



TACKLING THE DEMAND FOR PROSTITUTION: A REVIEW

November 2008

CONTENTS

Ministerial Foreword.....	2
Executive Summary.....	3
Summary of Recommendations.....	4
Background – why tackle prostitution?.....	5
The Scope of the Review.....	10
The Review’s Findings and Recommendations.....	12
Annex 1 – Participants.....	24

TACKLING THE DEMAND FOR PROSTITUTION

MINISTERIAL FOREWORD

Those who sell sex are often the victims of serious violence and exploitation; they are often vulnerable to abuse, coercion or control by others, who gain from their involvement. Some individuals are forced to sell sex against their will, and have little say in who or how many people they have sex with.

The communities in which prostitution takes place also suffer. Sex markets act as a magnet for anti-social behaviour; they can make an area undesirable and unsafe. As a result, both on and off-street prostitution is a real concern for local communities.

So far, however, little attention has been focused on the sex buyer, the person responsible for creating the demand for prostitution markets. And it is time for that to change.

Earlier this year, I commissioned a six month review to assess what further measures could be taken to reduce the demand for prostitution. This report sets out the conclusions of that review and makes recommendations for action, including measures to prohibit the purchase of sex from someone controlled in prostitution, which will include individuals who have been trafficked; and action to tighten up offences that prohibit the purchase of sex on the street or in a public place. I accept the Review's recommendations and will take action to implement them as soon as possible.

And as well as these additional measures targeted at demand, we will continue to deliver the Government's coordinated prostitution strategy – ensuring measures are in place to prevent children and adults from becoming involved, that support is available to those already involved to develop routes out and that we bring those who control and exploit individuals to justice.

A handwritten signature in blue ink, reading 'Jacqui Smith', with a long horizontal flourish extending to the right.

Jacqui Smith MP

Home Secretary

EXECUTIVE SUMMARY

Tackling the demand for prostitution is an integral element of the Government's Co-ordinated Prostitution Strategy¹ and the UK Action Plan on Tackling Human Trafficking², and in January 2008, the Home Office launched a six month review to explore what further action could be taken by Government and statutory agencies to reduce demand.³

The Review involved key stakeholders and practitioners, including the Police and the Crown Prosecution Service as well as organisations supporting individuals involved in prostitution.⁴ Work undertaken within the Review included an assessment of academic research on sex buyers, an audit of enforcement and prosecution practice in England and Wales to identify best practice, an independent evaluation of approaches to tackling demand in nine other countries, and Ministerial visits to Sweden and the Netherlands to learn more from the differing approaches taken in these countries.

The Review concluded that there was evidence to support the development of a new offence to criminalise those who are found to be paying for sex with a person who is being controlled against their wishes for someone else's gain. The new offence should be a strict liability offence meaning that it will be irrelevant whether the sex buyer knew that the prostitute was controlled or not. This will help to achieve the goal of reducing the size of the 'sex market' by sending a clear message that those who pay for sex should consider the potential implications of their actions. Penalties for the new offence should be in line with other offences which target demand for prostitution. This would mean a non-custodial penalty, with a fine of up to £1000 (fine level 3).

No single approach will be sufficient on its own to reduce demand, so the Review makes five further recommendations to tackle issues that contribute to the demand for all forms of prostitution.

¹ *A Coordinated Prostitution Strategy and Summary of Responses to Paying the Price* (2006) Home Office

² *UK Action Plan on Tackling Human Trafficking* (2007), and *Update to the UK Action Plan on Tackling Human Trafficking* (2008) Home Office

³ The scope of the Review and its key actions are outlined on pages 11-12.

⁴ See Annex 1 for list of participants.

These recommendations include action to raise awareness about the extent of trafficking, measures specifically targeted at street prostitution, and measures to allow the closure of premises associated with sexual exploitation

SUMMARY OF RECOMMENDATIONS

1. The Government should consider introducing a specific strict liability offence of paying for sex with someone who is controlled for another person's gain, in order to protect vulnerable individuals, for example those who have been trafficked or exploited by any other means.
2. The Government should consider running a marketing campaign aimed specifically at sex buyers to raise awareness about trafficking for sexual exploitation.
3. The Government should consider amending the offences of kerb-crawling and persistent soliciting (s.1 and s.2 of the Sexual Offences Act 1985) to remove the requirement to prove that a person has acted persistently, thus allowing prosecution for a first offence.
4. The Government should consider re-running a national anti-kerb crawling campaign, which should support forces nationally in their efforts to reduce street-based prostitution.
5. The Government should consider introducing closure powers for premises linked to sexual exploitation, in order to allow the police and partner agencies to restrict access to such premises for up to 3 months.
6. To support these proposed legislative changes, Government should work with all relevant bodies, including the police, criminal justice agencies and the voluntary sector to develop comprehensive guidance on enforcement and best-practice partnership work.

BACKGROUND

The Government's Co-ordinated Prostitution Strategy and the UK Action Plan on Tackling Human Trafficking set out a holistic approach encompassing prevention, enforcement and support in order to reduce street prostitution and sexual exploitation (including human trafficking). In addition, and in response to growing concerns about the levels of exploitation and trafficking within prostitution markets, the Government launched a specific piece of work in January 2008 to focus on those who create the demand for sex markets. This work would also explore what action could be taken against the sex buyer, rather than just the sex seller, in order to reduce prostitution.

"This is a once in a generation opportunity to introduce some really good practical legislation, which will make a real difference to those that are most vulnerable in our society. Also to provide opportunities to interdict organised criminal networks at every level and bring justice to those that exploit. "

Association of Chief Police Officers

This document sets out the findings from this six month Review – highlighting what is known about sex markets in the UK, and making key recommendations for further action to significantly reduce the demand for prostitution. Both legislative and non-legislative options are recommended.

Why tackle the demand for prostitution?

There are estimated to be around 80,000⁵ people involved in prostitution in the UK; research by the Poppy project identified 1500 establishments involved in the off-street sex industry in London alone.⁶ The prostitution market in the UK is calculated to be worth up to £1bn⁷, with estimates of the proportion of UK men paying for sex ranging from 4.3% to 11%.⁸ The sex industry itself has grown, both in size and diversity with more opportunities for sale and purchase of sex via sex clubs, the internet and sex tourism.

Many women, working both on and off street, are subject to coercion, control and exploitation. They are also amongst the most vulnerable to sexual and violent crime, facing dangers on a daily basis, from clients, partners/pimps and members of the community. Many may have been trafficked into the UK and forced to have sex for money.

The most recent Home Office analysis (2003) estimated that up to 4,000 women in the UK had been trafficked for sexual exploitation and that the UK market for sexual exploitation was worth up to £275 million. But given the growth in people trafficking since 2003 this is likely to be a significant underestimate. Operations Pentameter 1 and Pentameter 2, the national police response to human trafficking have helped to provide greater evidence about the extent and nature of trafficking for sexual exploitation. They identified cases throughout the country and highlighted that the effects of trafficking are not limited to one particular area or type of locality.

⁵ *A Coordinated Prostitution Strategy and Summary of Responses to Paying the Price* (2006) Home Office

⁶ *Big Brothel – A Survey of the Off-Street Sex Industry*, (August 2008), The Poppy Project

⁷ The review of academic evidence on existing research evidence commissioned by the Review and conducted by the University of Huddersfield calculated this figure based on figures in Moffat, P.G (2005) *Economics uncut: A complete guide to life, death and misadventure*.

⁸ Thomas, R.M., Plant, M.A and Plant, M.L (1990) *Alcohol, AIDS risks and sex industry clients: results from a Scottish study* found that 11% within its survey paid for sex, while the *National Sexual Attitudes and Lifestyle Survey*, 2001 estimated the proportion of men paying for prostitutes was 4.3% (8.9% in London).

Case Study: Operation Pentameter 2

Operation Pentameter Two was conducted between 3rd October 2007 and 28th March 2008 in all 55 police force areas in the UK. It resulted in operations against 822 premises out of which: 582 were residential; 157 were massage parlours/saunas; and 83 were other premises including airports, seaports and hotels. 172 victims (including both adults and children) were identified and 528 arrests were made.

Operation pentameter arrests

- 99 individuals were arrested for trafficking offences
- 13 were arrested for rape
- 179 were arrested for offences in relation to brothels eg. Management of a brothel, assisting in management of a brothel, brothel keeping etc.
- 63 were arrested for money laundering offences
- 121 were arrested for immigration offences
- 34 were arrested for drug related offences

Case study 'I was kept locked in at all times'

*Ada, from Sierra Leone, was 23 when she was trafficked to the UK and forced into prostitution. She had been disowned by her parents in Africa after converting to Christianity and planned a new life in Britain with her boyfriend.

"I was very happy. I thought I was leaving the past behind me and starting again." But she was met at the airport by three men and taken to a house where she was raped by one of them. Her boyfriend left and went back to Africa while Ada was forced to work in a brothel for the next six months.

She added: "There were five other women there. I had to have sex with two or three men a day and I was kept locked in at all times. I was completely exhausted as I had to see customers at whatever time they came to the brothel, so I was often woken up in the middle of the night.

"The men had guns and I was threatened a lot with physical violence, so I was afraid to say no. I was also too afraid to ask the customers for help because the men told me they would find out and kill me."

Source: The Independent, 10th November 2008

Clearly trafficking for sexual exploitation forms a significant part of the prostitution market in this country but exploitation can take other forms and women involved in prostitution can be controlled by another in order for that person to profit from this involvement. This control can and does take the form of a range of exploitative practices such as threats of violence, or the provision of accommodation or drugs solely on the condition of being a prostitute.

Case study: Controlling for gain

The Metropolitan police uncovered an escort agency in North London conducting its operations through the internet. The website contained the profiles of between 40 and 45 escorts. The prices ranged from an 'incall' at £150 per hour to overnight at £1000. The 'gallery' pages for each escort indicated which extra sexual services she would provide. There was the opportunity to view, via a link, reports on previous visits by clients, which contained graphic descriptions of the sexual services being provided.

There was an average of 30 bookings per day, which equated to a minimum daily turnover of £4500. It is a 'cash only' business and it was ascertained that the agency took at least half the earnings of each prostitute. Following undercover investigations the person responsible for the agency was arrested and pleaded guilty to controlling prostitution for gain.

For those who have been groomed or trafficked into prostitution, or for those who remain involved for fear of violence from a partner or pimp, the Government has a responsibility to act and a responsibility to do all that is possible to offer protection and bring the perpetrators of this violence to justice.

But prostitution does not solely impact on those directly involved. Street-prostitution, in particular, can have a considerable impact on communities. Prostitution and the general anti-social behaviour and nuisance it can attract, can make local areas unattractive and undesirable to new businesses or residents, leading to a spiral of decline.

Since the Government published its Co-ordinated Prostitution Strategy in January 2006 it has taken forward a number of initiatives to disrupt sex markets with the use of greater

enforcement, for example against kerb crawlers, and by ensuring the development of routes out for those involved in prostitution. The Government has also taken a number of actions to tackle the associated problem of trafficking for sexual exploitation.

But to truly tackle the problem of commercial sexual exploitation more needs to be done to target those that contribute to the demand, those that pay for sex.

THE SCOPE OF THE REVIEW

The aim of the Review was to establish a firm evidence base on the nature of the demand for prostitution to enable the most effective actions to be identified.

Objectives of the Demand Review

- To scope the issues associated with the demand for prostitution;
- To explore the various options available to tackle that demand; and
- To hear the views of stakeholders, practitioners and those involved in the sex industry.

The review was overseen by a project board which included representatives from a range of Government departments and law enforcement agencies. It also involved the active participation of third sector organisations working with women involved in prostitution and providing support to victims of trafficking.⁹ The input of these participants was invaluable in helping to develop the evidence needed to inform recommendations and to ensure that they are aimed at the realities of prostitution in this country and will be the most effective options from deterring those who would pay for sex.

⁹ See Annex 1 – List of Participants

Key Actions of the Review

A comparison of the approaches adopted in other jurisdictions, including ministerial visits to Sweden and the Netherlands and a comparative study (undertaken by the London Metropolitan University) into the approaches taken in nine different countries to be published shortly.

- A rapid evidence assessment (REA) of research available on sex buyers, conducted by the University of Huddersfield to be published shortly.
- An audit of enforcement and prosecution practice in England and Wales to learn from good practice and assess whether a consistent approach is being taken to this issue across the country.
- A pilot marketing campaign, aiming to increase awareness of trafficking for sexual exploitation amongst sex buyers. The materials were tested with a small group of men who pay for, or would consider paying for, sex.
- Consultation with key stakeholders and practitioners, including the police, Crown Prosecution Service and those supporting individuals involved in prostitution.

THE REVIEW'S FINDINGS AND RECOMMENDATIONS

Criminalisation or regulation?

One of the key questions addressed by the review was whether adopting a criminalising approach or a regulatory approach would have the greatest impact on reducing demand. In particular it compared the approach of Sweden which has criminalised paying for sex, or the approach adopted in countries such as the Netherlands where brothels are licensed. Research into the different approaches was considered, alongside findings from Ministerial visits to Sweden and the Netherlands.¹⁰

In an effort to reduce exploitation and abuse, the Netherlands decriminalised brothels and street-prostitution in licensed premises or areas in 2000. Ministers visited the Netherlands in order to assess the impact of this measure. They found that the Dutch policy on prostitution did not appear to have resulted in a reduction in the number of people involved in prostitution, and the Dutch agencies still have concerns about the numbers of people being trafficked for sexual exploitation and the number of under-18s involved in the sector. The research by the London Metropolitan University concluded that the change had legitimised exploitative practices: “women who sell sex have to contend with long standing marginalisation and exploitative practices that are embedded within the political economy of the sex industry” and that regulation had not ended violence against prostitutes and had not reduced trafficking or the involvement of organised crime in prostitution.

As there is no evidence to suggest that overall demand, would be reduced through a licensing system, adopting the Dutch approach is not considered to be an effective option.

¹⁰ Vernon Coaker (Home Office), Barbara Follett (GEO) and Vera Baird (Solicitor General) visited Sweden in January 2008 and met representatives from the Swedish government, practitioners and toured the former red light district. In July the same Ministers visited the Netherlands. They met representatives of the Dutch Government, practitioners, and representatives from SOCA and visited the red light district.

When Ministers visited Sweden it became clear that the Swedish offence of paying for sex could have some advantages – not least because the message it sends out is very clear. Although the Review examined the possibility of applying the Swedish model directly to the UK, it concluded that it would be a step too far at this time, given the relative size of the UK sex industry compared to that in Sweden and current public attitudes in the UK.

When legislation to criminalise paying for sex was introduced in Sweden, prostitution only existed to any significant extent in three cities with an estimated 1500 people selling sex in those cities. In the UK there are an estimated 80,000 people selling sex across the whole country, suggesting that immediately criminalising payment for sex per se would be difficult to enforce in the UK.

The Swedish Government created their offence only after several years of close consultation with practitioners; and over time the attitudes of the Swedish public grew to support the proposed legislation. In the UK, public attitudes are currently much more divided, suggesting that the Government needs to work to challenge the attitudes of sex buyers and the public as a whole before criminalising the purchase of sex per se becomes a viable option.

A survey conducted by Ipsos MORI on behalf of the Government Equalities Office found that only 36 % agreed that it should be illegal to pay for sex, while 47% disagreed. However 58% supported criminalisation measures as part of a campaign to tackle trafficking.

Consultation with those involved in the Review also highlighted differing views amongst stakeholders in relation to the introduction of a generic criminal offence of paying for sex. Nonetheless, there was support for a focus on exploitation and criminal sanctions against those that pay for sex in the knowledge that other person may have been trafficked or exploited or who do not even consider whether this might be the case.

In addition, research into the motivations and characteristics of sex buyers cited by the review of academic evidence on sex buyers commissioned by the Review and conducted by the University of Huddersfield also suggested there was some merit in pursuing criminal justice sanctions as a deterrent measure.

Brewer et al (2007)¹¹ suggested that arrest reduces the likely demand for future prostitution by 70%. Research amongst participants of the Vancouver Police Departments Prostitution Offender Program (POP) also found that the biggest concerns about being stopped for hiring a prostitute were embarrassment (30%) and getting a criminal record (28%). However, while risk of arrest may be a deterrent, the perceived risk of arrest is low, meaning that any deterrent effect is limited. As the REA notes “when the risk of discovery is so low, even in the most visible sector of the market, the consequences of paying for sex are sufficiently remote as to be exciting, yet not sufficiently high as to discourage. Two studies (Cameron and Collins 2003 and Brewer 2007), suggest that shifting the balance of risk could prove an effective strategy, although this may still be limited to the more visible aspects of the market.”

Noting the apparent benefits of criminal justice measures, but taking into account the difficulties with enforcing the Swedish model in the UK at this time, it is therefore recommended that instead of criminalising all sex buyers, we criminalise those who are found to be paying for sex with a person who is being controlled for someone else’s gain (i.e a pimp or trafficker). Given the practical difficulties in proving whether a defendant knew if a woman was controlled or not – the new offence should be a strict liability offence, to aid prosecution and remove any ambiguity from possible offenders’ minds about the potential consequences of sex with a trafficked or exploited woman.

¹¹ Brewer, D.P, J.J; Muth, S.Q; Roberts, J.M; and Dudeck, J.A; (2007) *A Large Specific Deterrent Effect of Arrest for Patronizing a Prostitute. Final Report to the U.S department of Justice, National Institute of Justice, US.*

"She was frightened and nervous. She told me she had been tricked. I had sex with her and she seemed fine with the sex. She asked me to help her, but I said there was little I could do. She might have been lying to me." (Male sex buyer, London, December 2007) Source: Big Brothel;The Poppy Project, August 2008

Under the new offence it will be irrelevant whether the sex buyer knew that the prostitute was controlled or not. It is argued that those who pay for sex will know that they could be paying for sex with a person who is controlled, and therefore they will think twice about what they are doing and their attitude towards those selling sex. This will also help to achieve the goal of reducing the size of the 'sex market' by sending a clear message that those who pay for sex should consider the potential implications of their actions.

Penalties for the new offence should be in line with other offences which target the demand for prostitution, such as kerb-crawling and persistent soliciting under the Sexual Offences Act 1985. Although this review later looks at amending these offences, it is not proposed that the penalties should change. This would make the penalty non-custodial with a maximum fine of level 3 - £1000.

RECOMMENDATION 1

The Government should consider a specific strict liability offence of paying for sex with someone who is controlled for another person's gain. This will aim to protect vulnerable individuals, for example those who have been trafficked or exploited by any other means.

Awareness-raising

As well as raising awareness about the current legal status of prostitution and associated activities, a key part of our approach to tackling demand needs to be about raising the awareness of sex-buyers about the extent of trafficking for sexual exploitation.

“I have met Eastern Europeans and the newspapers say there are a lot of them trafficked here. But they come to you, they look cheerful, they may be putting on an act but I don’t really know.”
(Male sex buyer, London, December 2007) Source: Big Brothel;The Poppy Project, August 2008

As part of the Review, the Home Office set up a marketing campaign in two pilot areas to raise awareness amongst sex buyers about the level and nature of exploitation and trafficking involved in off street prostitution.

Awareness-Raising Campaign

Walk in a punter, walk out a rapist

The campaign consisted of washroom posters in male toilets in clubs/bars/pubs in Westminster and Nottingham and an online advertisement on local online newspapers in the Nottingham area. The poster campaign ran from 5th May – 30th May 2008 and the online advertisements from 12th May – 27th June 2008. The poster can be seen on the Home Office website:

www.crimereduction.homeoffice.gov.uk/humantrafficking003

In addition an ongoing national public awareness campaign was launched by the UK Human Trafficking Centre on 29th January 2008. With the tag line “don’t close your eyes to human trafficking” it aims to raise awareness about all forms of human trafficking and encourages the public to call Crimestoppers with any information.

The pilot campaign carried the Crimestoppers number and the Blue Blindfold website address www.blueblindfold.co.uk with a webpage dispelling common myths about trafficking for sexual exploitation. The online advertisements linked to the site and generated over 1,700 clicks. There were also over 2,000 clicks generated from search activity on key words linked to the campaign.

An evaluation of the campaign found that strengthening the association between prostitution and trafficking could illustrate the abhorrence of trafficking and create or reinforce another negative aspect of prostitution. However, the very direct approach adopted in the pilot meant that individuals did not engage sufficiently as they were able to disassociate themselves from the situation depicted. It was found that it might be more productive to make the connection between prostitution and trafficking in such a way as to create a feeling of uncertainty in the mind of the individual.

In order to amplify the message that a new offence will send and increase the deterrent effect, there would be value in re-running a campaign aimed at raising awareness amongst sex-buyers about sexual exploitation and trafficking, building on the experience of the campaign that was piloted during the Review, and previous campaigns targeted at kerb-crawlers.

RECOMMENDATION 2

The Government should consider running a marketing campaign amongst sex buyers to raise awareness about trafficking for sexual exploitation.

Tackling street prostitution

As well as introducing new legislation there was also support for consistent enforcement of existing legislation to tackle street prostitution in particular.

Reducing the demand for street prostitution can help tackle the associated problems of drug use, nuisance and anti-social behaviour, which for many communities will be their primary experience of prostitution.

In England and Wales the act of purchasing sex is not a criminal offence. There are, however, offences that effectively prohibit individuals from paying for sex on the street or in a public place. The Sexual Offences Act 1985 introduced two distinct offences:

- kerb crawling (where someone solicits from a motor vehicle, or within the vicinity of a motor vehicle, for the purposes of prostitution, persistently or in a manner that is likely to cause annoyance to people in the neighbourhood); or
- persistent soliciting for the purposes of prostitution

Although these offences require an individual to act persistently, or, in the case of the kerb crawling offence, in a manner that is likely to cause public nuisance, they do effectively criminalise the purchase of sex in these settings.

Case Study: Home Office Anti Kerb-crawler campaign

To support local areas in the delivery of the tackling demand element of the Prostitution Strategy, the Home Office ran a six week kerb-crawler deterrent campaign in May and June 2007. The campaign, designed to support local police operations, included a range of marketing materials to send out a clear message that kerb crawling is illegal and will not be tolerated by the Government, local police or local communities. The materials aimed to challenge behaviour by making kerb crawlers aware of police activity and the potential implications and consequences of their actions.

Where the law is enforced consistently and robustly it does send out a clear message to those creating the demand for street-based sex markets that their behaviour will not be tolerated. To reinforce that message, there is a strong argument for removing the requirement to prove “persistence” so that a kerb-crawler can be prosecuted the first time they are stopped attempting to solicit sex in the street or other public place. As highlighted by the analysis of available research and by the practical experience of targeted campaigns, there are potential benefits in increasing the regularity of targeted enforcement against kerb-crawlers, supported by awareness raising campaigns so that those who pay for sex are clear about what the law says and when they are breaking it, in order to increase the deterrent effect of such laws. Evidence from some areas such as Middlesbrough and Lambeth also suggests that police should consider publicising the names of those convicted for kerb-crawling in an effort to deter others.

Case Study: Curb the Crawlers – Middlesbrough

Police in Middlesbrough adopted an enforcement campaign against kerb crawlers that allowed the details of arrested to be publicised in the local paper, the Middlesbrough Evening Gazette. Instead of arresting kerb crawlers and submitting their cases to court, in individual cases, the police submitted all those arrested at the same time to ensure that they were listed to appear in court on the same day. This allowed a reporter from the Evening Gazette to attend and publish details of the cases as part of its Curb the Crawlers Campaign. This campaign has had led to a significant reduction in street prostitution in Middlesbrough. Arrests for kerb-crawling have reduced from 209 in 2003 to 70 in 2007.

RECOMMENDATION 3

The offences of kerb-crawling and persistent soliciting (s.1 and s.2 of the Sexual Offences Act 1985) should be amended to remove the requirement to prove that a person has acted persistently, thus allowing prosecution for a first offence.

RECOMMENDATION 4

The Government should consider re-running a national anti-kerb crawling campaign, which should support forces nationally in their efforts to reduce street-based prostitution.

Tackling off-street prostitution

One of the key messages from both the analysis of existing research and the Review's participants was that a comprehensive approach was necessary, in order to ensure that all sectors of the market for sex were tackled and to avoid the risk of displacement, from enforcing measures in one particular sector.

In addition to dealing with on-street prostitution the Review highlighted the need to deal with off-street premises which are causing concern to local communities. Throughout the course of the review, enforcement agencies expressed their frustrations that they are unable to close down premises where that exploitation takes place.

At present, the police have no powers to close premises associated with the sexual exploitation of adults or children, unless there is sufficient evidence to warrant the use of other closure powers (for example, a crack house closure order). However, many premises where sexual exploitation takes place will not be associated with anti-social behaviour or the use, supply or production of Class A drugs. This means that in practice, premises that are subject to police investigations for offences relating to sexual exploitation can re-open and begin operating again within a matter of hours of a police raid.

As such, the Government should consider giving the police new powers to close premises for a period of three months, where those premises are associated with child sexual exploitation, trafficking for sexual exploitation or causing, inciting or controlling prostitution for gain i.e. the prostitution-related offences in the Sexual Offences Act 2003.

Under the new powers, it would not be necessary to prove that a specific individual has committed one of these offences, just that there are reasonable grounds for believing that such activities are occurring on the premises. This follows the same principle as the closure powers set out in the Anti-Social Behaviour Act 2003 to deal with premises where there is evidence of the production, supply and use of Class A drugs which is linked to disorder or serious nuisance. It means that the police will not be able to close down every brothel, but would be able to close those used for the purposes of these particularly exploitative aspects of prostitution (or under the new Criminal Justice and Immigration Act 2008 powers, where the use of the premises creates significant and persistent disorder or persistent serious nuisance to members of the public).

“If this order is to be drafted in a similar way as to the existing Crack House Closure Order it will be invaluable and widely used by law enforcement”.

Association of Chief Police Officers

Powers enabling the temporary or permanent closure of premises used for trafficking or child sexual exploitation are requirements of the Council of Europe conventions on trafficking and the protection of children against sexual exploitation and abuse.

RECOMMENDATION 5

The Government should consider introducing closure powers for premises linked to sexual exploitation, in order to allow the police and partner agencies to restrict access to such premises for up to 3 months.

A consistent and comprehensive approach

A clear message from the survey of current enforcement carried out by ACPO and CPS is the need for a comprehensive but more consistent approach amongst agencies, such as that adopted by agencies in Ipswich.

Case Study: Ipswich

Ipswich's Joint Agency Strategic Group totally revised their approach to street-based prostitution in 2007 and developed a local strategy, using the Government's coordinated strategy as a framework. Since publication in May 2007, delivery of the strategy has included:

- a detailed **profile** of the local street sex market;
- work to assist those involved to **develop routes out**, including the development of case conferencing for those loitering or soliciting, and the coordination of service provision (including drug treatment, housing and health services)
- initiatives to **tackle demand** – including zero tolerance of kerb crawlers and proactive enforcement, which has resulted in 137 arrests and over 60 warning letters sent out since May 2007
- **prevention** – safeguarding system in place for high-risk under-18s, multi-agency training and awareness raising undertaken. 12 children identified as at risk of sexual exploitation
- **community engagement** – including regular briefings with the community, consultation on the development and delivery of the strategy and local press coverage about progress. The Group have also set up the *Somebody's Daughter* memorial fund in memory of the five women who were murdered.

If the new and existing legislative provisions are to be implemented effectively, ensuring a significant disruption of sex markets and decrease in demand for prostitution, it will be necessary to ensure criminal justice agencies have the appropriate knowledge and expertise to respond.

This includes ensuring agencies are appropriately trained on the relevant existing legislative provisions, and have the ability to enforce them. But in order to ensure a more comprehensive approach to prostitution it is also necessary to share good practice relating to services that target behaviours linked to prostitution, such as kerb-crawler re-education courses, or support for those seeking routes out of prostitution, and greater support for voluntary organisations working with those involved in prostitution.

Case Study: TRUST – Lambeth

Trust is a voluntary sector agency supporting women involved in, exploited through or exited from street prostitution in South London. Cited as a model of good practice by the Home Office and a key partner in strategic developments on prostitution, Trust has developed some enduring relationships and is well regarded by partners locally and nationally.

The project aims to help women identify and access the resources they need to increase choice and move towards their goals in obtaining accommodation, drug & alcohol treatment, health care and exiting prostitution.

Services include Evening Street Outreaches, Drop-in, a Court Diversion Scheme, Substance Misuse Treatment, Individual Key Work, Mental Health Assessment & Referrals for Housing, Primary Healthcare, Detox and Rehab, REALize – a Rolling 12 week Group Work Programme, Specialist Housing & Benefit support, Aftercare, RISE – a women's group for exited women, a Structured Counselling Service and support into training, education voluntary work and employment.

The Home Office (through the Drugs Intervention Project) funds Trust's Court Diversion Scheme in Lambeth which is run in partnership with Camberwell Magistrates Court, Lambeth MPS and the Crown Prosecution Service.

This scheme provides opportunity for women to be diverted from the Criminal Justice System and into Treatment & Support. Women opting on to the scheme have their cases discontinued by attending two structured appointments where a full needs assessment is carried out and a Care Action Plan drawn up. The aim of the appointments is to engage women with the services they need to support changes in their lifestyle, increasing stability, reduction of drug use and in the longer term, exit from prostitution. It has consistently retained a completion rate of 89% and is highly valued by those opting on to the scheme as well as criminal justice partners. 91% of Court Staff (2006) not only viewed the scheme as a positive development for Camberwell Magistrates Court.

RECOMMENDATION 6

In light of legislative change, the Government should look to work with all relevant bodies, including the police, criminal justice agencies and the voluntary sector to develop comprehensive guidance on enforcement and best-practice partnership work.

Annex 1 – Participants

Government

Attorney General's Office
Crown Prosecution Service
Government Equalities Office
Home Office
Ministry of Justice
Office of Criminal Justice Reform

Stakeholders

Anawim
Armistead Project
Association of Chief Police Officers
Christian Action Research and Education
Central London Action on Street Health
Coalition for the Removal Of Pimping
Girls Are Proud – Tyneside
Hull Lighthouse Project
Isis - Medway
Manchester Action on Street Health - Manchester
The Poppy Project
Praed Street - London
SAFE – Birmingham
Safe Exit Tower Hamlets
Sheffield Working Women's Opportunities Project
Sexual Health On Call
Street Angels
Streeetreach – Doncaster
Sex Workers Around Northampton
SW5
Trust – Lambeth