

“I have, for the past 14 years, been dealing with the reality, and devastating effects that being in prostitution has had on myself and my family.” Emma

Commercial Sexual Exploitation

Addressing the demand for prostitution

Why prostitution is a problem

What needs to change?





Why Prostitution is a Problem:

Uncovering the Myths

Can prostitution become safe?

Safety is not just an issue of protecting women's sexual health as some might think. Physical violence is commonplace in many brothels as women can be subjected to brutal forms of aggressive behaviour from both their pimps and their buyers. People in prostitution are thought to be 60-120 times more likely to be victims of murder than the general population and also experience high levels of rape and physical assault.¹

Problematic drug use is commonplace. Numerous studies have found between 50% and 95% of women in street prostitution are addicted to Class A drugs² and links between prostitution and organised crime are well established.³

Don't women choose prostitution as a lucrative occupation?

Usually it is women's lack of choice that forces them to 'choose' prostitution. Studies suggest around half of those in prostitution in the UK were drawn in, often by grooming, when they were children.⁴

Many of those in prostitution have spent time in care.⁵ 45% report experiencing sexual abuse, and 85% physical abuse, during their childhood.⁶ In a 2012 study of 114 women in prostitution in London, 50% said they had experienced coercion (through trafficking or from a partner, pimp or relative).⁷

Four out of five women working in London brothels are thought to be foreign nationals; a significant number of whom are believed to have been trafficked.⁸

We recognise that some people say they have chosen prostitution, but for the majority the experience is marked by a lack of choice. When seen as a whole prostitution clearly contributes to social injustice. Therefore, CARE advocates legislation that will deliver justice for the vulnerable majority rather a privileged minority.

Hasn't prostitution always been with us?

It is true that prostitution has been evident in societies down the ages. But that doesn't mean things can't change. We may not be able to end prostitution entirely, just as we have not managed to stop all violence and murder. However, we can and should try to reduce it and the harm it causes. While CARE does not believe that there are any magic legislative solutions that will bring about the end of prostitution, we do believe that there is an approach that offers both greater justice for those concerned and real scope for limiting the extent of prostitution in our society.

“I wasn't even permitted to sleep. I could eat, but only for a few minutes. I had no right to sleep. If I decided to go to bed, he would beat me, and throw me out onto the street.”

Survivor of human trafficking

1 ACPO (2011) Strategy and Supporting Operational Guidance for Policing Prostitution and Sexual Exploitation

2 Home Office (2004) Paying the Price: a consultation paper on prostitution; ACPO (2011)

3 See for example: Bindel and Kelly (2004); Ngalikpima (2005); Hughes (2004); Raymond (2003); ACPO (2011)

4 Home Office (2004) Paying the Price

5 Ibid. Figures in different studies range from around 30% to as high as 70% of those involved in prostitution had spent time in care.

6 Home Office (2004) Paying the Price

7 Bindel et al (2012) 'Breaking down the barriers: A study of how women exit prostitution.' London: Eaves and London South Bank University

8 Dickson (2004) Sex in the City: Mapping Commercial Sex Across London. London: Eaves Housing for Women; Similar estimations were made in research for the Association of Chief Police Officers in 2010.



What is the solution?

Legislative approaches

There are two very different legislative approaches to prostitution:

a) Legalisation

Legalisation of the sex industry is sometimes suggested as a way of ensuring that prostitution is made safer for the women who work in it. However, in countries that have led the way on legalisation, violence, trafficking and organised crime are still major problems.⁹

Prostitution was legalised in the Netherlands in 2000 in order to regulate the sex industry and bring the associated criminal activity under control.¹⁰ However, according to a police study between 50% and 90% of all those involved in prostitution in Amsterdam have been coerced into it, even in official sex establishments.¹¹ In September 2007, Mayor of Amsterdam Job Cohen said 'The legalisation of prostitution has not achieved what many had hoped. We still come up against harrowing situations in which women are abused.'¹²

New Zealand decriminalised prostitution in 2003. However, ten years later there are reports of increased street prostitution and the exploitation and trafficking of underage girls.¹³ Surveys have also shown that many workers in brothels continue to feel unable to refuse clients and are reluctant to report violence and adverse incidents to the police.¹⁴

b) The Swedish approach

In 1999 the Swedish Government recognised the imbalance of power between the bought and the buyer by criminalising the purchase of sex, whilst decriminalising those who sold sexual services. Since the law was passed:

1. The percentage of men purchasing anyone for prostitution has decreased from 13.6% in 1996 to 8 % in 2008.¹⁵
2. The Swedish police report a decrease in organised crime networks and deterrent effect on trafficking in Sweden.¹⁶
3. The law continues to have public support: 71% of the public supports the law.¹⁷

Criminalising the purchase of sexual services increases the risks for potential customers which puts many off. It also requires extra expense from pimps and traffickers as they try to avoid detection. This approach makes prostitution a higher risk and lower profit activity and therefore less attractive to criminal gangs.

These two examples show that in order to reduce commercial sexual exploitation effectively, it is important to tackle the demand which cultivates the industry. The Swedish approach has also been adopted in Norway and Iceland and is being proposed by the Canadian Government.

Policing and Crime Act 2009

A new offence was introduced in England, Wales and Northern Ireland in the Policing and Crime Act 2009 with the aim of protecting vulnerable and exploited people by shifting the focus of the law onto those who create the demand for forced prostitution. The clause makes it an offence to pay for sex with someone who is subjected to force. The definition of ‘force’ includes coercion by threats and other psychological means, including exploitation of vulnerability.

The Act also gives courts the option of offering sessions with a counsellor rather than fines or imprisonment, to those convicted of soliciting.

Both these changes are significant steps towards recognising the vulnerability of the majority of those caught in prostitution, as well as tackling the demand for this exploitation.

9 See sections on Germany and Netherlands in UNODC Trafficking in Persons: Global Patterns, June 2006; also US Department of State Trafficking in Persons Report 2012

10 New rights for Dutch prostitutes, but no gain. S. Daley nytimes.com 12 August 2001

11 Schone Schijn (Keeping Up Appearances: The Signs of Human Trafficking in the Legalized Prostitution Sector) 2008; We must be honest about prostitution reality: Amsterdams official. DutchNews.nl 14 October 2011

12 Lifting brothel ban not worked, says Mayor. Dutchnews.nl 21 September 2007

13 Girls pimped out by relatives – pastor. Nzherald.co.nz 27 March 2013; US Department of State Trafficking in Persons Report 2012, p 265

14 The New Zealand Prostitution Law Review Committee Report 2008, pp 46, 55-56

15 Selected extracts of the Swedish government report SOU 2010:49: The Ban against the Purchase of Sexual Services. An evaluation 1999-2008 English translation from the Swedish Institute

16, 17 Ibid



What still needs to change?

Addressing demand

The introduction of the new offence in the Policing and Crime Act was a welcome development. Previously the law only addressed the demand for street-based prostitution through kerb-crawling offences whereas this offence can be applied to prostitution, wherever it occurs. However, it has proven difficult to implement as it requires proof of coercion within a tight timeframe which can be a real challenge to achieve. There were only 43 convictions under this provision in England and Wales in 2010-11 and no prosecutions at all in Northern Ireland from 2009 to 2013.¹⁸ It also does not protect women who, albeit not under the direct control of a pimp, have a history of abuse and grooming which has led to their involvement in prostitution.¹⁹ Scotland has no equivalent legislation.

CARE is campaigning for a simpler law which criminalises all purchase of sexual services without the need to prove coercion based on the successful Swedish approach. A ban on adult newspaper ads, which are often a front for exploitative prostitution, is also needed.

Exiting support

There is evidence that many of those in prostitution would like to stop but experience significant barriers in doing so. In particular they need tailored drug treatment, safe and supported housing away from sex markets, mental health support, financial/debt counselling and access to education and training programmes.²⁰ Unfortunately, where they do exist, these vital exit projects are often under-funded.

CARE would also like to see greater use of court diversion schemes which can support and encourage people to leave prostitution. Again, increased funding for these specialist support services is badly needed.

Recent developments

Lord Morrow, a member of the Northern Ireland Assembly, has brought forward a Private Members Bill on Human Trafficking and Exploitation which, along with providing greater protection and support to victims of human trafficking, includes a provision to criminalise all purchase of sexual services. The Bill was introduced to the Assembly in June 2013 and is expected to reach its final vote by the end of 2014.

The All Party Parliamentary Group on Prostitution and the Global Sex Trade in Westminster held an Inquiry into the laws on prostitution in England and Wales in 2013. The Inquiry report recommends the criminalisation of the purchase of sex and an increase in services supporting people to leave prostitution.

In Spring 2014 the European Parliament and the Council of Europe Parliamentary Assembly both adopted resolutions advocating laws to criminalise purchase of sexual services as a way to combat human trafficking and sexual exploitation.

What next

CARE is continuing to campaign for the introduction of legislation to criminalise the purchase of sex in all circumstances. We believe that this is the only way to address effectively the demand for sexual services which exploits the vulnerable and creates a market for human trafficking.

Here are some things that you could do:

- Write letters to your MP and your MSP, AM or MLAs to highlight the need for a change in the laws on prostitution. Keep in touch with CARE to check on the latest progress of Lord Morrow's Bill in Northern Ireland and other developments to help you write effectively (details overleaf).
- If you live in England and Wales (except London) you have a Police and Crime Commissioner. Find out if yours has put demand for prostitution and human trafficking on their strategic Action Plan. Contact them and ask them to make these issues a high priority ensuring that the existing laws are enforced and that vulnerable people receive help.

18 Few convictions under law for using prostitutes BBC.co.uk/news 28 July 2011; Northern Ireland Assembly Question AQW 15565/11-15

19 If a person's early experiences are shaped in such a way that there is little option other than engaging in prostitution, then even once they are away from the direct control of a pimp, the dominant influence of those experiences may still remain.

20 Bindel et al (2012)

“CARE’s work keeps the issue of prostitution and sexual exploitation on the Government’s agenda. As Chair of the All-Party Parliamentary Group on Prostitution, I have seen the urgent need to create good policies that protect vulnerable individuals from exploitation. CARE’s expertise in this area is immensely valuable - I appreciate their hard work and commitment in lobbying for innovative approaches to what is a very complex issue.”

Gavin Shuker MP

More Information

Sign up to receive emails about action you can take at www.care.org.uk/loosethechains-signup.

For more information about commercial sexual exploitation please contact the CARE Public Affairs Team on **020 7233 0455** or at lrc@care.org.uk

www.care.org.uk

Blog: www.care.org.uk/loose-the-chains-blog



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