

**DRAFT****Setting the Boundaries - tackling Public Sex Environments in Country Parks****Richard Byrne<sup>1</sup>**

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**Abstract**

Public Sex Environments (PSE) are generally considered an urban issue, however, survey work has indicated that they are a widespread and increasing problem in English country parks. Whilst proposed legislation will outlaw sexual acts in public areas, this will do little for the country parks which are increasingly perceived as unofficial 'tolerance' zones by authorities, seeking to relocate PSE problems from urban areas. The use of recreational and conservation space in this manner is generally considered incompatible, however, where PSE user groups are established it is often in the interests of maintaining order, protection of vulnerable persons and sound environmental management that a degree of planned tolerance and participatory involvement is exercised.

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**Preface**

This study was undertaken in response to the growing problem of anti-social behaviour in country parks. Whilst most country parks regardless of their proximity to urban areas endure some degree of vandalism, fly tipping and problems with dogs and unwelcome visitors etc, it became clear during the course of the study that there was a wider issue relating to these recreational areas being utilised for formal and informal sexual activity.

Formal sexual activity is that engaged in by prostitutes (of both genders) whilst informal activity encompasses a range of consensual acts (again bridging genders). Though country parks have generally been regarded by society as spaces analogous to 'lovers lanes' the activities focussed on by this study can generally be described as organised multi-partner sexual contacts, and hence fall into the category of Public Sex Environments (PSE). The impact of increasing numbers of these types of users in some country parks is discussed later. However, of principal concern for the provision of countryside recreation is that as local authorities seek to reduce budgets, country parks affected by this type of activity are seen as vulnerable, either to closure or access restrictions in response to the problem, (to the obvious detriment of the wider population). At the very least finance is diverted from 'conventional' park management and the provision of visitor facilities to securing and managing the site in response to these issues.

Another noted response has been the acceptance of the issue by some local authorities who would rather this activity take place outside urban areas, with the consequence that the site becomes an 'unofficial tolerance zone' (often with the result of the proliferation of other anti-social activities). This state of management limbo generally can result in a downward spiral in

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the country park as a visitor amenity, increased pressure on countryside management staff, and a drain on police resources, as they have to respond to incidents often at a distance from urban areas.

### **Public Sex Environments**

Public Sex Environments (PSEs) are not new phenomena. They have existed for many years and been tolerated to varying degrees. Yet, they have always been problematic, as they bring together two key often-incompatible parts of societies' attitude to morality and the law. The two are often out of step leaving PSEs not just a problem for lawmakers and the police, but more commonly for the residents and indeed the users of the PSE themselves.

Historically, PSEs have been considered areas where gay men in particular have frequented for 'cottageing' or 'cruising'. The gender and social makeup of contemporary PSEs are incredibly varied and they can no longer be considered solely as a 'gay' issue. However, until recently most policy makers and police services considered PSEs to be the focus of the 'classic' public toilet scenario. In reality PSEs encompass much broader environments, taking in lay-bys, urban parks, country parks, woodland as well as residential and commercial development. They are also not uniquely homosexual in nature, being also used by the bisexual, cross-dresser and trans-gender community. To complicate the PSE scene there is an increasing trend towards the development of heterosexual PSEs that sometimes utilise parts of existing homosexual PSE sites, but more commonly create new ones. To date there is little evidence of public concern where PSEs have involved heterosexual activity but greater concern expressed when it involves homosexual acts. This often leads to the further marginalisation and victimisation of the gay community.

The problems with PSEs are extensive. In addition to any unlawful activity, often relating to indecent behaviour type offences and members of the public being wrongly approached by PSE users. The PSEs users themselves are often vulnerable to criminals and typically are victims of assault, harassment and robbery, users also leave themselves open to blackmail. Furthermore, PSEs also attract their fair share of drug misuse and prostitution.

This variability in the structure and also location make them difficult to regulate and harder to police. As a result the 'established' approach to policing PSEs has been through the targeting the site users, leading to charges of police victimisation, rather than managing the environment itself. Law enforcement through this tactic whilst often been effective in discouraging activity in certain areas, can push the problem to other places which are harder to police and enforce. Additionally, this approach has sometimes led to the 'outing' of individuals, with tragic results, particularly if they are married men who do not identify with being gay or bisexual. Suicides are not uncommon amongst such individuals (Gloucestershire Constabulary, undated, Pers Com 2003).

Whilst the homosexual community has in general identified PSEs and delineated the areas, the areas have become more widely known, particularly by heterosexual men who live outside that community but engage in 'clandestine' homosexual liaisons and by those who would seek to victimise homosexuals. In contrast to established homosexual PSEs, which often have an organic development originating within an urban area e.g. Clapham Common or in the vicinity of gay friendly pubs and clubs thus extending the social context of the community. Recent PSE sites (predominately heterosexual in nature) in general, require a vehicle to gain access and have been deliberately identified and patronised through use of Internet bulletin boards and websites, which advertise their location. As such these areas tend to be more

distant from urban areas and rely less on chance meeting than on the pre-arrangement of liaisons.

### **The growth of heterosexual PSEs**

Over the last 5 years there has been a growth in both the number of PSEs being established and the number of people involved in using them. The PSEs currently being established are being done so to meet the needs of three identifiable groups. The first are exhibitionists who use the site in order to be watched performing sex acts, the second may be loosely termed 'swingers', who meet for sexual contacts and thirdly there are the voyeurs who either watch overtly or observe in more voyeuristic style from the margins. It is difficult to readily classify the users as many assume different roles at varying times within the PSE. Collectively they are termed 'doggers' and engaged in the practice of 'dogging'<sup>2</sup> - a cocktail of voyeurism and outdoor sex, typified by multiple partners and a high thrill threshold derived from the location and the act itself. The origins of dogging are unclear, however, it is generally considered that it developed from voyeur activities around 'lover's lanes' and where prostitutes take their clients (Figure One).



*Figure One: Granville Country Park, Telford, Shropshire - noted as a well advertised 'dogging' site' A wooded fringe makes it an ideal location for voyeurs. Also frequented by prostitutes looking for 'quieter' areas than the neighbouring industrial estate.*

The doggers preferred locations are car parks in country parks and other managed areas such as nature reserves and forest parks, as these are easily identifiable from maps and are generally signposted allowing pre-arranged meetings to take place easily. Country parks also provide a degree of discretion as they may indeed be used for 'walking the dog'.

Doggers and country park PSE users come from a wide background. Pilot survey results indicate they are predominately white, generally middle class, (skilled manual and white-

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<sup>2</sup> Dogging, comes from the expression 'walking the dog' and is the term commonly used to describe outdoor exhibitionism, voyeurism and sexual activities in motor vehicles. The voyeurs are mainly men and the exhibitionists are mainly heterosexual couples who enjoy attracting attention and often invite people to join in.

collar workers) and aged between 30 and 50. Couples are often active on the swinging scene, whereas most single males engage in this activity in secret. What is clear is that men far outnumber women and that there is great potential within these PSEs for a high level of coercion and exploitation of women. This is an area of great concern given the high risk sexual activity taking place and anecdotal evidence suggesting that women have been drugged and forced into such activities. Even amongst women who willingly take part in the activity there is much anecdotal evidence that they sometimes become the object of unwanted attention leading to acts which at least could be classed as assault and at worst rape. There is also a health aspect in regard to undertaking this activity. Anecdotal evidence suggests that condoms are not widely used within these multiple encounters and the risk of STDs is high.

Of increasing worry is the involvement of young women (and possibly minors) who are taken to car parks where they are filmed or photographed while having sex. For some unfortunates their private liaisons have been videoed and photographed and posted on the internet. Again anecdotal evidence indicates that on occasions these young women are introduced into 'swinging' activities, effectively being 'groomed' for others pleasure.

The concentration of men in these areas seeking sexual thrills also makes it an attractive site for soliciting, particularly within sites on the urban fringe. This can therefore make country parks a magnet for kerb crawlers, who prefer the anonymity of the rural environment as opposed to the patrolled and CCTV surveyed urban areas. There have also been reports of 'courting couples' being pestered by groups of men on 'voyeur' tours of car parks

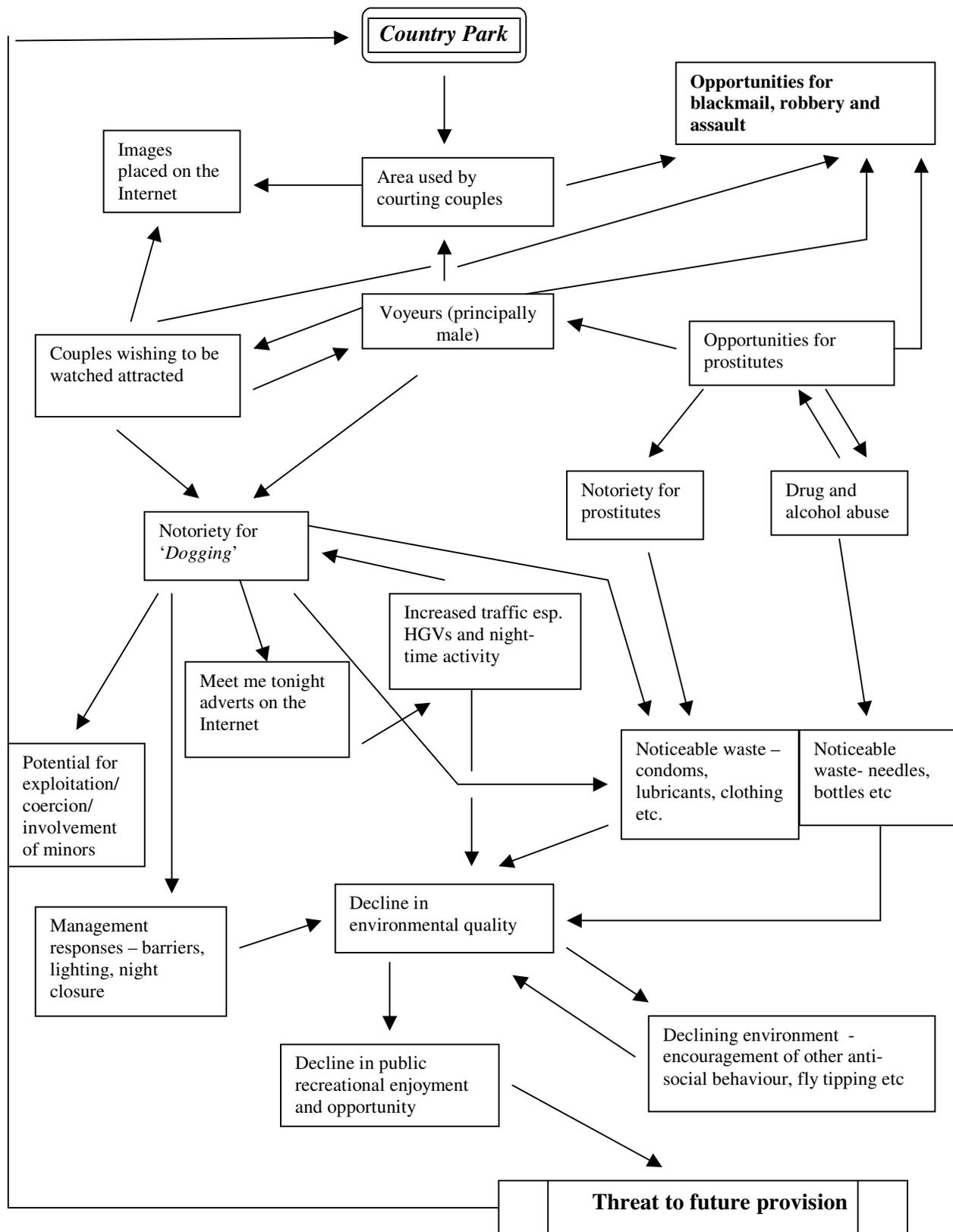
### **The impact of a PSE on a Country Park**

The impact of a PSE on an area is varied, and is potentially more social than environmental. Whilst most activity occurs during darkness, it is not unknown for daytime activity to occur. At its lowest nuisance level it involves extra vehicle activity and general disturbance. The aftermath of 'meetings' is probably one of the most serious consequences with discarded condoms, lubricants and items of clothing littering the site. In addition there are often discarded bottles and cans (Figure 2).

These items combine to form an atmosphere, which has little to encourage visitors to visit or return, particularly if picnic sites have been used in this way. The discarded material additionally poses a potential health threat to site users, in particular children and can affect the degree to which a site is seen as suitable for educational activities.

PSE activities can also place pressure on the staff managing the site. While most suffer nothing more than occasional embarrassment, there have been reports of rangers being physically threatened and abused by pimps and other PSE users keen to discourage a management presence. Other staff can find dealing with the PSE issue emotionally difficult, particularly where assault and violent behaviour has been directed at PSE users and country park staff are the ones to initially deal with the incident before the police arrive. In general though it is often the often-repellent job of having to clean up the site, which brings about most staff displeasure.

**Figure Two : Conceptualised development and impacts of a heterosexual PSE in a country park**



### **Project Aims and Objectives**

The project was established to investigate the scope and dimension of PSEs as they affect country parks and to propose management solutions for potential adoption by site managers, whilst recognising the need to protect and maintain environmental interests for all. This is an on-going study in 3 stages;

- Stage 1 – countryside management survey (November 2002)
- Stage 2 – police service PSE policy collation (January 2003)
- Stage 3 – PSE users profiling and interviews (pilot completed, main survey summer 2003)

### **The Study**

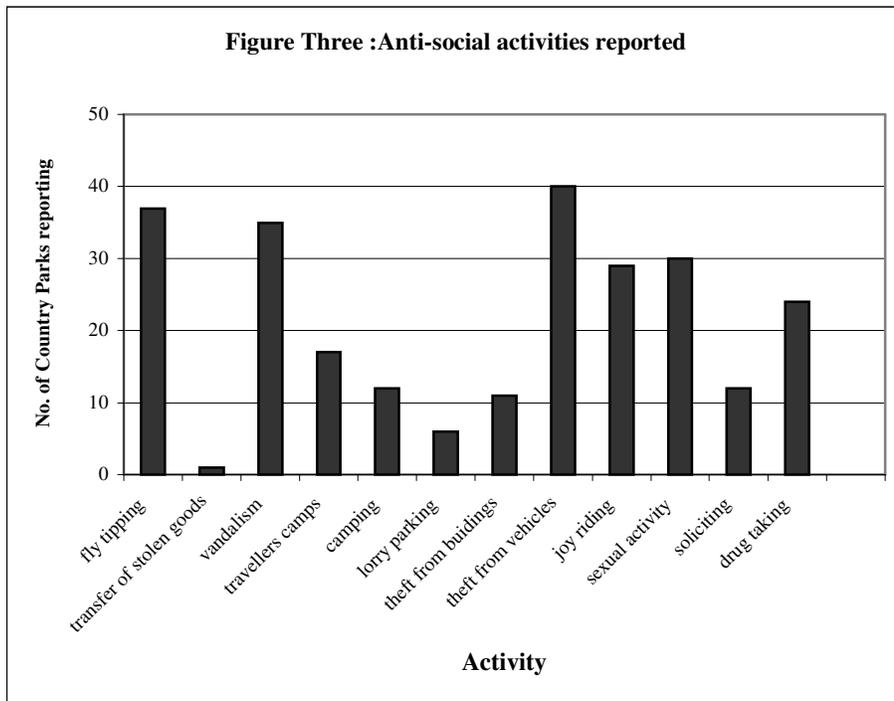
The countryside management study took place in the winter of 2002, with a pilot survey being undertaken via the Countryside Management Association's website in the autumn. A reply paid postal questionnaire was sent out in November 2002 to every head ranger or head of countryside services of English County Councils. In addition all the rangers of country parks, which are advertised on the Internet, were also contacted and received a questionnaire. In total 56 questionnaires were sent out.

The questionnaire was divided into two sections. Section 1 dealt with issues to do with general anti-social behaviour e.g., fly tipping, vandalism, and theft from vehicles etc. It also requested information regarding the number of car parks, security arrangements and to what extent the managers felt dealing with anti-social behaviour in general was a drain on resources and had an impact on the visitor amenity. Section 2 dealt specifically with issues relating to the socio-sexual use of space and as such invited managers to comment on their awareness of the situation within their Country Park or across their area of responsibility. Follow up telephone and e-mail discussions with respondents were used to draw on experiences and issues.

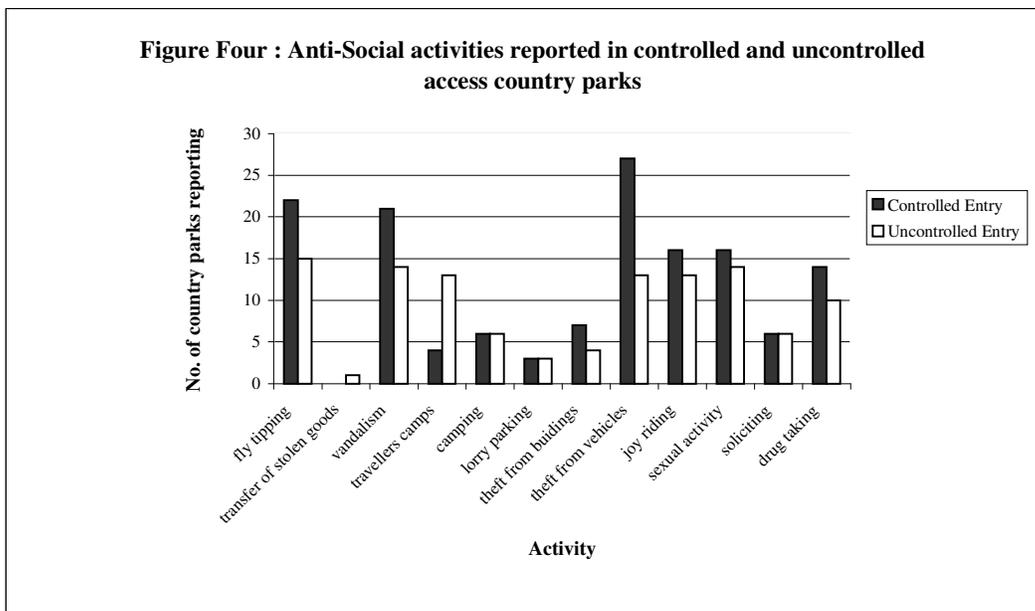
Additionally, a request was sent to each of the English county constabularies regarding their policies for dealing with PSE issues in order to see whether the issue was being addressed specifically or was being dealt with through 'normal' policing. A further study involving PSE users is planned for summer 2003.

### **Survey Results and Discussion**

A response rate of 59% was achieved with 33 completed questionnaires returned. This represents a view of management over some 251 official car parks within English Country Parks. All respondents reported some degree of anti-social behaviour occurring on their site with problems relating to theft, fly-tipping and vandalism being most prevalent. Just over 60% of them reported site problems relating to sexual activity (Figure Three) with roughly equal proportions reporting both homosexual and heterosexual activity on their sites with a few indicating both taking place but within different areas of the park. There was also a high degree of 'awareness' by ranger staff of the term 'dogging' and a majority acknowledged that their site had a reputation for sexual activity. A number of staff were also aware that their sites appeared on internet bulletin boards and tracked 'activity' on their site, although they have little power to act upon this information. Indeed, it was found that most of the respondents sites were listed on at least one contact web site, some were noted on 4 or 5, many of these on 'meet me tonight' sites. These were mainly for heterosexual and bisexual contacts.



It is important to recognise that many country parks have invested in parking restrictions in order to control anti-social behaviour. However, when considering the distribution of anti-social behaviour for both sites with barrier-controlled entry (dawn until dusk) and sites with 24-hour open access, there is little difference (Figure Four). Indeed, the presence of controls appears to simply move the problems from night-time into the day, when there is more chance of PSE activity conflicting with ‘normal’ use of the site.



One of the reasons behind this might be that where there is controlled access there is generally a management presence, whether a ranger centre or a mobile patrol, which can give either a greater sense of security for PSE users or possibly add to the 'thrill'. This notion is given extra weight when the nature of activities at illuminated and non-illuminated sites are considered, where again it is clear that there is no discernible difference between the two. Indeed, some PSE users might see greater illumination as a positive factor.

When asked about how much time they spent dealing with anti-social behaviour, in general most rangers estimated this at between one and four hours a week with only 2 respondents spending more than 8 hours. These time consuming problems related to dealing with drug related issues. In relation to PSE issues most time was spent physically cleaning up the site and dealing with police liaison matters.

### **Police attitudes towards PSEs**

In response to these concerns some constabularies have developed PSE policies. From the survey of the county police forces, nine had established policies (Table One). These policies encompass a range of responses from displaying deterrent warning notices indicating the area is patrolled by uniformed officers, advising on structural improvements to lighting etc, improving links with the gay community and higher profile policing in affected areas.

The majority of the policies deal specifically with the gay community and few consider heterosexual encounters in the same light. Most also reflect an urban bias, where understandably there is greater visibility of transgressions. It is interesting to note that some of the forces which stated in reply that they didn't feel they needed to develop a PSE policy, as they were either 'rural' in nature or would tackle such issues through normal policing had high numbers of Country Parks listed on contact web sites and corresponding high amounts of ranger staff time dealing with these issues. While the adoption of these policies cannot be said to have a major impact on the occurrence of PSE issues, they do at least present a baseline for management and offer support to Country Park and recreational area staff.

More innovative approaches to PSEs have adopted a policy of non-interference where no harm or offence is being caused as implemented by the Brighton and Hove Division of Sussex Police, since December 2002. Although the district is urban in nature, this approach is focussed on public areas such as car parks, beaches and public parks. Within these areas, the position adopted by the police has been to investigate incidents where public decency are an issue or there is a threat of crime, but in general not intervene if no harm is being done. Importantly the same approach to heterosexual 'misdemeanours' is that as to homosexual, e.g. if a heterosexual couple would not be charged with an offence then a homosexual couple would not be charged for a similar offence. This pragmatic approach allows officers to use their discretion e.g. to ascertain whether someone is being held against their will, while allowing them to concentrate on the issues of crime detection and prevention. Such policies do not condone unlawful activity, but seek to keep people out of the criminal justice system and utilise appropriate health promotion and community organisations to offer advice and counselling where appropriate. (Pers Com 2003)

As such this approach has come in for a good deal of negative media, as it is wrongly perceived by some actions of the press as a charter to perform public sex acts, whereas it is in essence a rational use of resources to police problem areas.

**Table One: PSE Policy as adopted by English County Constabularies\***

<b>Constabulary</b>	<b>Force PSE Policy</b>
Essex	No
<b>Surrey</b>	<b>Yes (plus local programmes in problem areas)</b>
Kent	Declined
<b>Sussex</b>	<b>No Force policy but a divisional policy Brighton and Hove</b>
Hampshire	Declined to comment
Dorset	No
Nottinghamshire	Policy in development
<b>Lincolnshire</b>	<b>Yes (developed Rainbow Forum)</b>
<b>Norfolk</b>	<b>Yes (currently being re-written)</b>
Cambridgeshire	Declined to comment
Thames Valley	Declined to comment
Bedfordshire	Declined to comment but are involved in community PSE projects
Hertfordshire	Declined to comment
Wiltshire	Declined to comment
Avon & Somerset	Declined to comment
<b>Devon and Cornwall</b>	<b>Yes</b>
Lancashire	No
Cumbria	Declined to comment
Cheshire	Declined to comment
<b>Northumbria</b>	<b>Yes</b>
Durham	No
North Yorkshire	Declined to comment
<b>West Yorkshire</b>	<b>Yes</b>
Cleveland	No – but employ force wide zero tolerance policy
South Yorkshire	No
Humberside	No – dealt with through normal policing strategies
Warwickshire	No specific policy, dealt with through Anti-Social Behaviour Orders
Leicestershire	Declined to comment
<b>Gloucestershire</b>	<b>Yes</b>
West Mercia	No
Staffordshire	Declined to comment
<b>Northamptonshire</b>	<b>Yes</b>

\*Metropolitan forces are excluded

Within the countryside management and ranger community surveyed there was no apparent consensus amongst rangers as to how this issue was to be best tackled. Roughly equal numbers of rangers considered greater legislation and increased police presence as being key, with the remainder considering some sort of PSE liaison programme with PSE users or increased security.

The latter option in many cases is not feasible with many local authorities unwilling or unable to expend capital on security measures and barriers without demonstrable change. Additionally, police forces are often unwilling to intervene unless there is real crime (e.g. assault/ involvement of minors) or extreme nuisance e.g. public toilets. This leaves the ranger in the unfortunate position of having to deal with the PSE with little power and resources, with concomitant effects being felt by the general public in terms of the downturn of the atmosphere and facilities of the Country Park.

It is clear that Country Parks are generally unrecognised as PSEs, as attention on sexual activity and prostitution is principally focussed on urban areas, that is unless the PSE is highlighted by the media and specifically brought to the attention of the authorities. This has

been the case in Gloucestershire where police raids have taken place at scenic viewing areas in response to the use of the sites by prostitutes. However, aside from the 'high profile' cases the establishment of heterosexual PSEs and the associated problems they bring, both to the user and general public are not being tackled. In some respects this means that the homosexual community are being unfairly focussed on by policies and issues relating in general to female exploitation, coercion and the involvement of minors is largely being unrecognised, unreported and unchallenged.

### **Legislative considerations**

Proposed changes to laws on sexual offences may bring about a reconsideration of the need and role of PSE polices. In particular the proposals contained within the Sexual Offences Bill which had its second reading on the 17<sup>th</sup> February 2003, seeks to give strength to the protection of women who are in the main are the victims of coercion, exploitation and sexual violence.

Specifically there are proposals to deal with 'inappropriate sexual behaviour in public' (Home Office 2000, p.13) particularly in relation to acts which are likely to cause distress, alarm or offence. Detailed under Clause 74 of the bill it will make it an offence for someone to intentionally engage in sexual activities where there is a 'risk' of someone (not a willing observer) viewing the act (House of Lords 2003). The proposed penalty will be a fine or up to six months in jail. In order to prosecute this there are proposed new definitions of indecent exposure (although this only applies to men), a new offence of voyeurism where there is a reasonable expectation of privacy and a new offence of compelling others to do sexual acts (Home Office 2000).

The inclusion of Clause 74 may make establishing and operating PSE policies difficult. PSE policies employ discretion and operate on the basis of accepting that this behaviour takes place, but seeks to moderate and curtail that behaviour through persuasion, information and education with prosecution being the final stage. As such schemes as operate in Brighton and Hove, might be threatened as that element of discretion might be removed, particularly with pressure from some elements of the media and society for a zero-tolerance approach.

### **Conclusions and Recommendations**

There is generally accepted a need to adopt some form of strategy to either combat or 'exist' with PSEs. PSE activity can never be thoroughly legislated against or legislation enforced it can and should be modified and controlled. It will always exist and quite literally someone else will always be picking up the aftermath. At present country park PSEs are generally ignored by authorities and as such are becoming informal and unmanaged areas of sexual activity. Once established in this manner it is difficult to change the nature of use and a spiral of degradation of the site can soon follow. At a time when countryside management services are under increased financial and resource pressure the stigmatisation of sites is undesirable.

The main aim of any tactic is to reduce risk to the vulnerable. Within the country park environment, that risk reduction must be extended to the general public and recreational areas must be able to function as they were intended. The development of tighter legislation on sexual offences while welcomed, has the potential to hinder the policing of PSEs and drive activity further underground. This is particularly true of the emergent heterosexual PSE users

who utilise technology to organise themselves and by nature are fluid in their movements and so can respond to police activity much quicker.

An approach to effective policing and management of these issues may be to create tolerance zones, where the criminality of activity is suspended, but authorities monitor the situation. Tolerance zones have been employed widely in Europe for many years in order to manage prostitution, notably in the Netherlands and Germany. Within the UK Scotland has experimented with tolerance zones to varying degrees of success and Merseyside is currently considering demarcating areas for prostitutes.

The problem with many urban tolerance zones has been they have sought to move the activity from where it 'naturally' and often 'historically' occurs to somewhere else, usually to an industrial park or similar non-residential area. The advantages for the local community is that these areas are generally away from residences while for the prostitute these areas are often hostile, dark and isolated from their contemporaries. Evidence from pilot schemes in Scotland has shown that if the tolerance zone offers the right kind of environment, that attacks and victimisation fall as women have a greater ability to communicate and warn each other about violent 'punters' (Scotpep 2002).

Overwhelmingly within country parks the issue is dealing with informal sexual activity, rather than prostitution. A way of managing rural PSEs might therefore be to create '*green zones*' – areas of planned tolerance. Within these zones, the bearing of Clause 74 could be suspended, and activity could take place within the bounds of the remainder of the criminal justice system. An advantage of this system would be that people would be kept out of the criminal justice system and within the allocated area the situation could be monitored and health outreach could be provided.

A *green zone* could be delineated with markers or posters and would encompass a core area of a country park. On sites with multiple car parks it could be sited away from the main recreational/ educational areas. There is scope to utilise design to provide screening but allow some degree of visibility. CCTV could be used to monitor entrances and exits to the site – however, this would then bring in to bear a vast array of privacy and human rights arguments. Within these core areas, *glo bins* could be provided – these receptacles are specifically designed to contain 'medical' waste and glow in the dark so they can be seen. Toilets and washing facilities could be provided – something, which is already done in the Netherlands, in which health and police safety advice could be displayed.

The advantages of this of creating a *green zone* would be that local authorities and countryside managers could select the sites (in consultation with the police), within which sexual activities could be lawfully allowed, thus allowing more sensitive sites to be more closely secured and managed. It would also hopefully encourage 'law abiding' PSE users to use and 'police' the area themselves, thus reducing the chances of importuning of the general public, violence against users, the introduction of minors or coercion of individuals.

The drawbacks, however, are many. The main barrier is that there needs to be recognition of the problem as being not just a gay related issue but as something which affects a much wider community. PSE users come from a wide background, and generally don't conform to the perception of the 'dirty-mac' brigade. The other problem would be acceptance of the change to a public recreational site. At low levels of management, the change would be imperceptible, but obviously if facilities with specific PSE user health information were to be

provided the designation would have a whole new public face – in essence the site may become stigmatised to a wider audience.

In summary, the adoption of managed tolerance through 'zoning' presents the opportunity to tackle a growing problem and tackling the influences which degrade some of society's most valued recreational and conservation resources.

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