



Home Office

# Paying the Price:

a consultation paper on prostitution

July 2004



### **Girl Inside**

The cover illustration was produced by Ruth, an artist who was involved in prostitution for a number of years. With the help of the Magdalene Group, a prostitute support group in Norfolk, Ruth managed to leave this way of life last year and is now working as a freelance artist. 'Girl Inside' is Ruth's interpretation of her experience of prostitution.

"Why did I choose the image 'Girl Inside'? The girl's face expresses so much for such a young person, as if she is feeling what I had been through. The coat she is wearing is like the fragments of the glass, which to me represented my brokenness. I felt shattered."

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# Home Secretary's Foreword



Prostitution can have devastating consequences for the individuals involved and for the wider community. It involves the abuse of children and the serious exploitation of adults – many of whom are trafficked into and around the UK for this purpose. It has close links with problematic drug use and, increasingly, with transnational and organised crime.

This consultation paper is intended as the starting point for the development of a realistic and coherent strategy to deal with prostitution and its serious detrimental consequences for individuals and communities.

Many of the laws relating to prostitution are outdated, confusing and ineffective. The Sexual Offences Act 2003 began the process of reform by addressing concerns about the growing level of trafficking. New offences and tough penalties were introduced for those who exploit anyone for the purposes of prostitution or pornography. But there is still much to do to meet head-on the problems associated with prostitution. In the Command Paper, *Protecting the Public*, we undertook to examine the scope for a review of prostitution.

Prevention is of prime importance. Research shows that as many as 70 per cent of those involved in prostitution started out as children or young teenagers. Their vulnerability and need for affection means they can be easy prey for those determined to exploit them. Often they become trapped in a web of fear and deceit in which drug addiction, prostitution and responding to the demands of pimps becomes a way of life. This paper looks at the preventative measures that need to be in place as well as the support and protection required by those particularly at risk, or already drawn into this vicious cycle.

Throughout this consultation paper, we draw on the evaluation of eleven Crime Reduction Programme projects (What Works in Tackling Prostitution) to determine the best way to provide support. A crucial first step in changing the lives of many of those abused through prostitution is to provide them with suitable drug treatment. This must be linked to safe housing and to a range of other services to meet their health, education and employment needs.

One of the best protections for those involved in prostitution is justice. We need to ensure we have in place a coherent legal framework and effective tools to tackle abusers and exploiters. We must also ensure we have the right intelligence-based approach to deal with the stranglehold of pimps and the links with drug markets, trafficking and other areas of organised crime.

The consultation paper looks primarily at the issue of street-based prostitution – where it exists, who is involved, and how it impacts on people's lives – including communities and individuals

forced to suffer the unwanted approaches of kerb crawlers, and the anti-social behaviour and drug dealing street prostitution usually attracts.

While street prostitution is the most obvious cause of danger both to those involved and to the wider community, there is a growing trade in selling sexual services in premises licensed for other activity, including massage and also video and film. Prostitution must not be concealed behind the façade of legitimate business.

These are difficult, complex and sensitive issues. We want this paper to inform the development of a clear view of the brutal realities of prostitution so that its impact can be properly considered in the context of wider policy making – promoting civil renewal and community safety by addressing practical approaches to violence and exploitation, to problematic drug use, to a reduction in serious crime and in people trafficking.

We welcome views.

A handwritten signature in black ink that reads "David Blunkett". The signature is written in a cursive, slightly slanted style.

DAVID BLUNKETT

# Executive Summary

## The purpose of this paper

In 2000 the Home Office published *Setting the Boundaries*, a thorough-going review of the law on sex offences. This important document led to an overhaul and clarification of the law in the Sexual Offences Act 2003, including new offences to enable firm action to be taken against those who use and abuse adults and children through prostitution and pornography. The next stage of reform is to look at the wider issues associated with prostitution. In the Command Paper, *Protecting the Public*, the Home Secretary signalled his intention to examine the scope for a review of the exploitation, organised criminality and Class A drug abuse associated with prostitution. This paper is the result of that exercise.

The paper demonstrates that prostitution can seriously damage the individuals involved, and the communities in which it takes place. If we are to comprehensively address social exclusion, promote civil renewal and achieve a real reduction in anti-social behaviour and criminality – including a reduction in violence against women – we need an in-depth debate on tackling prostitution. It is a complex area. Organised criminality, including trafficking and substantial drug misuse, and sexually and drug transmitted infection, are all part of the problem. Systematic abuse, violence and exploitation are endemic. A clear and coherent strategy is needed if we are to impact on the safety and health of individuals and communities.

## Towards a coordinated strategy

We will focus on 3 key issues:

- **prevention** – alleviating the circumstances which make young people vulnerable to exploitation and coercion into prostitution;
- **protection and support** – providing help and advice for those involved, and a pathway out; and
- **justice** – bringing pimps, traffickers and exploiters to justice, and delivering justice to those affected, including the families of young people coerced into prostitution and the communities blighted by prostitution.

This paper paves the way for the development of such a clear and coherent strategy. This must be based on the views of all those individuals and groups affected by prostitution and those involved in helping to protect and support those vulnerable to exploitation through prostitution.

**Chapter 1, Opening up the debate**, describes the scoping exercise. It is crucial that the debate is based on an accurate picture of the issues and an understanding of the dreadful realities of the impact of prostitution. We ask how awareness of these realities can be improved, through schools and other avenues.

**Chapter 2, The key issues**, examines the scope and nature of prostitution. It is an issue which affects many individuals and communities. The harm associated with prostitution includes violence, abuse and stigmatisation, the impact on families, and problems caused to the wider community, including the spread of sexually and drug transmitted infections, links with drug markets and an undermining of efforts towards neighbourhood renewal. The publication of guidance on Safeguarding Children Involved in Prostitution, the introduction of new offences to protect children and adults from abusers and exploiters, and the provision of drugs treatment to those trapped on the streets by their addiction, are all having an impact. The experience of eleven Crime Reduction Programme projects to assess what works in tackling prostitution (the CRP projects) has produced further good practice points. To achieve – and sustain – a real impact we must build on this good work with a coordinated strategy. In order to ensure that this strategy is based on the best possible information we are keen to receive as much information as possible on the way in which prostitution is organised and on the facts that influence both supply and demand.

**Chapter 3, Routes into prostitution**, describes the sophisticated ‘grooming’ practised by those determined to coerce children and young people into abuse through prostitution. Preventative measures are vital, including programmes in schools to help young people to use the internet safely and to recognise the dangers of inappropriate friendships that can develop into highly manipulative and exploitative relationships. An important new measure in the Sexual Offences Act 2003 enables early action to be taken against grooming, with a penalty of up to ten years’ imprisonment. We are very keen to learn more from consultees about ways to close off the routes into prostitution for the young and vulnerable, including good practice in identifying those most at risk and in providing advice and support for their families.

**Chapter 4, Protection and support for children abused through prostitution**, considers the measures that need to be in place to help and support those abused through prostitution. Local multi-agency protocols have been developed in most areas to promote a proactive approach to identifying children abused in this way and to enable a swift response to be made, including the prosecution of abusers. The 2003 Act contains a number of new provisions, with severe penalties, to provide the police and the courts with the tools to crack down on coercers and abusers. A strategy for prostitution will build on these foundations and we welcome information on the different approaches taken to provide appropriate services for children and young people and to help them move on.

**Chapter 5, Supporting adults involved in prostitution**, examines the routes into prostitution and considers best practice to support those involved to escape from their pimps and their drug habits. Firm action must be taken against pimps and dealers, and effective support programmes developed to address the whole spectrum of issues faced by their victims, including domestic violence, homelessness, debt, lack of self-esteem and problematic drug use. Effective drug treatment is key – as many as 95% of women involved in street-based prostitution are believed to be problematic drug users. We ask how best to address each issue, and to do so in a coordinated way.

**Chapter 6, Exploitation – the role of the criminal law**, examines how the legal framework can best protect those abused and controlled through prostitution. The new measures in the Sexual Offences Act 2003 to address the sexual exploitation of both adults and children must be rigorously enforced. We are interested to hear views on ways to increase confidence in the criminal justice system among the victims of exploitation and provide them with appropriate witness support.

**Chapter 7, Protecting communities**, looks at the impact of prostitution on local neighbourhoods – including the harassment of local residents by kerb crawlers, noise and litter, and the general decline of public order and community safety in red light areas. Communities must be involved in shaping the response to these problems. Crime and Disorder Reduction Partnerships are the key mechanism for this, delivering solutions involving practical environmental measures, the provision of support services, and legal remedies to deter anti-social behaviour and criminality associated with prostitution. Reinforcing the law on kerb crawling has resulted in an upward trend in cautions and prosecutions. The law on loitering or soliciting must also be re-examined to ensure that it can provide an effective route into drug treatment and other rehabilitative programmes. Enforcement must be matched with appropriate support to help individuals to move on from the ‘trade’. This provides the best long-term solution for those involved and for their communities. We will be interested to hear of ways in which local partnerships have been able to involve their communities in finding solutions.

**Chapter 8, Links with serious crime**, looks at the association between prostitution and drugs markets. Those who control prostitution are often closely involved with crack houses and other forms of drug dealing as both markets can mean lucrative rewards. The link with people trafficking is also increasingly recognised. This chapter considers what further measures need to be taken to ensure an intelligence-based approach to the policing of prostitution, both domestically and internationally, to achieve a real impact on these linked areas of criminality. Your views will be welcomed.

Much of the paper, including many of the examples given, focuses on street-based prostitution where there is particular evidence of exploitation, violence, problematic drug abuse and associated criminality. However, there are also serious issues to be addressed in relation to off-street prostitution, particularly the ‘hidden’ abuse of children and exploitation of women.

**Chapter 9, Considering the options**, seeks views on the issues associated with both on and off street prostitution, and gives examples of how these issues have been addressed around the world.

## Your views

Your views will build on the evidence presented in this paper and will be a valuable contribution to the development of a coordinated strategy. A complete list of the consultation questions can be found at Annex F.

Please write with your comments, by 26 November 2004 to:

Prostitution review  
Home Office  
50 Queen Anne’s Gate  
London SW1H 9AT

or send to: [prostitutionreview@homeoffice.gsi.gov.uk](mailto:prostitutionreview@homeoffice.gsi.gov.uk)<sup>1</sup>

This paper, together with a Regulatory Impact Assessment can be found on the prostitution review webpage of the Home Office website. Alternatively copies can be requested from the above address.

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<sup>1</sup> The information you send to us may be passed to colleagues within the Home Office and/or published in a summary of responses received in response to this consultation. We will assume that you are content for us to do this, and that if you are replying by email, your consent overrides any confidentiality disclaimer that is generated by your organisation’s IT system. However, we will respect any wish for confidentiality that you make in the main text of your submission to us.



# Opening up the debate

- 1.1 It has been estimated that there could be as many as 80,000 people involved in prostitution in the UK. It takes place in a variety of ways and those involved are far from a homogeneous group. However, common characteristics include:
- **abuse** – as many as 85% report physical abuse in the family, with 45% reporting familial sexual abuse
  - **difficult lives** – many report poor school attendance and as many as 70% spent time in care
  - **homelessness** – many report having run away from home, or having suffered periods of homelessness
  - **problematic drug abuse** – as many as 95% of those involved in street-based prostitution are believed to use heroin and/or crack.<sup>1</sup>

## Scoping the issues

- 1.2 This paper is the result of work conducted by the Home Office to scope the issues arising from prostitution. The aim is to prompt an informed debate of the issues as a basis for the development of a coordinated strategy on prostitution for England and Wales. The paper draws on evidence from a number of areas, including academic and practice sources. A key source has been the Home Office Research Study (HORS) report *Tackling Street Prostitution: towards an holistic approach*, the overview of the evaluation of the 11 Crime Reduction Programme (CRP) projects into What Works in Tackling Prostitution. Research data is included in the annexes attached to this report, and useful links are available on the prostitution review webpage of the Home Office website.

## Terminology

- 1.3 For the purposes of this paper, a broad distinction has been made between street-based and off-street prostitution since their differing characteristics seem to demand it. A distinction has also been made between children and young people (under 18) abused through prostitution and adults involved in prostitution although it is recognised that an individual rarely ceases to be a victim simply because he or she turns 18.

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1 Annex C provides more detailed key statistics

- 1.4 Terminology is a difficult issue. Many people who provide support for those involved in prostitution prefer the terms 'sex worker' and 'sex work', although prostitute and prostitution appear to be the terms generally used by those directly involved. This paper has adopted the phrase 'people involved in prostitution' as the least value-laden alternative. This should be taken to mean both men and women unless otherwise specified. Children and young people are described as 'abused through prostitution'.

### A survival strategy

- 1.5 Approaches to prostitution have tended to focus on the activities of the prostitute rather than those of the user. While the existence of commercial sexual transactions is generally accepted and even tolerated in certain circumstances, the prostitute is a commonly pilloried figure. This is often based on a general assumption that those involved are in control of their situation. However, the evidence is clear that this can be far from true. High levels of childhood abuse, homelessness, problematic drug use and poverty experienced by those involved strongly suggest survival to be the overriding motivation.
- 1.6 A common pattern is for men and women to be trapped in street-based prostitution after having been coerced into it at a young age, or to fund their own – and often their partner's – problematic drug use. Those involved in this way rarely benefit, apart from ensuring their drug supply. The profits of the 'trade' go straight into the pockets of drug dealers. While some may become involved 'to buy nice things'<sup>2</sup> – and for some it is undoubtedly a highly lucrative business – for the 80-95% of those involved in street-based prostitution to feed a serious drug habit the reality is very different.

### Responding to demand

- 1.7 Prostitution may be driven by economic necessity but it can only exist because there is a demand for it. A coordinated strategy designed to reduce its prevalence must address demand as well as tackle the factors that lead individuals to become involved in its supply. To do this there must be a clear and common understanding of the issues involved, particularly in respect of street-based prostitution, to deter those who create that demand. Going to a prostitute can mean supporting the illegal drugs industry as well as, of course, perpetuating a situation in which many women are subject to violence and exploitation. It can also mean contributing to the current rise in Sexually Transmitted Infections (STIs).
- 1.8 The victims of the so-called 'trade' are the young boys and girls, and the men and women trapped in it. But communities are also victims as street-based prostitution increases the general level of disorder and creates a climate of criminality. Those who choose to be involved should understand what it is like to live in an area in which kerb crawlers habitually harass young women, and where used condoms and dirty needles are regularly dumped in front gardens.

- 1.9 These issues are already being explored through re-education programmes for kerb crawlers which focus on the effects of street-based prostitution on neighbourhoods, describe the exploitative nature of the ‘trade’ and address practical issues, including sexual health and the penalties for kerb crawling offences. These programmes are described in more detail in chapter 7.
- 1.10 There is also a need to raise awareness about the realities of prostitution among the wider population. It is only through a clearer understanding that we can have a sensible, focused debate on the real issues.

## **Consultation**

### **How can awareness be improved and the common myths and misconceptions about prostitution be dispelled?**

*To pave the way for an effective coordinated strategy on prostitution it will be important to ensure that the realities of prostitution are understood.*

- 1 What is the role for schools in raising awareness of this issue? Do you have examples of good practice?**
- 2 What can be done to ensure that those who go to prostitutes are fully aware of the implications of their activities?**
- 3 How do we ensure that it is clearly understood that those using young people under 18 for sex are guilty of child abuse?**

# The key issues

### What is prostitution?

- 2.1 Prostitution is most commonly defined as the exchange of sexual services for some form of payment – usually money or drugs. This can take place on the street or in massage parlours or saunas, through escort agencies or at private addresses. Services are advertised through publicly displayed advertisements, the internet or by word of mouth, including direct approaches in pubs, clubs and hotels. For the purposes of this paper, the definition excludes activities where no physical or intimate contact takes place, such as telephone sex.
- 2.2 Prostitution is not illegal. However, activities associated with it, including soliciting, advertising using cards in telephone boxes and kerb crawling, are criminal offences. The law also specifically acts against those who exploit women and men through brothel-keeping and other offences, and those who abuse children through prostitution.<sup>3</sup> The relevant offences are explained in more detail in chapters 6 and 7.

### How prevalent is it?

- 2.3 So much is hidden from view that it is difficult to be precise about the scale. However, we do know that it exists in most towns and cities, sometimes on the street, but also in commercial premises and private residential properties. It is most associated with women and young girls but there is also a significant sex market involving men and young boys. We are learning all the time about the way individuals, particularly vulnerable young people, are drawn into prostitution and we are beginning to explore the extent of different forms of commercial sexual exploitation, including people trafficking.
- 2.4 Criminal statistics show a decline in the number of cautions and prosecutions for some offences (loitering or soliciting and brothel-keeping) and an increase in others (kerb crawling).<sup>4</sup> However these statistics are not representative of the extent of the activity. They are more indicative of policing practice and also reflect changes in the way in which prostitution is organised. The statistics certainly give no indication of the impact on those involved or on local communities.
- 2.5 We need to be as clear as possible about the nature and scope of prostitution to ensure that policies and practice are based on evidence rather than on myth and

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3 Annex A sets out the legal framework of offences relating to prostitution.

4 Annex B sets out the criminal statistics for offences related to prostitution.

misconception. Robust figures on the number of people involved are not currently available. The often-quoted figure of 80,000 comes from a 1999 Europap-UK survey<sup>5</sup> of 17 well-established projects in larger conurbations. Typically, these types of projects were in touch with around 665 women. Around 120 such projects were known to be operating at the time which would bring the total number of those involved to around 79,800.

- 2.6 Looking more specifically at street prostitution, analysis undertaken in 1997 of the Metropolitan Police 'prostitutes index' showed that 635 women had come to the attention of the police over a six month period, with 115 women estimated to be on the street in any one night.<sup>6</sup> The Metropolitan Police estimate a similar number to be involved on London streets today. This could suggest that the Europap-UK figures are likely to be an over-estimation although it has to be borne in mind that those figures cover both on and off-street prostitution. A new study, undertaken by Eaves Housing for Women, will offer a greater insight into the prevalence of prostitution in London.
- 2.7 Prostitution can mean the exploitation and abuse of children. The nature of this form of child abuse means that it is particularly difficult to quantify. Much of the available information comes from small-scale studies but, although estimates of prevalence vary, they indicate that the numbers involved have increased in recent years.<sup>7</sup> It is suggested that in Britain up to 5000 young people may be involved at any one time, with a female to male ratio of 4:1.<sup>8</sup> Research commissioned by the Department of Health shows that children are known to suffer this form of abuse in 111 (of the 146) Area Child Protection Committee districts – an average of 19 girls and 3 boys in each area.<sup>9</sup>

## Who is involved?

- 2.8 Eleven multi-agency Crime Reduction Programme projects to examine What Works in Tackling Prostitution (the CRP projects) provided an opportunity to profile in some detail 333 women involved in 5 exiting and support projects.<sup>10</sup> The average age of the women was 27. The majority were single or living with a pimp/partner. Most women reported that they had tried to leave prostitution but failed to do so as a result of problematic drug use and a catalogue of historical and continuing vulnerabilities which acted as significant barriers.
- 2.9 Many reported difficult childhood histories that included time spent in care; disrupted schooling and low educational attainment; domestic violence; child abuse; rape; and entry into prostitution as children or very young women. They frequently reported:

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5 Kinnell (2003)

6 Matthews (1997)

7 Green (1992); Kershaw (1999); Melrose, Barrett & Brodie (1999)

8 Thompson (1995); Barrett (1998); Crosby & Barrett (1999)

9 Swann & Balding (2002)

10 Hester & Westmarland (2004)

- overwhelming problems related to drug misuse
- frequent instances of homelessness or insecure housing
- criminal histories related to theft, soliciting and drugs
- disproportionately frequent experience of physical violence and sexual assault, most often but not exclusively from clients.

2.10 The ethnic composition of the women involved in the CRP projects tended to reflect the geographical areas where they were located. This is also the case with other research projects where ethnicity has been recorded. Since ethnic minority communities can be disproportionately represented among those suffering the risk factors associated with prostitution – for example, spending time in care – that may be surprising. These statistics may bear further examination and may, for example, be attributable at least in part to the reach of the projects on which they have been based.

2.11 There are far fewer research studies into male prostitution. However, a recent small-scale study in Scotland<sup>11</sup> found that in a group aged between 17 and 48, the average age of first involvement in prostitution was 15. As with women, the men reported that drug treatment was the key to exiting.

## The pimp

2.12 There has been less research into the other ‘players’ – the pimps/partners and those who go to prostitutes. However, one recent in-depth study included 19 men described as ‘classic pimps’<sup>12</sup> as opposed to the new style of pimp/partners. This showed that, on average, they began pimping at around age 22, pimping children and young women between the ages of 14-27. Eleven of the 19 admitted having pimped children. Their income ranged from £500 – £7,000 per week. All had served at least one custodial sentence and they tended to be involved in a wide range of criminal activity, including acquisitive crime, drug dealing, and possession of firearms. The majority described problematic drug use and spent an average £550 per week on drugs. Their reasons for becoming involved in pimping included deliberate choice for some, and the perception of no choice for others who grew up in areas where prostitution was common.

2.13 The profile demonstrates the links between pimping and drug abuse. Although the ‘classic pimp’ continues to exist, increasingly common is the boyfriend with a serious drug addiction who pimps his girlfriend to fund both their drug habits.

2.14 At the other end of the market, in massage parlours and saunas, the pimp operates from more of a distance to control a far more profitable business. Where a pimp is part of an exploitative hierarchy, as is often the case, there is also evidence of links with drug markets, most notably with local crack houses.

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11 Connell & Hart (2003)

12 May, Harocopos & Hough (2000)

2.15 Different models of pimping also exist in respect of the abuse of children through prostitution. Agencies are becoming increasingly aware of the role of mobile telephones and the internet as grooming tools. This is likely to be a growing problem as internet access becomes increasingly common.

### The user

2.16 Research provides us with a profile of a prostitute user that is a man of around 30 years of age, married, in full time employment, and with no criminal convictions.<sup>13</sup> While it is impossible to be precise about the scale of demand for the services of prostitutes, a survey in the mid-1990s estimated the number of kerb crawlers in London in one week to be 7,620.<sup>14</sup> More recently the National Survey of Sexual Attitudes and Lifestyles found that 8.9% of men in London aged 16-44 reported having paid for sex in the past 5 years.<sup>15</sup>

### What problems are caused by the existence of a sex 'trade'?

2.17 Prostitution makes victims of many of those involved in it, and of those communities in which it takes place. Key concerns include:

- the nuisance caused to neighbourhoods through noise, litter and harassment
- the impact on the neighbourhood in terms of undermining economic regeneration and neighbourhood renewal
- the advertising of prostitution, particularly through soliciting on the street and the use of prostitutes' cards
- the spread of sexually and drug transmitted infections
- increasing use of the internet as a grooming/advertising medium
- links with drug abuse / markets
- links with criminality, including robbery
- related violence, including serious assaults against those involved in prostitution
- the increasing stigmatisation and social exclusion of those involved in prostitution
- the abuse of children through prostitution
- the impact on their families
- people trafficking for the purposes of commercial sexual exploitation
- the effect on the attitudes of men to women, and on gender equality more generally.

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13 Hester & Westmarland (2004), and McKegany & Barnard (1996)

14 Matthews (1997)

15 Johnson et al (2001). The number across Britain was lower at 4.3%.

## Government action

2.18 A number of recent initiatives, while not all specifically focused on prostitution, are helping to address the problems it causes for those involved, and for local communities:

### Safeguarding Children involved in Prostitution<sup>16</sup>

This guidance, supplementary to the wider *Working Together to Safeguard Children*<sup>17</sup>, was published in May 2000. It stresses the need to treat children involved in prostitution primarily as victims of abuse, provides advice to the relevant agencies on ways to work together to safeguard and promote the child's welfare, and encourages proactive policing so that, wherever possible, action is taken against the exploiters through the criminal justice system.

### The Children Bill<sup>18</sup>

The Children Bill, currently before Parliament, marks a critical step towards delivering the Government's vision for reforming children's services, set out in the Green Paper *Every Child Matters*. The Bill places a duty on every local agency to work together to deliver common outcomes for children. It also establishes a clear structure for leadership and accountability for improving children's lives through the creation of a Director for Children's Services and a Lead Council Member for children. The Bill also creates a Children's Commissioner, a powerful champion for children to ensure their views and interests are at the heart of policy making and national debate.

The Bill is the start of the Government's long term programme of change for children.

### Children and Young People: Rights to Action<sup>19</sup>

The Welsh Assembly's response to *Every Child Matters* aims to support all children and young people to achieve their potential and sets out its commitment to assisting children and young people disadvantaged through disability, poverty, family or community circumstances, illness, neglect or abuse.

### The Child Poverty Review

The child poverty review was announced in Budget 2003 to feed into policy development for the 2004 Spending Review and beyond. During a series of seminars in late 2003 and early 2004, the Government consulted extensively with the research community and those delivering front line services in this field, including the voluntary and community sectors, and representatives from primary care trusts, the criminal justice system, local authorities and trade unions. Approximately 220

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16 Swann & Balding (2000)

17 Department of Health (1999)

18 (2003)

19 Welsh Assembly Government (2004)

organisations contributed to the seminar programme. The findings of the child poverty review are reflected in the 2004 Spending Review.

### Updated Drugs Strategy<sup>20</sup>

The Government's Updated Drugs Strategy for England focuses on the most damaged communities to provide treatment and support to all who need it and to protect communities from the harmful effects of drugs on the streets. The sub-strategy on crack, the National Crack Plan,<sup>21</sup> explicitly focuses on the relationship between crack and prostitution.

### Sexual Offences Act 2003

The Sexual Offences Act 2003 introduced new offences with severe penalties against those who sexually exploit children, and those who traffick both adults and children for the purposes of committing any sexual offence, including those related to prostitution, against them. These new measures came into force on 1 May 2004.

### CRP What Works Prostitution projects

In December 2000 the Home Office awarded £850,000 from the Crime Reduction Programme to 11 multi-agency projects (the CRP projects) to assess what works in reducing the number of young people and women involved in prostitution, reducing crime and disorder associated with street-based prostitution and to find out which interventions helped women to exit prostitution. Findings from this programme, published in the Home Office Research Study (HORS) report *Tackling Street Prostitution: Towards an Holistic Approach*,<sup>22</sup> make a significant contribution to the knowledge base on what works in developing effective interventions.

### Safety and Justice<sup>23</sup>

The Government's consultation paper on domestic violence set out a three-strand strategy to tackle domestic violence – covering prevention, protection and justice, and support. Key legislative measures are being taken forward in the Domestic Violence, Crime and Victims Bill, currently before Parliament.

### POPPY Project

The Home Office is funding a project for women who have been trafficked into the UK for the purpose of sexual exploitation. The POPPY Project, managed by Eaves Housing for Women, offers safe accommodation, access to health checks, legal advice, translation/interpretation services and other advice.

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20 Home Office (2002)  
 21 (2002)  
 22 Hester & Westmarland (2004)  
 23 Home Office (2003a)

## Consultation

**How do we ensure that our policies are soundly based and take account of the most recent information on models of prostitution?**

*Chapter 2 looked at the scope and nature of prostitution, focusing not only on the people involved but also on the users and controllers. Any effective strategy must be based on reliable facts. It is imperative that our understanding of the issues involved is accurate.*

- 4 Does this paper present an accurate picture of the models of prostitution in England and Wales in the 21st century? Is there further information, particularly on pimps and those who go to prostitutes, which could help inform policy and practice?**
  
- 5 Is there further information on the numbers, ages, ethnicity and circumstances of children abused through prostitution, and methods of coercion, which could help inform policy and practice?**

# Routes into prostitution

### Cara's story

Cara was 14 when she met him. He bought her expensive gifts and took her to wine bars. He took 'glamour' pictures of her and made her look like a model. The pictures became more explicit. Then she discovered he was distributing them over the internet. And it got worse. *'He said he needed money and he wanted me to sleep with his mate, just once. The first time was really horrible. I was too frightened to escape.'*<sup>24</sup>

- 3.1 Like Cara, many men and women were first drawn into prostitution when they were children. In this country around half began their involvement in prostitution before their 18th birthday. Some studies suggest that the figure may be closer to 75%.<sup>25</sup> Ensuring that coercers and abusers are deterred, stopped and brought to justice is a key objective. Ways to achieve this are explored in Chapter 6. However, we must also prevent abuse by taking steps to avoid children and young people getting into a situation where they may be vulnerable to commercial sexual exploitation.

### Dealing with coercion

- 3.2 Children's charities have made huge efforts to identify, tackle and publicise the problem of children abused through prostitution so that in recent years there has been an increasing awareness of the ways in which children and young people are drawn into this form of abuse. For some it may be pressure from peers; for others it may be pressure from close relatives. For yet another group, particularly but not exclusively those with a background of abuse and isolation, the sophisticated methods of coercion and manipulation used by pimps make them easy prey. Typically, an older adult poses as a boyfriend and grooms a young person until he or she becomes dependant on him.

### The internet

- 3.3 Barnardo's has been collating evidence to show that the internet is used increasingly by abusing adults to groom young people and to offer them for sale via chat rooms

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24 Barnardo's (1999)

25 Benson & Matthews (1995)

and bulletin boards.<sup>26</sup> Abusers frequently pose as innocent young people looking for love. The process of grooming and abusing children via the internet and mobile phones is said to be no different to other forms of grooming but it presents different challenges for those trying to safeguard children and young people, and for those investigating abuse cases. Service providers are now working with voluntary organisations and the Government to put safeguards in place. A guide to practitioners has recently been published on internet safety for schools,<sup>27</sup> and an Internet Green X Code has also been launched by BT in partnership with the Home Office and children's charities to help children and young people to stay safe on the internet.

### The Internet Green X Code

**stop!** – don't give out personal details about you or your friends

**think!** – online friends might not be what they seem

**stay safe!** – be open with parents and friends about what you do on the internet, and never arrange to meet up alone with anyone you've met on the net

- 3.4 The Home Secretary's Task Force on Child Protection on the Internet has developed good practice models for the industry on chat messaging and web services. Public awareness campaigns have been launched to highlight the dangers of paedophiles on the internet. A leaflet for parents with advice on how to *Keep your child safe on the internet* is available on [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk). The Task Force is also working with mobile telephone service providers to increase child safety on mobile phones.
- 3.5 In Canada an educational kit, *Missing*, has been produced to warn young people about on-line predators who attempt to lure children into sexual encounters. At the heart of the kit is a computer game based on the true story of a 14 year old enticed from home. The kit also contains a training package that helps teachers to talk to young people about the issues. A similar initiative is the NetSmartz Workshop, developed by the National Center for Missing and Exploited Children (NCMEC) and Boys and Girls Clubs of America (BAGCA) which uses animated characters and integrated games to develop internet safety awareness. The content is designed for three different age groups, with material for the older group featuring a real life example of a teenager who encountered dangers on-line. Both projects were trialled over the summer term in volunteer schools in England.

### Local preventative strategies

- 3.6 It is important that *all* young people should be aware of the dangers. We also need to make *specific* provision for those who may be particularly at risk. Local preventative

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26 Barnardo's (2004)

27 BECTA & Department for Education & Skills (2004)

strategies are being developed in all upper-tier local authority areas for children and young people at risk of social exclusion:

- **Safer Schools Partnerships** (SSPs), introduced by the Youth Justice Board, are piloting the use of dedicated School Liaison and Community Beat officers in selected secondary schools in England and their feeder primary schools. SSPs help the police and schools to work together to reduce the involvement of young people in crime and also – crucially in this context – enhance their ability to protect themselves from harm
- the Youth Justice Board is also introducing **Youth Inclusion and Support Panels** (YISPs, formerly known as Children at Risk Panels) to target mainly 8 to 13 year olds identified as being at high risk. YISPs work with the children and their family or carers on a voluntary basis to provide a high level of targeted intervention. An Integrated Support Plan is developed to ensure that they gain access at the earliest possible opportunity to mainstream services as well as to suitable interventions from voluntary and community groups
- **Connexions** is a universal service for 13-19 year olds, with an overarching objective to reduce the number of 16-18 year olds who are not in education, employment or training. Connexions is working towards the establishment of a multi-agency service that provides access to a personal adviser who can identify emerging problems and provide, or broker, an appropriate holistic package of activities and interventions. This includes learning and personal development opportunities, and access to specialist services
- a wide range of preventative programmes for children aged 5 to 13 is being supported by the Government's **Children's Fund**. Its objectives touch on many of the issues faced by young people vulnerable to abuse through prostitution: promoting attendance in schools and improving educational attainment; reducing criminality; reducing child health inequalities; and making services accessible to hard-to-reach groups. The aim is to prevent issues from reaching crisis point. One such project is Jigsaw, funded by the Norfolk Children's Fund.

## Jigsaw

This preventative programme, aimed at year 8 and 9 pupils, is of specific benefit to those considered vulnerable and those with special needs. It presents factual information which focuses on the potential risks of exploitative relationships and aims to empower all young people to enable them to choose healthy relationships while keeping themselves safe. The purpose is to create an awareness of exploitative relationships and to reassure young people who may be at risk that accessible support, advice and guidance is readily available.

## Personal Social and Health Education (PSHE)

- 3.7 PSHE classes offer an opportunity for the wider social education of boys and girls in respect of appropriate relationships, and to raise awareness and provoke discussion on the specific risk factors associated with abuse through prostitution. There are a number of different packages including the Jigsaw programme available to all schools in Norfolk. Glasgow City Council's resource pack, *Action against abuse: there's no excuse* is designed to tackle the use and abuse of power and focuses on abuse through prostitution, domestic violence and bullying.

### Identifying the risk factors

- 3.8 Recent research has pointed to a common set of risk factors that make individuals, children and adults alike, especially vulnerable to involvement in prostitution. These include:

- > experience of violence or abuse in the home
- > truancy or exclusion, and poor educational attainment
- > running away
- > experience of living in care
- > homelessness
- > problematic drug use
- > alcohol abuse and
- > debt.

This chapter looks in more detail at each of these specific risk factors and initiatives already in place to deal with them. Unless otherwise stated the risk factors apply to young boys as well as young girls, although the research focuses most frequently on girls.

### Experience of violence and abuse

- 3.9 Research into young people abused through prostitution shows that many were sexually, physically or emotionally abused at home or bullied at school.<sup>28</sup> ECPAT found that, in the majority of cases, there had been serious child protection concerns within the family. 'Physical and sexual abuse were frighteningly common.'<sup>29</sup>

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28 Annex C provides more detailed key statistics

29 Taylor-Browne (2002)

## Stop It Now! – freephone 0808 1000 900

Stop It Now! is a national and local public health campaign that aims to stop child sexual abuse by encouraging abusers and potential abusers to seek help and by giving adults the information they need to protect children effectively. In the last nine months 45% of calls to its national helpline were from adults who had abused children or were thinking about abusing children and were looking for help. A further 31% of calls were from the friends or families of abusers or potential abusers.

### Physical and sexual abuse

- 3.10 Local authorities have a statutory duty, under section 47 of the Children Act 1989, to make enquiries where they reasonably suspect that a child is suffering, or at risk of suffering harm from physical and/or sexual abuse and neglect. A core assessment of the child's needs within their family community context will enable decisions to be made on the action required to safeguard and promote the welfare of the child. The Government's guidance, *Working Together to Safeguard Children*,<sup>30</sup> sets out how all agencies with child protection responsibilities – social services, the police, health, education, probation and the voluntary sector – should work together to safeguard children and promote their welfare. The guidance emphasises the importance of working together to help families and children *before* abuse and neglect takes place.

### Domestic violence

- 3.11 Children will always be affected if they witness domestic violence or grow up in a household where there is domestic violence, even if they do not actually suffer direct abuse from the perpetrator. There is likely to be an immediate impact on their behaviour, health and educational performance in ways visible in school. There is also likely to be an emotional impact lasting long into adulthood which can affect an individual's ability to create and maintain relationships, their self-esteem, self-confidence and stability, education and career prospects.<sup>31</sup>
- 3.12 Given their vulnerability, children who have been affected by domestic violence are likely to be over-represented among children abused through prostitution. This makes the Government's strategy to tackle domestic violence key to preventative work in respect of prostitution – particularly the early intervention elements. Health and education service professionals are usually in a good position to identify children who may be at risk in this way and have an important role to play.

30 Department of Health (1999)

31 Webster et al (2002)

## Truancy/exclusion and poor educational attainment

- 3.13 Young people abused through prostitution, or at risk of abuse through prostitution, often do not take part effectively in education, training or employment. Barnardo's found that 75% of children abused through prostitution had been missing from school.<sup>32</sup>
- 3.14 The Government has introduced a wide-ranging package of measures to address truancy and behaviour. The Government is investing £470 million in a wide-ranging national programme to help schools and local education authorities improve behaviour and attendance and support pupils at risk of exclusion, truancy and crime.<sup>33</sup> The programme includes measures to help parents who are unable to get their children into school and apply sanctions to those unwilling to do so. The Anti-Social Behaviour Act 2003 has introduced penalty notices and parenting contracts to reinforce the importance of parental responsibility. Connexions Partnerships also have a role to play in reducing the number of young people not in education, employment or training and to improve the effectiveness of services meeting their needs.

## Running away

- 3.15 Running away puts children and young people at risk and increases their vulnerability to sexual exploitation. It affects 1 in 9 young people under the age of 16. Each year it is estimated that 100,000 young people run away from home or care.<sup>34</sup> They are a diverse group with a wide range of problems. Children and young people in care are more likely to run away than those at home, with girls slightly more likely to run away than boys. A 2001 study found that 67% of young runaways will stay with a stranger and get hurt, 25% will sleep rough and 21% will be physically or sexually assaulted.<sup>35</sup>
- 3.16 The Social Exclusion Unit's *Young Runaways* report<sup>36</sup> included detailed recommendations to help ensure that young people at risk of running away have access to the advice, counselling and support they need. One of the recommendations was to use development funding to establish 26 projects to test different approaches to working with young runaways. Two of these projects focus specifically on the sexual exploitation of young people. They are being evaluated by the Department for Education and Skills and the Children's Society, with learning points to be disseminated later this year.

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32 Barnardo's – personal correspondence

33 The National Behaviour and Attendance Programme – more info at [www.dfes.gov.uk/behaviourandattendance](http://www.dfes.gov.uk/behaviourandattendance)

34 Rees (2001)

35 Rees (2001)

36 Social Exclusion Unit (2002)

## Safe in the City

This Children's Society project in Manchester is an holistic project for young people who run away or who are at risk of doing so. The project offers practical support (food, showers etc) and arranges packages of support with other agencies to meet the longer-term needs of these young people.

- 3.17 A further £2 million is to be provided by the Department for Education and Skills to develop and evaluate a number of models for community-based refuge services across England, testing different approaches to responding to runaways. As well as providing a bed in an emergency, the projects will help by linking young people into appropriate advice and support services, such as Connexions, counselling and social services accommodation. For the majority of young people who run away from home, it will be appropriate to negotiate a quick return to home or care, with follow-up support. In those cases where a return to home is not appropriate, safe accommodation will be required while their needs are being assessed to plan where they might live in the longer term.

## Young Runaways at Risk of Sexual Exploitation Project

### **Camden Social Services Department**

Recognising the strong link between children running away and sexual exploitation, this project was set up to ensure that young runaways at risk are identified at the earliest possible stage and to ensure that there is a co-ordinated multi-agency response.

The project offers a follow-up scheme to all girls under 16 to look at their reasons for running away. The scheme offers risk assessment, information and advice, advocacy, protection planning and linkage into longer-term support where it is required. Young women assessed as being sexually exploited are allocated for in-depth work on managing risk and devising exit strategies.

In response to the particular needs of looked after children, the project is also developing a model of preventative group-work with young people in residential units.

- 3.18 In 2002 the Department of Health issued guidance on working with those missing from care or from home in England<sup>37</sup> which sets out the steps to be followed if a child goes missing from a care placement. The guidance reminds councils that many young

people who run away from home are likely to be children in need.<sup>38</sup> Local authorities must arrange for their needs to be assessed and, in some cases, this will lead to multi-agency action to provide the young person with appropriate protection.

- 3.19 Young people who have been separated from their families, often as a result of abuse or neglect experienced in their family's care, are very vulnerable. Research into children and young people abused through prostitution found that, on average, those who had been looked after by a local authority became involved in prostitution three years earlier than those who had not.<sup>39</sup>

### Bristol BASE

Bristol BASE (Barnardo's Against Sexual Exploitation) was set up to meet the needs of young people abused through prostitution or at risk of sexual exploitation. The project has expanded its work to offer a rapid response to young people who return from being missing, and to offer a tailored response to the parents and carers of young people who are missing or in crisis. The project trains staff to work effectively with runaways and to increase inter-agency response.

### Experience of living in care

- 3.20 Barnardo's and other organisations have collated a good deal of evidence that children's homes are regularly targeted by those looking to coerce young people into prostitution. The vulnerability of those in the care system is well recognised by predatory men. It is vital that staff should be able to recognise when a young person is particularly vulnerable to sexual exploitation, and to spot the well documented signs of the grooming process taking place. Children's Homes and Fostering Services must comply with national minimum standards which emphasise that children looked after by local authorities depend on a skilled, competent workforce. All staff and foster carers must be provided with guidance on how to recognise possible involvement in prostitution, information on local procedures to safeguard children at risk of abuse through prostitution and local child protection procedures.
- 3.21 The Government's report, *A better education for children in care*,<sup>40</sup> considered how best to improve the educational opportunities, and thereby the life chances, of those in care. The Department for Education and Skills, with the Local Government Information Unit, produced guidance to reinforce corporate parent responsibilities.<sup>41</sup> The guidance urges councillors to ask key questions about the safety, education, health and housing needs of those in their care, and to be aware of the support

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38 as defined by s 17 of the Children Act 1989

39 Pearce (2002)

40 Social Exclusion Unit (2003)

41 Department for Education & Skills & Local Government Information Unit (2000)

available to care leavers and of what is happening to make sure they do not get into trouble.

- 3.22 The Children (Leaving Care) Act 2000 requires local authorities to plan for and support care leavers. A 'pathway plan' must be provided to set out the services needed to make a successful transition to independent living. Any involvement, or risk of involvement, with prostitution should be taken into account in this plan. In many cases it may be appropriate to consider re-locating the young person away from the area where they are vulnerable to targeting for prostitution. Additionally, the local authority must make every effort to keep in touch, at least until the care leaver is aged 21, so that they will continue to have access to a responsible adult concerned with their welfare.

## Homelessness

- 3.23 Research studies demonstrate a high level of homelessness among children abused through prostitution.<sup>42</sup>
- 3.24 Local authorities have been achieving significant reductions in the incidence of homelessness through more strategic approaches and the introduction of a range of preventative measures, even in areas of high housing demand, focusing on the personal and social causes of homelessness. The Homelessness Act 2002 placed a duty on every housing authority in England to formulate a strategy based on a review of homelessness in their district. A coordinated strategy for prostitution should ensure that these strategies meet the needs of children abused through prostitution, or at risk of abuse through prostitution.

## Problematic drug use

- 3.25 The apparent lack of life choices that makes young people vulnerable to abuse through prostitution can make them equally vulnerable to drug misuse. Those who coerce young people into prostitution often use drugs to reinforce their dependence upon them.
- 3.26 Since April 2002 all Drug Action Teams (DATs) in England and Drug and Alcohol Action Teams (DAATs) in Wales have been addressing the substance needs of young people in their area through comprehensive young people's substance misuse plans. The plans address the needs of young people from prevention through to treatment. The plans have focused on the needs of the most vulnerable young people in the community.
- 3.27 In England the Updated Drugs Strategy includes a range of work to ensure that young people receive education about drug use and related harm. Much of this is specifically aimed at vulnerable young people. The Department of Health is funding a number of projects to develop the understanding of what interventions work best to

prevent drug misuse among young people with the aim of helping practitioners to deliver services for young people who are particularly vulnerable to drug misuse. This includes truants, those excluded from school, homeless young people, children in care, children of drug misusers and young offenders. There is also a media campaign aimed at the general public and also focused on groups who may be specifically at risk, including those at risk of prostitution.

### Talk to FRANK freephone 0800 776600

A communications campaign on drugs was launched in May 2003 through the national press, TV, radio and ambient media. FRANK aims to prevent young people from experimenting with illegal drugs and to inform people about the risks and dangers associated with Class A drug use. Backing up the campaign is the FRANK website [www.talktofrank.com](http://www.talktofrank.com) and free helpline that offers confidential advice, information and support on drug and solvent/volatile substance misuse. It also provides information in over 120 languages and can be accessed from the main clubbing destinations in Europe. Over time FRANK is targeting its campaigns to reach specific groups, including those involved in prostitution.

## Alcohol abuse

- 3.28 While the links between prostitution and drugs are increasingly well recognised, the risk from alcohol abuse is sometimes overlooked. Every young woman who took part in a recent research project on abuse through prostitution reported serious problems with binge drinking, and a number reported repeated hospitalisation for alcohol-related injuries.<sup>43</sup> An earlier study of women working on the streets in Glasgow found that many used alcohol as well as drugs to blank out the reality of the work and the shame they felt.<sup>44</sup> A study in Edinburgh also highlighted the links between alcohol and prostitution.<sup>45</sup> This study consisted of a sample of 102 men and 103 women involved in prostitution. In the week preceding the interview, all but 6 men and 8 women had been drinking and two thirds reported being intoxicated. The experience was mirrored in a US study where 10% of men and 43% of women in alcohol treatment programmes reported having sold sex for money or drugs.<sup>46</sup>
- 3.29 The Government launched an Alcohol Harm Reduction Strategy for England in March. This sets out a cross-Government approach towards tackling the problems associated with binge and chronic drinking. The strategy outlines the clear need for there to be a

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43 Pearce (2002)

44 McKeganey & Barnard (1996)

45 Plant (1997)

46 The National Center on Addiction & Substance Misuse (1999)

partnership at both national and local levels between Government, the drinks industry, health and police services, individuals and communities to tackle alcohol misuse. The strategy also outlines the need for improvements to services for vulnerable groups, particularly those with drug problems, mental illness, homeless people and young people.

## Debt

- 3.30 As research makes clear, a high percentage of adults first became involved in prostitution at an early age. And for those who became involved as adults, the route in is markedly similar. Vulnerability is the key – although for adults economic vulnerability is likely to play as significant a part as emotional vulnerability. This is particularly the case for those involved in off-street prostitution where research has found that 74% cited the need to pay household expenses and support their children as the prime motivating factor.<sup>47</sup>
- 3.31 Debt can be a contributory factor to the vulnerability of men and women to prostitution. Appropriate advice and support can help people to avoid, manage and escape from debt. It is recognised that to be accessible to the most vulnerable groups, debt advice needs to be provided locally, face-to-face and in easy to reach locations. It is also helpful for such services to be signposted from other services with which individuals may already be engaged. There is a clear role here for Connexions advisers, Sure Start, social workers and housing officers. Alternatively debt advice can be embedded in other services. For example, Jobcentre Plus funds debt advice services for some clients through New Deal.

## Responding to the risk factors

- 3.32 Schools, GPs, sexual health clinics, police, youth workers, Connexions and social services are all in a position to pick up early difficulties and identify young people at risk of, or beginning to be drawn into, abuse through prostitution. The key is awareness of the warning signs and, for the professionals, to know how to respond with coordinated services. We need to ensure that what works to identify the risk factors, and to prevent exploitation, is understood and becomes common practice. The Department for Education and Skills proposes to introduce common core standards and training for all professionals working with children. Safeguarding and promoting the welfare of children will be one of the key areas.
- 3.33 It is particularly crucial that those professionals supporting vulnerable children should be aware of the signs of a child being drawn into prostitution and know what action they should take. *Safeguarding Children Involved in Prostitution*<sup>48</sup> contains advice and information about the signs to look out for to assist professionals in identifying children who may be abused through prostitution.

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47 Church et al. (2001) The percentage was 28% for those involved in street-based prostitution.

48 Swann & Balding (2000)

- 3.34 We need to find ways to listen to victims and to their families about the way in which coercion succeeds, and examine the evidence for what works to help protect vulnerable children from exploiters. Parents, grandparents, the extended family and friends can all pick up on the warning signs. It is essential that they are encouraged to seek help and advice from their local social services department or voluntary organisations if they are concerned.

### Tracking vulnerable children

- 3.35 Further plans to reform children's services to protect children from neglect and harm and ensure that each child is able to fulfil their potential were set out in the Government's Green Paper *Every Child Matters*.<sup>49</sup> The inquiry into the death of Victoria Climbié highlighted the fact that, although considerable information about children and young people exists, it is not always shared appropriately by practitioners. The Children Bill includes provision for the establishment and operation of information sharing databases covering all children in England and Wales. These databases will be an important tool for practitioners, helping them to see details of other practitioners working with a particular child and enabling them to signal to other practitioners that they have a concern about a child. This will help promote the sharing of information and avoid the risk of individual practitioners operating in isolation and not taking appropriate action because they do not realise the whole picture about the child. More detailed information on the operation of the databases will be set out in regulations. This will draw on the experience of 10 Trailblazer pilots, involving 15 local authorities, which are currently testing ways to improve information sharing and multi-agency working. Guidance to practitioners on how and when they can and should share information will be issued to support them in fulfilling their duties to cooperate to improve children's well-being and to make arrangements to safeguard children and promote their welfare.
- 3.36 In Wales, plans to reform children's services to protect children from neglect and harm, and ensure that each child is able to fulfil his or her potential, are set out in the Welsh Assembly response to *Every Child Matters*.<sup>50</sup>

### Unaccompanied children arriving in the UK

- 3.37 At present it is difficult to track unaccompanied children arriving in the UK. They may claim asylum, seek entry in other capacities or avoid the immigration control altogether. If the child or young person claims asylum they will be referred to Social Services for support under the Children Act and to the Refugee Council's Panel of Advisors, a non-statutory body which acts as an adviser to the child in his/her dealings with the Home Office and other agencies for the duration of the asylum claim.

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49 Crown Publication (2003)

50 Welsh Assembly Government (2004)

- 3.38 A joint Home Office/Department for Education & Skills project is working on ways to improve cross-agency working to better support unaccompanied asylum seeking children.
- 3.39 Migrant children who do not seek asylum may also be at risk, whether accompanied or unaccompanied. The majority of unaccompanied children come to the UK for valid and legitimate reasons, such as studies or visits to relatives. However, it is possible that a small minority of unaccompanied children may be vulnerable to exploitation. At present we lack detailed information about the scale of the problem.

## Consultation

### What can be done to prevent the abuse of children and young people through prostitution?

*Chapter 3 looked at the most common risk factors and shows that there are already a range of initiatives which will help to reduce the vulnerability of children and young people to abuse through prostitution. As part of a systematic approach to the issues arising from prostitution, these initiatives will make a significant contribution to reducing those risks. However, there is more to be done to prevent children, young people and adults from being drawn in. In some instances this will require careful targeting; in others, it may be that a more systematic approach to the provision of advice and support is necessary. We need to ensure that we build on best practice and incorporate preventative measures into a coordinated strategy.*

- 6 How can we most effectively identify those at risk and what are the most effective measures to prevent the abuse of children through prostitution? What role should schools play in a preventative strategy?**
- 7 How can we warn parents/carers of the methods of coercion into prostitution so that they are aware of early warning signs – and what more can we do to provide them with support and advice?**
- 8 What is the best way to close off routes into prostitution for the young and the vulnerable? Do you have good examples of working with target groups, for example those in residential homes or unaccompanied asylum seekers?**
- 9 How can we ensure that early prevention measures are delivered in a culturally sensitive way?**

# Protection and support for children abused through prostitution

Shane, aged 15, called ChildLine – freephone 0800 1111

*“I’ve been living in a doss house since I ran away from home. I haven’t eaten since Sunday, but I’ve been taking heroin and speed. I’m on the game and see about 6 people each night – I work to pay for the drugs and use the drugs to get through the work. I want my life to finish, I want not to wake up again. I want it back to normal. I’ve been beaten up three times in the last two weeks”*

## Making contact

- 4.1 Children and young people coerced into prostitution are difficult to find as they are often hidden away – sometimes even kept prisoner – in private flats. However, although it requires some effort and a proactive approach, such children can be found. If they can be located by those seeking to abuse them, they can be located by those who seek to protect them. There is also evidence that children and young people abused through prostitution will actively seek protection if they are aware of a local project offering support. We need to ensure that such support is available – and clearly signposted – wherever it may be needed by children and young people like Shane.

## Child protection arrangements

- 4.2 In September 2001 the Department of Health published a *National Plan for Safeguarding Children from Commercial Sexual Exploitation*.<sup>51</sup> It explains what the Government, the devolved administrations and partner agencies are doing, and plan to do, to protect those children who are induced or coerced into sexual activities for the commercial advantage of others. The Plan is reviewed on an annual basis and, as a result of the last review, changes are being made to ensure that it provides a stronger focus for the UK’s efforts to safeguard children from commercial sexual exploitation.

## Safeguarding Children Involved in Prostitution

*Children involved in prostitution should be treated primarily as the victims of abuse, and their needs require careful assessment. They are likely to be in need of welfare services and, in many cases, protection under the Children Act 1989.*

- 4.3 One of the priorities identified in the original Plan was to ensure the effective implementation of the Government's guidance to those agencies working with children. This guidance, *Safeguarding Children Involved in Prostitution*, stresses the need to treat children involved in prostitution as abused children and provides advice to the relevant agencies on ways to ensure their welfare. It also provides advice on ways to enable the police to gather evidence about those who coerce children into this way of life so that, wherever possible, action can be taken against the exploiters.
- 4.4 An important aspect of the guidance is that it gave Area Child Protection Committees (ACPCs) an active role to enquire into the extent of children involved in prostitution. This proactive approach has led to a greater recognition of the number of children abused through prostitution.
- 4.5 A study has been completed on how the guidance has been implemented across the country, and to assess its impact.<sup>52</sup> It is hard-hitting and contains vital information for ACPCs, many of which are grappling with how best to safeguard children abused through prostitution. Some of the findings are encouraging. For example, 90% of all ACPCs in England now have a protocol in place for dealing with such children. However, the study also found that areas are still encountering difficulties in engaging with young people, often compounded by substance misuse, by a fear of reprisals from pimps, and by a fear of the authorities in response to any criminal activity. The study contains examples of good practice to overcome such difficulties and provides networking opportunities for practitioners.
- 4.6 The situation in Wales is similar, with local agencies struggling to tackle the issue effectively. The Welsh Assembly undertook an informal survey of the implementation of the guidance in December 2001, contacting all 22 local authority areas. Of the 21 areas that responded, the local situation had been assessed in four areas; protocols had been implemented in seven areas; and were planned in a further eight; and monitoring arrangements were being developed in six areas. The Social Services Inspectorate for Wales is working with each local authority area to help them with the implementation of the guidance.
- 4.7 The Government plans to build on these protocols by strengthening local arrangements for coordinating the work of key agencies in relation to safeguarding children. The Children Bill will require Local Safeguarding Children Boards (LSCBs) to be set up by local authorities with the involvement of partner agencies, including

housing, health, police and probation services. The objective of LSCBs will be to coordinate and ensure the effectiveness of local activity to safeguard and promote the welfare of children. They will need to develop a coherent approach to safeguarding the needs of all children in the local area, including those being abused or at risk of being abused through prostitution. The work of LSCBs will be supported by a new duty on local bodies to have regard to the need to safeguard children and promote their welfare in the course of exercising their normal functions.

- 4.8 *Children and Young People: Rights to Action*<sup>53</sup> sets out the Welsh Assembly's intention to place ACPCs on a statutory basis. This will be complemented by a duty on local authorities, health services, the police and other relevant local bodies to have regard to safeguarding children, promoting their well-being and working together through local partnership arrangements.

## Building trust

- 4.9 It is well understood that the vulnerability of an abused child and the power of the abuser make it extremely difficult for the child to accept help, particularly if substance misuse and involvement in other forms of criminality are involved. It takes time to build up trust with a child or young person whose trust has been abused. It is crucial to listen to young people who have been abused through prostitution if we are to understand how they perceive their situation and their choices for the future.
- 4.10 Three of the CRP projects exploring what works in tackling prostitution specifically addressed the issue of young people abused through prostitution. The evaluation of these projects provides a helpful insight into the best way to engage young people in order to provide them with effective protection and support. The experience of the projects has particularly underlined the importance of providing one-to-one support to this group. *Every Child Matters* also highlighted the need for a multi-disciplinary response coordinated by a single lead professional.
- 4.11 There are distinct issues to be taken into account when considering the treatment needs of young people. They are not adults and should not be treated as such. Any programmes aimed at them need to focus on a range of interventions while working holistically with the young person. The package of support offered may need to include drug treatment, healthcare services and emotional support, and re-engagement in education. This chapter looks at each element in turn.

## Drug treatment

- 4.12 All Drug Action Teams (DATs) have undertaken a local assessment of substance misuse among young people and have developed Young People's Substance Misuse Plans. These include plans to expand the services for young people to ensure that all those requiring drug services (prevention or treatment) receive them.

- 4.13 A number of child focused drug treatment services are already in place or are in the process of being developed. They include specialist Substance Misuse Foster Carers, combined Remand & Substance Misuse Foster Carers, and Structured Day Programmes. For young people's detoxification services, Shared Care arrangements are being developed with GPs and CAMHS (Children and Adolescent Mental Health Services). CAMHS specialists also work with staff in adult treatment services to deliver services to young people if dedicated services are not available.

### Healthcare services

- 4.14 Similarly it is crucial that appropriate healthcare services, including services provided under the sexual health strategy, are accessible to young people. Access to suitable healthcare services, especially to mental health services for adolescents, has been highlighted as problematic by a number of projects.

### Emotional support for individuals, and for their families

- 4.15 Those providing support services for children and young people abused through prostitution also need to acknowledge the often long-term need for emotional support, both for the individuals concerned and for their families. This may need to include family mediation services.
- 4.16 Where a young person living at home becomes a victim of grooming and is coerced into prostitution, it is crucial that families receive the advice and support they need to enable them to help their children break the ties with their abusers. Support for families must be available to parents from the police, schools and Connexions. Specific support should be well publicised in existing services for families of teenagers.

### CROP

The Coalition for the Removal of Pimping (CROP) is funded by the Family Policy Unit in the Department for Education & Skills to support parents to cope more effectively when the family is affected by prostitution. Initiatives include self-help groups for parents, and also for grandparents looking after grandchildren in circumstances where their mother is involved in prostitution. Information is provided via a national telephone advice/support line (0113 243 6896) and through published *Advice to Parents concerned that their child is in an exploitative relationship*. This advice includes possible indicators for parents/carers that a young person is involved with a pimp.

### Education/training

- 4.17 Finding a way back into education is an important step for a young person abused through prostitution. The needs of each young person require careful assessment by

the Local Education Authority (LEA) and by their education provider. Systems must be in place to ensure that where a child is found to be missing education the LEA is informed at an early stage. A dedicated 'missing children' contact will then follow the case closely, assessing, referring and monitoring each child into education.

- 4.18 Once in school or alternative provision, young people must be supported and contacts made and maintained with other Children's Services. This support will often continue beyond the point when the young person is properly reintegrated into education. LEAs can use specific funding from the Vulnerable Children's Grant<sup>54</sup> to support the reintegration of vulnerable groups back into education.
- 4.19 It is crucial that support is culturally appropriate and sensitive to the backgrounds of the children and young people.

## Consultation

### How do we help young victims of abuse through prostitution, and their families?

*Chapter 4 looked at what we already do to protect and support children and young people abused through prostitution. A coordinated strategy will need to consider how we can build on this work and what more needs to be done to protect children from this form of abuse.*

- 10 How do we reach children in need of protection from abuse through prostitution? Are there further examples of good models that have had proven success in helping young people abused through prostitution to move on?**
- 11 How are services (for example, sexual health services) best tailored to meet the specific needs of children and adolescents involved in prostitution?**
- 12 How can we best support the families of children and young people abused through prostitution?**

## Supporting adults involved in prostitution

### Frances

*For my second pimp there was no way I could finish work without having at least £200 every day.... I didn't have a penny of it. He chose my clothes....he chose my food, he told me when to eat, when to sleep, when to work, when to go home, when to speak. I just could not do anything without his permission.<sup>55</sup>*

### Choice or survival?

- 5.1 Some men and women involved in prostitution argue vociferously that it is their occupation of choice. However, this does not detract from the task of supporting and protecting those, like Frances, for whom prostitution undoubtedly involves exploitation.
- 5.2 Debt and drug addiction play a major part in driving people into prostitution as a survival activity. They are also significant factors, along with the threat of violence from pimps/partners, in making it difficult to leave. Those involved in prostitution can be particularly difficult to reach, claiming that prostitution is their choice and that they don't want to leave – through a combination of fear, the process of normalisation or in an effort to maintain their dignity. While preventative work at an early age is important we must also work to address the safety of the thousands already trapped by debt and drug addiction.

### Outreach and drop-in centres

- 5.3 Evaluation of the CRP projects exploring what works in tackling prostitution found outreach to be a useful intervention in its own right. Outreach – which involves taking services to where those involved in prostitution are to be found – enables important harm reduction activities to be carried out. This includes the distribution of condoms and clean injecting equipment. It is also an important first stage in the process of exiting prostitution. Outreach enables trust and familiarity to be built up between those involved in prostitution so that project workers are better placed to encourage women to access services for more in-depth support.

- 5.4 The process of leaving prostitution is characterised by stages of initial vulnerability; chaos; stabilisation; and finally exiting/moving on. Support needs to be available on a consistent basis, ready to be delivered as and when individuals are ready to accept it. Support services – and those who fund such services – need to recognise that a failure to accept support, or abandoning support services to return to prostitution, is not the end of the line and should not prevent an individual from re-engaging in the future.

### A coherent approach

- 5.5 The evaluation of the CRP projects indicates that initiatives to reduce the number of women and young people involved in prostitution, and associated crime and disorder, require multi-agency responses that combine prevention with immediate and longer-term support. This should include education among young people and training for professionals; the sharing of information concerning vulnerable young people; enforcement against and the re-education of prostitute users through kerb crawler schemes; bringing pimps to justice; and liaison between the community, support agencies and those involved in prostitution.
- 5.6 The CRP projects clearly demonstrated the need to take a dual approach in terms of enforcement and support. The difficulties associated with temporary crackdowns are illustrated in chapter 7.

### Potteries Housing Association Working Women's Project (a CRP project)

This project has run an outreach service for women involved in prostitution since 1993. It aims to use local information and national evidence to provide a confidential, individually tailored service, using prevention and diversion strategies to help women avoid or stop involvement in prostitution. This includes helping women to access housing and community services and providing access to medical care, needle exchange and free condoms.

### Routes Out

This initiative began in 2000 to provide those involved in prostitution in Glasgow with access to advice and support services, adopting an holistic approach to successfully help women to move on. The partnership – Routes out of Prostitution – set up BASE 75, a one-stop-shop for quick access to health promotion and harm reduction, and funded an Intervention Team to assist women to make the break from prostitution by ensuring access to accommodation, education and training, childcare provision and employment.

## The Magdalene Group

The Magdalene Group works with individuals involved in prostitution in Norwich, offering them the opportunity to make positive lifestyle choices towards leaving prostitution. They provide a drop-in facility, an outreach service, a range of training and education opportunities, and a variety of support and information services. They also offer Jigsaw, a schools preventative programme (see chapter 3).

## POW! Support and counselling services

POW! (Prostitution Outreach Workers) in Nottingham provides a comprehensive and confidential drop-in and outreach service to those involved, at risk of becoming involved or wishing to exit from prostitution and drug misuse. The services are also available to the wider community – particularly those affected by prostitution. Outreach normally takes place two or three times a week – visiting clients on the streets, in saunas, flats and individual homes. POW's drop-in services include a genito-urinary clinic and drug/alcohol services. It also offers a "moving-on" course, links into adult education, information on 'dodgy punters', and positive, constructive links with the police and other agencies, essential for a holistic approach.

## The ME pack

Women referred to the Working Women's Project in Stoke are encouraged to embark upon a structured care plan which consists of devising, with the support of a project worker, a ME pack. The ME pack assists women to look at all aspects of their lives, including their drug dependency, relationships with other people and plans for the future. From the ME pack a structured care plan is formulated, aimed at changing those aspects of their lives that keep them involved in prostitution, and enabling them to consider alternatives – so beginning the exit process.

- 5.7 Shaping the way in which outreach is delivered also needs to take account of the needs and sensitivities of the particular communities served.

## Sexually Transmitted Infections (STIs) and HIV – harm minimisation and advice on sexual health

- 5.8 Research into the risk of HIV among women involved in prostitution has only shown higher rates where there is shared use of injecting equipment. There is less research into risks of other kinds of sexual ill-health but there are characteristics of prostitution which give rise for some concern:
- high rates of chlamydia, gonorrhoea, PID, abnormal cervical cytology, termination, infertility and Hepatitis C
  - low use of condoms in non-commercial relationships
  - low use of contraception other than condoms used when working
  - variable use of GUM and contraceptive services.<sup>56</sup>
- 5.9 Sixty five per cent of crack using women involved in prostitution in London were found to have had an STI compared with 44% of non-crack users. They were also more likely to have Hepatitis C. While condom use with clients has traditionally been claimed to be high, the increasing use of crack can be expected to increase the level of ‘unsafe’ sex. An additional factor is that often neither condoms nor any other form of contraception is used with private sex partners as this is said to create an important psychological distinction between ‘business’ and ‘real’ sex. It is also reported that to suggest the use of a condom with a partner is to risk physical violence as the partner objects to being treated like a client.
- 5.10 The development of the *National Strategy for Sexual Health and HIV* demonstrates the Government’s commitment to improving sexual health and modernising sexual health services.<sup>57</sup> Those involved in prostitution are specifically identified in the strategy as a target group for health promotion agencies, sexual health information services and HIV/STI prevention because they are at higher risk. The Government is tackling increasing rates of HIV and STIs through the Sexual Health Strategy, with over £35 million invested in improved access to specialist STI clinics. This includes an additional £15 million capital funding announced in November 2003 to increase capacity in services and reduce waiting times, thereby ensuring quicker access to diagnosis and treatment.
- 5.11 In March 2003 the National Treatment Agency for Substance Misuse (NTA) published commissioning guidance on needle exchange and harm reduction initiatives, primarily intended to stop the sharing of injecting equipment and to reduce levels of injectable drug use.<sup>58</sup> The guidance requires specific attention to be paid to injectors currently under-using services, including women and young people, and to those with particularly high risk injecting practices, including poly-drug users and those with severe drug dependencies. Needle exchange facilities should be promoting safer

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56 Kinnell (2001)

57 Department of Health (2001)

58 National Treatment Agency (2003)

injecting practices, providing and reinforcing harm reduction messages and helping service users to access drug treatment as well as providing advice on safer sexual health. They should also ensure the safe disposal of injecting equipment (see chapter 7).

## Teenage pregnancy

5.12 Tackling teenage pregnancy is central to the Government's work to prevent health inequalities, child poverty and social exclusion. Young women from vulnerable backgrounds are more likely to become teenage mothers and, in a study of 55 young women vulnerable to sexual exploitation, it was found that nine had been pregnant, six of whom went on to have a baby.<sup>59</sup> The 1999 Social Exclusion Unit report on teenage pregnancy led to a national strategy which aims to reduce the rate of teenage conceptions by half among under 18s by 2010; to set a firmly established downward trend in the under 16 conception rates; and to increase the participation of teenage parents in education and employment to reduce the risk of long-term exclusion.

## Other healthcare needs

5.13 Those involved in prostitution may feel marked for the rest of their lives. There are likely to be long-term physical effects arising from repeated penetration, violent abuse, problematic drug abuse and STIs.

5.14 Low self-esteem can also result and must be addressed if those involved are to feel that their lives are worth changing and that their problems will be taken seriously by those who are in a position to offer appropriate support. Low self esteem can also lead to mental health problems. The Department of Health's *Women's Mental Health Strategy: Implementation Guidance*<sup>60</sup> provides for a range of services which, while not directed uniquely at those involved in prostitution, would provide effective support for this group. This includes the provision of women-only community day services for women experiencing mental health problems. The strategy addresses the particular needs of women who have been victims of violence and abuse and also aims to meet the supported housing needs of women who may be trapped in abusive relationships or would otherwise have nowhere else to live.

## Safety advice

5.15 Outreach and drop-in projects have tended to focus on sexual health issues but increasingly it has become clear that harm minimisation should also take account of other risks, including the danger of physical assault. A number of projects now offer safety advice, attack alarms, and training programmes for personal safety.

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59 Pearce (2002)

60 Department of Health (2003c)

- 5.16 The increase in crack use means increased violence among those involved in prostitution, and between them and their pimps and clients. This is an area of major concern. Violence, including sexual violence, is routinely used by pimps as a means of control. In a study of 19 'pimped' women, all had experienced violence, ranging from slaps to injuries that led to hospitalisation. Ten said they had been raped or otherwise sexually abused by their pimp.<sup>61</sup>
- 5.17 Much of the violence against those involved in prostitution is perpetrated by users. *A Three-City Comparison of client violence against prostitute women*<sup>62</sup> found that two thirds of women involved in prostitution had experienced 'client violence'. Those involved in street-based prostitution most often reported being 'slapped, kicked or punched'; over a third reported robbery by clients; and 28% reported attempted rape. They seem to be at significantly greater risk than those working off-street, although both robbery and serious sexual assaults do occur in this sector. Brothels have been identified as premises where considerable amounts of cash are to be found, and it is known that those working there will often be unwilling to report robberies as this would draw the attention of the police to the unlawful use of their premises for prostitution.

## Sexual Assault Referral Centres

Sexual Assault Referral Centres provide a 'one stop' location where those who are victims of sexual assault can receive care and counselling while, at the same time, assist the police investigation into alleged offences. This involves the participation of the victim in the forensic examination process, vital in many sexual assaults, particularly rape cases. In those police areas that have made the quantum leap into providing multi agency, dedicated SARCs all the following services will be available to victims as soon as possible after a report is received:

- initial reassurance by trained staff
- early securing of forensic evidence
- safe and supportive environment
- choice of gender of chaperone
- choice of gender of Forensic Medical Examiner (FME)
- counselling
- post investigation support

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61 May, Harocopos & Turnball (2001)

62 Barnard et al (2002)

**The Haven** – a Sexual Assault Referral Centre in south London – invites representatives from local projects working with people involved in prostitution to sit on their steering group.

The Government has allocated £2m over each of the current and next financial years to develop a range of services for the victims of sexual crimes. Some of it will be used to increase the number of SARCs. The money is derived from the recovered proceeds of crime.

- 5.18 ‘Dodgy punter’ schemes allow women involved in prostitution to share information on violent clients. The schemes involve a range of local partners, including local outreach services, drop-in centres and the police, collaborating to provide written information sheets to warn against dangerous clients. Women report identifiable characteristics of men who have assaulted them. These are collated and circulated through the agencies. Many of these schemes have provided evidence used to successfully convict offenders – while ensuring that women have better information about potentially risky situations.

### Ugly Mugs

Ugly Mugs, set up in Liverpool in June 2000, passes on reports on violent clients. This is backed up by an ‘early warning system’ where local agencies pass messages about dangerous individuals by telephone. There has been an increase in the reporting of violent prostitute users and information from the scheme’s database has been used to secure the convictions of a number of violent users.

- 5.19 The Clubs and Vice Unit of the Metropolitan Police are currently liaising with the UK Network of Sex Work Projects to establish good practice on dodgy punter/ugly mug schemes. It is their intention to devise an information/intelligence sharing system that will lead to a coordinated approach to the prevention of violence against those involved in prostitution. They are also developing a training package for police officers offering guidance on how to deal with those involved in prostitution as victims of crime. It is hoped that this will result in more crimes being reported and victims being treated sensitively and appropriately.
- 5.20 The *Three-City Comparison* found that only 32.4% of client crime had been reported to the police. Those involved in street-based prostitution were most likely to report violence (44.1% as opposed to 18.6% of those involved off-street) as the high value placed by those off-street on the preservation of their anonymity appeared to be a strong disincentive to reporting incidents of violence in the workplace. Across both sectors there were women who lacked confidence that their accounts of violence

would be believed. Nottingham, which has a dedicated anti-vice team, had the highest proportion of women who said they would have reported crimes.<sup>63</sup>

5.21 Project Sapphire is the Metropolitan Police Service Unit dedicated to improving the investigation of rape and victim care. The project team has designed bespoke training for those officers most likely to deal with victims of serious sexual assault. This includes input on the particular difficulties faced by those involved in prostitution when reporting rape to the police, and on the intelligence that these reports can provide about serial and dangerous offenders. Project workers have given presentations to outreach groups on the work of Sapphire and are working closely with a number of projects to explore the issues faced by those involved in prostitution.

5.22 In the UK as many as 60 women involved in prostitution have been murdered in the last 10 years.<sup>64</sup> From Kinnell's survey of 51 murder cases, charges were known to have been brought in 29 cases. Of these, 18 were prostitute users. Of the 16 convictions, 8 of the offenders had previous convictions for violence against women, including murder, manslaughter, rape and assault. Individuals convicted of serious assaults against those involved in street-based prostitution, including murder and attempted murder, often have a history of similar offending.

## Domestic violence

5.23 There is evidence to show that there are shifting patterns in the way in which prostitution is operating. The trend is away from pimps controlling a number of women and towards 'pimp/partner' relationships. In these circumstances the violence which pimps may use to control their partner is properly classed as domestic violence and those involved in prostitution should be afforded the same protection against the perpetrator as any other victim of domestic violence. The relationship between domestic violence and prostitution is explored in chapter 3.

5.24 The Government is currently strengthening the protection offered to victims of domestic violence. Measures in the Domestic Violence, Crime and Victims Bill include:

- making common assault an arrestable offence
- criminalising the breach of a non-molestation order
- extending the availability of non-molestation orders to couples who have never lived together or been married and
- enabling the courts to make restraining orders under the Protection from Harassment Act 1997 when sentencing for any offence, or when acquitting for any offence if the court considers it necessary to protect the victim from harassment.

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63 Barnard et al (2002)

64 Kinnell (2001)

Each of these measures will strengthen the protection available to victims of violence from a pimp/partner.

- 5.25 Domestic violence provision can often struggle to cope with women who have drug problems. There is a clear risk that women who use refuges but who do not have access to appropriate drug regime support will leave this safe haven to rejoin prostitution and dangerous domestic violence in order to avoid painful drug withdrawal. It is important that domestic violence and drugs policies are properly coordinated.

### Hackney Maze Marigold/YWCA (a CRP project)

This project provides an innovative and holistic approach to the provision of specialist domestic violence support for women coerced into remaining in prostitution by boyfriends/pimps living off their earnings. The project was assisted by a domestic violence outreach worker from Tower Hamlets Women's Aid who was able to assist women to escape from violent partners/pimps by helping them to obtain emergency housing and by providing specialist counselling. Project workers and volunteers also provided direct advocacy support, often accompanying women to court; to hospital when they had experienced serious injury; or to homeless person's units, and helping to collect their belongings when they were fleeing partners/pimps. The drop-in service was also used as a place of safety where women could sleep during the day, and obtain clothing, food and individual support.

- 5.26 There are particular barriers faced by those involved in prostitution when reporting crimes against them and seeking protection from the courts. To help them to overcome these barriers we need to:

- continue to change the attitudes of law enforcement agencies and the courts so they properly consider people in this situation as victims of domestic violence who are entitled to the same protection under the law as other victims of violence; and
- promote specific work to encourage victims of violence from a partner/pimp to come forward.

### Tackling drug and alcohol abuse

- 5.27 Nearly every study of women involved in street-based prostitution shows a very close relationship with Class A drugs.<sup>65</sup> As many as 95% of those working on the street are believed to be problematic drug users.

- 5.28 The increasing use of crack among street-based prostitutes means that the provision of health and drug specialist services, adapted to the challenges of dealing with users of crack cocaine, are needed.
- 5.29 The Government's *Updated Drugs Strategy* focuses on our most damaged communities to provide treatment and support to all who need it and to protect communities from the harmful flow of drugs on the streets.<sup>66</sup> Under that strategy, guidance has been issued on how commissioners of drug services and agencies should respond to prostitution.<sup>67</sup> For example, fast track referral to effective drug treatment projects is essential for those in prostitution solely to fund a habit, or with an incidental drug habit. But drugs treatment needs to be coordinated with other forms of support since the individual circumstances of anyone involved in prostitution can be very complicated – chaotic lifestyles and homelessness need to be taken into account if the treatment is to be successful. Effective work can often be undone if a person is forced to return to earlier living conditions. The integration of housing with drugs treatment has been shown to be key to the first stage of any exit strategy.

### The Safe Project, (Birmingham, Walsall and Sandwell)

The project provides a comprehensive range of services for women involved in prostitution. A specialist outreach team provides HIV prevention and sexual health promotion, and a mobile street outreach facility, using a customised van, provides safer sex supplies, needle exchange and drug advice and information. Outreach shifts are staggered to reflect working patterns of the local women. An accommodation and support worker helps women with housing problems, backed-up by a service agreement with Birmingham City Housing Department to house up to five women per month. The project also offers drop-in services at various project bases, as well as support for pregnant women involved in prostitution including arranging access to detoxification and rehabilitation services.

- 5.30 Arrest referral schemes have been set up in a number of areas and encountered a number of initial difficulties. It is clear from early experiences, notably in Kings Cross,<sup>68</sup> that flexibility is the key. The use of crack and heroin impacts significantly on the ability to keep appointments and, in the case of women abused through prostitution, this is exacerbated by housing problems, hours of work, the fear of a judgmental (and often violent) response from their pimp/partner to treatment, as well as lack of confidence in the agencies involved. Further detail on the way in which these schemes have been enhanced in the light of these difficulties is in chapter 7.

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66 Home Office (2002)

67 Home Office (2004)

68 May et al (2001)

## Homelessness

- 5.31 Homelessness or the threat of homelessness is a major issue. Although few of those involved in prostitution are found sleeping on the streets at night, they will typically spend their days on a friend's floor, in squats, crack houses or, occasionally, at a 'client's' home.
- 5.32 In April 2003 £1.4 billion was made available for housing-related support to help more than a million vulnerable people sustain independent living. Supporting People provides high quality and strategically-planned housing-related services to complement existing care services, offering vulnerable people the opportunity to improve their quality of life by providing a stable environment and enabling greater independence.
- 5.33 One aspect of this is the Government's *Supporting People health pilot programme* which is intended to support commissioning bodies and service providers to develop their partnerships with health and social care services in new ways. One of the health pilots is the SWAN (Sex Workers Around Northampton) scheme, an existing project working with women involved in prostitution. Under the pilot scheme the project has been enhanced to provide a supported housing scheme, the NEST (Now Exiting the Sex Trade).

## Training/re-training

- 5.34 The key issue for most women involved in prostitution will be to deal with any drug dependency and to establish a safe home for their children. Further down the road to recovery will be the need for employment. And, given the high incidence of poor educational attainment, there will often be a need for basic skills training – improving, literacy, language and numeracy skills – as well as vocational re-training.
- 5.35 *Skills for Life*, the national strategy for improving adult literacy and numeracy skills is committed to helping 1.5 million adults improve their basic skills by 2007. The strategy identifies individuals who are at a high risk of social exclusion as a priority. These adults should be able to access high quality advice and be supported in addressing their needs.

### Reclaim Life Project

The *Reclaim Life project* receives UK On-Line funding in West and North Yorkshire to develop IT and Basic Skills in women's refuges and within other groups of excluded women, including those involved in prostitution. The training is delivered via the internet, with tutor support provided through a partnership with Learndirect.

## Employment

5.36 progress2work (p2W) is an initiative to help unemployed former drug misusers to take part in Jobcentre Plus programmes, education or employment. progress2workLinkUP is extending support in a number of pilot areas<sup>69</sup> to those disadvantaged in the labour market because of an offending background, alcohol misuse or homelessness. Although this initiative is primarily for those on benefit, referrals can also be made by a number of organisations that include Action teams, Carat teams (Counselling, Assessment, Referral, Advice and Throughcare), specialist agencies or other organisations working with Jobcentre Plus to deliver outreach services. p2w-LinkUP providers offer specialist advice, guidance and support to tackle inhibiting lifestyle issues, enabling individuals to explore options and working with them to develop individually tailored (and work orientated) action plans.

### Street Girls

The Street Girls initiative is run in conjunction with the Blackburn and Darwen Action team and involves the Community Drugs Team, the Drug Action Team, police and local authority. The aim of the initiative is to provide a support network for those involved in prostitution who want to change their situation. Advice is offered through static outreach, a mobile van and visits to prisons and police stations. Support services include pre-employment courses for prison leavers (gym instructor qualifications are popular); literacy programmes; drug dependency assistance; help with housing issues; help with benefit and grant applications; and access to social services (for young people abused through prostitution).

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69 Pilots are operating in England and Wales in Barnsley, Bradford, Bridgend/Rhondda Cynon Taff, Greater Manchester, Liverpool, Nottinghamshire, Rotherham, South London, South Yorkshire, Thames Valley, West Midlands and West of England

## Streetreach and the Reed Employment Group

The Streetreach project offers an holistic approach to providing support for girls and women involved in, at risk of becoming involved in, or wishing to exit, prostitution in Doncaster. The project encourages and supports women to a more positive lifestyle away from prostitution through a wide range of services including drug treatment, a school prevention programme, education and training and help with social needs, including housing, benefits and settling back into family life. In partnership with Reed Employment group, Streetreach runs a scheme whereby women who have successfully completed drug treatment are referred to Reed for help in preparation for employment. Women have been trained as manicurists, hairdressers and holiday camp reps and have been offered computer training, help with their CVs, money to buy presentable clothes and access to leisure facilities. So far, the partnership has trained and found work for over 30 women.

- 5.37 A criminal conviction can be a real barrier to employment. This is true for all ex-offenders but there is a particular problem for those involved in prostitution who face being stereotyped and stigmatised. Current requirements for disclosing criminal records are set out in the Rehabilitation of Offenders Act 1974 (ROA). The Government has agreed to recommendations made following a fundamental review of the ROA and is committed to changing the law to limit the requirement to disclose, where it is safe to do so, to increase access to employment.
- 5.38 The availability of suitable childcare is also a factor in accessing alternative employment, particularly as many women leaving prostitution are lone parents, or are breaking from their former partner/pimp. Sure Start programmes are crucial to meeting this need.

## What Works

- 5.39 The overview of the evaluation of the CRP projects on what works in tackling prostitution, *Tackling Street prostitution: towards an holistic approach*,<sup>70</sup> and the commissioning guidance for drugs treatment for those involved in prostitution, *Solutions and Strategies – drug problems and street sex markets*,<sup>71</sup> both recently published, provide a useful basis for considering how to provide services to support those involved in prostitution, and to help them to move on.

70 available in PDF format from <http://www.homeoffice.gov.uk/rds>, or hard copy from Research Development & Statistics Directorate, Communications Development Unit, Room 275, Home Office, 50 Queen Anne's Gate, London SW1H 9AT (0207 273 2084 or [publications@rds.homeoffice.gsi.gov.uk](mailto:publications@rds.homeoffice.gsi.gov.uk))

71 available from <http://www.drugs.gov.uk/ReportsandPublications>

## I am determined to succeed

*"I've been involved with Streetreach now for about four years, although I have used heroin since I was 15 years old. I'm now 22 years old. I have a little girl who is three and means the world to me. Over the years I have tried many times to get off the heroin, but it was getting pregnant that was the real trigger to me really trying to sort myself out.*

*Since this time I have attempted three detoxs, each time "getting clean" but quickly returning to heroin use each time, though I learnt from my mistakes and this time with lots of help and support from Streetreach, I have now enrolled at Doncaster College to do a three year beauty therapy course. I am finding it hard; the full day learning programme, the travelling to and from college and juggling childcare. I am determined to succeed, to leave my old life behind and start again in a career I've always wanted to do.'* <sup>72</sup>

## Consultation

### **What can be done to provide men and women involved in prostitution with a real alternative?**

*Chapter 5 looked at some of the reasons why adults are involved in prostitution and considered how we can best support and protect them. It also considered how we can support them to leave prostitution. We need to ensure that we build on the best practice from the CRP projects and incorporate protection and support as fundamental elements of a coordinated strategy.*

- 13 The paper contains some useful examples of what works to support men and women out of prostitution. Do you have examples of other initiatives that have proved effective and provide useful learning?**
- 14 What needs to be done to raise the awareness of sexual health among those involved in prostitution, including those who buy sex?**
- 15 How should we tackle the links between sex and drug markets?**
- 16 Appropriate housing is a crucial element of a successful exit strategy. Are there examples of where this difficult issue has been tackled effectively?**
- 17 Are there identifiably different needs in terms of support for different communities?**
- 18 How do we increase confidence in the criminal justice system of those involved in prostitution?**
- 19 How do we ensure the relevant agencies adopt a coordinated strategy?**

## Chapter 6

# Exploitation – the role of the criminal law

- 6.1 This chapter considers ways in which the criminal law responds to exploitation and abuse through prostitution. The criminal law also has a role to play in protecting communities. This aspect will be considered in chapter 7.

### Prosecuting the abuse of children through prostitution

- 6.2 The criminal law has a crucial part to play in cracking down on those who use and abuse children through prostitution. All children must be given maximum protection under the law.
- 6.3 Provisions in the Sexual Offences Act 2003 mean that children under the age of thirteen will not be deemed capable of giving legally significant consent to any form of sexual activity. Any sexual intercourse with a child under 13 will be charged as rape. The statutory age of consent under which no sexual activity can lawfully take place is an essential safeguard and will continue to be set at 16. A person who engages in sexual activity with a child under 16 will be caught by a new offence of 'sexual activity with a child'. The role of the child in prostitution is immaterial for this offence: any sexual activity with a child is unlawful. However 16 is too young for a child to be considered a prostitute and, as the table below shows, there are additional offences specifically aimed at those who exploit or abuse children through prostitution. In relation to these offences, children are given specific protection up to the age of 18 rather than 16.

## New offences in the Sexual Offences Act 2003

### Implemented on 1 May 2004

- **Paying for the sexual services of a child**

The maximum penalty is life imprisonment when the child is under 13 and the sexual services involve vaginal/anal penetration or oral penile penetration; 14 years when the child is under 13 and the sexual services are non-penetrative, or where the child is 13-15; and 7 years when the child is 16-17
- **Causing or inciting child prostitution or pornography**

This covers recruitment into prostitution or pornography and the maximum penalty is 14 years and/or an unlimited fine
- **Controlling a child prostitute or a child involved in pornography**

This covers pimping children and carries a maximum penalty of 14 years and/or an unlimited fine
- **Arranging or facilitating child prostitution or pornography**

This covers those whose actions intentionally contribute towards or assist in the arrangements for child prostitution and pornography, such as those who film children in indecent poses. The maximum penalty is up to 14 years and/or an unlimited fine
- **Trafficking into the UK for sexual exploitation**

This covers both children and adults and carries a maximum penalty of up to 14 years and/or an unlimited fine
- **Trafficking within the UK for sexual exploitation**

This covers both children and adults and carries a maximum penalty of up to 14 years and/or an unlimited fine
- **Trafficking out of the UK for sexual exploitation**

This covers both children and adults and carries a maximum penalty of up to 14 years and/or an unlimited fine
- The new sexual exploitation offences are **gender neutral** and amendments in the Act to existing prostitution offences also make these offences gender neutral.

## A multi-agency approach

- 6.4 In respect of children abused through prostitution, the role of the police is a complex one that encompasses the detection of offences, the continuing protection of the child and the prevention of re-offending. The investigation and prosecution of abusers is an important element usually undertaken by child protection units as part of a

broader multi-agency response. Within this investigative role there is a need for the continuing protection of children throughout the criminal justice process.

6.5 However, those who exploit children can pose a continuing threat of re-victimisation even following conviction. Where they are subject to sex offender registration either automatically, as a result of the conviction, or by virtue of a sexual offence prevention order (SOPO) imposed by the court, offenders will fall within the remit of the Multi-Agency Public Protection Arrangements (MAPPA). These arrangements, recently re-enacted and strengthened through section 325-327 of the Criminal Justice Act 2003, have been established by police and probation (and soon to be extended to the prison service) operating jointly as the Responsible Authority in each of the 42 areas of England and Wales. The arrangements require the risk of serious harm posed by such sexual or violent offenders to be assessed and managed; and work is undertaken in partnership with a range of other statutory agencies including local authority social services and housing departments. Central to the assessment of risk and the work of MAPPA is the consideration of the circumstances of previous victims and the threats posed to them.

6.6 A particular dilemma with the prosecution of exploiters is the gathering of evidence without placing the child at further risk. Because victims of exploitation are frequently reluctant to testify, there is a need for an imaginative approach, using surveillance, to gather evidence if abusers are to be brought to justice. A multi-agency approach, such as that adopted in Nottingham, is essential to assist police enquiries and to reduce the need for victims to be witnesses.

### Nottingham: a multi-agency approach

Between 1997 and 1999 Nottinghamshire Police anti-vice team successfully prosecuted 56 adults who had exploited girls and boys. Charges included indecent assault, abduction and rape. No child was required to give evidence in court. During this time 75 girls and 35 boys were identified as victims and 85% were successfully helped to exit. The multi-agency approach has continued to this day with clear evidence that children are now identified when 'at risk' or at an early stage before becoming entrenched in prostitution.

6.7 Some of the most common problems with the prosecution of exploiters relate to the reluctance of witnesses to testify where there is a fear of violence or intimidation from the exploiter. A multi-agency approach can be helpful in supporting the witness through the criminal justice process.

## The Wolverhampton project

Between August 1997 and February 1998 this project coordinated multi-agency work between police, social workers and voluntary agencies. From 40 children involved, 11 were prepared to act as witnesses against their abusers, leading to 9 adults being charged with serious offences, including rape, unlawful sexual intercourse, kidnapping, false imprisonment, assault and living off immoral earnings.

## Supporting child witnesses

- 6.8 Witnesses under 17 at the time of hearing are automatically categorised as 'vulnerable' and can apply for special measures to help them to give their evidence. These measures include screens to prevent the witness from seeing the defendant; the use of video-recorded evidence in chief and/or live TV links so that the witness need not enter the courtroom; the removal of wigs and gowns; clearing the public gallery to reduce intimidation; and communication aids. For child witnesses in cases involving violence or the threat of violence, sexual offences, kidnapping, abduction or cruelty it is the norm for their evidence to be recorded or given by way of a live link, whether in the Crown Court or in the magistrates' court. *Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses, including Children*<sup>74</sup> provides guidance on conducting interviews with vulnerable or intimidated witnesses. It is intended for use with video recorded interviews as well as to guide those preparing and supporting witnesses through the criminal justice process.
- 6.9 However, because of the increasing use of technology, including video cameras, in the abuse of children through prostitution, careful thought needs to be given to the use of similar technology in the investigative and court processes. In many such cases this could be inappropriate and harmful to the child. In such cases a child may prefer to give evidence in the courtroom behind a screen rather than through a live link.

## NSPCC support

The NSPCC provides a child witness support service for children involved in sex abuse cases in Cheshire, Devon and Cornwall, Essex, Surrey, South Wales and Northern Ireland. The service is staffed by individuals professionally trained and qualified in social work who specialise in children's issues as well as by volunteers who support parents and carers. Any pre-trial therapy is offered separately from preparation for court and the child's evidence is not discussed to avoid accusations of contamination. The NSPCC's aim is to cultivate an environment that ensures child witnesses are able to give their best evidence.

- 6.10 Successful prosecutions are not only the best way to protect children and young people from those who seek to abuse them by preventing re-offending but also serve to reinforce the message to the young person that they are not to blame and should not be expected to tolerate abuse.

### Prosecuting the exploitation of adults involved in prostitution

- 6.11 As set out earlier, the Sexual Offences Act 2003 strengthens the law against exploiters and traffickers of adults, in parallel with the arrangements for children. The focus of the law will now be very clearly on exploitation, and consideration of the offences relating to pimping and brothels will need to bear this objective in mind.

### Prosecuting the ‘classic’ pimp

- 6.12 The Sexual Offences Act 2003 makes it an offence for a person to cause or incite another person into prostitution in the expectation of gain. The Act also makes it an offence for a person to intentionally control another person’s activities relating to prostitution in the expectation of gain. ‘Gain’ is defined as any financial advantage, including the discharge of a debt or obligation to pay. These offences will allow action to be taken against those who recruit others into prostitution, whether by force or otherwise, and those who control the activities of a number of women in prostitution – including those keeping women in debt bondage.

### Keeping a brothel

- 6.13 The 2003 Act also amends the Sexual Offences Act 1956 to create a new offence of keeping a brothel used for prostitution. This new offence has a penalty of up to 7 years’ imprisonment.<sup>75</sup>
- 6.14 Many of those working in massage parlours or saunas will only make money from their private transactions for the provision of sexual services. They will generally receive nothing for a straight massage, and indeed will usually be required to pay the owner/manager for use of the premises. There is a clear potential here for exploitation. It has been argued that treating brothels as legitimate businesses could reduce levels of exploitation through the application of employment law and health and safety at work regulations. Chapter 9 assesses the models in practice around the world.
- 6.15 A brothel exists where more than one individual is working together to offer sexual services. This position is often criticised by those who represent women involved in off-street prostitution as the law has the effect of penalising those who work together. Off-street prostitution is generally considered to be safer than street-based work but only where there is more than one person on the premises so that they can look out for each other. It has been suggested that the offence should be amended so that it applies only to larger brothels where exploitation is more likely to be a factor,

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Annex A provides further detail of brothel keeping offences.

rather than on 2 or 3 men or women working together at a private address. But in any consideration of the legal status of brothels it is important to consider not only the safety of those working in them but also the impact that the brothel is likely to have on the immediate neighbourhood.

- 6.16 Sexual services are frequently offered in massage parlours, saunas and behind the façade of other legitimate entertainment businesses. In order to find ways to break this link so that legitimate businesses are not tainted by association with prostitution, the Home Office is working with the Local Government Association to examine the interface between legitimate businesses and those offering sexual services, and to explore the ways in which licensing arrangements, and other relevant regulations, might be strengthened to allow local communities to exercise appropriate controls.

### Supporting adult witnesses

- 6.17 As with child witnesses, there are significant issues relating to the willingness of adult victims to give evidence. Measures to meet the needs of adult witnesses are part of the wider National Strategy for Victims and Witnesses<sup>76</sup> which aims to provide support and protection, with specific measures for vulnerable and intimidated witnesses which include arrangements for permanent or temporary housing. The Home Office has recently matched existing funding from the Housing Corporation to provide a national coordinator to locate new accommodation on behalf of all police forces.<sup>77</sup>
- 6.18 Separate arrangements have been introduced for victims of those trafficked for the purpose of commercial sexual exploitation. These are set out in chapter 8.

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76 Home Office et al (2003c)

77 Details of the Multi Agency Witness Mobility Scheme can be found at [www.bankofgoodpractice.org](http://www.bankofgoodpractice.org)

## **Consultation**

### **How do we ensure that justice is done to protect the victims of exploitation through prostitution?**

*Chapter 6 looked at the role of the criminal law in protecting those abused, coerced and controlled through prostitution. A coordinated strategy will need to address how to ensure the law is used to best effect to bring those who exploit others through sexual exploitation to justice and also consider what other measures can be taken to protect victims.*

- 20 Are there new ways in which the criminal law could be used?**
- 21 Are there models of good investigative practice to be adopted to ensure that users and abusers are brought to justice, and victims supported further?**
- 22 Do you have good models of support for (a) child and (b) adult witnesses to assist them through the criminal justice process?**
- 23 How do we ensure that illegal activity does not continue to take place behind the façade of legal businesses?**

# Protecting communities

## A local resident in Leeds

*“The prostitutes were attracting kerb-crawlers, drug dealers, burglars and street robbers to our area, some of whom were violent. Our area became totally unsafe...There were problems for me running my business [a bed & breakfast] as the kerb-crawlers would approach female guests staying at my house asking if they ‘wanted business’ as any female walking in the road was taken to be a prostitute.”<sup>78</sup>*

## Tackling deprivation

- 7.1 There are strong and well-known links between prostitution and deprivation. The demographic profiles of many women involved in street-based prostitution include socio-economic disadvantage and markers of social exclusion. Poverty and disadvantage are two of the factors that can lead to a feeling of hopelessness, a lack of self-esteem and aspiration, and vulnerability. Ultimately, as a result, some individuals will resort to prostitution. Street-based prostitution often takes place in areas where deprivation is high.
- 7.2 The Government’s National Strategy for Neighbourhood Renewal and the Welsh Assembly’s *Communities First* programme are tackling the various factors that contribute to deprivation, focusing on the most deprived areas in England and Wales. Both initiatives are designed to regenerate deprived localities, seeking to enlist a high level of community support and participation and strong commitment from public sector bodies and voluntary agencies to tackle poverty, poor housing and the lack of access to health services and education.
- 7.3 Those involved in prostitution and their families often experience difficulties in these areas as well as through crime, drugs, environmental decline and anti-social behaviour. By addressing the range of problems that exist in deprived areas, the conditions that lead to many people becoming vulnerable to involvement in prostitution will diminish.

## Sure Start

Sure Start's Local Programmes and new network of children's centres are concentrated in neighbourhoods where a high proportion of families live in poverty. Their multi-agency early learning, health and family services work together innovatively to help give local children the best possible start in life and provide the support and guidance that parents need to succeed.

Services such as childcare had traditionally been much scarcer in disadvantaged areas. But high quality early years provision especially benefits poorer families and those in difficult circumstances by providing children's development in a safe and stimulating environment; enabling parents to work, train or study; and helping to build strong and secure local communities.

### The impact of prostitution on the community

- 7.4 Communities are often seriously concerned about the existence of local street-based prostitution. Anti-social behaviour can include noise – verbal abuse among those involved in prostitution and from local residents – and kerb crawling, which increases and often slows down the flow of traffic through the area. Prostitute users will often mistakenly focus their attention on other women passing by, and prostitutes on men who are not potential clients. Sexual activity can take place in public, in car parks, playgrounds and private gardens. Litter includes used condoms, dirty needles and other drug paraphernalia. Drug dealing is often also present. This general level of nuisance and anti-social behaviour can create an intimidating atmosphere and lead to degeneration of the area, impacting significantly on the value of property and on insurance premiums. The cumulative impact of these different factors is that an area becomes undesirable, unpleasant and unsafe, deterring families and businesses from moving in, contributing to a spiral of decline.
- 7.5 This can also lead to a decline in public order and an increase in lawlessness. There is also evidence of crime specifically associated with those involved in prostitution and their users. Those involved in prostitution, particularly where this is to fund a serious drug habit, may also be involved in theft and other areas of criminality. A Greater Manchester study of street criminals, *Both Sides of the Coin*,<sup>79</sup> found that prostitute users were considered to be ideal robbery victims as they carried large amounts of cash, were unlikely to report the incident, and are distracted.

## The day count

- 7.6 On 10th September 2003 the Home Office undertook the first ever day count of reported anti-social behaviour in England and Wales. The aim was to understand how anti-social behaviour impacts upon key service providers such as the police, local authorities and the fire service. Information was received relating to every Crime and Disorder Reduction Partnership in England and Wales. 1,099 reports related to prostitution were recorded in one day (covering kerb crawling, soliciting, prostitutes' cards in telephone boxes, discarded condoms and inappropriate sexual acts), suggesting just under 400,000 reports per year.

## Community engagement

- 7.7 There have been some successful innovative schemes to bring women involved in prostitution together with local residents to foster common understanding and broker solutions. The CRP projects demonstrated the importance of establishing direct links between the police, community groups, support agencies and those involved in prostitution. The level of cooperation certainly affected outcomes. In both Stoke and Merseyside a form of community mediation was tried. Where local residents and women involved in prostitution became aware of each other's concerns, the level of nuisance experienced by the community appeared to diminish.

### Keep the Beat Neat

In Stoke-on-Trent a regular newsletter, *Keep the Beat Neat*, was introduced to link those involved in prostitution with local residents. This was used to communicate the concerns of local residents and to make constructive suggestions that achieved local improvements.

- 7.8 Involvement of the community in improving the quality of life by finding answers to the issues arising from prostitution is crucial to successful neighbourhood regeneration. There are good examples of where many of the problems can be overcome by local communities reclaiming their streets. It is instructive to look at the kind of approach adopted in communities where residents have been instrumental in deterring both kerb crawlers and those involved in street-based prostitution, asserting and maintaining the high standards that tend to deter anti-social behaviour. This involved the regeneration of those areas that had become used only by those involved in prostitution and by drug dealers. In Balsall Heath (Birmingham) local residents transformed a traditional red light area into a safe and attractive neighbourhood, with increased legitimate business activity, reduced insurance premiums and increased property values. However, it is important that such community action should not slide into vigilantism or the aggressive persecution of already vulnerable women.
- 7.9 Consulting communities is vital in terms of identifying problems and finding solutions. They must be included in the decision-making process. Any regional, local or neighbourhood forum established to address this issue needs to be inclusive of all

relevant agencies and representatives from local communities. These groups will need to find a way of getting past any hostility between local residents and support agencies and will need to address both the safety of residents and the safety of those involved in prostitution.

- 7.10 The Local Government Act 2000 gave local councils a new power to promote the economic, social and environmental wellbeing of their area as a whole, encouraging councils to look beyond immediate service delivery responsibilities to the wider wellbeing of their areas. The Act requires councils to develop Community Strategies for their area in consultation with local people and partner organisations.

### Crime and Disorder Reduction Partnerships

- 7.11 An important way of formally involving local communities is through the Crime and Disorder Reduction Partnerships (CDRPs) in England and Community Safety Partnerships (CSPs) in Wales. The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002, places a duty on specific agencies to work together, and with other agencies within the community, to tackle crime and disorder and the misuse of drugs and other substances within their local areas. Working in partnership, the responsible authorities are required to undertake an audit every three years to identify the extent of the problems within their community, and to develop strategies that deal effectively with them. Partnerships began their next round of audits in April 2004 and will publish their strategies for dealing with the issues they identify by April 2005. The extent of prostitution in a local area should be identified through these audits.

- 7.12 There are a number of ways in which CDRPs and CSPs can address the issues arising from prostitution, including early intervention, environmental solutions, harm minimisation and support services, treatment for problematic drug use and enforcement of the civil and criminal law. Where prostitution is a local issue, CDRPs/CSPs will need to work with local schools, youth and community groups to raise awareness of the issues involved, paying particular attention to the need for drugs and alcohol education, and any other risk factors which may be relevant. We also need to ensure that local delivery partnerships are provided with clear commissioning advice to enable them to respond to the issues arising from prostitution to reduce anti-social behaviour, control drug markets, stop the escalation of associated criminality and provide support services for those exploited through prostitution. They will have the particular challenge of responding to the impact of prostitution on communities while, at the same time, responding to the vulnerability of those involved in prostitution and the crimes committed against them.

- 7.13 The Home Office is developing web-based guidance, based on the good practice emerging from the CRP projects. This will complement specific guidance on the commissioning of drug services and managing the drug problems of local areas associated with prostitution.<sup>80</sup>

- 7.14 The planned merging of the CDRPs with the Drug Action Teams (DATs) in unitary authority areas will help to address the close connection between controlled drugs and prostitution and ensure that services are available to those with drug problems seeking to exit prostitution. DATs can provide valuable expertise in the specific types of projects and cross working required to tackle the often closely-linked sex and drug markets. Where these are merged bodies they should be able to focus both the enforcement and supporting responses to prostitution more easily. This merger has already taken place in Wales hence the re-badging of CDRPs to CSPs.

## Environmental solutions

- 7.15 There are a number of initiatives around the country that suggest that environmental changes, such as erecting barriers and gating off alleyways to deny access to areas for sexual activity, can be effective.

### Alley-gating

- 7.16 Primarily put in place to tackle high levels of burglary, alley-gating is the installation of security gating across back-streets and alleys. An alley-gating scheme can have a positive impact on a wide-range of crime, including car crime, drug-taking and dealing, robbery and rape, as well as prostitution-related offences, but such schemes need to be developed with the involvement of the community. In February 2004, as part of the Government's anti-social behaviour programme, "Operation Gate-It" was launched to provide funding for communities to make just such environmental improvements to their problem backstreets and alleys.<sup>81</sup>

### CCTV

- 7.17 CCTV can be effective in reducing crime and the fear of crime and in helping the police detect crime and convict criminals as part of an overall strategy. Evaluation of the CRP projects found that CCTV could be useful in providing evidence on both women involved in prostitution and on kerb crawlers. However, there are differing, anecdotal accounts as to the impact of CCTV in red-light areas. Some argue that the presence of cameras improves the safety of women working on the street as areas are necessarily well-lit and the women are able to assess their clients more easily. Others suggest that the 'trade' is displaced as those involved fear being caught on camera.

## Prostitution litter

- 7.18 It is also crucial that services distributing sterile injecting equipment and condoms to people involved in prostitution should encourage and facilitate their safe and appropriate disposal. The NTA guidance on Needle Exchange and Harm Reduction<sup>82</sup> includes advice on avoiding drug-related litter. During 2004-05 this will be expanded

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81 Home Office (2003b)

82 National Treatment Agency (2003)

considerably through a new cross-departmental initiative tackling drug-related litter and the management of drug environments, including those related to prostitution.

## Prostitutes' cards

7.19 Prostitutes' cards are used to advertise sexual services. This generally only occurs in London, Brighton and Norwich. The cards, usually placed in telephone boxes, expose the public, including children, to sexually explicit images and can give a poor impression of the area. Following public concern about the offence, distress and litter caused by the cards and the aggressive manner of the 'carders' the Government made it an offence to place advertisements relating to prostitution in a telephone box.<sup>83</sup> 'Carders' face up to 6 months imprisonment or a fine of up to £5,000. BT estimates that around 14 million cards are placed each year, advertising 350-400 numbers. BT is working closely with the Metropolitan Police and Westminster City Council, where the problem is most prevalent, to enforce the legislation. They have introduced a number of technical measures to reduce the level of carding, including anti-stick solutions and CCTV.

### Operation Playa

With Westminster City Council, BT and Immigration Service partners, the Metropolitan Police carried out Operation Playa over July and August 2003 to deter brothels from advertising in telephone boxes. Illegally placed prostitutes' cards were collected, telephone numbers checked and addresses verified, with follow-up visits made later the same day. During Operation Playa 350,000 cards were seized and 23 carders arrested.

## Call-barring

7.20 Since 1996 BT has also implemented call barring. Under their TRAP procedure<sup>84</sup> cards are removed and sorted according to service supplier. In respect of BT numbers persistently advertised, warning letters are sent. If the numbers continue to be advertised, incoming calls are barred. Further abuse can lead to the line being taken out of service. Over the last 2 years 444 warning letters have been sent, the incoming service has been barred to 84 numbers, and the service eventually ceased to 21 numbers.

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83 sections 46 and 47 of the Criminal Justice and Police Act 2001

84 Targeted Recording and Processing

## Carding Research

In 2003 the Jill Dando Institute of Crime Science at UCL was commissioned to examine prostitute carding in BT Payphones. The project is examining possible solutions to carding, and will make recommendations for reduction. The study will draw on a one-month audit of prostitute cards in approximately 5,000 telephone kiosks in central London – including the whole of Westminster. Understanding why some kiosks are targeted more than others will help in the development of a range of possible solutions. The final report is due to be published soon.

### The role of the civil and criminal law

7.21 Along with environmental measures and support services for those involved in prostitution, local partnerships need to ensure that enforcement action is taken to protect communities from the nuisance associated with prostitution, and to support and help local communities facing other associated problems. This means using the law rigorously to clamp down on unacceptable behaviour and criminality while providing effective intervention and support to those families and individuals to change their behaviour. The police have a range of measures to deal with activities associated with street-based prostitution. These include the offence of kerb crawling, the offence of loitering or soliciting and a range of civil measures, including the Anti Social Behaviour Order.

### Kerb crawling

7.22 While women on the street soliciting for trade is unacceptable to most communities, it is the nuisance caused by kerb crawlers that is usually the first concern. Every effort must be made to deter men from this activity, sending a clear message that it is seriously anti-social, that it fuels exploitation and problematic drug use, and that going to prostitutes contributes to the spread of HIV/Aids and STIs. There is some evidence that local media campaigns can have some success in getting this message across. A national campaign might have even greater effect.

7.23 Kerb crawling is classed as an offence if it is persistent or likely to cause annoyance to the women solicited or nuisance to other people in the neighbourhood. A power of arrest was introduced in 2001 since when numbers of prosecutions have increased. The impact of the deterrent effect of the offence can be significantly increased if enforcement becomes routine rather than occasional, and if all opportunities are taken to ensure its full deterrent value:

➤ *environmental measures*

Environmental actions can be taken, including road closures, the use of CCTV and the putting up of warning signs. In some areas warning letters are sent to owners

of cars seen in a red light area. Formal action is instigated if the kerb crawling continues

➤ *conditional cautioning*

Re-education programmes have proved to be effective. Typically a kerb crawler is offered the option of attending a day course, at his own expense, at which the reality of street-based prostitution is explained. This generally includes presentations on the problematic drug use of many of those involved, the health risks, and the risks of prosecution. Police forces offering re-education programmes report that few who attend have been known to re-offend. Following the new provisions in the Criminal Justice Act 2003, the impact of re-education programmes can be strengthened by bringing them within the conditional cautioning scheme. This will mean that those who are unwilling to attend, or fail to complete the course, will face prosecution

➤ *driver disqualification*

Re-education programmes will not be appropriate for persistent offenders, nor for those with previous convictions for sexual offences. It is important that persistent kerb crawling should be prosecuted rigorously wherever it occurs to protect local communities and to impact on the demand for street-based prostitution. The penalty for the offence is a level 3 fine but, since 1 January 2004, under the Powers of Criminal Courts (Sentencing) Act 2000 a court may, instead of or in addition to dealing with an offender in any other way, order him to be disqualified from holding or obtaining a driver's licence.

## Loitering or soliciting<sup>85</sup>

### Children abused through prostitution

7.24 Dealing with those involved in prostitution is complex, particularly in respect of those under 18. It is clear that children and young people must be treated primarily as victims of child abuse and offered support and protection. Arrest for loitering or soliciting is a last resort to deal with young people who persistently return to the streets. There are those who argue that the criminal law has no place in dealing with young people who are victims of abuse. Views on this issue would be welcome but, while greater emphasis is rightly placed on protection and support, we believe there are compelling arguments for retaining this offence in respect of those under 18 to underline the message that prostitution involving children and young people is wholly unacceptable.

7.25 It may be the case that the police need to act in response to other forms of criminality, typically including drug offences and shop lifting. Whatever the offence, where a person under 18 is given a reprimand, final warning or convicted, the police, courts and Youth Offending Teams will need to have a clear understanding of the issues relating to abuse through prostitution, including child protection procedures, so that community interventions address their needs.

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Further details of the offence and a summary of the statistics are contained in annexes A and B.

## Adults involved in prostitution

7.26 Women involved in prostitution are regularly prosecuted for loitering or soliciting for the purposes of prostitution. The offence has been extended by the Sexual Offences Act 2003 to apply to both men and women. It is punishable by a fine and is criticised for having little deterrent value and offering no prospect for rehabilitation. The fine is accepted by many as an occupational hazard, and often paid through the proceeds of prostitution. While we should ensure that every opportunity is taken to use the full extent of the law as it currently stands, we also need to consider whether there are ways to close the 'revolving door' by ensuring that the penalties available to the courts also deliver effective rehabilitation.

7.27 In the short-term the impact of the current offence could be significantly heightened with the introduction of a staged approach to referral to support services, including drug testing and treatment:

➤ *prostitutes' cautions*

The offence of loitering or soliciting requires persistence to be proved. This is done through the administration of two or more prostitutes' cautions. This has usually involved little more than a brief administrative process but should be used as an opportunity for the police to provide individuals with details of the support services available locally, and to encourage them to seek help, particularly with any problematic drug use. While it would be unrealistic to expect individuals to embark on a road to recovery at this stage to the extent that they cease completely their involvement in prostitution, it provides an opportunity for contact to be made with support projects as soon as an individual becomes known to the police. Further measures, as detailed below, allow for this contact to be built upon through repeated referrals

➤ *conditional cautioning*

Once persistence has been proved, if an individual continues loitering or soliciting there will be further opportunities for diversion from the courts. New arrangements in the Criminal Justice Act 2003 mean that, where an individual is charged with an offence, and admits to that offence, the option is available to attach a condition to a caution conducive to restoration or rehabilitation. This provides a further opportunity for an individual to be steered towards drug treatment and other rehabilitative activities. Provided that the individual complies with the conditions imposed, the caution would be administered in place of prosecution

➤ *arrest referral*

Arrest referral is an intervention scheme aimed at reducing dependent drug use and related crime. It can be used alongside any other criminal justice intervention, whether or not the individual is subsequently charged. The scheme has recently been developed so that it involves more than just referral. The enhanced arrest referral scheme allocates an arrest referral worker to each client. This worker takes on case management and care planning until they enter treatment. This can include providing advice and information services and low-

threshold treatment interventions, filling the gap between referral and treatment. Many schemes are exploring ways of responding to the specific needs of this client group and are modifying their services accordingly. In some areas this has included offering greater coverage in the evenings and at weekends, employing female workers and developing outreach services. Research suggests that arrest referral schemes can improve the relationship between those involved in prostitution and the police, and can help break the cycle of arrest, charge, fine and return to the streets<sup>86</sup>

➤ *community orders*

New provisions in the Criminal Justice Act 2003 allow for a more rehabilitative penalty to be imposed in the case of those who are found to be persistently loitering or soliciting. If an individual is convicted and fined on at least 3 occasions the court may opt for a community order where that is considered to be in the interests of justice. This generic order can be tailored to the particular needs of the individual and could include, for example, drug testing and treatment.

- 7.28 Provided the police have good links with local support services and take every opportunity to use the law to address the underlying issues that have led people into involvement in prostitution, the prospect for rehabilitation should be significantly improved. In the longer term, we need to consider what other changes may be required to improve its effectiveness.

## Injunctions and Acceptable Behaviour Contracts (ABCs)

- 7.29 Injunctions and voluntary ABCs can be used to prohibit anti-social behaviour associated with loitering or soliciting or with kerb crawling.

### Operation Kerb

In February 2002 Preston police launched Operation Kerb to tackle a problem in one area of the city. The operation involved targeting kerb crawlers, all of whom were asked to sign an Acceptable Behaviour Contract (ABC) on arrest. None of the 15 contracts signed were breached and none of the kerb crawlers charged.

## Anti-Social Behaviour Orders (ASBOs)

- 7.30 ASBOs have been used in a number of areas to protect communities from the harassment, alarm and distress caused by kerb crawlers and those involved in prostitution. They are civil orders under the Crime and Disorder Act 1998 for which the police, local authorities, registered social landlords and, more recently, Housing Action Trusts, can apply. ASBOs enable a court to forbid specified activities in order

to prevent anti-social behaviour. This could include entering a specific area where an individual may have been repeatedly found to be soliciting. Breach of an ASBO is a criminal offence with a maximum penalty of five years imprisonment. For those leading chaotic lives, particularly where there is serious drug misuse, the individual is more likely to adhere to the behavioural boundaries set by the order if it is accompanied by support to tackle these underlying issues.

## Temporary displacement

7.31 The experience of the CRP projects, and other local policing initiatives, has been that enforcement crackdowns generally have a temporary effect, resulting in either geographical or functional displacement. Geographical displacement occurs when those involved in prostitution move to an area not targeted in the local crackdown. Functional displacement can occur when those involved in prostitution look to other ways to fund their drug use, most commonly through shoplifting and other types of theft.

## Enforcement plus support

7.32 With the new provisions in the Criminal Justice Act 2003 and developments in arrest referral schemes, there are clearly ways in which the police and courts, working in partnership with local support agencies, can help direct those involved in prostitution towards the help they need, particularly in terms of appropriate drug treatment. A more systematic approach will help to guard against temporary displacement. However, it is also vital that the enforcement of street offences should be balanced with appropriate and integrated support programmes if we are to avoid displacement, and an increase in other forms of street crime, and if we are to make a long-term difference to the lives of those involved in prostitution and the communities in which they operate.

7.33 A number of areas have developed local court diversion schemes, balancing the need for support and enforcement by diverting women involved in street-based prostitution away from the criminal justice system and towards help and support.

### Inside Out – Court Diversion Scheme

This scheme is run by Trust, a support project for women involved in prostitution in Lambeth. Women attending Camberwell Magistrates' Court on a charge of loitering or soliciting are invited to opt for the scheme. They are required to attend two sessions with a criminal justice worker employed by Trust. The first session assesses the woman's current situation in terms of drug use, sexual health, access to suitable housing and involvement in prostitution; the second is a follow-up session which could involve an appointment with a sexual health clinic or local drug treatment provider. The Crown Prosecution Service will discontinue the case if both sessions are attended within four weeks of the initial court date.

## Operation Counter

This operation, run by Slough Beat Officers, has adopted a problem solving approach to policing, addressing the problems that have resulted in around 50 young men and women becoming involved in prostitution in the Baylis area of Slough. The operation relies on close partnership working with local support groups. By gaining the trust of those involved Operation Counter has succeeded in:

- taking a number of young people (boys and girls) into protective custody and, through prompt liaison with social services, intervening successfully to remove them from the danger of abuse through prostitution. This has included drug treatment for two young sisters introduced to heroin at age 13 to coerce them into prostitution. Action has also been taken against the coercer
- successfully diverting 5 women involved in prostitution into drugs rehabilitation schemes and
- using their evidence to take action against a pimp and a violent client.

## **Consultation**

**What can be done to support communities to reclaim their neighbourhoods, and how can we protect those who persist in street-based prostitution?**

*Chapter 7 looked at the impact of prostitution and prostitution-related activities on local communities and considered a range of ways to deal with these issues. Every community affected by prostitution must have the means to ensure that those concerns are addressed. Any strategy will need to ensure the involvement of communities, and balance the competing need to alleviate the harm done to communities with the protection of those trapped in prostitution.*

- 24 How is the nuisance associated with prostitution best dealt with? We are interested in examples of good practice from your communities.**
- 25 How can civil measures be used most effectively? We would be interested in examples of where ABCs, injunctions or ASBOs have been used effectively, in respect of those involved in prostitution, kerb crawlers and others.**
- 26 What changes could be made to ensure that the criminal justice system supports effective routes to rehabilitation for those involved in prostitution?**
- 27 What further support do local partnerships need to respond to the issues associated with prostitution?**
- 28 We would welcome views on the role the criminal law should play in relation to children abused through prostitution.**

# Links with serious crime

- 8.1 Prostitution undermines public order and creates a climate in which more serious crime can flourish. Street prostitution is often associated with local drug markets, bringing Class A drugs and gun culture to local communities. It is believed that those who control prostitution also tend to be connected to other forms of serious crime. Dealing effectively with prostitution could have a dramatic effect on reducing more serious crime and help to stifle drug supply.

### Sex and drug markets

- 8.2 The link between commercial sexual exploitation and Class A drugs is a crucial one. It is becoming increasingly clear that these markets are so closely linked that any strategy to eradicate local drug markets must take account of those pimps who may also control the supply of Class A drugs locally. Often those who control prostitution are also closely involved with crack houses and other forms of drug dealing. Both markets offer lucrative rewards to pimps and controllers.

### Lambeth action plan for crack

In Lambeth open crack markets and over 80 crack houses were linked to street prostitution and the use of guns. An action plan for crack, launched in 2002 by the police and local authority, has involved the closure of crack houses, action to remove street drug sellers, building community resistance to crack, work on the local street environment and the referral of those involved in prostitution to safe and secure housing. This has not only resulted in over 100 crack house raids but also the arrest of 118 people involved in prostitution, many of whom have been referred for treatment.

- 8.3 Powers introduced in the Anti-Social Behaviour Act 2003 enable premises to be closed within 48 hours where there is Class A drug production, supply or use and disorder or serious nuisance. This new power could have a great impact on prostitution. However it is crucial that follow up services should be in place for any individuals displaced by the closure of crack houses so that they are not made homeless and continue to cause local disturbance through lack of help.

## People trafficking

- 8.4 People trafficking can be highly lucrative and is often linked to other forms of organised crime. It is both a global and a local trade, with people trafficked internationally and also from place to place within countries for the purposes of commercial sexual exploitation.
- 8.5 There is often some confusion between the terms trafficking and smuggling. People smuggling is the more common form of organised immigration crime, where organised crime gangs facilitate illegal entry for a fee by means of clandestine passage or using false documentation. Migrants are generally willing participants and the relationship with the facilitator normally ends on arrival at their destination country. Human trafficking is where the intention behind the facilitation is the exploitation of those migrants when they reach their destination. Trafficking takes place on a much smaller scale than smuggling but the nature of the exploitation involved demands a serious response.
- 8.6 People trafficking from abroad is a known route into prostitution in this country. The effects of economic and political disruption in Eastern Europe and beyond creates markets in wealthy countries and people willing to supply those markets. Primarily young women but also teenage girls looking for a better life are promised work in the European Union, made to pay exorbitant charges for travel and forced into prostitution to pay their debts.
- 8.7 The growth in people trafficking is causing world-wide concern. In 2000 the UN Trafficking Protocol set out an international framework to tackle trafficking, covering prevention, legislation, police and judicial co-operation and victim support. In 2002 an EU Framework Decision was agreed requiring member states to introduce common offences of trafficking for sexual or labour exploitation.
- 8.8 There is also significant evidence that national and international prostitution is inextricably linked. Pimping is big business which relies on networks to operate effectively. Local pimps are often linked into both national and international networks.

## The scale of the problem

- 8.9 Trafficking is by its nature covert and it is extremely difficult to gauge the extent to which it is taking place, and even more difficult to scope that element of trafficking which takes place for the purposes of prostitution. There are clear indications that brothels in London, and other cities, have seen an influx of foreign women. The Metropolitan Police believes that 70% of the women involved in off-street prostitution in London are now foreign nationals. It should not be assumed that they have all been trafficked. But where trafficking takes place it is known to involve a wide range of nationalities among both the exploiters and the exploited.
- 8.10 There have been a number of reports suggesting that children are being trafficked into the UK for the purpose of sexual exploitation. Again, there are no reliable figures about children being trafficked into or out of the UK. While there have been some

high profile cases, there is insufficient information to suggest that this is a growing problem. Nevertheless the nature of the crime demands that it be treated very seriously and so the Government has introduced severe criminal sanctions for child traffickers and has asked the Reflex group (see paragraph 8.15) to co-ordinate intelligence on the problem.

## The Government's response to people trafficking

8.11 The Government's strategy was set out in 2002 in the White Paper *Secure Borders, Safe Haven*.<sup>87</sup> The strategy covers legislation, enforcement, victim protection and preventative work in an international context.

### Legislation

8.12 The Nationality, Immigration and Asylum Act 2002 added trafficking offences to the list of lifestyle offences in the Proceeds of Crime Act 2002 so that the courts, when considering a confiscation order, must assume that all assets derive from criminal conduct unless it can be proved otherwise. The Act already listed a number of pimping and brothel related offences.

#### The Metropolitan Police Clubs and Vice Unit (CO14): Financial Investigations

In 2003 the Vice Unit initiated 6 asset seizure operations, identifying a total value of £16,433,784 in criminal benefits. Assets totalling £1,019,765 were seized and a further £7,850,000 under restraint. CO14's largest asset seizure took place in 2000 when £2.2 million was seized from Josie Daley who ran five saunas.

8.13 The Sexual Offences Act 2003 introduced wide-ranging offences (sections 57-60) covering trafficking into, within or out of the UK in order to commit any relevant sexual offence, rather than simply prostitution. The Act also makes it an offence to traffic UK nationals within the UK for sexual exploitation. These offences replace sections 145 and 146 of the Nationality, Immigration and Asylum Act 2002.

8.14 We have strengthened the law to enable the police to deal firmly with both national and international human trafficking. A proactive, intelligence-led approach is required from the police to identify and deal with all these issues.

## Operation Horsley

Operation Horsley was an intelligence-led operation of joint work between the Metropolitan Police and immigration service. A group of people who supplied women for brothels in London was targeted. The operation found that three Thai nationals had paid £6,000 for each woman and, in effect, ‘owned’ them until they had paid back £22,000. The only way the women could pay back their ‘debt’ was through prostitution. The three organisers were convicted of controlling brothels and living off immoral earnings (the new trafficking offences were not in force when the charges were brought).

## Enforcement

- 8.15 Reflex, led by the National Crime Squad, brings together the Immigration Service, the National Criminal Intelligence Service, the security and intelligence agencies, key police forces including the Metropolitan Police and Kent Constabulary, ACPO and the CPS, to coordinate arrangements to deal with organised immigration crime, including people trafficking. Reflex is building intelligence pictures of source and transit countries, mapping trafficking routes and networks used, and monitoring the patterns of exploitation in the UK. Since April 2003 it has achieved 67 arrests and 28 convictions for organised immigration crime, and disrupted organised criminal activity from taking place in 30 other instances.

## Operation MAXIM

Operation MAXIM, the Metropolitan Police’s response to organised immigration crime, has targeted a number of criminal gangs involved in prostitution. One recent example is Operation Seagate, which stemmed from an investigation into a rape allegation. The investigation led to a network of people involved in the trafficking of women from Eastern Europe for the purpose of sexual exploitation. At the time the gang was disrupted, seven women were found – each believing they were coming to the UK to work in restaurants – and all testified against the traffickers in court. This groundbreaking investigation resulted in the successful conviction of Luan Plakici for 15 offences committed between July 2000 and October 2002, including seven counts of being knowingly concerned in carrying out arrangements for facilitating the entry of illegal entrants, three counts of kidnapping, one count of living on the earnings of prostitution and one count of incitement to rape. On the 22nd December 2003 Plakici was sentenced to 10 years imprisonment. This was referred to the Court of Appeal by the Attorney General as an unduly lenient sentence and was increased to 23 years.

- 8.16 The law enforcement community is also committed to taking the profit out of crime by dismantling and disrupting criminal enterprises, including those involved in prostitution. As well as strengthening the powers to confiscate criminal proceeds following a conviction, the Proceeds of Crime Act 2002 also provides new powers for police and HM Customs to seize and forfeit large sums of cash derived from or intended for use in crime and powers to investigate the proceeds of crime and money laundering. The Government has set a target to double the amount of criminal assets recovered from serious criminals to £60m by 2004-05. The National Policing Plan 2004-07 also promotes asset recovery and financial investigation and recommends that it should be an objective that, where suspects have acquired criminal assets, those assets are identified and the evidence required for recovery obtained. This commitment to making financial investigation an integral part of police work should have a significant impact on disrupting organised commercial sexual exploitation.

### Operation Pabail

Guilnara Gadzijeveva was the driving force behind an international operation trafficking women into the UK from Lithuania, Moldova and other eastern European countries for prostitution. She arranged false identification documents and travel arrangements. She and an accomplice, Vethasalem Muruganathan, met the women on their arrival in the UK and took them to a holding address in Acton, West London, to be indoctrinated before being forced into prostitution. The women were controlled through fear and coercion. Threats were issued against their families when they did not comply with working conditions and a draconian fine system was imposed whereby the slightest disobedience to house rules would incur a large financial penalty. This was in addition to the debt bondage for their travel to the UK, and their rent and housekeeping.

Following a five month Reflex funded investigation by the Metropolitan Police's Vice Unit, five brothels were raided. A number of the victims were offered protection and support through the Home Office funded POPPY Project and worked with the authorities to build a case against those who had exploited them. In February this year Gadzijeveva was sentenced to six years imprisonment for six counts of controlling prostitution and Vethasalem was sentenced to three years for six counts of living off immoral earnings. Olga Chukanova, who was employed as a trusted maid to control the day to day running of the premises, was sentenced to three and a half years for five counts of controlling prostitution.

- 8.17 However, at a regional level capacity remains an issue. Sexual exploitation and prostitution have not traditionally been policing priorities and there are few specialised vice squads. Successful strategies where specialised units exist – for example, in Nottinghamshire, demonstrate their importance in combating this form of exploitation.
- 8.18 Alongside effective enforcement in the UK lies the need to develop intelligence and undertake joint operations against trafficking networks in transit and source countries. The Government has established an international network of Immigration Liaison Officers (ILOs) in the key countries through which the traffickers transit en-route to the UK. Their purpose is to encourage and support action to disrupt the activities of criminal gangs and develop a joint intelligence structure.

### Protecting the victims of traffickers

- 8.19 There has already been a variety of work undertaken by the Foreign and Commonwealth Office and the Department for International Development to encourage prevention programmes in source countries.
- 8.20 *Secure Borders Safe Haven* also sets out the Government's proposals for supporting and assisting victims of trafficking who are prepared to come forward and give evidence against the traffickers who brought them to the UK. A pilot scheme was launched in March 2003 to provide women trafficked into prostitution with the chance to escape their circumstances and consider testifying against their exploiters. Funding has been extended to support the POPPY Project until March 2005. Evaluation of the project will assess the relevance and impact of the services provided and will help the development of a model for the effective identification and assessment of victims.
- 8.21 The project is available to adult women who were brought to the UK and forced to work in prostitution and who have come forward, willing to co-operate with the authorities. The project offers safe accommodation, access to health checks, legal advice, translation/interpretation services and other advice. It is hoped that co-operation with the authorities will allow information to be gathered on the traffickers and so lead to the disruption of trafficking networks. The development of a strategy for victims of exploitation will establish whether and what provision is needed to ensure national coverage.
- 8.22 The Government has also developed a programme to support those victims who choose to return home. The Voluntary Assisted Returns Programme (VARP) offers return to their home country in a dignified, cost effective and sustainable way. The programme provides advice, travel documents, transport arrangements and help once people arrive home.
- 8.23 The Government has produced a best-practice guide, aimed primarily at raising awareness among practitioners who are likely to come into contact with victims of trafficking – including the police, immigration officers and social services.

## **Consultation**

### **What more can be done to crack down on international traffickers, and support their victims?**

*Chapter 8 recognised the lack of information on the scale of trafficking in the UK and the links with other forms of serious crime. As part of an effective coordinated strategy for prostitution it is vital that we should be proactive in the detection of these crimes and consider how best to work with both domestic and international partners to do so.*

- 29 Trafficking is a highly organised international crime. How can we best coordinate international efforts to tackle it more effectively?**
- 30 Do you have any further information on the prevalence and nature of international trafficking for the purposes of prostitution?**
- 31 How can we use intelligence-led policing to investigate the links between prostitution and other serious crime?**

## Considering the options

- 9.1 The Government is keen to put in place a coordinated strategy to deal with the issues arising from prostitution. In order to do this we need to open up the debate and work together to determine what measures are most likely to eliminate the abuse of children through prostitution and deliver reductions in violence and exploitation, anti-social behaviour and organised crime. This involves re-examining attitudes and looking critically at the work going on locally, nationally and internationally to assess what options may be appropriate and workable in England and Wales.

### Shifting the focus onto the prostitute users

- 9.2 In Sweden the spotlight now shines very clearly on all purchasers of commercial sex, and their role in supporting the sex 'trade'. This new approach has sparked a public debate that has caused communities to think afresh about whether the purchase of sex on their streets and in their neighbourhoods is acceptable.

#### The Swedish model

- no equivalent offence to 'loitering or soliciting'
- government-funded outreach programmes exist to support women to leave prostitution
- paying, or offering to pay, for sexual services – on or off the street – is a criminal offence

- 9.3 Since the new policy was introduced the numbers of women involved in street-based prostitution has significantly decreased. Although some may have moved to work indoors, the policy is claimed as a success based in no small part on the extensive level of support available to those women who wish to leave the streets. However, there are some significant factors to be borne in mind when considering the success of the Swedish system. The first point is the limited scale of street-based prostitution in Sweden; the second is the relatively limited role of Class A drug abuse found among those involved in street-based prostitution in Sweden. As this report has demonstrated, problematic drug use is a significant barrier to moving on for those involved in prostitution in the UK.

## A pragmatic approach

- 9.4 Most other countries have adopted the same mix of tolerance and restrictions as we have today, with law enforcement typically consisting of periodic arrests and occasional sweeping crackdowns, primarily directed at those involved in street-based prostitution. However, in recent years a number of countries have been reviewing their approach and, in some cases, have concluded that a greater acceptance of the existence of a sex trade is justified in order to minimise the stigmatisation associated with prostitution and introduce greater controls over the health and safety of those involved in prostitution and of the wider public. This chapter looks at the different approaches in operation. A wider survey of the approach to prostitution in Europe, Australia, New Zealand and the USA is contained in Annex D.

## Managed areas

- 9.5 The Swedish model balances the crackdown on users with the removal of offences related to selling sex. However, there is a shared desire to reduce the stigmatisation that attaches to criminalisation and creates barriers between those involved and those agencies offering support. This must be balanced with the need to offer adequate protection to those communities who currently suffer from the nuisance associated with those who persist in working on the streets. It is not a victimless crime.
- 9.6 An alternative option to control street-based prostitution is the introduction of managed areas. There has been considerable enthusiasm expressed for managed areas in both Doncaster and Liverpool where local agencies have been struggling to deal with the issues arising from street-based prostitution. In both places it is suggested that managed areas could bring significant benefits, providing greater safety and fewer stigmas for those who engage in prostitution by choice. What is proposed is a formalised 'red light' area, where those involved in prostitution and their users are permitted to trade in a defined area regularly monitored by the police and provided with drop-in health services and other facilities. The model is based on the zones that have been operating in a number of Dutch cities.

## The Dutch model

- an area for soliciting, a 'working' area and a drop-in shelter are considered essential elements of a managed area
- managed areas are regularly patrolled
- in other respects, the models vary from city to city. For example, in Heeren women are required to be licensed
- drug dealing is officially prohibited in managed areas but is generally tolerated to avoid women with problematic drug use leaving to work elsewhere where they can buy drugs
- managed areas have become overcrowded following the licensing of brothels when migrant workers were forced onto the streets – three areas are now closed, or planning to close

- 9.7 Police and local authorities generally believe that managed areas can be highly resource intensive. There are also difficult issues to overcome in terms of control. Key decisions have to be made in respect of the level of 'tolerance' involved. If a managed area is to contribute to local community safety, it must reduce opportunities for associated criminality. This suggests limiting the availability of the area to those free from problematic drug use and free from the control of pimps. However, if that were the case, the profile of those involved in street-based prostitution in this country strongly suggests that few would be able to use such areas. Indeed in the Netherlands an increasingly flexible approach has had to be adopted to encourage women to use the zones.
- 9.8 While some managed areas continue to operate in the Netherlands, others are being forced to close. This is said to be the result of problems that have occurred following the licensing of brothels. This new policy forced all those who were unable to comply with the licensing regime onto the street – including significant numbers of non-Dutch women without permission to work in the Netherlands.
- 9.9 Experience both here and abroad has suggested that one of the most difficult issues for the introduction of managed areas is that the selection of such areas has proved to be highly contentious. Evidence suggests that where initiatives exist to restrict those involved in prostitution to traditional 'red light' areas, the arrangements can work well in deterring those involved from moving into other areas, of the city where the impact on the local community may be potentially more damaging. However, where initiatives have been introduced to create a new area, significant difficulties can arise. The selection of an area which is safe and convenient for those using it and yet acceptable to local businesses and residents is very difficult to achieve. This was also the experience in the Netherlands where the areas based on traditional red-light districts have proved to be the most successful.

- 9.10 We need to consider how flexible communities are prepared to be and to hear strong and convincing arguments of the workability and benefits of managed areas before setting off down a road towards what has so far proved to be a problematic measure. Such a move normalises the concept of street prostitution and pre-supposes its continuing existence, and these are assumptions we need to challenge strongly.

### Regulating off-street prostitution

- 9.11 Throughout this report it has been suggested that street-based prostitution is the most problematic element of the sex 'trade', both for those involved in it and for those communities who live with it. It may be considered appropriate for the measures to deal with street-based prostitution to be different to those in relation to off-street prostitution where problematic drug use, sexually and drug transmitted infections, nuisance behaviour and other issues common on the street, are less prevalent.
- 9.12 As discussed in chapter 6, there are some concerns that the current legislation defines a brothel in terms of two or more individuals working together to provide sexual services. It has been suggested by groups who support those involved in off-street prostitution that this might be amended to effectively decriminalise two or three individuals working together, to increase their ability to protect themselves, provided that there are effective controls in place to ensure that there is no adverse impact on the local neighbourhood.
- 9.13 However, some of the most serious exploitation, including children abused through prostitution and trafficked women kept in debt bondage, takes place in off-street premises.

### Licensing brothels

- 9.14 A brothel licensing scheme is in operation in the Netherlands, in Greece, and in three states of Australia. In Queensland it was intended that the introduction of such a system would provide 'a safer environment for staff and clients, allow prostitutes to receive peer support and relieve the prostitute of the responsibilities of running a business. It will also provide an access point for health and other service providers, to ensure that it is easier to monitor and control safe sex practices so as to safeguard the health and safety of the prostitutes in the industry and the community as a whole.'
- 9.15 License conditions commonly require mandatory health checks and the promotion of safe sex and condom use. They are also used for age and status verification to ensure that there is no involvement of under-age or trafficked individuals. Licensing is also used to address issues of location and of who is entitled to run a brothel to enforce a clear break with pimps and organised exploitation.

## The Victoria (Australia) model

- the licensing system involves a requirement for a prostitution service provider to obtain a license
- a requirement for a planning permit in respect of the location of the brothel
- a brothel must consist of no more than six rooms
- multi-ownership is prohibited
- prostitutes must be registered and undertake regular health checks

9.16 However, despite the objectives of such a scheme, there are considerable difficulties with the licensing option. In general terms, careful consideration needs to be given to the message that licensing brothels might impart about the acceptability of an off-street commercial sex trade, and the growth in the trade that is likely to follow that message of acceptability. In theory, it might be concluded by some that this would be a step worth taking if such a scheme could really deliver significant improvements to the levels of criminality associated with unlicensed prostitution, to the lives of those directly involved, and to the lives of those in communities currently affected by the 'trade'. However, there is real evidence to the contrary.

9.17 In respect of the levels of criminality associated with unlicensed prostitution, there is evidence in Australia that it has not proved possible to restrict the ownership of brothels to the extent that had been hoped. They remain in the hands of cartels. In the Netherlands, the recent Van Traa Commission found that, contrary to expectations, organised crime associated with prostitution had increased rather than decreased following the licensing of brothels.

9.18 In respect of the lives of those involved in the trade, experience in both Australia and Europe suggests that licensing schemes have failed to deliver the safe working environment that they set out to achieve. While some licensed brothels provide some safety and support, there is evidence that some licensed brothel managers actively encourage sex without condoms, and some threaten dismissal if there is reluctance to comply with a client's wishes.

9.19 Even more worryingly, a UN Save the Children report (1999) found that Victoria and New South Wales were the two worst states for the abuse of children through prostitution. The trafficking of East Asian women for the purposes of prostitution was also found to be a growing problem.

9.20 In respect of communities, the greatest disappointment must be that levels of prostitution have grown, with the illegal sector far outstripping the licensed sector. In 1995 the Attorney-General of Victoria said that the brothel legislation had not prevented the growth of a substantial illegal sex industry. The number of unlicensed brothels in Melbourne was estimated to have trebled in 12 months.

9.21 However, in 1995 the Attorney General reported that 'worst of all, the hope that the existence of safe legal brothels would overcome the lure of street prostitution has not been fulfilled'. There are a number of reasons suggested for this. Those with problematic drug or alcohol use have no legal option but to work on the streets. Also, it is said that the income on the streets can be more lucrative as that made in the brothels must be split with the 'house'. Whatever the reasons, by 2001 street prostitution had become so invasive in St Kilda, Melbourne, that a committee of enquiry was convened to consider ways to tackle the problem.

9.22 A particular problem for any licensing scheme must always be that, without intensive policing, a two-tier system is likely to result as many 'businesses' will be unwilling or unable to comply with the licensing conditions. To try to avoid this situation a different model was introduced in New South Wales in 1995 and in New Zealand earlier this year.

### The New South Wales model

- it is legitimate to run a brothel
- the planning consent of local councils is required
- brothels are regulated in the same way as other legitimate businesses
- there are prohibitions on advertising premises for prostitution and soliciting in a public street near or within view of a dwelling, school, church or hospital
- there are no controls over who may run a brothel

9.23 In New South Wales brothels operate according to the normal rules and regulations applicable to businesses, including employment law, health and safety at work regulations, and tax laws. This move was intended to improve health and safety within the off-street sex industry without condoning its existence through a licensing scheme. However, the experience in New South Wales demonstrated some limitations to the level of control that can be exerted without a dedicated licensing system. For example, in New South Wales the Chief Health Officer found that gonorrhoea among men had increased substantially since 1985 when this system was introduced. This was concluded to be a clear indicator of risky sexual behaviour.

9.24 The model recently adopted in New Zealand, although broadly following the New South Wales principles, includes a certification scheme. Every operator of a prostitution business must hold a certificate unless it is a small owner-operated brothel involving no more than 4 workers. It is too early to assess how this scheme may be operating in reality.

## Registration

9.25 The registration of individuals to work in prostitution can be used to regulate those operating in small owner-operated brothels, those working in licensed brothels, or can

be linked to the operation of a managed area. An example of a registration model is in operation in Austria.

### The Austrian model

- registered prostitutes must be at least 19 years of age
- they must undertake regular health checks
- they may be limited to certain streets
- or may be prohibited from working on the streets at all

9.26 The objective of a registration scheme is usually to ensure that those involved are regularly checked for sexually or drug transmitted infections. However, there is some evidence that voluntary and confidential testing, provided that it is offered in an accessible way, can be the most effective way to safeguard public health. Mandatory testing produces a two-tier system of registered and non-registered prostitutes, with the latter having very limited access to healthcare. An example is Greece where requirements for mandatory health screening is said to have led most of those involved in prostitution to avoid registration. In Germany there are about 50,000 individuals registered, with an estimated further 150,000 non-registered.<sup>66</sup> As well as 'opting out' of health tests, there is the danger that those who fail to register also become harder to reach for law enforcement agencies and for those offering support to help them to leave.

## Consultation

### What lessons should we learn from experience around the world?

*Chapter 9 provided a summary of the approaches taken elsewhere. We would welcome comments on these radical approaches, as well as on the good practice highlighted throughout this paper.*

- 32 Should our response to street-based prostitution involving adults accept or challenge its existence?**
- 33 Is there a case for designating managed areas at a local level? What would be the resource implications of such a move; what regulatory and health requirements should be placed on those operating in a managed zone; and how would such areas be identified?**
- 34 Is it ever acceptable for sex to be sold from private premises? If so, what safeguards should be put in place?**
- 35 Would registration help safeguard public health?**

# The legal framework

## Sexual Offences Act 2003

Gender neutralises offences contained in the Street Offences Act 1959 and the Sexual Offences Act 1985 (loitering or soliciting and kerb-crawling). The Act also increases the penalty for keeping a brothel used for prostitution under section 33 of the Sexual Offences Act 1956. This Act also creates, for the first time, a specific set of offences dealing with sexual exploitation of children – protecting children of both sexes up to the age of 18, rather than 16.

|   |   |
|---|---|
| Meeting a child following sexual grooming etc. (Section 15) with the intention of committing a 'relevant offence'. Includes those offences listed in part 1 of the SOA 2003.  | Ten years' imprisonment.  |
| Paying for sexual services of a child. (Section 47)   | Life imprisonment if the child is aged under 13 and the sexual services involve vaginal/anal penetration or oral penile penetration.<br><br>Fourteen years' imprisonment when the child is aged under 13, and the sexual services are non-penetrative, or where the child is aged 13-15.<br><br>Seven years' imprisonment when the child is aged 16-17. |
| Causing or inciting child prostitution or pornography. (Section 48)   | Fourteen years' imprisonment.   |
| Controlling a child prostitute or a child involved in pornography. (Section 49)   | Fourteen years' imprisonment.   |
| Arranging or facilitating child prostitution or pornography. (Section 50)   | Fourteen years' imprisonment.   |
| Trafficking for sexual exploitation. (Covers both children and adults – covers trafficking into, within and out of the UK. Covers using children in pornography as well as prostitution and any sexual offence). (Sections 57, 58 and 59) | Fourteen years' imprisonment.   |

|  |                                   |
|--|-----------------------------------|
| <p>Causing or inciting prostitution for gain.<br/>(Refers to adult prostitutes – targets those who exploit the prostitution of others). (Section 52)</p> | <p>Seven years' imprisonment.</p> |
|--|-----------------------------------|

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|  |                                   |
|--|-----------------------------------|
| <p>Controlling prostitution for gain.<br/>(Refers to adult prostitutes – targets those who exploit the prostitution of others).<br/>(Section 53)</p> | <p>Seven years' imprisonment.</p> |
|--|-----------------------------------|

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### Criminal Justice and Police Act 2001

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|   |   |
|---|---|
| <p>Advertising the services of a prostitute by way of cards in public telephone boxes – made an arrestable offence. (Can be extended to any public structures if necessary). (Section 46)</p> | <p>Six months' imprisonment and/or a fine not exceeding level five.</p> |
|---|---|

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### Sexual Offences Act 1985

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|--|---|
| <p>Kerb-crawling – must be operating in or from a motor vehicle persistently or causing annoyance. (Section 1)<br/>(Gender neutralised by the Sexual Offences Act 2003).</p> | <p>Level 3 Fine but offence made arrestable by CIPA 2001 and additional penalty of disqualification from driving available from 1 January 2004.</p> |
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|   |                      |
|---|----------------------|
| <p>Persistent soliciting of women for the purposes of prostitution.<br/>(Gender neutralised by the Sexual Offences Act 2003).<br/>(Section 2)</p> | <p>Level 3 fine.</p> |
|---|----------------------|

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### Licensing Act 1964

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|--|----------------------|
| <p>An offence for the holder of a justices' license knowingly to allow his premises to be the habitual resort or meeting place of reputed prostitutes.<br/>(Section 175)</p> | <p>Level 2 fine.</p> |
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|  |                      |
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| <p>Permitting licensed premises to be used as a brothel. (Section 176)</p> | <p>Level 1 fine.</p> |
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### Street Offences Act 1959

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|--|---|
| <p>Loitering or soliciting for the purposes of prostitution. (Section 1)<br/>(Gender neutralised by the Sexual Offences Act 2003).</p> | <p>For a second offence, a Level 3 fine<br/>Otherwise Level 2 fine.</p> |
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## Sexual Offences Act 1956

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|--|--|
| Keeping a brothel. (Section 33)                                      | Where prostitution involved, penalty increased in 2003 Act to seven years.                                       |
| Landlord letting premises for use as a brothel. (Section 34)         | For a second offence, six months imprisonment/Level 4 fine<br>Otherwise, three months imprisonment/level 3 fine. |
| Tenant permitting premises to be used as a brothel. (Section 35)     | For a second offence, six months imprisonment/Level 4 fine<br>Otherwise, three months imprisonment/level 3 fine. |
| Tenant permitting premises to be used for prostitution. (Section 36) | For a second offence, six months imprisonment/Level 4 fine<br>Otherwise, three months imprisonment/level 3 fine. |

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# Criminal statistics

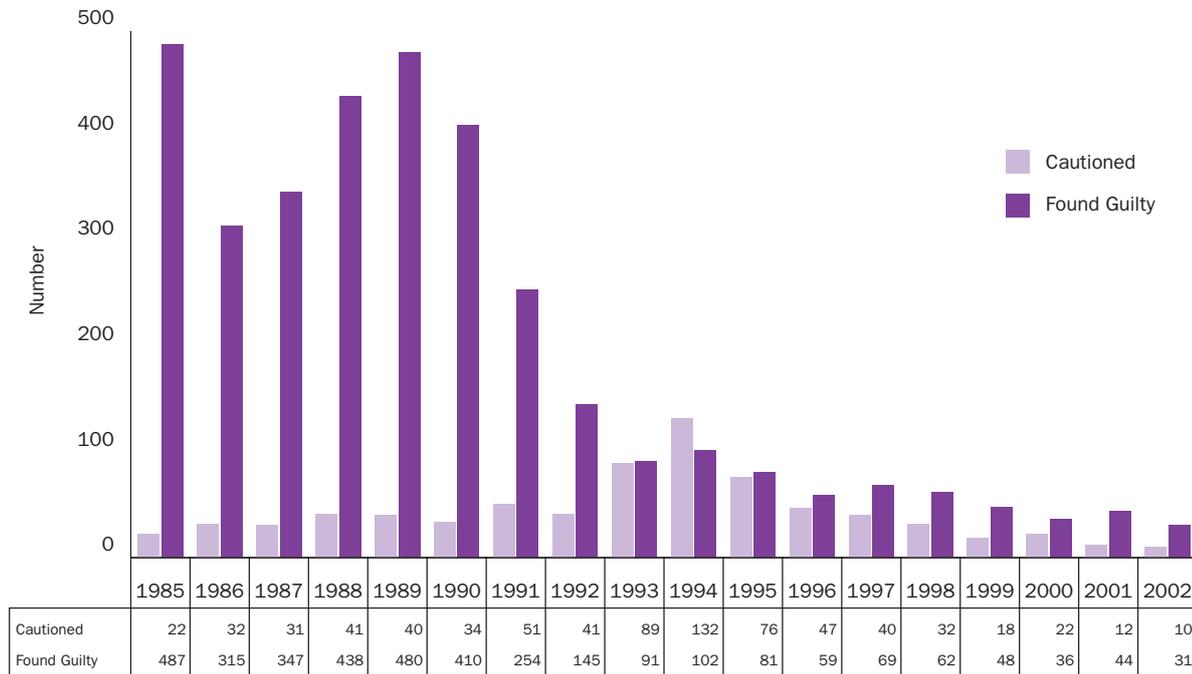
## Offences relating to procuring, soliciting, kerb crawling and brothel keeping

Although numbers are small, the figures below show that there has been a steady decline in the numbers of both cautions and convictions for offences relating to procuring, soliciting and brothel keeping. This is considered to be indicative of changes in policing practice as opposed to a fall in the level of criminality in this area.

The figures in relation to kerb-crawling offences show a different pattern, remaining relatively constant during the early 1990s and increasing in 2001 and 2002, following the introduction of a power of arrest in 2001.

### Procuring<sup>i</sup>

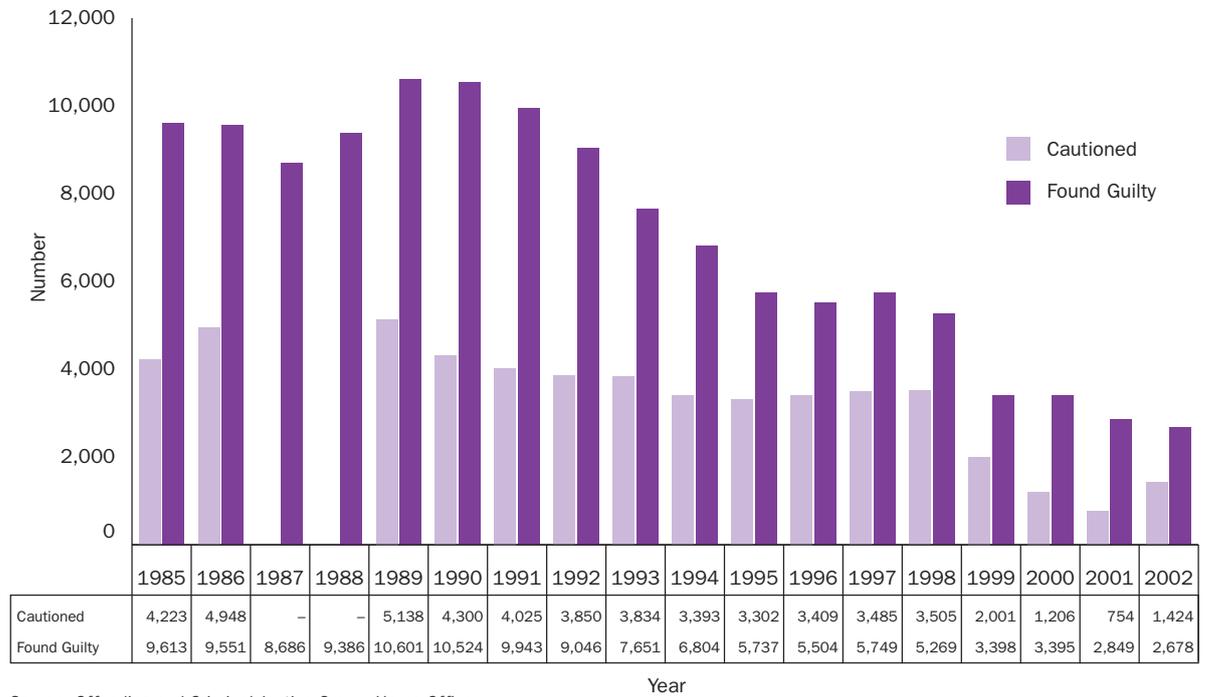
Cautions and convictions for procuring offences at magistrates' courts in England and Wales 1985–2002



Source: Offending and Criminal Justice Group, Home Office

### Soliciting<sup>ii</sup>

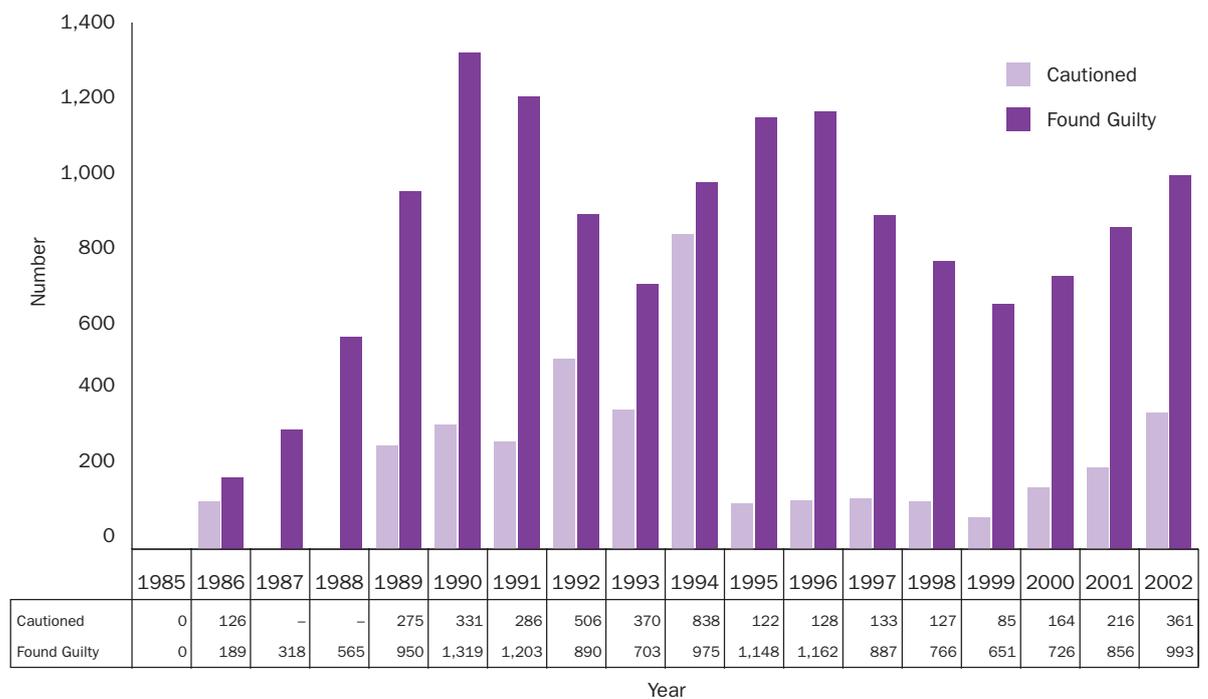
Cautions and convictions for soliciting offences at magistrates' courts in England and Wales 1985–2002



Source: Offending and Criminal Justice Group, Home Office

### Kerb crawling<sup>iii</sup>

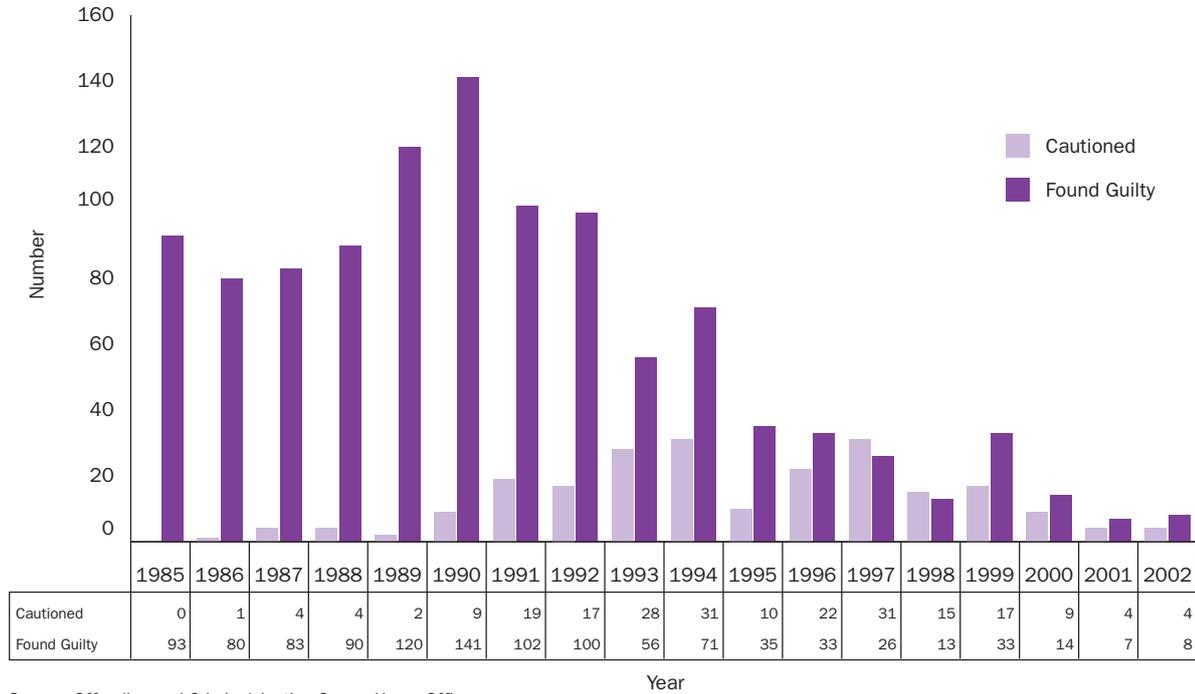
Cautions and convictions for kerb crawling offences at magistrates' courts in England and Wales 1985–2002



Source: Offending and Criminal Justice Group, Home Office

## Brothel Keeping Offences

Cautions and convictions for brothel keeping offences at magistrates' courts in England and Wales 1985–2002



### i Procuring Males and Females – Offences Include:

- Living on earnings of prostitution or exercising control over prostitute.  
*Sexual Offences Act 1956 Sections 30 and 31*
- Procuring female for immoral purposes, or using drugs to obtain or facilitate sexual intercourse.  
*Sexual Offences Act 1956 Section 2,3,4,22 and 23*
- Householder permitting unlawful sexual intercourse with girl under 16.  
*Sexual Offences Act 1956 Sections 25 and 26*
- Detention of female in brothel or other premises.  
*Sexual Offences Act 1956 Section 24*
- Person responsible for girl under 16 causing or encouraging her prostitution etc.  
*Sexual Offences Act 1956 Section 28*
- Procuring, permitting or causing the prostitution etc. of female defective.  
*Sexual Offences Act 1956 Sections.9,27 and 29*
- Man of or over age 21 procuring or attempting to procure or being party to the commission by a man under 21 of an act of gross indecency with another man.  
*Sexual Offences Act 1956 Section 13 as amended by the Sexual Offences Act 1967 Section 3 (2)*
- Man of or over age 21 procuring or attempting to procure or being party to the commission by a man NOT under 21 of an act of gross indecency with another man.  
*Sexual Offences Act 1956 Section 13 as amended by the Sexual Offences Act 1967 Section 3 (2)*

- Man procuring an act of buggery between two other men, which by reason of Section 1(1) of the Sexual Offences Act 1967 is not an offence.  
*Sexual Offences Act 1967 Section 4(1)*
- Man or woman living wholly or in part on the earnings of male prostitution.  
*Sexual Offences Act 1967 Section 5(1)*
- Male of or over the age of 21 procuring or attempting to procure or being party to the commission by a male under 18 of an act of gross indecency with another male.  
*Sexual Offences Act 1956 Section 12 Sch.2[16] as amended by Criminal Justice and Public Order Act 1994 Section 144*
- Male procuring or attempting to procure or being party to the commission by a male of an act of gross indecency with another male, other than as in 24/12 above.  
*Sexual Offences Act 1956 Section 12 Sch.2[16] as amended by Criminal Justice and Public Order Act 1994 Section 144*

**ii Brothel Keeping – Offences Include:**

- Keeping a brothel  
*Sexual Offences Act, 1956, Section 33*
- Letting premises for use as a brothel.  
*Sexual Offences Act, 1956, Section 34*
- Tenant permitting premises to be used as brothel.  
*Sexual Offences Act, 1956, Section 35*
- Tenant permitting premises to be used for prostitution.  
*Sexual Offences Act, 1956, Section 36*
- Keeping a brothel for homosexual practices.  
*Section 33 as amended by the Sexual Offences Act 1967 Section 6*
- Letting premises for use as a brothel for homosexual practices.  
*Sexual Offences Act, 1956, Section 34 as amended by the Sexual Offences Act, 1967, Section 6*
- Tenant permitting premises to be used as a brothel for homosexual practices.  
*Sexual Offences Act, 1956, Section 35 as amended by the Sexual Offences Act 1967, Section 6*

**iii Soliciting – Offences Include:**

- Common prostitute loitering or soliciting for the purposes of prostitution  
*Street Offences Act 1959, Section 1*
- Common prostitute behaving in a riotous and indecent manner in a public place  
*Vagrancy Act 1824, Sections 3, 4*
- Soliciting by a man  
*Sexual Offences Act 1956, Section 32*
- Persons aiding and abetting offences by prostitutes  
*(Statutes as above)*

**iv Kerb Crawling – Offences Include:**

- Kerb Crawling
- Sexual Offences Act 1985, Section 1
- Persistent soliciting of women for the purposes of prostitution

## Key statistics

### Age of first involvement in prostitution

| Study                      | Sample size and study site  | Findings   |
|----------------------------|---|--|
| Kinnell 1993               | 115 women in Birmingham   | More than half became involved in prostitution before they were 17   |
| Faugier and Cranfield 1994 | 250 women in Manchester   | 63% of women became involved in prostitution before they were 20   |
| Benson and Matthews 1995   | 48 women across the UK  | Three quarters were aged 17 or younger when they became involved in prostitution<br>40% were 15 or younger |
| Sharpe 1998                | 40 women in a 'northern UK city'                                    | A quarter became involved in prostitution aged 16 or 17<br>8% were 15 or younger                           |
| May et al 1999             | 67 women working in three cities in the UK                          | Half (33) became involved in prostitution before they were 18  |
| Campbell 2002              | 70 women in Merseyside  | 30% became involved before they were 18<br>Of those, 38% were under 16                                     |
| Pearce and Roche 1997      | 46 women  | 27% became involved in prostitution aged between 12 and 15 years of age – 75% before they were 20.         |
| Pearce 2002                | 15 young women in a London Borough and a Northern City              | 9 became involved in prostitution before they were 16  |
| Hester & Westmarland 2004  | 122 women in Hackney, Hull, Kirklees, Manchester and Stoke-on-Trent | 76% became involved in prostitution aged 21 or younger.<br>52% were aged 18 or younger                     |

## Background of care

| Study                     | Sample size and study site  | Findings  |
|---------------------------|---|---|
| Boyle 1994                | 26 young people cautioned for prostitution related offences by police in Bradford in 1991 | One third were in care  |
| Benson and Matthews 1995  | 21 girls and one boy dealt with by Nottingham anti-vice unit in 1993                      | 13 were in local authority Community Homes  |
| Barnardos 1997            | 48 young women using the Streets and Lanes project in Bradford between 1996 and 1997      | One-third of those who completed profiles were known to other agencies including social services  |
| Cusick et al 2003         | 125 men and women aged 16 and over in London, the West Midlands and the Home Counties     | 42% reported being 'looked after'   |
| Melrose et al 1999        | 50 participants interviewed   | Half reported having been in care and of those, half had repeatedly gone missing from care  |
| May et al 1999            | 63 adult women and four adult male prostitutes in three UK towns                          | 34 had spent time in a local authority's children's home, with a foster family or in secure accommodation   |
| Skidmore 2000             | 15 young people (10 female, 5 male) in Nottingham   | 10 had spent time in Local Authority Care   |
| Pearce 2002               | 55 young women in a London Borough and a Northern City <sup>87</sup>                      | 39 had been in care or looked after by a Local Authority<br>Those who had been looked after through local authority care became involved in prostitution on average 3 years earlier |
| Hester & Westmarland 2004 | 124 women in Hackney, Hull, Kirklees, Manchester and Stoke-on-Trent                       | Just over a third (37%) had some experience of local authority care   |

## Running away from home/local authority care and homelessness

| Study                     | Sample size and study site  | Findings  |
|---------------------------|---|---|
| Pearce 2002               | 55 young women in a London Borough and a Northern City <sup>88</sup>  | 53 had a history of going missing or running away from home or care   |
| Rees 2001                 | Case studies from projects run by The Children's Society, Barnardos, NSPCC, The Catholic Children's Society and the Astra Project | 67% of young runaways will stay with a stranger (and get hurt), 25% will sleep rough and 21% will be physically or sexually assaulted                         |
| Hester & Westmarland 2004 | 124 women in Hackney, Hull, Kirklees, Manchester and Stoke-on-Trent   | 67% left their parental or care home when they were 16 or younger   |
| Stein et al 1994          | Sample of young people using a project for homeless people  | One in seven had accepted an offer of sex for money   |
| May et al 2001            | 100 women, London   | Almost half were homeless or living in temporary accommodation  |
| Cusick et al 2003         | 125 men and women aged 16 and over in London, the West Midlands and the Home Counties   | 22% were homeless or living in temporary accommodation when they first sold sex. 82% of those aged under 24 (17) reported being homeless at time of interview |

## Truancy/exclusion and poor educational attainment

| Study                               | Sample size and study site  | Findings   |
|-------------------------------------|---|--|
| Barnardos (personal correspondence) |   | 75% of children abused through prostitution had been missing from school |
| Pearce 2002                         | 55 young women in a London Borough and a Northern City <sup>89</sup> attenders (not on school roll) | All had a history of intermittent truancy, 42 were school non-           |

## Drug use among women involved in street-based prostitution

| <b>Study</b>                        | <b>Sample Size and study site</b>             | <b>Drug use in past six months</b>                                    |
|-------------------------------------|---|---|
| Hester & Westmarland 2004           | 228 women, Hull, Manchester, Kirklees, London | 87% were using heroin and 64% were using crack                        |
| MacDonald et al 2003                | 20 women, Medway (Kent)                       | 15 were injecting drugs   |
| Campbell 2002                       | 70 women, Liverpool                           | 66 were using heroin and 57 were using crack cocaine                  |
| Church et al 2001                   | 115 women, Leeds, Edinburgh and Glasgow       | 93% were using illegal drugs, 78% using heroin, 32% crack cocaine     |
| Dorset Working Women's Project 2001 | 30 women, Bournemouth                         | All were using heroin (19 injected the drug), one-third crack cocaine |
| May et al 2001                      | 100 women, London                             | 53% were using heroin, and 73% crack cocaine                          |
| McCullagh et al 1998                | 317 women, North West of England              | 58% were injecting drugs  |
| McKegany & Barnard 1996             | 167 women, Glasgow                            | 75% were injecting drugs  |

For samples of less than 100, numbers rather than percentages are provided

## Other Countries

This annex sets out responses to a survey of current arrangements as they apply in Europe, Australia, New Zealand, Canada and the USA. Where the information is available the entries cover jurisdiction (local or national); the broad model; any form of registration; any specific characteristics of the model in operation in that country/area; and anything known on the approach to exploitation.

### Europe

#### Austria

- Legislation varies from region to region
- With the exception of one state, local jurisdictions have legalised prostitution in specified areas
- Those involved are usually required to register and undergo weekly health checks

#### Belgium

- Local approaches differ although there is generally a level of toleration of prostitution in larger cities
- Some areas have introduced an unofficial policy of registration and health checks
- Exploitation of another through prostitution is an offence.

#### Denmark

- Prostitution was legalised in 1999
- Keeping a brothel or gaining in other ways from prostitution is an offence
- Purchasing the sexual services of a child (under 18) is an offence

#### France

- Prostitution is not illegal
- Touting on the public highway and procuring are offences, as is living off the earnings of a prostitute.

## Finland

- Prostitution is not illegal
- But the selling of sex in public is an offence
- Pimping, promoting prostitution and keeping a brothel are offences
- Purchasing the sexual services of a child (under 18) is an offence

## Germany

- Prostitution is legal both on and off street
- Although some areas have been declared prostitution-free zones
- Coercing prostitution (under duress) is an offence
- Pimping and promoting prostitution are also offences

## Greece

- Prostitution is legal
- Prostitutes are required to register, and to undertake twice weekly health checks

## Italy

- Prostitution is not illegal
- 'But 'streetwalking', running a brothel and promoting prostitution are offences

## Netherlands

- Prostitution is legal
- Street prostitution is confined to managed zones
- Brothels are legal, subject to a licensing regime operated by municipal authorities governing location, working conditions etc
- Receiving money from prostitution, involving a minor in prostitution, or forcing a person to engage in prostitution are offences, as is forcing another person to surrender income from prostitution.

## Portugal

- Prostitution is not illegal
- Offences apply only to trafficking

## Spain

- Prostitution is not illegal
- Forcing people into prostitution, the sexual abuse of minors, and trafficking in persons for the purposes of sexual exploitation are all offences.

## Sweden

- Paying for, or offering to pay for, sex – on the street or indoors – is illegal
- Selling sex has been decriminalised
- The focus is on support for women to leave prostitution

## Switzerland

- At a national level, prostitution is legal
- At a regional level, health controls and exclusion zones act as measures to control or limit prostitution.
- Prostitutes must be registered and have a valid work permit
- The promotion of prostitution, and encouraging prostitution, are offences.

## Turkey

- Operates a system of state-licensed brothels (genelevs)
- Genelevs may only employ registered prostitutes
- Local areas operate restrictions on the administration of genelevs and on registered prostitutes.
- Although registration is gradually being dropped – Istanbul is registering no new prostitutes and in other areas monitoring arrangements have ceased

## Australia

- Responsibility for prostitution law is devolved to the eight states, a number of which have legislated during the last two decades to legalise or decriminalise prostitution
- Victoria and Queensland have licensed the owners and operators of brothels  
Australian Capital Territory has adopted the registration model whereby premises and their owners must register locally and operate only in industrial areas of the city
- New South Wales has decriminalised brothels without any system of licensing.

- In none of these states do individuals involved in prostitution require to be registered, although license conditions for premises require that they undertake regular health checks

## New Zealand

- Prostitution has recently been decriminalised
- Brothels are governed by usual employment, health and regulations laws

## Canada

- Prostitution is not illegal
- Communicating in a public place for the purpose of engaging in prostitution; providing directions, taking or showing someone to a 'common bawdy-house'; procuring or assisting or obtaining a person for sexual services on behalf of a third party; and living on the avails or benefiting from the prostitution of another person are all offences

## United States

- Prostitution is illegal in all states but Nevada
- In Nevada prostitution is restricted to certain counties. It is forbidden in counties with high populations eg Las Vegas, Reno and Lake Tahoe
- Nevada state law only allows prostitution in brothels which are registered with the police
- Prostitutes are required to provide fingerprints and to undergo regular health checks.

## Annex E

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Department for Education and Skills and BECTA (2004) *Superhighway Safety*

Department for Education and Skills and Local Government Information Unit (2003) *If this were my child*

Department of Health (2003a) *Effective Commissioning of Sexual Health and HIV Services: A Sexual Health and HIV Commissioning Toolkit for Primary Care Trusts and Local Authorities*

Department of Health (2003b) *Effective Sexual Health Promotion: A toolkit for Primary Care Trusts and others working in the field of promoting Good Sexual Health and HIV Prevention*

Department of Health (2003c) *Women's Mental Health Strategy: Implementation Guidance*

Department of Health (2002a) *Children Missing from Care and from Home: a guide to good practice*

Department of Health (2002b) *National Plan for Safeguarding Children from Commercial Sexual Exploitation*

Department of Health (2002c) *The National Strategy for Sexual Health and HIV: Implementation Action Plan*

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Home Office (2003a) *Safety and Justice: The Government's Proposals on Domestic Violence*

Home Office (2003b) *Together – Tackling anti-social behaviour*

Home Office, Department for Constitutional Affairs and the Attorney General's Office (2003) *A New Deal for Victims and Witnesses: National Strategy to deliver improved services*

Home Office, Drug Strategy Directorate (2004) *Solutions and strategies: drug problems and street sex markets. Guidance for partnerships and providers*

Home Office (2002) *Updated Drugs Strategy*

Home Office (2001) *Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses including children*

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Welsh Assembly Government (2004) *Children and Young People: Rights to Action*

## Useful Websites

Barnardos – *more about the work Barnardos does with children and young people throughout the UK including specific projects working with those abused through prostitution.*

[www.barnardos.org.uk](http://www.barnardos.org.uk)

Behaviour and Attendance website – *support and advice for practitioners working to improve pupil behaviour and attendance*

[www.dfes.gov.uk/behaviourandattendance/](http://www.dfes.gov.uk/behaviourandattendance/)

Supporting People – [www.spkweb.org.uk](http://www.spkweb.org.uk)

Childline – *information about childline and online advice for children and young people who are in distress or danger*

[www.childline.org.uk](http://www.childline.org.uk)

The Children's Society – *more about the work the Children's Society does with vulnerable children and young people*

[www.the-childrens-society.org.uk/](http://www.the-childrens-society.org.uk/)

Connexions – *access to information and advice for young people ages 13-19*

[www.connexions.gov.uk](http://www.connexions.gov.uk)

Home Office Domestic Violence website – *more about the Government's proposals on domestic violence, as well as accessing support for victims of domestic violence*

<http://www.homeoffice.gov.uk/crime/domesticviolence/index.html>

Home Office drugs website – *the cross-government national drug strategy website for drug prevention and treatment professionals and those interested in the strategy.*

[www.drugs.gov.uk](http://www.drugs.gov.uk)

Home Office *People Trafficking*, Crime Reduction Toolkit – *information and guidance for agencies working to tackle trafficking and provide support for the victims of trafficking*

<http://www.crimereduction.gov.uk/toolkits/tp00.htm>

FRANK – *for advice and information on drugs*

[www.talktofrank.com](http://www.talktofrank.com)

Sexual health website – *information on HIV/AIDS, Hepatitis C and sexual health, including advice, clinical information and where to go for help.*

<http://www.dh.gov.uk/PolicyAndGuidance/HealthAndSocialCareTopics/SexualHealth/fs/en>

Sure Start – *more about the Government's programme to deliver the best start in life for every child by bringing together early education, childcare and health and family support*

[www.surestart.gov.uk](http://www.surestart.gov.uk)

thinkuknow – *information and advice for children and young people about using the internet safely*

[www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

Youth Justice Board – *to find out more about the work of the YJB to prevent re-offending by children and young people.*

[www.youth-justice-board.gov.uk](http://www.youth-justice-board.gov.uk)

You can find links to other useful websites on the Home Office Prostitution Review site

# Consultation

## **How can awareness be improved and the common myths and misconceptions about prostitution be dispelled?**

To pave the way for an effective strategy on prostitution it will be important to ensure that the realities of prostitution are understood.

- 1 What is the role for schools in raising awareness of this issue? Do you have examples of good practice?*
- 2 What can be done to ensure that those who go to prostitutes are fully aware of the implications of their activities?*
- 3 How do we ensure that it is clearly understood that those using young people under 18 for sex are guilty of child abuse?*

## **How do we ensure that our policies are soundly based, and take account of the most recent information on models of prostitution?**

Chapter 2 looked at the key issues arising for prostitution, focusing not only on the people involved but also on the users and controllers. An effective strategy must be based on reliable facts. It is imperative that our understanding of the issues involved is accurate.

- 4 Does this paper present an accurate picture of the models of prostitution in England and Wales in the 21st century? Is there further information, particularly on pimps and those who go to prostitutes, which could help inform policy and practice?*
- 5 Is there further information on the numbers, ages, ethnicity and circumstances of children abused through prostitution, and methods of coercion, which could help inform policy and practice?*

### **What can be done to prevent the abuse of children and young people through prostitution?**

Chapter 3 looked at the most common risk factors and shows that there are already a range of initiatives capable of reducing the vulnerability of children and young people to abuse through prostitution. As part of a systematic approach to the issues arising from prostitution, these initiatives make a significant contribution to reducing those risks. However, there is more to be done to prevent children, young people and adults from being drawn in. In some instances this will require careful targeting; in others, it may be that a more systematic approach to the provision of advice and support is necessary. We need to ensure that we build on best practice and incorporate preventative measures into a coordinated strategy.

*6 How can we most effectively identify those at risk and what are the most effective measures to prevent the abuse of children through prostitution? What role should schools play in a preventative strategy?*

*7 How can we warn parents/carers of the methods of coercion into prostitution so that they are aware of early warning signs – and what more can we do to provide them with support and advice?*

*8 What is the best way to close off routes into prostitution for the young and the vulnerable? Do you have good examples of working with target groups, for example those in residential homes or unaccompanied asylum seekers?*

*9 How can we ensure that early prevention measures are delivered in a culturally sensitive way?*

### **How do we help young victims of abuse through prostitution, and their families?**

Chapter 4 looked at what we already do to protect and support children and young people abused through prostitution. A coordinated strategy will need to consider how we can build on this work and what more needs to be done to protect children from this form of abuse.

*10 How do we reach children in need of protection from abuse through prostitution? Are there further examples of good models that have had proven success in helping young people abused through prostitution to move on?*

*11 How are services (for example, sexual health services) best tailored to meet the specific needs of children and adolescents involved in prostitution?*

*12 How can we best support the families of children and young people abused through prostitution?*

**What can be done to provide men and women involved in prostitution with a real alternative?**

Chapter 5 looked at some of the reasons why adults are involved in prostitution and considers how we can best support and protect them. It also considered how we can support them to leave prostitution. We need to ensure that we build on the best practice from the 11 CRP projects and incorporate protection and support as fundamental elements of a coordinated strategy.

*13 The paper contains some useful examples of what works to support men and women out of prostitution. Do you have examples of other initiatives that have proved effective and provide useful learning?*

*14 What needs to be done to raise the awareness of sexual health among those involved in prostitution, including those who buy sex?*

*15 How should we tackle the links between sex and drug markets?*

*16 Appropriate housing is a crucial element of a successful exit strategy. Are there examples of where this difficult issue has been tackled effectively?*

*17 Are there identifiably different needs in terms of support for different communities?*

*18 How do we increase confidence in the criminal justice system of those involved in prostitution?*

*19 How do we ensure that a coordinated strategy is adopted by all relevant agencies?*

**How do we ensure that justice is done to protect the victims of exploitation through prostitution?**

Chapter 6 looked at the role of the criminal law in protecting those abused, coerced and controlled through prostitution. A coordinated strategy will need to address how to ensure the law is used to best effect to bring those who exploit others through sexual exploitation to justice and what other measures can be taken to protect victims.

*20 The Sexual Offences Act 2003 introduced a number of new offences and penalties to crack down on users and abusers. Are there other ways in which the criminal law can be used to end this abuse?*

*21 Are there models of good investigative practice to be adopted to ensure that users and abusers are brought to justice, and victims supported further?*

*22 Do you have good models of support for (a) child and (b) adult witnesses to assist them through the criminal justice process?*

*23 How do we ensure that illegal activity does not continue to take place behind the façade of legal businesses?*

**What can be done to support communities to reclaim their neighbourhoods, and how can we protect those who persist in street-based prostitution?**

Chapter 7 looked at the impact of prostitution and prostitution-related activities on local communities and considered a range of ways to deal with these issues. Every community affected by prostitution must have the means to ensure that those concerns are addressed. Any strategy will need to ensure the involvement of communities, and balance the competing need to alleviate the harm done to communities with the protection of those trapped in prostitution.

*24 How is the nuisance associated with prostitution best dealt with? We are interested in examples of good practice from your communities.*

*25 How can civil measures be used most effectively? We would be interested in examples of where ABCs, injunctions or ASBOs have been used effectively, in respect of those involved in prostitution, kerb crawlers or others.*

*26 What changes should be made to ensure that the criminal justice system supports effective routes to rehabilitation for those involved in prostitution?*

*27 What support do local partnerships need to respond to the issues associated with prostitution?*

*28 We would welcome views on the role the criminal law should play in relation to children abused through prostitution.*

**What more can be done to crack down on international traffickers, and support their victims?**

Chapter 8 recognised the lack of information on the scale of trafficking in the UK and the links with other forms of serious crime. As part of an effective coordinated strategy for prostitution it is vital that we should be proactive in the detection of these crimes and consider how best to work with both domestic and international partners to do so.

*29 Trafficking is a highly organised international crime. How can we best coordinate international efforts to tackle it more effectively?*

*30 Do you have any further information on the prevalence and nature of international trafficking for the purposes of prostitution?*

*31 How can we use intelligence-led policing to investigate the links between prostitution and other serious crime?*

### **What lessons should we learn from experience around the world?**

Chapter 9 provided a summary of the approaches taken elsewhere. We would welcome comments on these more radical approaches, as well as on the good practice highlighted throughout this paper.

*32 Should our response to street-based prostitution involving adults accept or challenge its existence?*

*33 Is there a case for designating managed areas at a local level? What would be the resource implications of such a move; what regulatory and health requirements should be placed on those operating in a managed zone; and how would such areas be identified?*

*34 Is it acceptable for sex to be sold from private premises? If so, what safeguards should be in place?*

*35 Would registration help safeguard public health?*

Please write with your comments by 26 November 2004 to:

Prostitution review  
Home Office  
50 Queen Anne's Gate  
London SW1H 9AT

or send to: [prostitutionreview@homeoffice.gsi.gov.uk](mailto:prostitutionreview@homeoffice.gsi.gov.uk)<sup>92</sup>

This paper, together with a Regulatory Impact Assessment can be found on the prostitution review webpage of the Home Office website. Alternatively copies can be requested from the above address.

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The information you send to us may be passed to colleagues within the Home Office and/or published in a summary of responses received in response to this consultation. We will assume that you are content for us to do this, and that if you are replying by email, your consent overrides any confidentiality disclaimer that is generated by your organisation's IT system. However, we will respect any wish for confidentiality that you make in the main text of your submission to us.

## Consultation code of practice

This consultation will be conducted on the basis of the following criteria:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

The full code of practice is available at:

[www.cabinet-office.gov.uk/regulation/consultation](http://www.cabinet-office.gov.uk/regulation/consultation)

If you have any complaints or comments about this process, please contact the Home Office consultation coordinator, Pio Smith, by email at:

[pio.smith31@homeoffice.gsi.gov.uk](mailto:pio.smith31@homeoffice.gsi.gov.uk). Alternatively, you may wish to write to him at the following address:

Pio Smith  
Consultation Coordinator  
Performance and Delivery Unit

Home Office  
50 Queen Anne's Gate  
London SW1H 9AT







