



# Home Affairs Committee

## Oral evidence: Non-contact sexual offences, HC 504

Wednesday 21 February 2024

Ordered by the House of Commons to be published on 21 February 2024.

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Members present: Dame Diana Johnson (Chair); Lee Anderson; Simon Fell; Carolyn Harris; Kim Johnson; Marco Longhi; Tim Loughton; Alison Thewliss.

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### Witnesses

I: Lisa Squire, Mother of Libby Squire and campaigner.

II: Professor Clare McGlynn, Professor of Law, Durham University; Professor Sarah Kingston, Professor of Criminal Justice and Policing, University of Central Lancashire; Professor Katrin Hohl, Professor of Criminology and Criminal Justice, City University of London, and Independent Adviser to the Government on the Rape Review.

Written evidence from witnesses:



## Examination of witness

Witness: Lisa Squire.

**Q1 Chair:** Welcome to the Home Affairs Select Committee meeting this morning. This morning we are going to be looking at the issue of non-contact sexual offences. We plan to explore and examine the types of non-contact sexual offending being committed, the links to more serious sexual offending and what the data and research tells us about the escalation of non-contact sexual offences, and to identify what needs to be done to help address any link between non-contact sexual offences and more serious sexual offences.

We have two panels with us this morning. First of all, can I start by welcoming Lisa Squire to the Committee this morning? We are very grateful for your attendance. I also wanted to reflect on the fact that earlier this year it was the fifth anniversary of the murder of Libby Squire, Lisa's daughter. I just wanted to thank you, Lisa, for all the work you have been doing on the issue of non-contact sexual offences and to raise awareness about the escalation that can happen. Before we begin, I also want to alert those who may be watching that some of the topics we are going to discuss can be very distressing and upsetting.

If I could just start us off, Lisa, could you just explain to the Committee your involvement with this whole issue around what is called non-contact sexual offending and why you are campaigning on it?

**Lisa Squire:** Yes. After our daughter was murdered in 2019, we discovered that the man who raped and murdered her had a long history of non-contact sexual offences, running from voyeurism to household burglaries, exposure and lewd behaviour in public.

I never questioned why the police had not caught him because his offending was very different on each occasion, but I could see a link between his offending and the eventual rape and murder of my daughter. Over the 18 months prior to her dying he had escalated massively, but nobody seemed to know anything about it. To me, it was still seen like a seaside postcard: a dirty old man flashing at you. It is not that; it is incredibly serious.

Not all non-contact sexual offenders will go on to rape and murder, but some do. If we can stop it here, we are going to save women and girls from the absolute trauma of being raped.

**Q2 Chair:** Could you say something about the attitude of the police? What did they say to you about this?

**Lisa Squire:** Yes. I work quite closely with Thames Valley Police and the Metropolitan Police. They all want to stop it, but they can see how difficult it is mainly because it is not reported. Women and girls do not report non-contact sexual offences very frequently.



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I have been trying to change that. I go into schools and talk to school sixth forms predominantly. I say to them, "If you are a victim of a non-contact sexual offence, you absolutely have to report it". The police have online reporting systems. You do not have to speak to somebody. They just need to know where, when and what happened.

The police I have been speaking to can see the escalation and they do want to stop it. When I have been talking to the new recruits at the Met, I have been saying to them, "If you have a report of a non-contact sexual offence, you absolutely have to take it seriously".

**Q3 Chair:** How widespread is this?

**Lisa Squire:** It is very widespread. If you were in a class of 30 girls or you had 30 20-year-olds, I would imagine that 75% of them would have experienced it. I have found it very difficult to find data about how many offences there have been. There is a lot of work to be done around data and collecting information.

I have a huge circle of friends, and each and every one of us has been a victim of a non-contact sexual offence. In the November before she was killed, Libby rang me to say she had been a victim of a non-contact sexual offence. She was absolutely furious and I talked her down. I did not think to tell her to report it because I did not know better then. I know better now.

**Q4 Chair:** Are women not reporting because they feel like it will not be taken seriously by the police?

**Lisa Squire:** Yes, it is partly that. We have also been conditioned over the years to think that this is just something that happens. That is not okay. It is a crime of intimidation and entitlement. It is not okay for men to do this. Most normal men do not do this. I am not tarring all men with the same brush because 99.9% of men are wonderful.

We have just been conditioned, from our mothers, their mothers and their mothers, to think this is just something that happens. You were not hurt. You were not hurt physically, but you were hurt emotionally. It is very traumatising.

**Q5 Chair:** From your work with schools and young women in particular, is that attitude changing? Is there now a willingness to come forward and speak about it?

**Lisa Squire:** It is changing. I started doing this about three years ago. Even in the three years since, the younger girls, who are 14, 15 or 16, are now very much on board. "If it happened to me, I would report it". The tide is turning slowly, but we have a lot of work to do.

**Q6 Tim Loughton:** Mrs Squire, I vaguely remembered this case. Having looked at the notes, I had not appreciated the background to the perpetrator, who was a serial offender. There were some pretty



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gruesome things happening, which most people do not know.

This appears to be something that can be a gateway crime leading to serious sexual offences and, in this terrible case with your daughter, murder. You are to be applauded for trying to get something done about this because it is just not on the radar. A lot has happened around sexting, upskirting and revenge porn. Those things are taken seriously, but this is not.

To follow on from what the Chair was saying, is it people thinking, to use your phrase, "It is just a dirty old man"? The age group most likely to be a perpetrator was 30 to 39, I read. These are not just dirty old men, not that that is acceptable in any way. Is it that people just do not take it seriously? Is it still just one of those things? Is it because they do take it seriously but they feel the police do not, in which case they are wasting the time reporting it to the police? Is there also some embarrassment?

We did a study on spiking, which is another problem that the Government are hopefully at last getting to grips with. A number of people who had been spiked were too embarrassed to report it as a crime even though it might have led to some sexual offences, robbery or whatever. This is not a question—this is a speech. Where is the biggest problem in terms of getting the law of changed and changing attitudes?

**Lisa Squire:** It is a bit of all of that, to be fair. For younger women and girls, it is embarrassing to have to say the words, to describe what has happened and to use the anatomically correct phrasing. I spoke to one girl and she said to me, "I did not see his face. I could not tell you what he looked like". That is not what they are looking at; they are not looking at their faces. She was mortified. She said, "I do not want to say what happened".

Historically, the police have not taken it seriously. For our mothers and the older generations, like I said, it was one of those things. We have to change the whole narrative around it.

There is a lot of embarrassment. There is a lot of, "Well, I was not hurt", "I do not want to waste the police's time" and, "They are not going to catch him anyway, are they?" There is a lot of that.

When I speak to girls, I say, "It is not about the police catching that man that night because that is not going to happen, but they have data. They have the numbers. If all of a sudden in an area they have 10 offences over a weekend when they would normally only have one, they know there is an issue". They will go out; they will investigate it.

Q7 **Tim Loughton:** Even if you cannot identify a face, you might have identified that it was somebody in a red bomber jacket. If someone else sees a person in a red bomber jacket, it suggests that this is somebody with a serial problem who they need to look out for.

If someone got drunk in a pub and got into a car, 30-plus years ago people would say, "He is a bit of a lad, isn't he?" That is now completely



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stigmatised. Anybody who drinks and drives is no longer hailed as some sort of hero; they are a complete idiot who is putting people's lives in danger.

How can we replicate that sort of societal attitude to people doing this? Does we need a public information campaign? There have been some Government adverts about sexual abuse in the street, particularly of young women. Would that sort of campaign be appropriate?

**Lisa Squire:** Most definitely, yes. We need to make very obvious what the campaign is about—not flowering it up or anything, but being really obvious. I worked with Humberside Police on the Libby campaign. Their campaign is brilliant. They really advertise the fact that non-contact sexual offences are not okay: they will be taken seriously and they are criminal. The Government need to push the fact that this is a criminal act.

Sentencing and all of that needs to be harsher. The majority of men who are caught get a slap on the wrist. It needs to be taken as the really serious offence that it is. I want to throw the book at them because I am a bit like that. A short, sharp slap is not going to work. It needs to be serious.

**Q8 Tim Loughton:** Are there cases where people have been prosecuted, but not for these offences? With spiking, people get prosecuted for sexual violence towards somebody; the spiking does not come into it because spiking was not a separate offence. Are there people who have been prosecuted because they go on to rape somebody but this behaviour has been completely disregarded?

**Lisa Squire:** There are way more of those sorts of prosecutions than the other prosecutions. Yes, most definitely.

**Carolyn Harris:** Hello, Lisa. How are you?

**Lisa Squire:** I am good. I am very well.

**Carolyn Harris:** Well done for what you are doing.

**Lisa Squire:** Thank you.

**Q9 Carolyn Harris:** What would you like to see happen? What is your image? What should we be doing to stop the escalation from exposure, if that is what it is, or non-sexual contact to rape and the worst?

**Lisa Squire:** It has to start in schools. We have to educate our boys that this is not normal behaviour. We have to put a lot of education in. We have to educate our girls by saying, "If you are a victim, you have to report". Those two things go hand in hand.

In an ideal world, men would behave themselves and there would not be any of this, but we do not live in an ideal world. If a man is caught and prosecuted, there should be a fairly harsh sentence. He also needs



treatment. He needs to go into a treatment service to unpick what his thought patterns are that make him think it is okay to do that to a young girl walking down the street minding her own business, or to somebody waiting at a bus stop or sitting on the tube. It is no good continuing to punish people unless they learn that what they are doing is wrong. I work with children. You do not just tell a child off. You have to explain what is wrong and tell them what is right. You have to unpick those thought patterns because it is not normal.

Two hours after raping and murdering our daughter, my daughter's murderer was out on the streets looking for a second victim. He has got life with a minimum of 27 years. He was 24 when he killed Libby. He will come out and do it again. In my opinion, if you murder in any circumstance, you should stay in prison for the rest of your life. Then we would be taking off the streets the people who are a danger to others.

**Q10 Carolyn Harris:** I will tell you a story; it is a true story. About a year ago, a very close family member of mine who was very vulnerable, a 65-year-old woman, was raped in her home by someone she felt was a family friend. We went to court in September. It was a week-long case. On the second day of the court case, the defence barrister tried to use my family member's vulnerability as a reason why the sexual intercourse had occurred. The prosecution barrister—I did not know this could happen—was able to say at that point, with permission from the judge, that some 15 years previously the defendant had been found guilty of sexual exposure three times in one year.

Interestingly enough, there was a precursor to the incident with my family member. He took her into her home, exposed himself and left. She did not react with, "Oh my god, I cannot believe you have done this to me. Go away". Because she was unable to do that, he came back assuming that, because she had not reacted in a negative way, she wanted more. Even after he finished, he said, "Keep quiet about it, love, and this can happen whenever".

That person had probably been doing it all those years. What can we do? If someone is like this—I do not even know how to describe what it is they get from it—can we treat them? Is there treatment? Should we lock them up when they first do it?

**Lisa Squire:** They absolutely must be treated for what they are doing. With the way our system is, you could not lock them up for the rest of their life for exposing themselves to somebody. They are still a danger to women. I would give them a lengthy custodial sentence, I really would, but I get the whole thing about the prisons being full and all of that. That is another discussion completely. Treatment services would have been useful for that man. He needed to be kept an eye on. You cannot just leave somebody on the streets if they have done that.

**Q11 Carolyn Harris:** The person in question had changed their name to stop anybody recognising them.



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**Lisa Squire:** That shows he is a devious person who does not want to be caught doing what he is doing.

Q12 **Carolyn Harris:** Yes. His did get a 15-year sentence.

**Lisa Squire:** That is good. I am pleased. I say that, but he should get a whole lot longer than that. At least he got a sentence. Treatment services and a custodial sentence would be appropriate for that man.

Q13 **Carolyn Harris:** Especially for women my age, it did not happen every week, but it did happen. We always said, "I will kick him where it hurts, if it happens to me". That was what we always said. "I will kick him where it hurts". If it happened in a workplace and it was somebody you know, you probably would not report it. It is not just the shame, is it? It is something more than that, is it not?

**Lisa Squire:** Women take the shame on themselves. In a ridiculous way, you do not want to embarrass the man.

Q14 **Carolyn Harris:** "Maybe my skirt was too short". "Maybe I should not have had that extra drink".

**Lisa Squire:** When we were in court with Libby, they tried to blame what had happened on her mental health. No, it was nothing to do with that. As I said at the time, they may as well have said how short her skirt was. I thought we had moved away from that, but there is still an element of it.

**Carolyn Harris:** I can tell you they have not. It was mental health that was used to try to—

**Lisa Squire:** "She had had consensual sex so she threw herself in a river". Really? Okay.

Q15 **Chair:** Lisa, are you able to say a little bit more about what treatment you think would be helpful?

**Lisa Squire:** There is a service called Circles. Circles South East is the one near us. I have been looking into what they do. They do CBT and lots of therapy with men. They talk through why they do what they do. I was reading one of their things online yesterday saying about how, if a man has an urge to do that, they give him coping strategies to avoid acting on his urges and what have you.

There needs to be an awful lot more research and study into what type of treatment there should be. Again, they would have to have treatment while they were in custody. You could not just treat them on a Wednesday and let them out on the streets, staying at home. They would not go to the treatment services, I am sure. It should be mandatory if they are found guilty. I do not like the word "forced", but it should be part of their sentence that they will attend treatment services.

Q16 **Marco Longhi:** Thank you for being here. As a father to 21-year-old and





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23-year-old daughters, I cannot imagine at all what you have been through. Sitting here and listening to you talk about the treatment that you would find okay, I am nowhere near you. I would want to give much more radical treatments.

There is a bit of an elephant in the room here, which has not yet been touched upon, but is quite topical in Parliament at the moment. That is access to the smart technologies that act as an enabler, particularly for younger children, who you have referenced today? Do you have a view on the Government's recent position around banning smart devices in schools? Would you go a step further? What is your view on that?

**Lisa Squire:** My children would probably agree that I am a bit of a technophobe anyway. Yes, I would ban phones in schools. You do not need them. I was talking to a girl a few months back. She was saying that she had opened her phone and a boy had sent her an indecent picture of himself. I said, "That is a non-contact sexual offence". They are opening their phones in their bedrooms to go on whatever thing they are going on, and they have been sent that.

They are so used to it. It happens all the time, apparently. Girls do not want to see that. I have got a 16-year-old son, bless him. I said, "Do not do it because we really do not want to see it. It is not nice". Again, it has to be spoken about in the home.

We do not talk to our children in the way we should. It needs to be talked about in schools. I know lots of schools do educate children and talk to them about that sort of online behaviour. The genie is out of the bottle with smartphone technology. There must be something that we can do.

I know pornography plays a huge part in young boys' and young girls' lives these days. That is very different to when I was growing up. I do not pretend to understand it all because it is very different to the way I grew up, but there must be things that we can do to stop underage people accessing those materials online.

Q17 **Lee Anderson:** Hello, Lisa. Like Marco, I am a parent to two boys. I cannot imagine the pain and suffering that you have been through. Also like Marco, I thought you were a little bit too kind in some of your comments. There are other treatments that are available, but I will not mention them in this Committee.

**Lisa Squire:** That is on my mind, as well.

**Lee Anderson:** I suppose that is on your mind.

**Lisa Squire:** They would be against the law.

Q18 **Lee Anderson:** Yes, there are other treatments that they use in other countries that would stop this. I do not think there are any treatments available to cure these men, these animals that do this. I am with you. I think they should be locked up. They should be locked up forever and





never let out to prowl the streets again. That stops it.

**Lisa Squire:** Yes.

**Lee Anderson:** If they are in a cage, they cannot go on the pavements or in parks. They cannot do it again. That is the solution. I want you to imagine that you are sat in front of the Home Secretary. What would you say to him?

**Lisa Squire:** In the case of a non-contact sexual offender or a rapist?

Q19 **Lee Anderson:** What would you say to stop this from happening again? What would you want to happen?

**Lisa Squire:** I would have that man locked up for life. If a man did what happened to Libby, I would have him in prison for the rest of his life, especially in a case of rape and murder. He has taken her life. She was 21. He was 24. She is never going to get to go abroad for Christmas. I bought her a spa voucher a month before her 21st birthday. We never got to go on that spa break together. She is not going to get to get married, get engaged or do any of those things.

He can do all those things. He can have more children. He can get married again. He can do whatever he wants. She cannot. He has taken everything from her and from us. He therefore should forfeit his life. Every person who traumatises a woman, even if it is not murder, should have a harsher sentence.

Q20 **Lee Anderson:** Prior to that, Lisa, he had a history of committing these awful offences. A man exposed himself to your daughter Libby weeks before, and you thought it was this man.

**Lisa Squire:** I am putting two and two together. He was prolific in that area around that time. I do not know. I have no concrete evidence that it was him.

Q21 **Lee Anderson:** It would not be unreasonable to suspect that.

**Lisa Squire:** It would not be unreasonable to suspect it was him.

Q22 **Lee Anderson:** What can we do at that stage, where we know these men are out there?

**Lisa Squire:** If the police had been able to catch him, he should have had a tough sentence for what he was doing. It also comes down to CCTV. Civic CCTV is awful. You could not pick a man out—

Q23 **Lee Anderson:** Lisa, what would be a tough sentence for that? Like I said previously, I do not think—I am not a medical expert—you can treat these men. Once they start with this behaviour, it is going to go on and on until they do something really evil.

**Lisa Squire:** I do think you can treat them. If they are willing to change, they will change. There will be a certain element of them who do not respond to treatment and do not want to change, and therefore they



should not be out on the streets. It has to be done on a case-by-case basis.

Q24 **Lee Anderson:** They should be on the register for life.

**Lisa Squire:** Yes, most definitely. They can then change their name, like the lady over there said. Yes, they should be on the register. They have committed a sex offence. They should be on the sex offenders register for life.

Q25 **Chair:** You did meet the Prime Minister, Boris Johnson.

**Lisa Squire:** I did.

**Chair:** You also met the Home Office Minister, Victoria Atkins.

**Lisa Squire:** Yes I did.

Q26 **Chair:** What came out of those meetings?

**Lisa Squire:** They ticked boxes and they said the right things. I believe they wanted to make changes and they know it is a problem, but it is one problem in among a load of other problems.

Boris Johnson was very on board with the things I was saying, but he was almost a bit defeated in a way. He was like, "We do not have prison space". I said, "We will build more prisons". You have prisoners in prisons doing nothing. Make them build prisons and put them in there. I live in a fluffy world, my children would say, but to me it makes sense because you are keeping women safe. If you can just keep one dangerous man off the streets, you have saved one woman's life. That is as much as you can do.

Q27 **Alison Thewliss:** Thanks very much for coming and sharing your experience with us. Can I ask a bit more about what we can do to encourage reporting of these crimes? You said you have been speaking to new recruits at the Met, and you have done lots of other work with police forces.

I can see from the Police Scotland figures on this that it does seem as though there is certainly more reporting of these offences. What more can we do to encourage that and to make people feel as though they are not going to be dismissed if they report something like this?

**Lisa Squire:** As we were talking about earlier, there are online reporting systems. People do not know that you can report online. You do not have to speak in person to anybody. We need to talk more about how many offences were reported over a month. You do not hear about how many sex offences there are. We need to publish those figures. I found it really hard to find figures when I was doing research over the last couple of weeks.

In schools, it should be part of their standard PHSE. "You can report; you must report". Like we were saying about drink driving, 10 years ago you



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could smoke in a restaurant or a pub. It has filtered through. We have to start doing the same with the reporting of non-contact stuff.

Q28 **Alison Thewliss:** Should that kind of thing come via official channels? Police Scotland, for example, had a video called “Don’t be that guy”, which is about low-level misogynist behaviour that can lead to things like that. Does it need to come from those official channels? Should it be from the Government or the police?

**Lisa Squire:** Yes, it should come from everybody: the police, from Government and from educators. It needs to be across the board.

Q29 **Alison Thewliss:** In Scotland, we have the Equally Safe strategy, which is around violence against women and girls. Part of Equally Safe is about being safe on campus and in universities. Do universities need separate strategies to encourage that reporting?

**Lisa Squire:** Yes, possibly. We have to use the same strategy across everyone. They can tailor it to their needs. We need to keep going on about it. A lot of people I have spoken to talk about violence against women and girls, but do not bring the non-contact stuff in because it is not violence.

Q30 **Alison Thewliss:** It is a spectrum, isn’t it?

**Lisa Squire:** It is the same thing. They do not think that violence against women and girls incorporates non-contact stuff, and it so does. They do not think about it. There needs to be education and advertising campaigns. The British Transport Police and London Underground did the campaign on upskirting. That was talked about a lot because it was happening on trains a lot. It just needs to be out there in lots of places and for a long time until it filters through.

Q31 **Alison Thewliss:** Yes, absolutely. Thank you for what you are doing in this respect. Like you say, it is important to talk about that low-level stuff because it can and does escalate.

**Lisa Squire:** You have just said “low level”. We call them “lower-level crimes” or “lower-level sex offences”. They are just sex offences.

**Alison Thewliss:** Yes, they are still sex offences.

**Lisa Squire:** We need to change the language. I still call them “lower-level sex offences”. I have to think back on it and say, “No, they are sex offences”.

Q32 **Alison Thewliss:** You are absolutely right. I will think about my language as well. It has reminded me of being at university and seeing somebody flash me on my way back home late one evening. It is still there in my head. I did not report it and I did not do anything about it. You are left wondering, “What happened with that?” We all have a responsibility to make sure we do report these things at the time.



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**Lisa Squire:** The girls who reported what he had done to them before Libby were incredibly brave to come forward and report that. I would not want another girl to think, "If I had reported, maybe that would not have happened". That is a horrible thing to live with.

Q33 **Chair:** Just to be clear, Lisa, those women came forward once Libby had disappeared.

**Lisa Squire:** Some had reported before and some came forward after, yes.

Q34 **Chair:** I know it was a number, was it not? It was not just one or two. There were quite a few.

**Lisa Squire:** He was charged with 13 offences, but there would have been more. It was over an 18-month period. He did not just go out 13 times. He targeted the student areas. Students are transient. They might have been there one weekend and then gone home. Yes, there absolutely would have been more.

Q35 **Simon Fell:** Lisa, thank you for joining us and, it should be said, for what you are doing. You are remarkably brave. I can only imagine the number of lives you are touching through what you are doing.

I am really interested in the work you are doing in schools and what you are seeing there. We are talking about cases where people are at points of crisis. You do not start as someone who is going to expose themselves. That starts earlier in your life. Whether it is about access to materials or the culture in which you live, something enables and empowers you to get to that point.

I wonder whether you could talk a little bit about the culture that you are seeing when you talk to young people. What do they see as acceptable these days or as something they can dismiss because it is so common? What should we specifically be doing in that area to try to build up our defences, improve reporting and make sure that so many people are not getting to those points of crisis?

**Lisa Squire:** I am doing some work with Thames Valley Police at the moment. We are devising an education package to go into sixth forms around non-contact stuff and safety at university or boarding.

We have done some focus groups with various schools. We did a focus group with a boys' school and a focus group with a mixed group of people. I went to those two. What the boys think is very different to what the girls think.

The boys know what is acceptable and what is not. To some extent, if their mates are doing it or their mates think it is funny, it is about being brave enough to call it out and to say, "It is not okay to speak to a woman like that or do that". That is really hard for young men to do. The girls do not want to make a fuss. They know it is wrong, but they accept



it. They all know what is right and wrong. It is about giving them the power and the confidence to call it out and act on it.

I visited a school in Windsor and Maidenhead borough. They have a school police officer who talks to them very openly about things like that. That seems to have had a huge impact on the young people in the school. It has to be a specific learning package for them.

Q36 **Simon Fell:** Presumably you would advocate doing this not just in schools but going back into families and starting there.

**Lisa Squire:** Yes. We have to be more open and more honest with our young people. It starts when they have been exposed to things; there must be something in their earlier years that has made them all of a sudden decide to go out and do this.

As women—I do not like saying this—we bring up boys. We give birth to them and bring them up. We have to start talking to our young boys. My son has three big sisters and me. There is no way, I hope, that he would dream of stepping out of line. We have always had open and honest conversations. It needs to start in the home. Again, it is about educating parents. There is a massive structure that we need to change.

Q37 **Simon Fell:** Can I just ask one more, if I may? This may be a stupid question, but I will ask it anyway. We are talking about predominantly males doing this to women. What do you see in schools around male-to-male or female-to-male? Is there much there at all?

**Lisa Squire:** I have not seen it, but we do talk about it and we have talked about it. In the focus group, we were saying that it does not matter whether it is a female committing a non-contact sexual offence on a boy, a boy on a girl, a boy on a boy or a girl on a girl. They are not right. They need to be reported.

We have not made it a male-on-female problem. It is a problem that nobody should have to deal with from whichever angle it was perpetrated.

Q38 **Chair:** Just before we conclude, what is the one thing that you would really like the Home Affairs Select Committee to take forward when we make representations to Government?

**Lisa Squire:** I would like more research, more data and more findings on the number of non-contact sexual offenders who go on to be repeat offenders or rapists. I am really unclear about the figures. That was just me looking. That would be good.

I would really like to think that we can change sentencing, change attitudes towards those who have committed these offences and take non-contact sexual offences as the serious crimes and red flags that they are.

**Chair:** Thank you so much for coming along today. It has been incredibly



powerful to hear from you. I pay tribute to you for the work you are doing, going into schools and talking to young people. It is so vital and important. I am sure the whole Committee is going to make sure that we raise with the Home Office your plea for more research, data and evidence. That is so important.

**Lisa Squire:** We need help for perpetrators and help for victims.

**Chair:** Thank you so much for coming along today. We are going to hear from some academics. Hopefully we might be able to get some information about what data is available. Thank you.

## Examination of witnesses

Witnesses: Professor Katrin Hohl, Professor Sarah Kingston and Professor Clare McGlynn.

Q39 **Chair:** Welcome to our second panel. Before I ask the panel to introduce themselves, I just want to remind both Members and witnesses that we cannot discuss active court cases under the House of Commons sub judice resolution.

However, given the significance of a recent case in which the first person was convicted of cyber flashing, with the agreement of the Speaker, I have decided to waive the sub judice resolution partially to allow the case to be discussed. As a sentence is yet to be determined, no reference to the sentencing should be made. Members and witnesses should refrain from going into any detail about the case. I just wanted to say that at the start.

Could I ask the panel to introduce themselves? Perhaps we can start with you, Professor McGlynn.

**Professor McGlynn:** I am Clare McGlynn, and I am a professor of law at Durham University.

**Professor Kingston:** I am Professor Sarah Kingston. I am a professor of criminal justice and policing at the University of Central Lancashire.

**Professor Hohl:** Good morning. I am Katrin Hohl. I am a professor of criminology and criminal justice at City University of London and the independent adviser to the Government on the rape review.

Q40 **Chair:** To start, I wonder whether each of you could give your reflections on the very powerful testimony that we have just heard from Lisa Squire, the points she was making about the lack of data or evidence on this issue of non-contact sexual offending and whether it is being treated with the significance that it should be. I do not know who would like to start on that.



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**Professor Hohl:** I am happy to go first. Lisa illustrated very well where it can lead when we do not take it seriously. The bit that I would like to talk a bit more about is what happens when the police find out about non-contact offences. My research and that of others has shown that it is not straightforward. I would like to talk a bit more about why is it so difficult, even when victims come forward, for that to result in the perpetrators being stopped.

I would like to talk a bit more about that, and about how we can encourage victims to come forward and report it. Those two topics need more exploration.

**Chair:** I am happy for you to do that now.

**Professor Hohl:** What happens when somebody reports a non-contact offence to the police? Typically, it goes to a non-specialist volume crime unit. It is going to be handled alongside the whole range of those potential crimes. That could be fly-tipping, stolen bikes, shoplifted lipsticks, common assaults or youths being a nuisance in the park. They are not specially trained officers who know about sexual offending behaviour. It is not going to land on the desk of somebody who will place that in the context of that knowledge.

One officer said to me, "It is not even treated as a crime". It is structurally separate. Lots of police forces have specialist rape and serious sexual offence units. They will deal with the rapes; they will deal with the sexual assaults by penetration. They will not deal with these offences. It does not go to a specialist.

Secondly, the point Lisa made so beautifully was that the police could do something about this if only they had the data. I am afraid that is not the case. Data or intelligence is the lifeblood of policing. It is what you need to put these pictures together, but data is treated as if it is a distraction from police work rather than the basis of it.

Police crime statistics lost their national statistic status 10 years ago because the quality of the reporting was so poor. It has improved, but the details are not recorded. Even when they are recorded, there are barely any crime analysts left to look at the data. We saw the uplift in officers, with 20,000 officers being recruited, that was officers, not police staff. We are depleted of analysts who could spot those patterns. We do not have the infrastructure.

I have one further point. Imagine that your case lands on the desk of a motivated officer who has identified a named person. All officers can use the police national computer to look someone up, but that will only tell you about people who have had cautions or convictions.

The police national database, the PND, will tell you whether somebody has been a named suspect. We know that conviction rates are in the low single digits. The vast majority will have never had a caution or a





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conviction, but you need a licence to go on the PND. It is not unusual that there is no one on shift who currently has a licence to use it. They are restricted.

Everyone assumes that the first thing an officer does is look up that named person. A lot of the time they cannot, so that check is delayed or missed. That means officers are searching the rock pools and ignoring the ocean.

There is a problem around the quality of the data, the ability to access and analyse it, and the recording of the data, but it also does not go to a specialist. Unless you have specialist knowledge about sexual offending behaviour, it is very unlikely that you are going to join the dots. I could go on, but I will stop here.

Q41 **Chair:** That is very helpful. I am sure we will have some questions on that. We will just work our way through the panel to get your initial thoughts on what was being said in the previous panel.

**Professor Kingston:** To come back to the question about the challenges around data, for many years voyeurism and exposure have been lumped together. Lisa mentioned the statistics on the extent and prevalence of exposure nationally. It is difficult to identify because it has been lumped with other sexual offences.

That was part of the reason we undertook research to try to understand the scale of these incidents nationally. We made FOI requests to 43 police constabularies and got data on approximately 15,000 incidents of exposure nationally. That identified that we probably have a larger issue than many of the general public would realise.

The data is available, but it is lumped together under "other sexual offences". There have been reports undertaken to try to identify the scale of exposure nationally. Further work and research is definitely needed to understand this issue more thoroughly. We have bid for research funding to understand the escalation of offending from exposure to contact offences. We would like to do that further work to understand the data more thoroughly.

Q42 **Chair:** You said you had bid for funding; you have not got it.

**Professor Kingston:** Yes, we have bid three times. Unfortunately, we have been rejected on the basis that there was further ongoing work that I am not aware of. I have asked my national police lead whether they are aware of this research, and they are not. I would have loved to be able to come here today and tell you about research that has identified the potential triggers and key characteristics indicating that offending is escalating from non-contact to contact offences, but unfortunately we have not been funded for that research.

That said, our police colleagues in the north of England, where I am based, have supported our indication that we want to do further research



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in this area. Lancashire Police has said it is happy to be named today as being in support of this research going forward.

Research is definitely needed to understand the escalation from non-contact to contact offending. That said, there are research projects, which I am happy to talk about now, if you would like me to, which indicate that there is a link. A thorough understanding from research is much needed.

Q43 **Chair:** Just so we are clear, who are you applying to for the funding to do this work?

**Professor Kingston:** We applied to the Economic and Social Research Council and the police STAR fund as well.

**Chair:** You were turned down by both.

**Professor Kingston:** Yes, unfortunately. That is just the nature of grant applications to funding bodies. It is understandable, but we would love to do that further work. Our intention is to do that work with the police. We work with police data and have worked closely with police constabularies.

We want to understand the data that is available. There are issues with the data that is available, which I am happy to talk to later in the session, but there is data available. We can work with that data to identify those triggers and key characteristics, which might enable us to understand whether someone's offending might go on to escalate. It might not nicely mirror the overall cohort trends that we might identify, but it would give an indication to the police of who to focus on going forward.

**Chair:** Okay, that is very helpful.

**Professor McGlynn:** First of all, I would like to thank Lisa Squires for all the work she has done in this area. She speaks so eloquently and powerfully about her experiences. She keeps on reminding the public about the prevalence and harms of these types of offending. That is very powerful.

I have two other brief reflections. One of them follows on from Katrin's comments about reporting and Lisa Squire's work to try to encourage more women to report. When women have been asked about street harassment and why they do not report it, the main things they say is that they do not know it is going to be taken seriously; they do not know what the police do with the information; and they would like different channels, i.e. some form of anonymous reporting, so they can give intelligence without having to go through with a formal police report.

One step that we could take is to do more work to introduce forms of anonymous reporting so the police can get more information about these types of offending and more women might then be willing to come forward and give that information. That is one concrete thing that we could be taking forward at the moment.



My second reflection is about the discussion. I would like us to think about how we are framing some of this discussion. The language of escalation tends to assume a linear pattern, in the sense that the low level leads to the serious and there is one linear escalation or gateway. I would like us to talk more about patterns of offending. There are offenders who might be committing acts of rape, but sometimes they go on to commit exposure and other offences. As there is such a wide range of interrelated offences, it is better to talk about patterns. That is also because the online environment complicates this so much more. We can talk about that.

Finally, these types of offences we are talking about, in and of themselves, are serious, harmful and significant. I do not want us to be taking them seriously just because they might lead to something later. We need to take them seriously right now, in and of themselves.

**Chair:** That is very helpful. Thank you.

Q44 **Marco Longhi:** Can I pick up on the points made by Professor Hohl and Professor McGlynn? As Members of Parliament, we are constantly presented with issues, particularly with regard to the police. We are trying to balance what we can say and do from a policy perspective with what is happening at a police level, which is operational. We are often told we should not be venturing into the operational side of things. Much of what you have said, Professor Hohl, strikes me as an operational matter. Perhaps you can correct me if I am wrong and that is not the case.

Should there be something coming from a policy perspective to identify some of the operational requirements specifically for the things that need to change, as you listed, or do the police already have the operational delegated authority to enact some of what I would deem as commonsense things necessary to achieve what you are implying or setting out explicitly?

**Professor Hohl:** You are absolutely right. Police have and should have operational independence and some of these are operational matters. We have not yet gone into the wider framework as to why we find ourselves in this situation. That speaks to what the strategic priorities are, what the Government's strategies are and where the focus is.

At the moment, the focus is very much on rape and so-called serious sexual offences. Policing, just like policy and strategy setting, is reactive. Once something has already happened, what is going to be the criminal justice response? What is the sentencing going to be? Prevention is much better than prosecution.

A life sentence will not bring back Libby. It will not undo the crime. What will stop it is prevention. Prevention is the Cinderella service of the police. It is marginal. Sexual violence prevention, especially non-contact offences, is doubly marginalised. It even shows in Government strategy.



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There are a few nods to it, mostly couched in terms of escalation; it is not taken seriously in and of itself.

If you want these things to change, there has to be priority and resource afforded to it; there has to be the data and evidence to underpin lawmaking and policymaking. As my colleagues and Lisa alluded to, there is an absolute lack of data to underpin any of this work. This is not merely a matter for the police to sort out. There is a responsibility that can be taken by Government, too.

**Q45 Carolyn Harris:** If someone is found guilty of a non-contact offence, what would be the process in place around the sentence? For example, would DNA be taken? Would they be monitored? Would there be ongoing contact to try to establish how that person is dealing with the situation or potentially looking to reoffend? Are they just fined or whatever, and then that is it and nothing else happens?

**Professor Kingston:** In terms of the police response, this is something that came out for me when Lisa was talking about the responses that the police and the criminal justice system have to exposure offenders.

You may or may not be aware of the way that registered sex offenders are managed. They will be actively managed by the police. The charge and sentence of an exposure offender will make a difference to how they are managed by the police.

The Sexual Offences Act, part 2 schedule 3, identifies that there are certain thresholds that need to be met for an exposure offender to be registered as a sex offender. That means the notification requirements will be different if somebody does not meet that threshold. That will lead to a different response by the police. If they are registered as a sex offender and are subject to notification requirements, that might mean they are managed by a MOSOVO team, for example, who are specially trained to manage sex offenders within the community, whether they are released from prison or subject to a community order.

**Q46 Chair:** Just on that point, so we are all clear, what does that actually mean? What is the threshold?

**Professor Kingston:** According to part 2 schedule 3, somebody under 18 who is imprisoned for 12 months will be subject to notification requirements. If the person is over 18 and their victim was under 18, they will need to be sentenced to imprisonment, detained in a hospital or subject to a community sentence for 12 months. If the person does not meet that threshold, they will not therefore be subject to notification requirements and will not be registered as a sex offender. They would need to meet that threshold to be registered as a sex offender.

**Q47 Carolyn Harris:** Someone who has been found guilty of indecent exposure, for example, probably would not get a custodial sentence. If the person they have exposed themselves to is over 18, they would not be on the sex offenders register. There would be no monitoring of that



person. What about if they reoffended? Would that change or would it still be the same?

**Professor Kingston:** There are categories that a judge would use in their sentencing decision. The fact they have reoffended would be taken into consideration. There are categories, and the judge will determine whether they fit that category or not. That would have an impact again on their sentence and whether they are then registered as a sex offender. It all really depends on the severity of the exposure offence and the reoffending.

Q48 **Carolyn Harris:** Is there any reason why committing any of the offences that we are discussing now should not put that person on the sex offenders register? Is there any reasonable argument to say, "No, they should not go on there"?

**Professor Kingston:** I do not know whether I can answer that. It is a really good point, because this is a serious sexual offence. It goes back to the issues that we started to discuss and that Lisa mentioned about the response to exposure. People in the US have argued for decades—Landstrom and Firestone—that this is seen as a public nuisance rather than a criminal justice issue.

There was a police officer in the UK who made the point that it is often seen as a joke and that people often laugh it off. In 2021, for example, we saw streakers at football matches. We see it at hen and stag parties. It is seen as a bit of a laugh. It is not seen as a criminal justice issue. It is seen as more of a nuisance or something to laugh off.

That said, research in the US has identified that between 33% and 52% of women have been a victim of exposure during their lifetime. We do not have that statistic for the UK, but the indication from the US is that anywhere up to 52% of women have been a victim of exposure.

**Carolyn Harris:** I am going to try to digest that. I find it absolutely incredible that they do not get put on the sex offenders register.

**Chair:** I am surprised that it is as low as 52%. Almost all the women I know would say that at some point in their lives they have come across someone who is exposed themselves, masturbated or done something like that.

**Professor Kingston:** Lisa has talked already about the stigma around this. There was a Polish study that identified that only 7% of the women in their study had reported to the police; 93% had not reported.

**Carolyn Harris:** They just take it in their stride. It just happens.

Q49 **Simon Fell:** Thank you for joining us. I am interested in the point you made earlier on about reporting and the data on this that is collected and can be used by the police.

In her earlier evidence, Lisa was talking about how she encourages young



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people to report online if they are embarrassed or if they are feeling the social stigma of this. Could you just take us through what that looks like? What do those online channels look like? What kind of data needs to be recorded to go through those? What is the threshold for the data that is recorded?

What I am trying to get to is this. If someone flashes you, whether that is in real life or they AirDrop a photo to you, or whatever it might be, you are not necessarily going to see a face. You are not going to see the identifying characteristics that you might expect to provide in a report to the police. Is the PND set up to take the right sort of information so you can start to capture multiple instances of the same individual doing the same sort of thing?

**Professor Hohl:** Let us start with what the route in is. All forces now have an online crime reporting form, but people assume that is for their stolen bikes. You would not think that is for sexual offending.

The British Transport Police very much have a profile. They are responsible for the trains, the tubes and the stations. The profile of offending they get is very much around a high number of non-contact offences, such as men exposing themselves on trains and so forth.

I have done quite a bit of work with them around this topic, and they have introduced a specialist reporting form for sexual offences that would give victims control over what they wanted to say. For example, do I just want to say what happened, or do I also want to give my name or not? You have some control over to what extent you want to be involved, alongside some help and information.

For sexual offending, whatever the nature, it is really important that it is not just feeding information in, but that there is some mechanism to say, "Here is where you can get support", and they have introduced that. They looked at the quality of the reporting, and they found that victims are very good at telling them what they needed to know. They also found a way of feeding that in so that it registers on their database just the same way as any other way of reporting.

They have created that system. They are doing quite a lot of advertising around it, but this is the route you need to take. Victims do not think about that as being for them. It is the form where you say, "My laptop has been stolen". There is the wraparound of providing referrals as well, so that has been there.

Once it is in, there is huge variety. We have 43 police forces. They all have different IT systems. Some allow for systematically searching for patterns better than others. It is not very consistent.

Q50 **Simon Fell:** Could that be patterns related to items of clothing?

**Professor Hohl:** Yes, they could, but normally that work is done by the crime analyst. You have somebody who has to think, "I feel there have





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been quite a lot of men in red jackets”, and then they could, depending on the police force, do particular searches. That is sometimes how prolific offenders are then identified, but it typically requires a person.

We know that the sort of job AI might be very good at is finding patterns of places, offending types, behaviours and so forth. The technology is not there, but also the resource around analysts to do that work is not there at the moment. There would have to be a concerted effort or a strategy that would direct attention and resource towards it.

**Q51 Simon Fell:** What would your recommendations be with regards to standardisation across forces for what that reporting mechanism looks like, so at least they are able to record the same data?

**Professor Hohl:** The reporting forms do not necessarily have to be standardised, but the data should be. Data should be freely shared between police forces in an accessible manner, because that intelligence is the basis for everything. There would have to absolutely be an investment into those sorts of infrastructures, and that would benefit all other crime types as well.

Also, we need to move away from this artificial distinction between rape and serious sexual offences, and the low-level offences over there. For example, Operation Soteria was about rape and serious sexual offences. We did propose that it should be rape and other sexual offences, but, because of the structural issues in policing I mentioned earlier regarding where these investigations sit, that was not very straightforward to do.

Again, it would require a shift in thinking as to how we look at sexual offending and whether we really can afford to attach such low priority to non-contact offences. It would require investment in those infrastructures, and learning and development. If you do not have the specialist knowledge, the data is not going to help you. You need to know what you are looking for.

**Q52 Simon Fell:** You used a brilliant analogy in your opening remarks around rock pools and oceans. What are the barriers that stop wider access to that ocean of data so we can better interrogate it and find some of these people responsible?

**Professor Hohl:** There are very practical barriers. It is because the PND has licences. Police forces have to buy licences, and there are a certain number of licences they have to go on. Then officers need to be trained to use them. It might be that you have a licence but no one on shift.

**Q53 Marco Longhi:** Is that an operational issue or is that something that policymakers need to issue an instruction for, which was part of my question earlier?

**Professor Hohl:** There is something for you as policymakers to do here, because, if you have particular requirements around how data is collected, stored, counted and accessed, you could turn some levers





here. As is so often the case, policing is hit with so many things to focus on and so many priorities. If there is no political pressure and no pressure from people like you to invest in it, it is not going to get near the top of things to do, so absolutely there is something you can do around that.

**Q54 Simon Fell:** On that, has there been any research done on the efficacy of widening out that access? What do you get in terms of more hits, more data or stronger cases if you can start to look at that wider pool?

**Professor Hohl:** There were some case studies. Again, I am aware of a number from the British Transport Police. You can send a text message to them, and they will get someone to potentially meet you on that very train. They have had some successes through these individual case studies where they have been very effective in using that.

There is another thing that can be done. We have talked about taking these cases to court, getting convictions and so forth. The law has made other tools available to the police in the form of so-called civil orders. They are the sexual harm prevention orders and the sexual risk orders that police can apply for through the magistrates' courts to stop people who have not been convicted, such as where the investigation is ongoing or it did not meet the criminal threshold, to specifically stop them from their modus operandi.

For example, if someone on the tube keeps exposing themselves, there are cases where they would then not be allowed to place themselves opposite a lone female on a train or any public transport, or they would have to use a coat or something else to cover their genital area. Then, violating that attracts a sentence of a maximum of five years, so quite a heavy sentence. These are hugely underused.

Also, I have not been able to find a single study or evaluation of these quite powerful tools, including their impacts on stopping sexual offending behaviour. There is a huge lack of investment in commissioning research to look at, "Now that we have created the law, does it actually work? Is this tool usable or not?"

It is not enough to put the tools in people's toolbox. As lawmakers, there is also a responsibility to check whether the laws that have been created have the intended effect. At the moment, we just do not know, and they are barely used, possibly as a result.

**Q55 Alison Thewliss:** Thank you very much for the evidence you have been giving. It has been really useful. Can I just ask about a technical point first of all? Professor Kingston, you talked about looking at things nationally. Do you mean England or do you mean the whole of the UK? Scotland is in a slightly different situation with these things.

**Professor Kingston:** Our research was based in England and Wales, looking at instances of exposure in England and Wales. We have not looked at Scotland, but we would love to do that work.



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Just going back to a point that was raised about the police data reporting, one of the things that we found from that study was that, in 43.7% of the incidents, no suspect was identified. Some of the reasons for that were the evidentiary difficulties that were identified from our data analysis related to victims not able to identify the suspect, as well as issues around reporting and the police tracing those perpetrators as well.

Just following on from a point that Katrin made about police systems, there was a change in some police systems, and historical data is not always as easily accessible. In terms of looking back through history, it is more challenging for the police to make those links with what is happening today, given that police systems have changed going forward.

There are differences in the systems that are used, and that really came to us in terms of the data that we received. It was given to us in different formats, which meant we had to do a lot of data cleaning. The ranges of information that we were given were slightly different; the coding was slightly different, so a national approach would be incredibly helpful in terms of better understanding the data that is available.

**Q56 Alison Thewliss:** In terms of the data that is recorded in Scotland, obviously we have the advantage of having a single force in Scotland. That makes that reporting more consistent, I would hope.

I was looking at some of the figures for Scotland and the figures that they had for voyeurism, which they said was 514 crimes recorded in 2022-23. They reflected in the report that they had that that had been on an upward trend generally, albeit slightly lower recently. Do you feel that this is because people are more confident to report or because it is more prevalent?

**Professor Kingston:** It is a difficult one to answer. Just thinking about the change in culture that has happened over the last few years, people have changed their patterns, obviously, because of Covid, and we are socialising more, so that might have an impact in terms of the data and statistics that you are making reference to.

**Professor McGlynn:** Could I just add to that? Scotland has criminalised some forms of cyberflashing for a lot longer than England and Wales, so some of the changes and some of the Scottish statistics could be in relation to reporting of cyberflashing. My understanding is that there is not enough of a breakdown to know whether it is cyberflashing or other forms of exposure, but the reason why they are increasing could be related to that.

**Q57 Alison Thewliss:** It would make sense that that changing technology, of course, is bringing about new crimes. It is easier to do something on your phone than to go out on the street, for example.

**Professor McGlynn:** Yes, absolutely.

**Q58 Alison Thewliss:** Do you think that needs a different type of response if



it is online rather than somebody on a street corner?

**Professor McGlynn:** Again, that, for me, would come back to this point about patterns, because some cyberflashers might have similarities to individuals who go on to the street and expose themselves, but some cyberflashing goes to more of the other points that were being raised earlier about cultures of communities among young men, and bravado and that sort of thing. It is not possible to say that all cyberflashers are similar to all those who are out physically, but there will be some connections, and that is why we need to understand these as patterns.

Q59 **Alison Thewliss:** Professor Hohl, do you have anything to add to this in terms of differences in approach or data between Scotland and the rest of the UK?

**Professor Hohl:** No, not particularly on differences between the two, but across both it is probably fair to say that police have, over recent years, tried to become better at recording. Some of the increase might be due to better recording of those types of offences.

Q60 **Alison Thewliss:** In terms of strategy, we have had Equally Safe now, and that strategy has been renewed. Does that cover enough of the spectrum of offending and violence against women and girls?

**Professor McGlynn:** I know that it was updated, because I spoke with some colleagues in Scotland about that in terms of the online dimension, to raise awareness and ensure that we are taking that online dimension into account. I know it is doing that in a positive way.

Q61 **Alison Thewliss:** We are also bringing forward further legislation in Scotland on misogyny as a hate crime. Is there more that needs to be folded into that type of legislation? Would that be useful on a UK-wide basis?

**Professor McGlynn:** Views differ on whether that is the best way to approach some of those issues. For me, it is less about trying to introduce that sort of new offence, although in Scotland you would exclude it from certain rape and other offences, partly because it already reproduces the existing crimes generally. Of course, what we have been talking about here is that we are not taking many of those existing crimes seriously enough.

For me, it would be about trying to ensure that many of these crimes, including the online dimension, are taken much more seriously across society, but then also by police. We do not need another misogyny hate crime offence to do that; we need to concentrate on what we have, because it can cover most of it.

Q62 **Alison Thewliss:** If I could ask Professor Kingston about some of these online indecent exposure cases, is there enough done with the tech companies to look at the detail of where this is coming from? There must be a data trail of where that has come from.



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**Professor Kingston:** Not enough is being done, in my opinion. I can see Clare is nodding away there, so she may want to come into this one as well. No, absolutely not. When we look at dating research, for example, for the people who are engaging in dating, it is a common feature of their experiences to receive images of people flashing, whether that be on camera, or whether they receive videos or images. More definitely needs to be done by tech companies to further support victims.

**Professor McGlynn:** I agree. More does need to be done. The slightly concerning context for that, though, is the implementation of the Online Safety Act. The Online Safety Act could and should make a difference to the kind of issues you are raising, whether it is cyberflashing, upskirting or deepfake porn abuse, but I am deeply concerned, as are many others, that the choices Ofcom is making around how to implement that legislation mean that the rhetoric is not likely to live up to the reality. It is not the legislation per se that is the problem, but it is the choices that are being made.

For example, in relation to cyberflashing, the draft guidance that Ofcom has at the moment talks to platforms about identifying the individual male who has posted the individual penis image to someone without consent, perhaps looking at that situation and deciding, "Is there reasonable grounds for a criminal offence? Maybe we will do something about that image", whereas the whole Act is supposed to be about designing a process to reduce those harms.

From my perspective, the guidance should say, "Block or blur those images", because we know it is prevalent. We know it is harmful. Then you can release them if not, but you block in the first instance. That is not what the guidance says at all at the moment. The guidance even says, "Blocking is not the concern, because you can, after all, delete the image", which completely misunderstands the violation. That is the draft Ofcom guidance at the moment, and the consultation closes on Friday.

It is also in relation to, say, the deepfake porn abuse, which also fits within this pattern of non-contact sexual offences. Helen Mort, for example, had deepfake porn of her made and then shared. She did not know the person who did that to her. She has talked about, "If someone spent so much time doing that, generating those images, what else might they do?"

It is very similar, therefore, to exposure, but the Ofcom guidance says, again, that platforms just look at the first post of a non-consensual intimate image and see whether it might be reasonable grounds to infer a criminal offence. Then you remove that one, but not the hundreds or thousands thereafter. Most people would be very surprised to think that the guidance is not even saying to platforms, "Remove all of that non-consensual material when you know it is non-consensual". It does not say that. Ofcom says platforms may do it, but then we are basically back to just crossing our fingers and hoping they will do it.



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The Act could do an awful lot more. It could reduce some of the online pornography that is fuelling some of these activities, but, again, the guidance on it is really weak.

Q63 **Alison Thewliss:** In terms of people hosting these images abroad, does that cause further difficulty in trying to tackle that?

**Professor McGlynn:** It does. Ofcom do have powers to find out information from other websites that are abroad, but it would have to decide to use those powers and to effectively prioritise that as an issue. Many of those websites, understandably, would just delete the first email, so you would have to be very proactive to try to get action taken there, but you could do that. Ofcom could do much more to take action against some of the deepfake porn websites, for example.

Q64 **Tim Loughton:** Can I start with you, Professor Hohl? Congratulations on your appointment to the rape review. I do not know if you have heard today that the Government have announced that they are going to introduce mandatory reporting for abuse against children, as recommended by the independent review, which may well then have implications for reporting of abuse against adults of this description, as well as banning people from changing their names if they are on the sex offender register.

Professor, you have said there is a lack of criminality reporting and analysis within the police. Is there any reliable evidence that this is a gateway crime to more serious sexual offences?

**Professor Hohl:** There is some evidence. When you say "reliable", typically what we want to see in academia is a fairly large number of studies that replicate a finding of that nature. There is such poor data collected on it within policing. Also, within academia, the focus has largely been on studying convicted rapists in prisons, so it is fair to say that we do not have the very strong evidence base that we would like to see.

There are some studies, and I know Sarah has copious notes on those, so I will pass that to her to share. A finding to note is that we have not invested in research on this area, so therefore we do not have as strong an evidence base as you probably would want to see when you pass laws and make policy at present.

Q65 **Tim Loughton:** Again, as with spiking, we are concentrating on people who we know have committed rapes or whatever, which completely disregards the fact that they were doing spiking earlier on in order to get there.

Professor Kingston, I am slightly playing the devil's advocate, because none of this is appropriate. Is there going to be a problem with distinguishing between somebody who is rather the worse for wear at a party exposing him or herself inappropriately, in contrast to somebody who goes out in a public place and the sorts of activities that we heard



from Mrs Squire earlier about the perpetrator against her daughter? Are we going to have a sort of grey area threshold problem there?

**Professor Kingston:** Just to take your first point, that is why the sentencing guidelines that are given to judges allow for categories of offending in terms of sentences, so they can determine a sentence according to the severity of the offence that is committed. In terms of it being a grey area, in sentencing generally, there is no hard and fast rule for what should and should not happen, because there is discretion there in terms of sentences within the thresholds that are set. It is for a judge to decide on the sentencing, according to those sentencing guidelines.

Just to go back to your first point, you asked Katrin about the current literature. It is patchy, particularly on exposure. Internationally, there has been research from around the 1960s up until about 2020 on exposure, specifically looking at the link between it and other types of offences, and also reoffending of exposure offences.

One study in 2014 from McNally and Fremouw, for example, identified that 25% of people in their study had then gone on to commit either further offences or more serious sexual offences. There is research from Canada, Australia and the UK that has identified offending escalation and also reoffending. However, it is really limited. It is from the 1960s, and the last one was 2008, so there is a real dearth of research on this particular topic, hence why we are so keen to analyse further police data to see whether we could identify anything that would be of use to the police.

That said, what we know about police data and reporting is that what we know is the tip of the iceberg. We know very little. If we take the Polish study, 7% is reported. It is a fraction of what we know nationally. Going back to what Lisa was saying about what more we can do to raise awareness, educate and encourage reporting, there is certainly a lot more that we could do nationally to support victims and to encourage people to see that it is a criminal justice issue. It is not a nuisance and it is not a joke. This is something that should be reported.

Q66 **Tim Loughton:** That is interesting. There is a complete vacuum on the analysis of this, by the sounds of it. Professor McGlynn, I remember many years ago, when I was Children's Minister, I had to look at list 99 cases, which were a group of mostly men who had committed sexual offences against children of one description or another. They were on the sex offender register indefinitely, until it was decided that they were safe again, and they all mandatorily had to go—"treatment" is not the right word—to the Lucy Faithfull Foundation practitioners to analyse whether there was still a threat, and to get to the bottom of what had caused it.

Is that an appropriate approach to first-time offenders or perpetual offenders, rather than what at most might be a caution if somebody exposes himself at the moment? Is that the sort of route that we should go down?





**Professor McGlynn:** Those sorts of educational programmes are essential. The Lucy Faithfull Foundation does a lot of excellent work with offenders. The reality is that we need to try to prevent and reduce these harms. In reality, we are not going to be able to lock everyone up who is doing sexual exposure, so we have to introduce training and education programmes to try to change their behaviour. That would be an absolute priority for me, without a doubt.

Q67 **Tim Loughton:** I had a debate before with the lead chief constable about people who were looking at illegal porn. There was a suggestion that the police were not taking those sorts of offences seriously. Again, there is good evidence that that is a gateway to committing sexual abuse against children. Rather than the police just saying, "It has not really reached a threshold. We will just give him a caution", what if they have to go in front of something like the Lucy Faithfull Foundation to see if they do pose a serious threat? If they do, then it becomes a criminal penalty of going to prison, or whatever it might be. Do you think we need to invest more in that area?

**Professor McGlynn:** We need to invest more in the area in terms of those sorts of programmes. I do not know exactly in terms of the sort of structure or pattern you are talking about. I do not think I would be seeing an assessment that then decides that this is when it needs to be taken forward, because you have had that assessment. I would have to work out the specifics of that. I am not 100% sure exactly what that sort of pathway or programme is that you are identifying.

They do a lot of work around illegal pornography. Most of the criminal convictions for extreme pornography arise in connection with other offences, but we do not know that it is necessarily an escalation; we just know that these are the patterns of offending for many individuals and that they intersect. Most of those offences are for bestiality images because, again, that is just what the police easily identify, so they manage to convict on that basis.

Can I just go back, though, to the point you were making earlier about grey areas? You discussed a party example. Just to clarify, according to the legislation on exposure, the police and the prosecutors have to prove that you were exposing yourself with an intention to cause distress and alarm, so the inadvertent exposure is not covered, nor the "for a laugh" exposure at a party. For me, I am not so concerned about that sort of scenario, because I just cannot imagine that it would get through many police or prosecutorial processes. It is not covered in that sense.

Q68 **Tim Loughton:** Yes, I agree, but interestingly, to take the analogy of spiking again, one of the things that slightly alarmed the Committee is that most of the spiking was done not in order to take advantage of somebody for sexual abuse or for robbery; it was done for kicks, so you have to define when "for kicks" becomes very harmful to somebody or not.





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**Professor McGlynn:** Yes, but the spiking is still very different. If you are talking about an individual at a party who removes the bottom of their clothes, that is still different “for kicks” from someone who is spiking another person. The spiking analogy is a really good one in the sense that we need to take that, as you describe, in and of itself very seriously, not just if we think it might lead to a rape. It is harmful in and of itself because these are really intimidatory, threatening offences that impact on many people’s lives, predominantly women and girls. Spiking is a very good analogy to what we are talking about here.

**Chair:** Thank you very much. We are coming to the end of this session. There are two things. I wondered if you might all be willing to write to the Committee with your views on whether the current Government’s violence against women and girls strategy is sufficiently dealing with this issue of stopping sexual offending from escalating. I wonder if you could set that out to us.

Professor Hohl, we have just recently seen from the Home Office its review of the last quarter around Operation Soteria and the rape review. We would be really interested to hear your views on that and whether progress is being made. I know that the 2016 figures were the ambition that was set for returning to those levels. We as a Committee always took the view that that was not ambitious enough, and we would be very interested to have your views about where we should really be looking for progress to be made. If you would be willing to write to us on those points, we would be very interested to hear from you.

Today has been very important in giving us a number of points that we will want to raise with the Home Office and the Home Secretary, so thank you very much for your time today.