

#### It also found that:

- 81% of those who have experienced PSH have experienced it outside, 46% have experienced it in school, college or on university grounds and 37% have experienced it on public transport.
- 62% have avoided doing something due to concerns about public sexual harassment, including exercise, socialising, hobbies, work and education.
- Only 26% of those who have experienced PSH have ever reported an incident to the police, whilst 30% said the police told them they couldn't do anything about it as it isn't a crime.

The #CrimeNotCompliment campaign has amassed over half a million supporters, and in 2021, around 180,000 members of the public responded to the Government's call for evidence for their Tackling Violence Against Women and Girls Strategy, demonstrating the scale of the problem and public support for legislation to tackle it.

# A LEGISLATIVE SOLUTION

Our <u>legal briefing</u> sets out where the gaps in existing legislation presently lie. The current laws are not practical, leaving most victims without justice. A solution requires cohesive and comprehensive legislation that is dedicated to ensuring that women and girls are protected from all types of PSH.

This is why we are calling for legislation to provide clarity, ensure that victims are fully protected and bring perpetrators to justice.



Our Streets Now and Plan International UK have worked with leading international human rights lawyers to develop a draft bill, which draws on best practice from across the world but is tailored to the UK's unique legal traditions and context. The bill is the vital missing link in the UK's safeguarding mechanism for girls and women and meets three vital goals:

- For the first time, it provides effective legal protection for girls and women from sexual harassment in public
- It fills a glaring gap in the UK's laws that will help the UK to make progress on its obligations under international law (the Istanbul Convention)
- It will send a powerful signal that girls and women should be able to enjoy all public spaces, without fear of abuse, sexual intrusion or intimidation.

Legislation will address the current piecemeal approach in the law and provide much needed focus for the police, prosecutors, judges and most importantly, the public. A bill would help raise awareness and ensure that the public recognises PSH for what it is: harmful and abusive behaviour. This is essential for bringing about long-term cultural change, in which society no longer sees these behaviours as acceptable and young girls do not consider it "just a part of growing up".

A new PSH law differs from misogyny hate crime: it would criminalise all sexually intrusive and abusive acts in public that current legislation does not catch, while misogyny hate crime would not change what is currently unlawful or not.

### **ADDITIONAL SOLUTIONS**

We are clear that other interventions are needed alongside legal change to achieve real and lasting societal change. There must be:

- Investment in implementation of the law to ensure its effectiveness (including political commitment and resources), training of public officials (including police and transport workers), awareness-raising of the law and clear reporting mechanisms.
- Investment in promising pilot initiatives aimed at tackling the underlying causes of PSH, including impact evaluations. Evidence shows that, globally, school-based and community interventions can be effective for addressing PSH well as other forms of VAWG and should be invested in.
- A comprehensive education for children on the topic of PSH, and how it links to other forms
  of violence against women and girls, as called for by the Our Schools Now campaign.
- Funding for women's organisations so they can continue to drive efforts on preventing and responding to PSH, and build on the work that is already being delivered.