HOUSE OF COMMONS

Women and Equalities Committee

Oral evidence: Sexual Harassment of Women and Girls in Public Places, HC 701

Wednesday 27 June 2018

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Watch the meeting

Members present: Mrs Maria Miller (Chair); Tonia Antoniazzi; Angela Crawley; Philip Davies; Vicky Ford; Tulip Siddiq.

Questions 126–214

Witnesses

I: Dr Geetanjali Gangoli, Senior Lecturer, University of Bristol; Hareem Ghani, Women's Officer, National Union of Students; and Yvonne Hawkins, Director of teaching excellence and student experience, Office for Students.

II: Detective Inspector Ash Cooper, British Transport Police; Dr Jackie Gray, Associate Professor in Forensic Psychology, Middlesex University; Elaine Hindal, Chief Executive, Drinkaware; and Anton Walden, Licensing Officer, Canterbury City Council.

Written evidence from witnesses:

- University of Bristol
- British Transport Police
- Drinkaware
- Dr Jackie Gray

Examination of witnesses

Witnesses: Dr Geetanjali Gangoli, Hareem Ghani and Yvonne Hawkins.

Chair: Good morning. This is the fourth oral evidence session in our inquiry into sexual harassment of women and girls in public places, and today we are taking evidence from two panels. First we will be talking about universities as places where sexual harassment takes place; and our second panel, which will run seamlessly on, will help us to explore issues about sexual harassment in the public realm, particularly around the night-time economy and on public transport. Before we start our questions, would the witnesses say their name and the organisation that they come from?

Yvonne Hawkins: Yvonne Hawkins. I am the Director for Teaching Excellence and Student Experience at the newly formed Office for Students.

Hareem Ghani: I am Hareem Ghani, the Women's Officer for the National Union of Students.

Dr Gangoli: I am Geetanjali Gangoli from the Centre for Gender and Violence Research at the University of Bristol.

Q126 **Vicky Ford:** Thank you for coming along today. The Committee has received a number of submissions from individual women, talking about their experience of sexual harassment and sexual violence in or associated with universities. What evidence do we have about the levels of sexual harassment experienced by women students in particular? Is it more prevalent at university than in the wider context?

Hareem Ghani: The NUS has conducted a lot of research since 2010. Our first report, "Hidden Marks", surveyed around 2,000 students. It found that two in three students had experienced some form of harassment during their time at university, and one in seven had experienced serious sexual harassment. Moving on from that, we compiled our "Lad Culture" report, which once again found that sexism, misogyny and sexual harassment were seen as part of the university experience. Higher education was seen as an environment where sexualised commentary and sexual harassment were extremely pervasive. Even our most recent research, looking at staff and student misconduct, found that 41% of respondents had experienced some form of harassment from their lecturers or their academics. So, what we are seeing is that gender inequality and sexual harassment persist within the higher education setting. I would not say that needs to be seen in isolation; I think we need to connect it to wider society as a whole and the current trends. So, a lot of what students are consuming outside—such as the media that they consume—

Chair: We'll come on to some of that later; let's stick with the prevalence at the moment.

Q127 **Vicky Ford:** Are there any other thoughts on that?

Yvonne Hawkins: We know—you know—that one in five women aged 16 to 59 in the general population will experience some form of sexual harassment or misconduct, and that young women particularly are a high-risk group. We now have one in two young adults going to university, 57% of whom are women, so de facto you have got a high-risk population in the higher education sector. As Hareem says, the NUS has really led the way in trying to understand the evidence base, and it has found significant prevalence within the university sector.

Dr Gangoli: The other issue around the context of universities is that not only are universities significant area sites for gender-based violence in themselves, but they are also part of a wider society where gender-based violence is prevalent. So you have got inequalities within universities, you have got gender gaps within universities in terms of the number of professors, for instance, and that creates a sort of gendered inequality within universities which, I believe, contributes to sexual harassment and sexual violence.

Q128 **Vicky Ford:** Is there anything else particularly distinctive about universities? That gender gap is interesting in terms of the role models at professor level and having fewer women at that level. Is there anything else specific to a university context that would have an impact on sexual harassment?

Dr Gangoli: There are issues around inequalities between students. I don't have data on that at the moment—perhaps Hareem does—but there are issues around differences in terms of ethnicity, intersectionality and all those things. I think the taskforce report brings out some of the impacts that that has on sexual harassment and women's experience of sexual harassment.

Q129 **Vicky Ford:** Do women from different backgrounds experience different levels?

Dr Gangoli: I think they probably experience different kinds of harassment, but also their particular experiences are mediated by their particular inequalities. Their ability to report, for instance, or their confidence in being able to report particular crimes that might have happened against them, would be impacted by their identity. For instance, if you come from a particular ethnic minority background and have experienced racism, you might feel more inhibited to be able to report crimes of sexual harassment or experiences of sexual harassment. At the moment, we don't have the data. I think there is a lot of experience within universities that this is happening, but we need concrete data.

Hareem Ghani: I would add to that that in the "Power in the academy" report that we released this year—

Vicky Ford: Sorry. The acoustics are really bad. Could we turn the volume up?

Hareem Ghani: In the "Power in the academy" report that we launched this year, we found that lesbian and bisexual women, for example, were reporting higher incidences of sexual abuse or sexual misconduct from academic staff compared with their heterosexual counterparts. That is something we didn't think would come out from the data, but it did. We don't necessarily have any understanding of why that is, but it is something that students are reporting to us. That validates what the other panellists are saying.

Yvonne Hawkins: There have been some similar surveys and evidence that there is an intersectional impact in relation to domestic or intimate partner violence, and your experience of that as a woman on campus and your experiences and your ability to disclose.

Vicky Ford: I couldn't hear that. I am really sorry. Could you say that again?

Yvonne Hawkins: Let me talk more loudly. Apologies. From similar sources to the one that Hareem has quoted, there is also some emerging evidence that there is an intersectional issue in relation to domestic or intimate partner violence with women who are at university and their exposure to sexual misconduct and their ability or not to disclose.

Q130 **Vicky Ford:** So domestic violence is more strongly linked to sexual violence at universities than in the outside world?

Yvonne Hawkins: The evidence is incomplete, but an emerging picture is starting to come to light that as well as a particular Muslim woman experience and a lesbian woman experience, that is one group of vulnerable women who are reporting experiences of a particular type of sexual misconduct in relation to their higher education experience.

Q131 **Chair:** Obviously the NUS has been doing some research on this. We have been talking a lot about data gaps. Who else is filling the data gap other than the NUS?

Yvonne Hawkins: I don't know if you are familiar with the national student survey—there is no reason why you should be. It is a survey of all final-year students across the UK. For the first time this summer, questions are being introduced into that to ask students about safety on campus and their perceptions—whether they feel safe and whether they feel their university is taking that responsibility seriously. When first introduced this summer it will be an optional set of questions that universities can ask their students to complete, and that will start to provide a comprehensive evidence base.

Q132 **Chair:** When will you publish the results of that?

Yvonne Hawkins: That will be known this autumn, around September.

Q133 **Vicky Ford:** I am taking away from the answers so far that we know that there is quite a high level of sexual violence among women at university, as say Hareem and the NUS. However, Yvonne counterbalanced that by saying that we know that sexual violence against women is higher among

young women, and that a lot of young women are at university, so we should not necessarily be surprised that that seems high, and that it may actually not be higher than the overall rate among young women. Is that the correct conclusion?

Dr Gangoli: I think the conclusion is that we don't know whether it is higher in universities or not.

Q134 **Vicky Ford:** However, it is very helpful to have that background data, because even if it is the same as the rest of society it will still be useful to examine. Do we know anything about the perpetrators? Do they tend to be other students? Is it peer to peer, age group to age group? Is it staff to student?

Dr Gangoli: They are mostly men. The majority of perpetrators are men. The evidence base seems to suggest that there is a range of perpetrators, in terms of the questions that you are asking. I think, possibly, that most evidence that we have is of student-to-student sexual harassment, but there is obviously sexual violence and harassment from staff to students. More data is available in the US on staff-to-student harassment as far as I know, but there is some evidence that that is happening in the UK as well.

There are also different forms of sexual harassment and violence. For instance, online harassment is becoming more common in wider society, affecting university students travelling to campus or within the universities. Bristol does not have a campus university, but there is general harassment within the university situation.

Q135 **Vicky Ford:** Hareem, did you have something to say?

Hareem Ghani: I echo what has already been said. The vast majority of perpetrators are men. Our "Hidden Marks" report—

Vicky Ford: But we know that. That is not unique to universities.

Hareem Ghani: Absolutely, but I am just contextualising it. Our data backs that up. Even when talking about incidents of student-staff misconduct, once again the majority of perpetrators—academic staff—are male. Our "Power in the academy" report found that more than 76% of those who reported incidents of sexualised misconduct from staff said that it was from a male academic, which I think needs to be taken into consideration.

Yvonne Hawkins: The evidence base that we have, which partly derives from the university sector's response, is that more is being done in relation to student-to-student sexual misconduct—I will term it that, rather than sexual violence—and there is more focus on that. That is not to say that there is no activity taking place to address staff-to-student sexual misconduct, but I think that is probably the next area where the sector needs to effect a step change.

Q136 **Vicky Ford:** Why do so many incidents go unreported, and does that happen more at universities than not?

Yvonne Hawkins: I don't think the evidence base is there to say whether there is greater under-reporting among university students than among the general population. A great deal of activity is now taking place to instil confidence in women to report. There have been a lot of awareness-raising campaigns and training across the sector to encourage reporting. Activity is taking place to make that more systematic.

However, it would be quite dangerous for universities to only have the reporting mechanisms in place if they were not concentrating on making sure that, when there are disclosures, there is a supportive response. They go hand in glove, and I have evidence I can share with you that that is happening.

Hareem Ghani: I agree with what has already been said. Reporting remains low for incidents of sexual harassment within universities and outside universities in general, but from the data collection that we received for our "Power in the academy" report, we found that only one in 10 students who had experienced sexual misconduct reported it to their institution, and over half said—

Q137 **Chair:** Why?

Hareem Ghani: There are a number of reasons. First and foremost, our "Hidden Marks" report found that a lot of students were not actually aware of reporting mechanisms, so there is a visibility dynamic to it. When it came to our "Power in the academy" report, we found that some students were coming forward, but they found that their university was not offering the support mechanisms. Our data collection found that just under 31% of students said that their institution had implied that if they were to go forward and submit a formal report, it would have an impact on the reputation of the institution as a whole.

There is an element of fear that, if statistics emerge about a university, they will damage the reputation of the institution. There is a lot of misinformation that surrounds data collection. For example, high reporting often means that the institution is doing more to support its students and that students have faith in the reporting tool, whereas low reporting rates can indicate that students have no faith in the system whatsoever.

Q138 **Vicky Ford:** It is interesting to hear that people do not report if they think they will not get any support if they do. I want to come back to your lad culture report, and the fact that you identified that culture as a factor. Can you explain more about why you think that lad culture was having an impact on sexual harassment and what the evidence was for it being a particular issue at universities versus other areas? What responsibility do universities have to try to manage that?

Hareem Ghani: Could you repeat all three points so I can write them down?

Q139 **Vicky Ford:** Lad culture has been identified as a factor that contributes to sexual harassment. Why? What is the evidence for it? What is the evidence for it being particularly a university issue? What should the

universities be doing to try to counter it?

Yvonne Hawkins: The NUS definition of lad culture, which the UUK taskforce report adopted and explored, is that lad culture is "a group or 'pack' mentality residing in activities such as sport and heavy alcohol consumption, and 'banter' which was often sexist, misogynist and homophobic"—that range of behaviours or social norms. Although the UUK taskforce, which was supported by the NUS, found no direct causal link between lad culture and sexual harassment and sexual misconduct, it did identify those sexist and misogynistic behaviours as being prevalent on university campuses. The UUK taskforce recommendations went to the heart of that and said there needs to be a culture change within universities, driven from the top down, with active engagement from students who see themselves as ambassadors for this—students doing peer-to-peer support and modelling appropriate, acceptable behaviours.

Again, I can talk about some work that has now been done to identify what progress the sector has made since that UUK taskforce report, and there is a lot of activity. That is not to say that that is enough or that more does not need to be done in addressing those behaviours through prevention, raising awareness, bystander initiatives, and trying to encourage reporting in a safe, supportive environment.

Dr Gangoli: Lad culture is really important because it is part of that whole context of sexism and sexual misogyny that my colleague just talked about, but it probably explains only a part of the sexual harassment and sexual violence that takes place within universities and generally. It probably does not explain the sexual harassment and sexual violence from staff to students, because I think there will be other, different dynamics there.

Hareem Ghani: I totally agree with you. We found that lad culture was pervasive in particular student groups, for example sports societies or drinking societies, where you have students who engage in misogynistic and homophobic banter. That basically creates an environment where sexism and sexual harassment is seen to be normal or acceptable.

In terms of what universities ought to be doing, there has been a lot of progress; a lot of institutions such as LSE and King's are introducing consent workshop models. But what a lot of people are not talking about is gender norms—the way that constructions of masculinity, and the way we often consume media that portrays a hyper-masculine image, feeds into sexual harassment. That creates a culture whereby women students experience sexual harassment, and male students who experience sexual harassment cannot necessarily come forward, because they cannot be seen as the victim. People who do not conform to the standardised definition of what a man should be often disengage from their university or university life. There need to be more creative ways for universities to reach out to those groups.

It is all well and good for us to pilot bystander intervention initiatives, consent workshops and so forth, but, often, people who engage with those

do not necessarily need to engage with them; they have an understanding of what consent is and of gender norms. We need to target specific societies who may need to have conversations about masculinity and gender norms, and who do not necessarily engage with those university initiatives.

Q140 **Vicky Ford:** That whole lad culture report you did was well before the whole #MeToo movement. Has the #MeToo movement accelerated the efforts to counter that?

Hareem Ghani: I have not consulted with the membership about that, but in my personal capacity, it has brought conversations about sexual harassment to the centre of the university experience. Research was conducted by Revolt Sexual Assault, where students from Bristol University came forward and said, "We have had enough of how pervasive sexual harassment is and how it goes unchallenged." In essence, the survey's findings echoed very much what the NUS has been saying for a long time—that is was pervasive in society and the majority of women students experienced it. I would not be able to speak on behalf of everyone, but, in my personal capacity, I would say that people feel more comfortable coming forward and talking about the fact that it is normalised not just in society but in the university experience as a whole.

Vicky Ford: We might come to this in the final question, but what can we do to help? What is being done to accelerate that?

Q141 **Chair:** Rather than go into that now, I want to ask a question: Yvonne, you suggested that you do a final-year student questionnaire. Do you do a baseline when students start at university? Students do not just emerge at the age of 18; they emerge having had 18 years' worth of exposure to society. Do you capture that and measure the difference?

Yvonne Hawkins: That national student survey does not; it is a survey of final-year students' academic and broader experience of higher education. What we have running in England at the moment are more than 100 funded new innovative projects, which are doing just that—they capture data at the start and at the end. In the middle, there is a variety of interventions around prevention, innovative interventions, and reporting and supporting.

Q142 **Chair:** Could you write to us with details of those?

Yvonne Hawkins: I will. Currently, some 108 projects are being funded that will conclude by Christmas. I will write to you with those details. We have an active evaluation programme running on them. That will report conclusively next spring.

Chair: That would be really helpful, Yvonne, thank you.

Q143 **Angela Crawley:** Yvonne, in your opinion, who is responsible for the safety of women students?

Yvonne Hawkins: Universities. Every autonomous university is subject to equalities legislation. They have a public sector equality duty. They have a

duty of care to their students, which includes all aspects of safeguarding and well-being. That is why this is about culture change from the top down, which is not to say that other supporting agencies, including the Office for Students, cannot do something really useful, targeted and supported at sector level, to identify what is not working, what needs improving and what is the best practice. But on a one-to-one basis, it is universities.

Q144 **Angela Crawley:** You have mentioned the public sector equality duty. Are you aware of any work being carried out by, for example, the Equality and Human Rights Commission?

Yvonne Hawkins: *indicated dissent.*

Q145 **Angela Crawley:** Going back to your previous point, how should universities be held to account for their responsibility to prevent and tackle sexual harassment?

Dr Gangoli: I think universities are doing things. For instance, in Bristol, there is a city-wide forum against sexual harassment and violence, partly because students live in the city—they are part of the city. It has links with other groups working on sexual harassment and violence, such as SARSAS, the rape crisis service and The Bridge.

It is also about having effective policies on sexual harassment and violence. Correct me if I am wrong, but what I have seen from the evidence is that universities sometimes do not have individual prevention policies on sexual harassment and violence. It could be a part of their broader policies on, say, bullying and acceptable behaviour. They could have a focused policy on sexual violence and harassment.

It is also about the prevention work—the bystander intervention work. They could have interventions with students and staff on effective prevention. The interventions should be properly evaluated, and there should be a strong evidence base showing they work. That means, of course, that resources have to be put into evaluating them properly in the first place.

Hareem Ghani: There is also a tendency for universities to accept that there is a one-size-fits-all approach, but in actuality they need to adapt their policies to their student bodies. For example, if there is a majority male student body, it may be more helpful, as I said earlier, to talk about constructions of masculinity and about the fact that male survivors sometimes find it difficult to come forward, rather than just to adopt a standardised consent workshop.

Q146 **Angela Crawley:** The Universities UK taskforce is obviously working on violence against women, harassment and hate crime affecting students. How do you think it can achieve that in real terms?

Yvonne Hawkins: A range of support has been put in place since that report was issued. One part of that is, as I described, the funding of innovative projects across the sector to enhance the evidence base, to

evaluate what is working and to understand what more needs to be done. I will write to you with the details of that.

We have an independent evaluation of the sector's progress since the UUK taskforce recommendations. It is coming in two stages. A sector body called the LFHE has conducted 20 in-depth interviews with universities across the country to find out what progress they have made in the last year. It says that a real step change and significant progress has occurred, but that the progress is variable. It found that the universities from that sample all had policies and processes in place to tackle sexual misconduct. Again, there has been progress, but not enough.

Q147 **Angela Crawley:** Do you think the recommendations were the right ones? You said that there is a way to track the progress, but how far have universities implemented it so far?

Yvonne Hawkins: From my perspective, when the Higher Education Funding Council for England issued these calls for competitive funding, a real sign of the sector responding with cultural leadership was that we are funding nearly 100 institutions. They came forward; they know they need to be active in this. We had to turn projects away because we ran out of money for this intervention. We can see that it is now quite commonplace, for example, for consent training or awareness raising to be uniformly made available to all freshers. That was not the case when the UUK taskforce first sat down. There are very tangible measures of progress being made, but I would not want to say that there was not more that could be done.

Q148 **Angela Crawley:** In the United States, funding for universities is tied to data collection of crimes. What do you think the pros and cons of this kind of approach are, and what kind of model would work in the UK?

Dr Gangoli: In terms of the US model, they have a much tougher line. In 2014 the US produced a list of universities that had charges made against them for mishandling sexual violence cases. There is also the legislation that requires bystander programmes in public and private colleges and universities that have federal student funding and so on.

In terms of the pros and cons, I am on the fence when it comes to universities having powers of investigation. I feel that some of the cases, possibly, are fairly serious cases involving criminal charges. Universities are already doing that in individual cases, and perhaps they need to work quite closely, say, with the police and criminal justice system. I feel that that is almost like a Venn diagram going towards something that is possibly the role of the criminal justice system to do in particular cases.

Hareem Ghani: Personally, I quite like title 9 because I think it puts an onus on the universities or the institutions that actually makes sure there are guidelines in place. There is also an onus on the institution to ensure that there is a title 9 co-ordinator, so it is the responsibility of the institution to have guidelines, but also to ensure there are support mechanisms and preventive measures in place—ensuring that survivor support mechanisms are there, including in-term ones. For example, we

have temporary accommodation that is made available, which I do not think is necessarily the case for all the institutions. There is an onus to make sure that counselling services are made available and that academic support is also made available to students who may need to take time out or may need extensions and so forth.

Definitely, in the US, it is far more developed. Personally, I think that in the long term we should have something to have that effect, but in the short term, as a solution, I think there should be pressure on the university to have some level of data collection and to be publishing annual data in terms of how many students are reporting incidents of sexual harassment, how pervasive it is in that environment and how many students actually have faith in the reporting tool within the university.

Q149 **Chair:** How does that not become a disincentive to collect the data in the first place, which is a point you made a moment ago?

Hareem Ghani: Sorry, what was that?

Chair: A moment ago I think you said that it can be a disincentive to have reporting mechanisms and that data can be misread or misinterpreted if there are high levels of reporting sexual harassment in a particular institution because they have an effective reporting mechanism. Has anybody looked at how you get rid of that disincentive to collect data accurately? Is that clear?

Dr Gangoli: I think there is evidence generally on gender-based violence that if you have better laws and better ways of dealing with it, there will be more cases. I have done quite a bit of work in India, for instance, and there is the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, which is also applied to the universities. They are treated as workplaces in India under that Act. And there are committees that are formed in all universities, which include student and staff representation, but also members of women's organisations and so on. I can send you some data on that if you want. It was found that in the first few years of setting that up there were unprecedented numbers of reports. But of course that was understood quite rightly as being able to speak out about it because there was actually a space to be able to articulate that these things were happening to them. It is possibly just for universities to be able to force that in that positive way—that is the kind of message that needs to go forward.

Hareem Ghani: I completely agree with that. In future, we also need to acknowledge that the people who are co-ordinating the work around sexual harassment need to be people who understand what it looks like. They need to be people who are engaging with independent sexual violence agencies. A lot of the time, you have staff in positions who do not necessarily have that background knowledge, so they will feed into the idea—or there will be that fear—that higher reporting means that it will have an impact on the institution's reputation and they should not be dealing with the issue at all. If we have people who understand the issue, they will be able to dispel a lot of those myths. Graham Towl at Durham

University has done extensive work around that. He has a background knowledge of sexual violence in the higher education sector and of working with independent sexual violence agencies. As a result, he was able to make that point quite well at Durham University.

Yvonne Hawkins: We have really good, quite recent examples of vice chancellors in this country standing up and saying, "This agenda really matters, so if we want to be world leading in teaching and research, why would we not want to be world leading in this area also?" That means accepting that if the campaigns to raise awareness and call it out are successful, and if the mechanisms that are being trialled to encourage reporting are successful, there will be more disclosures. Odd as it sounds, that has to be seen as a positive sign, because it means that women are aware of how to report and they are confident that when they do, they will be supported.

Q150 **Angela Crawley:** On that point, who should be responsible for evaluating the quality and effectiveness of the interventions put in place by the institutions?

Yvonne Hawkins: From the Office for Students, I can say that for the innovative projects we are funding and supporting, we have built in an extensive evaluation resource. The value of them will be in learning what works and what is transferable from one institutional context to another. That is really a space for the Office for Students, working with others, including the EHRC. We can say, "What do we understand about the sector and its interventions? How can we keep a spotlight on that?" It matters, so we do not want to say, "Something is happening. That's enough."

We can and are being active in that area, but it is a partnership with the sector, the NUS and other agencies, including the local authorities, police forces and so on. That was another key finding of the taskforce: this requires a more systematic, effective and joined-up partnership approach than the HE sector has achieved to date.

Q151 **Angela Crawley:** Dr Gangoli, your institution, the University of Bristol, has introduced initiatives, including bystander intervention training and an e-induction for students. What evidence is there so far that they will help to reduce sexual harassment?

Dr Gangoli: In terms of the bystander intervention initiatives, there has been a recent study published by Dr Fenton in *Violence and Victims.* She did an intervention initiative that was a bystander programme to prevent violence in universities. She did it with law students in her university and basically found that between the beginning and the end of the programme, there was attitudinal change in terms of people's ability to understand what sexual harassment and violence was and their ability to deal with it.

In terms of some of the other interventions, I am not aware of the evidence base at the moment. I can find out and give you a bit more information. I think there is enough evidence about some of the other things that the university is doing, in terms of the joined-up working around sexual harassment, with regard to gender-based violence in

general. We have seen, for instance with gender-based violence, domestic violence and forced marriage, that joined-up working is much more effective in dealing with individual cases of gender-based violence and in creating an environment where women feel safer about coming forward.

Yvonne Hawkins: I can also send you this, but we have just received the initial survey responses from 30 universities that are taking part in this innovative Catalyst-funded activity. It is a survey of students who are involved in these projects. All of the projects are co-produced and co-designed with students.

When asked about the impact of bystander initiatives, 88% of the respondents said that their participation in the past year in these innovative new activities had improved their knowledge and preparedness to intervene if they witnessed inappropriate behaviour. It is a small sample but is a telling sign of progress.

Angela Crawley: That's definitely encouraging. Thank you.

Q152 **Chair:** Yvonne, you just mentioned that you were working with EHRC on some of your projects. In what way?

Yvonne Hawkins: These 100-odd projects that we are funding have a range of partnerships, including the EHRC. They are all individual-led projects but some of them engage national agencies, such as EHRC, although we are working with the—

Q153 **Chair:** Can you detail that in the letter that you write?

Yvonne Hawkins: Yes, I can bring that out for you.

Q154 **Chair:** Before Tulip comes in with her questions, all the things you are talking about here are about changing behaviour. Ultimately, you change behaviour when people know there will be a sanction. Do you collect data on sanctions that universities may have put in place for individuals who have sexually harassed or worse? Do you collect that data or publish it?

Yvonne Hawkins: The Office for Students does not collect that data, no.

Q155 **Chair:** Is there any onus on universities to collect and publish that data?

Yvonne Hawkins: In increasing the understanding of the number and nature of incidents, what we are witnessing, with the evidence coming in this year, is that they do want and understand that they need that data for themselves.

Q156 **Chair:** Sorry, I think we might be coming on to that next. I apologise; I forgot where we were. Pend you answer to that for the moment. There was one final thing. We were talking about the duty that universities have to their students. Does that duty extend to their safety when they are outside of the campus or outside the university itself?

Yvonne Hawkins: The duty of care that universities have for their students is not strictly defined. You will not find one agreed definition, but if you spoke to university leaders, they would acknowledge that their

students not only study on campus but live and work around the campus, commute into the campus, et cetera, so they are concerned with that duty of care to protect health, safety and welfare broadly, not only on campus. Again, a lot of the projects that are being supported at the moment understand that and are actively working with their local communities, including bars and clubs, on "safe night out" initiatives.

Q157 **Chair:** What do you think about that, Hareem?

Hareem Ghani: To add to that, what takes place outside of the university can have consequences for students in terms of their study. Even if something occurs outside, the reality is that it is up to the institution to ensure that they are offering survivors support, so they are aware of what kind of academic and welfare support needs to be afforded to that student.

Because there are going to be serious consequences to sexual violence and sexual assault. A lot of the research around sexual harassment has found that women students in particular have experienced issues with their mental health. They are less likely to go into lectures and seminars. There needs to be an understanding that what you experience will impact your academic trajectory as a whole.

Dr Gangoli: There is certainly data in the US as well indicating that women who have experienced sexual harassment and sexual violence are more likely to drop out, particularly if they have experienced it from staff.

Chair: That's really interesting. So it is in the interests of the university to tackle the whole issue. Right, Tulip, and apologies for pre-empting you.

Q158 **Tulip Siddiq:** Most of my questions are directed to Yvonne. Will the Office for Students be tackling sexual harassment and sexual violence as distinct issues, or will you include them in the generic bullying and harassment policies?

Yvonne Hawkins: We are shining a spotlight on it in a very distinctive way by continuing to support the innovative projects I described and putting money behind the active evaluation. We will have all that material by spring next year. It is not "job done" for the Office for Students. That will tell us that we can now work with a community of specialist practitioners. We will have an improved body of evidence to tell us what more needs to be done, where the gaps are and what is working effectively. We will be putting targeted effort into disseminating what we understand works. If it matters to students—and this definitely does—then it matters to us.

Q159 **Tulip Siddiq:** What are the pros and cons of each approach—treating them as distinct issues or wrapping them up in the generic issues?

Yvonne Hawkins: Again, we have got a number of initiatives looking at sexual misconduct running at the moment. You have to remember that this was in response to the UUK taskforce, which also looked at online harassment and hate crime. The projects that are making interventions at the moment are saying that there are connections, but you need a targeted and specialist response. That is being trialled at the moment.

Although a whole-institutional response is critical, you need to understand the particularities of different types of harassment and misconduct.

Q160 **Tulip Siddiq:** Does anyone want to add anything?

Dr Gangoli: I agree with Yvonne about that. I think there is something specific about sexual harassment and violence. However, as we said earlier, groups of victims, survivors and perpetrators have specific identities and needs. There has to be a way in which initiatives can talk to other initiatives. For example, if you have initiatives in universities looking at forced marriage or honour-based violence, they have to link to initiatives looking at sexual violence, harassment and racism, because they are connected. However, they cannot be seen to be one whole.

Q161 **Tulip Siddiq:** Hareem, do you have anything to add?

Hareem Ghani: No.

Yvonne Hawkins: As an illustration, one of the projects is being run by the University of York—I haven't got the findings for you yet—and is deliberately taking an intersectional approach to training on sexual harassment, violence and hate crime. It is targeted and tailored, and it is essentially saying, "We don't know what works, so let's do an audit of policies and practices across universities. Let's try to understand what interventions could be most successful, given that there are these intersectionalities."

Q162 **Tulip Siddiq:** The Chair has briefly touched on this. My next question is about collecting data. Does the Office for Students plan to collect data centrally about the sexual harassment experienced by students? How regularly do you plan to collect data? What will you do with the information? That is the million-dollar question, I guess.

Yvonne Hawkins: As I have described, through the national student survey, there are new, systematic ways coming out of getting a better evidence base. A lot of that evidence is being built within universities themselves, as they trial new and innovative ways to encourage reporting.

We are assessing what the impact of the UUK taskforce report has been 18 months on. I described some qualitative research that has taken place. I think you will have to ask UUK to write in about this, but I understand that UUK and GuildHE are going to follow up the qualitative research with a quantitative survey later this year of all universities in the UK to build on our understanding of the nature of incidents, to provide a better evidence base than we currently have and, critically, to allow universities to assess their own progress in safeguarding against the rest of the sector.

Q163 **Tulip Siddiq:** Will you also monitor outcomes for students who have experienced sexual harassment? I am talking about attainment, mental health and whether they complete their course.

Yvonne Hawkins: We do have a comprehensive way of measuring student outcomes against a number of characteristics, including protected

characteristics. There isn't a mechanism in place to link that to students who have made a declaration of any type of harassment.

Q164 **Tulip Siddiq:** Do you think that would be useful?

Yvonne Hawkins: I'm not sure what the practicalities are of doing that systematic linkage.

Q165 **Tulip Siddiq:** Will you be able to carry out your regulatory role on sexual harassment and other safety issues if you are not entirely clear what the problem is?

Yvonne Hawkins: Maybe I should clarify what the Office for Students' regulatory responsibilities are. As I have described, universities have a primary duty of care and are individually subject to the public sector equality duty. The EHRC is the regulator of that and has the law behind it to enforce the public sector equality duty. In this area, the Office for Students has been charged with having a duty to have regard to promote equality and diversity across the whole of the student lifecycle—prospective students, students on a course and students completing successfully.

When the Department for Education consulted on our new regulatory framework, it concluded that the Office for Students could be most effective in relation to student welfare and safeguarding issues if it took a sector regulatory approach. We will be active with the mechanisms I have described to you on promoting innovation, galvanising a culture change, evaluating what works and what doesn't, et cetera. We haven't got legal duties; they reside with the EHRC.

Tulip Siddiq: Thank you very much.

Q166 **Chair:** Following on from that, there are two very powerful regulators, yet you have made it clear that you don't work together, except on projects that involve other universities. Surely it would be in the best interests of the students to have you working with the EHRC, which has very considerable powers to intervene. How many times has the EHRC intervened on a university with regard to their lack of policies in this area? It is clear that there is a deficit, so how many times has it intervened?

Yvonne Hawkins: I don't have that data with me. The Office for Students does have a relationship with the EHRC. We need to make sure there is a partnership model at the level of the regulators, as well as at the level of individual universities.

Q167 **Chair:** But when we asked earlier about what work is going on in this area involving the EHRC, nobody said anything. There was a deafening silence.

Yvonne Hawkins: I think I said that the innovative projects that are being—

Q168 **Chair:** Yes, you said that, but on the original question—I can't remember who asked it—there was a deafening silence. There was no knowledge of

anything the EHRC is doing in this area. Do you not think there is a glaring opportunity to give this area more teeth? At the moment, it feels to me that a lot of what is going on here is in the "nice to do" pile, rather than there being many teeth, in terms of the consequences for universities if they don't get their act together.

Yvonne Hawkins: What the Office for Students is supporting is not the "nice to haves" but the essential underpinnings. That is one prong coming forward. Then the enforcement activities lie with the EHRC, but of course we need to work together.

Q169 **Chair:** Are you aware of a plan that the EHRC has on enforcement?

Yvonne Hawkins: When we have conducted an evaluation of what we are finding, which is ongoing this year, we plan to talk to the EHRC about it. It is a bit chicken and egg at the moment, because these projects are live and I can't yet extract—I don't have some of the information from them—what we are finding, not only about what works but about the gaps and what more needs to be done. Obviously that is a conversation to be had with the EHRC once we have that material.

Chair: Thank you very much. I really appreciate your time, and I appreciate that it takes a lot of time to prepare for these sessions. We will now move on seamlessly to panel 2. We are a little short of time, so I hope we can move immediately on to our second panel, which includes people with expertise in the area of the night-time economy and transport.

Examination of witnesses

Witnesses: Detective Inspector Ash Cooper, Dr Jackie Gray, Elaine Hindal and Anton Walden.

Q170 **Chair:** Thank you very much for joining us today. Before we start, will each of our witnesses say their name and the organisation they come from?

Anton Walden: Good morning. My name is Anton Walden. I am the licensing officer for Canterbury City Council. I also work in private practice for a defence solicitors in Kent. I was previously the clerk to the justices for the east Kent magistrates courts.

Elaine Hindal: Good morning. I am Elaine Hindal, the chief executive of the Drinkaware Trust.

Dr Gray: I am Dr Jackie Gray. I am from Middlesex University, where I am associate professor in forensic psychology.

Detective Inspector Cooper: Good morning. Detective Inspector Ashley Cooper from the British Transport police, which is the national police service for the railways. I work in the sexual offences co-ordination unit.

Q171 **Chair:** We will start off with a series of questions. I will start with a question, as Angela has had to leave. We have received evidence suggesting that women are, frankly, resigned to sexual harassment being

part of their normal night out. Do you think that is the case? Is this new?

Elaine Hindal: Drinkaware did a report in 2014 called "Drunken Nights Out", and we really tried to understand what was happening in a night out—what the norms and rituals are, and how the night out works nowadays. We were really surprised to find not only how prevalent sexual harassment was—you have heard a lot of evidence about that already—but how accepted and tolerated it was in the night-time economy and how powerless women felt to change what they saw as a very pervasive culture in the night-time economy.

Dr Gray: The night-time economy is not directly my area, but I am aware of research—albeit qualitative research with relatively small sample sizes—that does suggest that, within the night-time economy, harassment and sexualised behaviours generally are normalised. Therefore, there is a continuum from the accepted—indeed, in some cases, wanted—sexual interactions, or things that lead to sexual interactions, through to the unwanted.

Q172 **Chair:** Detective Inspector Cooper, do you have evidence that women are targeted for sexual harassment at night in particular? Whether on public transport or in other venues, is there evidence that it is women who are targeted?

Detective Inspector Cooper: The vast majority of people who report sexual offences to us—90%—are women. In terms of being targeted, the majority of our offences within the transport network are reported at peak commuter times, if you like—between 8 and 9 in the morning and between 6 and 7 at night. In actual fact, from a transport perspective, certainly within the context of London and the underground network, it is not being reported significantly at night, compared with those other times.

Q173 **Chair:** Anton, do you have a view from your licensing perspective?

Anton Walden: Yes. I would echo what Elaine has said. It seems to be the norm, which is a very sad state of affairs. It is almost as if, once someone is going on a night out, the rules change and it is part of the night out that somebody has to put up with. They should not have to do that.

Anecdotally, we have heard that, particularly during freshers' week, people do target university towns and come down to perpetrate offences nowhere near their home zones. They are targeting certain areas and particular times of the year.

Q174 **Chair:** So who has got responsibility for making sure that women are safe at night—is it the police, the bars, the clubs, the local authorities or the transport providers? Where does responsibility lie?

Detective Inspector Cooper: It is almost certainly a joint effort. Certainly, the police have a significant responsibility in that respect. To pick up on the previous point, we know there is significant under-reporting of sexual offences in the transport network. That potentially plays into the

idea that they are tolerated and women are resigned to those kind of offences.

We have done a lot of work to try to improve reporting through the "Report it to stop it" campaign. We have tried to encourage people to come forward and tell us. In fact, the number of reports to us has pretty much doubled over the last five years. That went hand in hand with the introduction of Project Guardian, and the "Report it to stop it" campaign followed on from that. The evidence is reasonably clear that those campaigns were successful in improving reporting.

We have also made available things like text message services, so reports can be made a bit more discreetly to us if that is how people wish to report. We have tried to make a lot of avenues available to people to report crimes to us, but there still remains a significant proportion of under-reporting.

Q175 **Chair:** Do you think the sorts of organisations that might be licensed recognise that they have a responsibility in this area?

Anton Walden: Yes. We have introduced zero tolerance into our code of conduct. We have made it quite clear through the carrot-and-stick approach that we expect them to ensure that they do everything they can to make their venues safer. We have included not only inside the venues, but the immediate vicinity. They have come on board through our zero tolerance training delivered by the student bodies to the local licence holders. They realise, if there is no other motivation, that this is their client base. They want people to come to their venues, and those delivering the presentations make it quite clear that people will choose a zero-tolerance venue over a venue that has not signed up to the training.

The problem with the Licensing Act is the presumption of grant—

Q176 **Chair:** We are going to come on specifically to some of the issues about licensing in a minute. I was just wondering, on a more general level, whether people see this as falling within their remit. You are saying that it does.

Anton Walden: The local authority and all our partner agencies take a view that anything that we can do to make our area safer we should do.

Elaine Hindal: I just want to echo what Anton said. We work with Drinkaware Crew, who are staff employed by the venue who we train to seek to address the issue of drunken sexual harassment inside the venue as opposed to outside. There are some really good examples of excellent practice: people like DHP Family in Nottingham and the Delta Group, which is the largest single provider of nightclubs in the UK, really take this issue seriously and can demonstrate that they can really make a difference.

Our frustration is that that commitment and understanding of the issue is not widespread and consistent. There are examples where the evidence would suggest that venues can play an important role. There is a key

business case for venues, as has been said, because women will return to venues where they feel safe and secure and able to enjoy a night out without unwanted sexual tension.

Q177 **Chair:** But do you think that, because this is quite a fragmented issue, there are problems that fall between the cracks in terms of different bodies and that do not therefore get picked up on?

Detective Inspector Cooper: Probably. We work very closely with other forces, for example. British Transport police is a national force, but we work with all the other 43 police forces throughout the UK. Clearly, when you are trying to engage with that number of other forces, there may be problems. Part of the reason my unit was set up was to try to improve that interaction.

In terms of other stakeholders, we work very closely with the train operating companies, and we have had very good support in our RITSI campaign that we rolled out nationally at the end of March this year. There is a great willingness to engage, from my relatively brief experience in this role. Looking beyond the transport network, I imagine there are many agencies involved. I suspect that, from time to time, things will get missed.

Q178 **Vicky Ford:** My city of Chelmsford has a Purple Flag for safety at night. Does that make a difference? We feel very proud that we have it. That sort of scheme gives people assurance, and means that people need to work to keep that night-time safety accreditation? Do you feel that it works? Are there improvements we should make to it?

Elaine Hindal: I haven't seen an evaluation specifically of Purple Flag, but an example might be Nottingham, where Best Bar None, Purple Flag, Street Pastors and Drinkaware have come together, under the leadership of the police and crime commissioner and the Crime and Drugs Partnership. What has been interesting there is that they have not only asked what venues can do, but have included taxi marshals and fast-food outlets—McDonalds, for example, has been involved. That really joined-up approach seems to be key to making a difference. One initiative might be interesting, but where they can come together to look at inside and outside the venue and at other venues, that is really key.

Vicky Ford: I understand that getting Purple Flag status is part of that whole, holistic, joined-up approach, and if there has not been an analysis of whether or not it is effective, the Committee might think about asking why there has not been an analysis and whether it is a good practice that should be used more.

Q179 **Chair:** Building on that point, are there other things that the Government could be doing to help local bodies of whatever type to tackle these problems?

Anton Walden: On the Purple Flag issue, Canterbury has Purple Flag. That joined-up approach has pulled together, and does close, some of the gaps, because you look at the whole evening out. We have looked at taxis

as well as licensed premises. I think we are one of the first areas to insist as a compulsory measure that all our drivers have to go for safeguarding and bystander training.

We take it from the moment that a young person—most of them we are dealing with in the figures are young females, on a general basis—starts having a drink before they go out. That evening starts from then, right through until they get home safely. We do not have any statistical data as yet, but we have had feedback from drivers who have noticed situations that they were not aware of, such as grooming, and now they report them. We have had feedback particularly from parents that they are very pleased that the taxi driver or the private hire driver has got their young person home safely. We have never had that feedback before.

Q180 **Chair:** How do you monitor the effectiveness of that programme in Canterbury?

Anton Walden: We are in the infancy. We have gone through the training process. We have 450 drivers. Not all of them wanted to take part in the programme. It took a long time to persuade them—again, carrot and stick. At the end of the process, the feedback we get is that the vast majority are so pleased they did. You cannot get everybody all of the time, but the vast majority want to assist.

Q181 **Chair:** You could get everybody.

Anton Walden: Well, we have got everybody. They would lose their licence if they did not comply—that is what we told them. Other authorities have made it voluntary, and then it loses its teeth. The biggest selling point is that the vast majority have young people in their family, and they sign up because they look at it and think, "That could be my son or daughter."

Q182 **Chair:** Are there any other ways that the Government could help local bodies to tackle these problems?

Detective Inspector Cooper: I don't know so much about locally, but certainly in terms of the transport network, we had the recent discussion about upskirting and legislative changes there. I think that is an important factor. We do manage that through other offence categories, such as outraging public decency, but that does not always quite fit the bill, so to speak. So one issue is legislation to basically catch up with the way that the times have moved on and with how people now have cameras on their phones and things like that, which is how this offence occurs. The railway environment lends itself to that offence in some respects, in that people walking up stairs and escalators is often how it is perpetrated. Some legislative amendments or changes might be helpful.

Chair: That's very helpful. Parliament is trying to help you out on that next week.

Dr Gray: By the Government being interested, engaging with the issue and encouraging Committees such as this, they are setting a backdrop.

Another component that we have not talked about so far is the wider public. As public attitudes—hopefully—gradually shift, the acceptability and normalisation of these types of behaviours becomes more frowned upon and seen as less acceptable. Organisations such as Drinkaware, and licensing authorities, clubs, bars, public transport networks and all the other authorities, as well as all the different components within any one of those organisations—it is never a single organisation; they have a framework around them—all need to work together in concert to say at every level, "We are concerned, and this isn't okay."

Elaine Hindal: It is worth noting perhaps that the Government are looking at their alcohol strategy. We know that a strand of that is about professionalising licensing. There is an opportunity to use that alcohol strategy to embed or share best practice and to embed greater evaluation and data collection around this issue in the night-time economy. That could be an opportunity for the Committee to consider as well.

Chair: That allows me seamlessly to handover to Tulip to talk about licensing.

Anton Walden: Can I just mention one point about the Home Office? The Home Office issues guidance on a regular basis under section 182 of the Licensing Act. One of the things it could do very quickly is make it compulsory in that guidance that all licensed premises address the issue of zero tolerance—premises can then have policies and training or whatever—so it becomes the norm that they have to do it, rather than different councils going off at different times doing different things.

Chair: I think Tulip wants to explore that further.

Q183 **Tulip Siddiq:** My questions are around the role of licensing policy in keeping women safe. You have already touched on that briefly, Anton. Do you think venues should lose their licence or face sanctions if they cannot provide safety for women and save women from sexual harassment?

Anton Walden: Absolutely. One of the issues that drove our amendment and the proposal in our policy is that we had one venue where there weren't too many problems in the venue, but there was indecent touching outside the venue from customers who had left. We said the venue were not doing enough. We took them for review. They were facing revocation, but they addressed the policies and put in good, safe practices. They started training not only their own staff but the security industry-approved bouncers—in old money—and they intervened. We cut their hours back, and when they could demonstrate they were a fit and safe premises, with fit and safe people promoting those objectives, they got their hours back.

There is a review process. Unfortunately, councils are very loth to have review proceedings. They are fearful of appeals to the magistrates court and higher. With my legal background, I make sure that, when we take a case, we are going to win on appeal, so we have no fear in taking on premises. If the policy promotes safety, the licensing objectives are very

clear, and you have good logical reasons, no court of appeal will overturn that.

Our policy has promoted the idea, and the sanction against that particular venue has told everybody in Canterbury, that if they want to remain open—we want them to remain open and prosper—they have got to have good licensees with good premises.

Q184 **Tulip Siddiq:** In the case you just mentioned, you said the incident took place outside the venue. When you challenged the venue, did they say that this wasn't their fault, because it happened on the street?

Anton Walden: It's that grey area of how far away from the premises their responsibility finishes. In this particular case, we had good CCTV evidence of the young person coming out, and you could see that they were quite poorly. They were within 10 feet of the entrance when the situation was observed that we were not comfortable with at all. We said, "You have a duty to that person." We as the licensing authority have a duty to take enforcement action. We try to work with our premises. It is very much assist, advise and befriend, but also, "If you continue, we will take robust, strong action."

It would be very useful to look at statistical data on a national basis on how many local authorities who take reviews defend them at the magistrates court stage. Unfortunately, a lot of local authorities will agree a consent order, rather than go through the process of a hearing.

Q185 **Chair:** Sorry, what is a consent order? Decode that for us.

Anton Walden: You get to the magistrates court hearing, so the premises may think, "The local authority is serious in this matter." But the local authority is worried about costs, so they agree something—perhaps reduced hours, extra conditions and so on—rather than go through the review hearing. It may be that if councils have acted properly and appropriately, and there is good logic for their review and their actions, they should be indemnified against costs.

Q186 **Vicky Ford:** Is that a recommendation you're making for changing Government policy?

Anton Walden: Yes.

Q187 **Chair:** It would be useful to know exactly what Anton has just talked about: the number of local authority reviews and how many have gone to appeal—presumably the Local Government Association might collect that data.

Anton Walden: Yes.

Q188 **Chair:** Do you know that they do?

Anton Walden: I don't think they do, but it is something that every local authority would be willing and able to do because there are so few. The sort of costs that a council could face if they lost—this was not on a sexual

harassment case, but an application for extra hours—were £60,000, not including their own costs.

Q189 **Chair:** So the idea of indemnifying would then give them more ability to take those cases forward without fear of compromising their local residents' budgets.

Vicky Ford: Presumably it would be a pooled insurance scheme indemnifying or insuring.

Anton Walden: Also, with local authority solicitors' departments, licensing is almost a bolt-on to planning contract law. There are very few people who deal with licensing and have the experience. That inexperience shows, because if you have got a big, powerful venue, they will get the best in, quite rightly, and the best will take apart the council's case. In the particular cases that I have assisted the council with—I have 30 years of licensing experience, so I know the people involved, and I obviously know the law, which is the most important thing, and how to apply it—we have won all our review appeals.

Q190 **Tulip Siddiq:** Do you think there should be compulsory training for licence holders about sexual harassment? Do you already have compulsory training?

Anton Walden: Yes. We are on the first stage of that. We are at the carrot stage. The students are delivering that. Much like the taxis, there was initial resistance. There were people saying, "I'd love to do it, but I have not got the time." We have now pressed them into doing it almost on a compulsory basis. The feedback we are getting from them and their staff—it is particularly the staff, interestingly, who are feeding back to the licence holder—is that they have got a lot out of it. There are little things like "Ask for Angela" and asking, "What is inappropriate behaviour?" They are signing up to this. We are getting them to promote the training, rather than the stakeholders having to do it.

Q191 **Tulip Siddiq:** We have received evidence that sexual harassment is underpinned by gender inequality and rigid social norms. How does your work address those issues? Before you answer that, I might ask another question—forget that question for one for a second. Do you think there are other local authority functions, such as planning or street design, that have a role in preventing harassment?

Anton Walden: Yes.

Q192 **Tulip Siddiq:** This is open to all the witnesses; I am not just focusing on you, Mr Walden.

Anton Walden: It is particularly so for planning, because we have got this strange scenario where planning and licensing are in separate spheres. Planning can grant Y and licensing can grant Z. When you look at the licensing and the planning, they do not dovetail at all. They can be completely contradictory, and that makes it very difficult for enforcement, because the licence holder does not understand that one does not trump the other.

Dr Gray: There is evidence, based on the public transport system, about the design of stations, bus stops and rail hubs. With the physical surroundings, it is not just about its niceness, although a state of decay is not conducive to people feeling safe. It is about well-designed locations with good sightlines and lighting that does not cast shadows. In the night-time economy, maybe you want some shadows, but essentially you do not want dark, tucked-away places where people can be harassed or assaulted unseen. It facilitates then the role of the people who are charged with guarding a place, be that staff in a bar, British Transport police, staff working somewhere or passers-by. Physical design is very important, and that also extends to the outside of places. For instance, there is evidence that keeping outside areas clear of too much undergrowth can improve sightlines. There is not clear evidence that it actively improves actual safety, but there is evidence that it improves people's feeling of safety, which has knock-on consequences for how it affects their behaviour.

Q193 **Chair:** Can I ask a supplementary on that? Do you think train operating companies could do more about the design of their underground or overground trains, given the prevalence of the problem on that form of transport?

Detective Inspector Cooper: That is a tricky one. A lot of tube trains now have CCTV, for example, although some do not, so that is an improvement. For those that do not, we would welcome the addition of CCTV. I do not know if it can be retrofitted—I imagine it is pretty expensive—but as new stock is introduced, they should all include CCTV.

Q194 **Chair:** So not all underground tubes have CCTV.

Detective Inspector Cooper: No; not on the trains.

Q195 **Chair:** What about overground trains?

Detective Inspector Cooper: I believe the majority of those do now, but again, it depends on the type. There are lots of different types of rolling stock out there, and some of the older stuff does not, but it is progressively being introduced. One of the fundamental issues with the London underground network, which I alluded to earlier in terms of when most of our offences are reported as occurring, is that they are occurring at peak times when the trains are extremely full and incredibly crowded. I am pretty sure that a lot of offenders use that very situation to provide them with a degree of anonymity, because it is so crowded that it is very difficult, even for a victim, to understand who, within the small environment around them, is responsible for what they are feeling—even in that close proximity. It is extremely difficult for law enforcement to then identify who was responsible for what. That aside, as a general point, of course we welcome any improvements that can be made. CCTV and continuous improvement in that arena would none the less be helpful.

Dr Gray: Yes, I would agree. The same considerations apply. Certainly, in my lifetime, I have seen the design of trains change so that, on overground trains, there is a much more ready ability to flow through a train. Back in the days when we used to have train guards, they would be

able to walk through, but nowadays train managers can progress through most trains. CCTV obviously provides a sense that you are being watched and are therefore under the scrutiny of a responsible person, so it may have a deterrent effect, but unless it is actively staffed in real time, it is not much assistance to someone being assaulted here and now—it helps after the fact.

One of the suggestions, although I cannot say that there is firm evidence for it at this stage, is that the more—I am loth to use the phrase "lower seriousness" offences, because they are all serious; but a full rape, for instance, is more likely to occur somewhere that is isolated, so it is more likely to be late at night and it is not likely to happen in a crowded train carriage. Whereas, as Ash was saying, in the crowded compartments where people are up against each other, there is not only the difficulty of identifying who may have done whatever it was, but the possibility of, "Was that somebody touching me up or was that accidental?" It makes the situation much more complicated for the person experiencing it, and for other people around, to determine whether something that is happening is okay or not.

Q196 **Tulip Siddiq:** My next question is around gender inequality in sexual harassment. When we campaign against the sexual harassment of women, is there a danger that we could be unintentionally victim blaming in some situations?

Dr Gray: Certainly it is a risk of which anyone who works in this area needs to be aware. There have been campaigns in other countries to attempt to challenge sexual harassment in public spaces, and on public transport particularly, that have sought to blame, or that have inadvertently blamed, victims, or that have at least placed the responsibility on women and girls—predominantly, but on anyone who might be targeted, because it will affect other people as well—to keep themselves safe. That should absolutely be avoided because it is not their responsibility; it is the responsibility of the perpetrator or potential perpetrator not to offend. Society should make that absolutely clear.

Q197 **Tulip Siddiq:** Elaine, can I ask you a question specifically? Are you concerned that Drinkaware's approach could be interpreted as laying the blame for sexual harassment on alcohol or the victim's vulnerability, rather than those who do the action?

Elaine Hindal: That was a key concern when we started with the campaign. We did a lot of research on that issue. Our campaign has evolved from, "If you wouldn't do it sober, you shouldn't do it drunk," to now, four years into the campaign, a bystander approach, encouraging bystanders to ask if victims of sexual harassment are okay. It is okay to ask. We have always been acutely aware of that. To help us think that through, we have talked to other organisations such as Victim Support and Hollaback! to try to understand the victim's perspective.

We also monitor social media really carefully to see if we are getting the tone right. There is a real danger that people will feel blamed. We are

confident that they don't with this, but it is really important that we avoid that at all costs. One way to counter that is to recognise that men are also victims of unwanted sexual harassment. About a quarter of men, compared with two thirds of women, say that they have experienced sexual harassment on a night out. This issue does happen to men. I think one of the previous witnesses talked about how men feel unable to report and come forward.

Q198 **Tulip Siddiq:** What evidence do you have that focusing on alcohol and victim vulnerability works to prevent sexual harassment in the night-time economy?

Elaine Hindal: With our campaign we have done a number of pieces of evaluation. I would be happy to share those with the Committee. One thing we asked was whether people were discussing the issue of sexual harassment in bars and clubs. We have been trying to address the issue of whether people feel it is just inevitable and has to be accepted.

We have seen over two years that the number of people who say they are now discussing this issues goes from 26% to 37% from 2015 to 2017. That gives us some heart that we are getting this issue on the table. Of course, the wider #MeToo campaign is a really important part of that and it applies as much to bars and clubs as anywhere else.

We have also seen that the number of people who agree with the statement, "If it's groping and unacceptable when you are sober, it is groping and unacceptable when you are drunk" has also risen over that time. We are trying to get away from the notion that alcohol is somehow an excuse for what is fundamentally unacceptable behaviour.

Anton Walden: If I can just come in on the blame culture, I think that has changed. This is more with my defence hat on. Rape fortunately used to be a very rare crime. I deal with more rapes year on year. Unfortunately, I presume because of funding and police requirements now, the average time I go in for a rape interview is under one hour, and most of those are on a voluntary attendance and most of my clients are released under investigation. There are no bail conditions and certainly no remands in custody.

A case now can take between 18 months and two years to come to court. What message is that sending to a victim, that nothing has happened to that person? They have been in for a chat to the police station. That is a material sea change. I don't blame the police; I understand why they do it. It is because the police have time constraints if they remand somebody on conditional bail now. If they release somebody under investigation, there are no time constraints and, therefore, no sanctions.

Q199 **Tonia Antoniazzi:** Jackie has spoken a bit about this, but how is sexual harassment or sexual violence on public transport different from that experienced in other public places? I think you spoke about the tactics of perpetrators.

Dr Gray: There is some similarity, but ultimately, as Ash pointed out, the situation on public transport—particularly crowded transport—lends itself to facilitating such behaviour. It appears that there are some offenders who will go out specifically to offend. There are others for whom it may be a part of their wider day's activities. On the way to work is as good a time as any other; you're on a nice crowded train. Most of the research that I am aware of, certainly in this country, has been predominantly focused in London. Would you agree?

Detective Inspector Cooper: Yes.

Dr Gray: There has been some done in the south-west, but it has predominantly focused on London transport as a good example of incredibly high density. I cannot say whether the behaviours seen are the same on the trains coming in from the midlands, which can be very crowded, with standing room only. I suspect it may be slightly different, but yes, there is something about the environment.

People are kind of captive in that situation, at least between stops. You might be able to move away in a carriage, but if a carriage is very crowded, there is a limit to how far you can go. You may feel so uncomfortable that you get off at the next stop, but there is nothing to stop the perpetrator following you and getting back on the next train when you do.

Q200 **Tonia Antoniazzi:** What gaps are there in the evidence about sexual harassment on public transport?

Detective Inspector Cooper: As I say, we have two PhDs running at the moment that are due to report later this year. We have some analysis work going on from an academic perspective. As I mentioned before, the under-reporting is still an issue. I think I mentioned this earlier, so forgive me if I am going over it again, but the original survey conducted by TfL suggested that about one in 10 people had experienced some kind of sexual harassment or unwanted sexual behaviour. Of them, only one in 10 would go on to report it. You can see there that there is a profound gap.

There is another gap that we have. An interesting statistic is that the majority of our offences within the British Transport Police's jurisdiction on the transport networks are strangers. They are not known to the victim, whereas within the Home Office force I would suggest that that profile is a little different.

The other interesting thing that we have looked at is that far and away the majority of offenders we catch are not previously known to the British Transport Police for sex offending. In other words, we do not know where to look, because 70% or 80% are not known to us previously for sex offending. We are not looking at them, because we do not know that they are responsible for sex offences until we catch them the first time. There are a couple of interesting issues there for us.

Dr Gray: From an academic perspective, looking at the literature that has been produced so far, there seem to be a couple of clear gaps. There are

some very complex and comprehensive interventions seen, particularly with "Report it to stop it" and, before that, Project Guardian. Internationally, other countries have taken similar models—these sort of multi-strand attempts to prevent sexual harassment on public transport.

There is not, as far as we have been able to find, any rigorous systematic independent research evidence on their impact. It is not to say that the types of evidence that we are having to draw conclusions from are not useful evidence, but it is piecing together pictures from multiple different sources. It is based on things such as interviews with women travelling on the system and the stakeholders—people from the transport operators and from the police. These are useful sources of information.

It is very difficult to know, when you introduce a programme of work, how you evaluate it, but it is by planning upfront the evaluation and implementing it. If it was a drug trial, you would have a control group. That is very difficult to achieve in this environment, but something along those sorts of lines needs to be done. One of the components that the PhD student I am supervising, who is funded by British Transport Police, is looking at is the offender's decision making. As far as we are aware, that is the first study that has really looked at that in the context of public transport. That is something that needs to be expanded upon, because we don't really know. As Ash said, they often haven't offended before or were certainly not known sex offenders before. What is the trajectory that gets people to doing that? That is a very big black hole.

Q201 **Chair:** Before we go on to the next question, can I just ask whether this has got worse or is more or less the same as it always has been and it is just that we haven't been aware of it?

Detective Inspector Cooper: That's a very difficult one to answer. Looking at the statistics is only going to take us so far, and I accept that, but if you look beyond British Transport Police at the national picture, there has been an increase nationally in reported sex offences. Some of that was to do with criticism from HMICFRS around police under-recording, so I think police have got better at recording sex offences. As we spoke about, in recent years, there has been a greater willingness from people to step forward and report offences. Hopefully that is to do with better faith in the police to investigate and a greater confidence in the criminal justice system to pursue offenders.

Q202 **Tonia Antoniazzi:** How is the British Transport Police evaluating the effectiveness of its work to tackle sexual harassment on the railways?

Detective Inspector Cooper: The RITSI campaign was evaluated a couple of years ago and quite an extensive piece of work was done there, which demonstrated that there was an increase in reporting as a result of the campaign, but there was no corresponding increase in fear of crime. That was seen as a positive, inasmuch as it improved reporting but didn't actually make people more fearful of travelling. Clearly, we also look at how we are doing in terms of the increased reports versus positive outcomes, for example. My team's work is now moving into more of an

offender management-type arena, so we will work a lot more closely alongside other police forces. It is not just about positive outcomes for offences recorded. We are now moving into a place where we are proactively monitoring and trying to robustly enforce provisions around sexual harm prevention orders, for example, for people who are travelling on the rail network. All that is subject to regular review.

Q203 **Tonia Antoniazzi:** In terms of the role of the police in preventing sexual harassment on the transport network, what are you doing?

Detective Inspector Cooper: Part of prevention is about catching people, as we have talked about. We have a number of plain-clothes teams, undercover teams if you like, that work on the tube and rail networks. We know, again from some of the early findings of the work that our PhD student has been doing, that offenders really fear that. High-profile police officers in uniform on the network is helpful in terms of reassurance, and there are immediate deterrents for an offender committing an offence there and then, but the undercover plain-clothes officers that they can't see coming is what really seems to be effective at deterring people.

In terms of other things that we are doing, as I said, we have made a range of options available for people to report to us, including the text number 61016, which I mentioned earlier. My unit, which was set up to look at and oversee sex offences nationally within BTP, is working with stakeholder groups. We have scrutiny panels to make sure that our investigations are effective. There are things like that—a range of activities.

Q204 **Tonia Antoniazzi:** You spoke earlier about the designs of stations and CCTV camera coverage. Is there any evidence from the UK or elsewhere about effective ways of preventing sexual harassment on public transport? Public campaigns or anything else to tackle harmful behaviour? Staffing levels?

Detective Inspector Cooper: Yes, I think staffing levels is a good one. That is always helpful. You can never have enough police officers, and there is probably never a member of staff around when you want one. The nature of the network is that it is incredibly wide. The RITSI campaign was quite high profile in terms of media. It got a lot of media attention. It was quite a sophisticated campaign: it was not just people handing out leaflets; there were films online. Quite a lot was done around that to encourage people to report—for example, the "Every report helps build a picture" campaign that followed it, where we were trying to encourage people who may not necessarily think that something is worth reporting to us, because that person may have committed an offence two or three times and that additional bit of information may help to build a picture of that offender. It is a holistic, multi-stranded approach to try to tackle this. There is no one thing, I don't think, that can prevent this.

Dr Gray: There is evidence, albeit from individual places. Certainly, public awareness campaigns are a quite popular approach, and it is likely that

they contribute to the effect of interventions overall. Certainly, they have been done in places like Paris, Vancouver and Massachusetts—a number of places have done it. The Massachusetts Bay Transportation Authority had a poster campaign that was very clearly not victim-blaming—it was clear that these behaviours are not acceptable. Associated with that—it is not clear that it is the reason for it—was greater reporting and a greater clear-up rate afterwards.

If we were to want to get greater public awareness of these issues—the public includes potential victims and potential perpetrators—that is a way of speaking to people. We have seen campaigns in the past that have made behaviours become normative—drink-driving and wearing seatbelts are classic examples—so certainly that kind of thing, although not just by itself, but in concert with a variety of other interventions, such as staffing and all the rest of it.

Elaine Hindal: In our campaign research on communications, there is a real lack of understanding that this is an offence. It is really important for people to understand that. When they do, they understand that there may be a route to reporting.

Q205 **Tonia Antoniazzi:** When public campaigns are not ongoing, are people forgetting about it? Is there a commitment to continue public awareness campaigns and not just stop or end them?

Detective Inspector Cooper: That is a really good point. The RITSI campaign started predominantly in London and, as I have mentioned, it was rolled out to the rest of the UK in April from a railway policing perspective. I agree with you—actually, the plan is to keep refreshing that. In fairness to TfL, that is exactly what they have done in London: they had the initial campaign material and then they reinvigorated it.

I think there is a commitment out there to keep pushing and refreshing this message so that there is new material that catches people's attention.

Elaine Hindal: It is important that there is some sort of national campaign. There are a lot of local initiatives that are very good—we have been running our campaign just in the north-west of England for three years. It does not have to be hugely expensive, because so much of this can be about social media for the target audience we are talking about of perpetrators and victims. That can be an affordable way. But for charities or smaller organisations to be able to do that and sustain it is difficult. To have that commitment at the national level would contribute significantly.

Q206 **Tonia Antoniazzi:** Many reports of sexual harassment on public transport are not taken further because of insufficient evidence. Can this problem be addressed? How else should victims be supported?

Detective Inspector Cooper: Yes, that is right. A case in point is the use of the text service. While it has been very helpful in getting people to report to us, quite a lot of those messages are really from people who just want to let us know. They do not necessarily want to pursue a prosecution or an investigation.

We respect the wishes of those individuals, of course. We do try to make contact with people who report in that respect. We have done work on disengagement and found that a substantial number actually never talk to us again. We try to call them but we cannot make contact, so we do not know the reason for those. Other people do not think it is worth pursuing it; they just want to move on. They let us know for intelligence purposes. That is useful none the less, but it makes it extremely difficult—if not impossible, in many cases—to take a case through to prosecution. That is not to say we won't investigate it up to a point—for example, by reviewing the CCTV, if the report is specific enough, to try to get an image of the offender for further intelligence research—but we can only take things so far.

Dr Gray: It follows a pattern within sexual victimisation more generally. Not all people who have experienced it want to report it. Many do not tell anybody. Some tell only friends or family, some go to victim support and some go forward to the police. The research suggests that, among the lower levels of offending, people are more likely to try to put it to one side and move on. There is also the uncertainty—"Was that an offence or was it just an accident? I'm not going to make a fuss." There is—I come back to the word again—a normalised expectation. You are not certain whether it is okay to stand up and say, "No, that wasn't acceptable."

Q207 **Tonia Antoniazzi:** You talked about the variation in public transport, depending on where it is—whether it is central London or further away. Are there any other variations in the way public transport providers—bus and train companies—tackle sexual harassment?

Detective Inspector Cooper: I don't know so much about the bus networks. This is a bit anecdotal, but some train operators have staff training on this kind of issue—looking not necessarily just at sex offences but at wider vulnerability issues, and looking out for that kind of thing. Some are perhaps more willing to engage in that process than others.

Q208 **Chair:** If you wanted to make them engage, what would you do? Put it into their contracts with the Government?

Detective Inspector Cooper: Yes, probably. That is something that has been explored by one of my detective chief superintendents. To be fair, train operating staff already engage when we are looking at suicide prevention. I am digressing slightly, but that gives you an idea that they are looking out for vulnerabilities in people and for people who are looking to take their lives on the railway. About 350 to 400 people do that every year on the rail network. Train operating staff have made a lot of life-saving interventions. With the right training, they could be a really useful resource.

Q209 **Tonia Antoniazzi:** Is there any requirement to provide information about policies or incidents to central Government?

Detective Inspector Cooper: From a train operator point of view or from a policing point of view?

Q210 **Chair:** Train operators.

Detective Inspector Cooper: Gosh. I'm sorry—I don't think I can answer that one. I imagine that there would be, but I don't know for sure.

Q211 **Chair:** Like you, I use the train frequently—I am on four trains a day—yet I am struggling to think of any publicity I have seen about sexual harassment. I can remember very vividly seeing the Samaritans poster in the station in Basingstoke this morning. Given that sexual harassment, and worse, affects probably 10 times as many people as suicide does, it is interesting that the campaigns to make people aware that this activity is completely unacceptable on public transport are not very memorable. As somebody who is quite interested in this, I would have thought that I would remember it. Equally, I can remember going down to the local swimming pool and seeing a set of rules there, including the prohibition of sexual activity. Why is it that train operators do not feel it is appropriate to set out a set of social rules, other than the fact that you don't go on your mobile phone, which nobody enforces?

Detective Inspector Cooper: With the greatest respect, you would probably have to address that to the train operators.

Q212 **Chair:** But your insight as a police officer would be helpful. Why do you think it is the case?

Detective Inspector Cooper: Based on conversations I have had, this is about not wanting to create an environment that makes people feel unsafe. What I mean by that is that train operators feel that it would create a feeling of insecurity to have a poster campaign on train carriages and in stations that talked about looking out for sex offenders, people acting in a sexually predatory way or people causing sexual harassment. I don't know the rights and wrongs from a psychological point of view, but I think that is where they are coming from. People are comfortable with campaigns like "Report it to stop it" where we ask them to come forward and let us know. I am not sure they would be comfortable with the other approach, which is—

Q213 **Chair:** What do you, as a police officer, think would work?

Detective Inspector Cooper: There is evidence, from conversations I have had with people who know more about this than I do, that when you invoke a campaign that explains what is not acceptable and looks at it more from the offender perspective, that is quite effective. So, yes.

Q214 **Chair:** So, it is what is not acceptable, and that would give people reassurance that they could call that out.

Detective Inspector Cooper: Exactly.

Dr Gray: There was a campaign run in Paris. I can't tell you the extent to which it was properly evaluated but it was something we became aware of. It was quite striking because it was very much aimed, not always at sexual harassment, though some of it was, but at those interpersonal intrusions that are frequently, though not always, perpetrated by men

against women in tube carriages. It was about things such as not sitting with your legs spread right out. Another one, translated loosely, was, "If you touch my backside, you can expect me to hit you really hard."

Chair: This was the French campaign.

Dr Gray: It was the French campaign in Paris. It was those sort of things. To me, that does not feel like instilling fear. There was a degree of humour in them; some of them sounded quite cheeky. It did say, "This is unacceptable behaviour," and therefore it does empower people on the receiving end of it to say, "Stop that." Again, it is part of the wider culture shift.

Elaine Hindal: I think we need to dispel the notion, though, that by raising the issue, somehow that reflects badly on the organisation that is raising the issue. We get that sometimes with nightclubs, who say they don't want to raise the issue because they don't want people to think they have got a problem. In fact, it is the venues that do raise the issue and address it that are much more forward thinking, and where customers feel safer and happier to go. There is that sense of, "If we do raise the issue and campaign on it, we are somehow suggesting that we have a problem." That is when I think those organisations are more concerned about their reputation than they are about the safety and experience of their customers.

Dr Gray: There is research literature into how to construct campaigns of persuasion for behaviour change. Over the years, we have seen adverts that have played to fear—around smoking; you know, the dramatic images on cigarette packets and things like that—but it doesn't always have to be done that way. Indeed, there is research to suggest that too much of that can turn people off the message. You need people to be engaged with the message as well.

Chair: This is an incredibly interesting area. Thank you all so much for taking the time to be with us. We have been dealing with a wide range of issues in this evidence session, so thank you very much for bearing with us as we talk to individuals on different topics. Thank you. We are now going to have a short private session, so I would like to ask our witnesses and members of the gallery to leave.