

Supplementary written evidence submitted by the Minister for Victims and Safeguarding, Home Office

Thank you for the opportunity to give evidence to the Home Affairs Select Committee's inquiry on non-contact sexual offences on 24 April.

As you know, our Tackling Violence Against Women and Girls Strategy was informed by a Call for Evidence which we ran in 2021 and which received an unprecedented response – over 180,000 responses in total.

I committed to update you on the number of commitments which have been delivered to date, and in particular what has been achieved in relation to non-contact sexual offending. I am pleased to confirm that, as of 1 May 2024, 87 of the 126 commitments in the VAWG Strategy and Domestic Abuse Plan have been implemented.

The key commitments in the VAWG Strategy which have been delivered relating to non-contact sexual offending include:

- The creation of a new cyber-flashing offence, which we introduced through the Online Safety Act 2023, and which came into force in January this year. The first successful prosecution for the new offence took place in March;
- The launch of a new tool – StreetSafe - in March 2021, which enables members of the public to report areas where they feel unsafe. This tool is available on Apple and Android devices and to date has received over 34,000 reports, which support the police and local authorities in making local areas safer and indeed sits alongside our Safer Streets Fund and Safety of Women at Night Funds in which £150 million has been invested to date in improving safety arrangements and locations nationwide;
- Working with the College of Policing and Crown Prosecution Service to ensure that police and prosecutors are confident about how to respond to sexual harassment. Updated guidance was published by the College of Policing in December 2021, followed by guidance for prosecutors in August 2022. The Government supported the passage of the Protection from Sex-Based Harassment in Public Act 2023, which will commence on 1 October this year;
- The Department for Transport appointed Violence Against Women and Girls Transport Champions in July 2021 to help shape the approach to reporting unwanted sexual behaviour on public transport across England. The Champions published 13 recommendations in March 2022, and the Department for Transport will respond shortly;
- Working with the Security Industry Authority, including supporting initiatives such as the City of London Police's 'Reframe the night' and launching 'Operation Tarragon', which is a public safety initiative aimed at first year university students; and
- Publishing research on escalation of sexual offending. The Ministry of Justice has conducted and published research on 'Escalation in the Severity of Offending Behaviour'. This suggested that those convicted of non-contact sexual offences are less likely to go on to commit the most serious sexual offences than those convicted of other sexual offences.¹ However, no firm conclusions on the escalatory patterns could be drawn, partly due to limited volume of convictions for non-contact sexual offences. We will build further on this and have accepted the recommendation made by the Angiolini Inquiry to commission research to establish if there is an evidence-based link between active masturbatory indecent exposure and subsequent contact offending.

At the evidence session there was some discussion about the types of images and situations that would be caught by the new sexually explicit 'deepfake' offence. I hope by now you will have seen the drafting of the amendment (NC86 of the Criminal Justice Bill) and of course I am happy to discuss this with you further should you wish.

Under the Rehabilitation of Offenders Act 1974, most convictions and all cautions will become "spent" after a specified period of time. That period varies according to the disposal or sentence imposed for an offence. The Rehabilitation of Offenders Act 1974 sets out that for adult offenders, a fine becomes spent 12 months after the date of conviction, and the new 'creating' sexual deepfakes offence will carry a maximum penalty of a fine.

I recognise that there is more to do to improve the response to non-contact sexual offences. Thank you for meeting me and the Home Secretary with Lisa Square and please rest assured that we have been thinking carefully about improving the reporting and prosecution of non-contact offences. I will continue to work closely with policing and others on this.

As you know, we have accepted all the recommendations in Part 1 of the Angiolini Inquiry, including those which focus on non-contact sexual offences, and we will provide an update to Parliament on progress ahead of the summer recess. I look forward to receiving your Committee's report and recommendations in due course.

22 May 2024

¹ Howard, P., Craik, A., Han, L., Spaul, C. (2023) Escalation in the severity of offending behaviour.