Executive summary

1. The legislation should reflect an unequivocal recognition of prostitution as a victim-centred crime.

2. Resources should be directed at tackling exploiters, providing access to specialist support services and behaviour change programmes.

1. **Whether criminal sanction in relation to prostitution should continue to fall more heavily on those who sell sex, rather than those who buy it.**

   The legislation and its implementation should reflect a “zero tolerance” approach to prostitution, but not to those being exploited.

   It should be coherent with an unequivocal stance that prostitution is “Incompatible with the dignity and worth of the human person and endanger[ing] the welfare of the individual, the family and the community” (1949 UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others).

   The criminalisation of individuals involved in prostitution does not address the root causes that lead them to become prostituted and their barriers to exit. Furthermore, it does not acknowledge prostitution as a victim-centred crime.

   Enforcement action should be directed at tackling exploiters and be complemented by providing access to specialist support for those who sell sex.

   On this basis, criminal sanctions should fall solely on those who procure, control, facilitate or solicit another for obtaining sexual services and be abolished for those who provide them.

2. **What the implications are for prostitution-related offences of the Crown Prosecution Service's recognition of prostitution as violence against women.**

   The recognition of prostitution as a form of gender-based violence by the CPS is a positive step towards its eradication.

   At local level, it can assist community safety partnerships to:

   - Include prostitution in their strategy for violence against women and girls which would assist cross-border cooperation;
Apply a coordinated response to tackling prostitution, improving information gathering and sharing between police, local authorities, health, voluntary sector organisations and the community;

Identify individuals involved in prostitution and/or victims of trafficking for sexual exploitation with the aim of encouraging them to engage with specialist support services;

Identify and take enforcement action against individuals committing an offence related to the procurement, trafficking, control, facilitation and demand of sexual services.

It is acknowledged that the primary aim is to protect individuals involved in prostitution from harm and to help them find sustainable alternatives to it. This can be achieved by applying a person-centred approach which can be a prolonged process that requires a significant investment in resources.

It is also acknowledged that prostitution related activities can severely affect members of the public and the community as a whole by impacting on their safety and/or its perception.

However, the recognition of prostitution as violence against women, within the current legislative framework, is presented with the following challenges:

- Sections 16 to 18 Policing and Crime Act 2009 conflict with the above recognition and their application is likely to be punishing high risk victims of crime experiencing coercion, control and violence;
- Public interest aims outlined in the CPS Legal Guidance can be met by applying the aforementioned multi-agency coordinated model.

Nevertheless, a clear distinction is needed between enforcing prostitution related offences and prostitution related anti-social behaviour, on-street as well as indoor.

3. What impact the Modern Slavery Act 2015 has had to date on trafficking for purposes of prostitution, what further action is planned, and how effectively the impact is being measured.

I am not in the position to comment on the impact made by the Act at local level nor how this is being measured.

4. Whether further measures are necessary, including legal reforms, to:
   a) Assist those involved in prostitution to exit from it
   b) Increase the extent to which exploiters are held to account
   c) Discourage demand which drives commercial sexual exploitation

Possible further measures to effectively tackle prostitution include:

Review and amendments to current legislation

Its principles must reflect an unequivocal stance that prostitution is a form of exploitation and:

- The complexity of personal experiences within the continuum of forms in which prostitution can take place. The overarching approach towards those who exchange sex for money and/or goods must be victim-centred and applied by all local areas to prevent any of them from becoming “tolerance zones”. Consideration should be given to placing a statutory duty on community safety partnerships to safeguard them;
- A “zero tolerance” approach towards exploiters, including the closure of online sites used for the promotion of sexual services;
- Making better use of existing criminal powers and civil remedies, including issuing warning letters to individuals suspected of “kerb crawling”. Their use in Hounslow has proved effective in preventing further offending. Consideration should be given to the development of a behaviour change programme for those who buy sex.

Appropriate allocation of resources would allow community safety partnerships to:

a) Provide specialist support services for individuals involved in prostitution, including sexually active young people aged 16+ and behaviour change programmes for those who buy sex;

b) Deliver activities aimed at raising awareness of the harm caused by prostitution to individuals, families and the community; including training on best practices and a prevention programme for young people aged 16 and over;

c) Establish locally-based specialist police teams with responsibility for both gathering intelligence and enforcing the (amended) legislation.
About Councillor Sue Sampson and interest in the prostitution inquiry: Sue Sampson is Cabinet Member for communities and domestic violence at London Borough of Hounslow. She is an active advocate for all victims of gender-based violence and of the adoption of a strategy for prostitution that recognises it as a form of exploitation.

Cllr Sue Sampson
Cabinet Member for Communities