“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?
Can prostitution become safe?

Safety is not just ensuring that every woman has access to a condom. Physical violence is commonplace in many brothels as women can be subjected to brutal forms of aggressive behaviour not only from their pimps, but also from their buyers. In London, women in prostitution suffer from a mortality rate that is 12 times the national average.¹

Pimps and sex buyers can be very dangerous and act violently towards the women and given that 95% of women in street prostitution are addicted to Class A drugs,² there is no question that 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. Around half of those in prostitution in the UK were drawn in, often by grooming, when they were children. Up to 70%
of women in prostitution spent time in care. 45% report experiencing sexual abuse, and 85% physical abuse, during their childhood.⁴ 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)⁵.

Foreign women who are forced into prostitution are feeding the rising demand for paid sex in the UK. 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.⁶

It is important if possible to recognise that there is a small minority of people who say they enjoy working in prostitution. CARE advocates legislation which protects the rights of the vulnerable majority, rather than the privileged minority.

**Does prostitution prevent the rape of ‘other’ women?**

This horrendous myth suggests that men are ‘innocent victims of sexual desires and women exist to serve them’ and is a frightening throwback to century-old beliefs.⁷ Such views draw a false distinction between those in prostitution and ‘other’ women, and overlook the reality that more than half of women in the UK in prostitution have been raped and/or sexually assaulted.⁸ The rape or assault of any woman is unacceptable.

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3. See example Bindel and Kelly (2004); Ngalikpima (2005); Hughes (2004); Raymond (2003)
4. Home Office (2005) ‘Paying the Price’. Figures in different studies range from around 30% to as high as 75%.
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 several countries where legalisation has occurred, 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 some police experts, 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.\(^14\)
An alternative 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 law has led to a decrease in trafficking and organised crime networks in Sweden.\(^{16}\)

3. The law continues to have public support: 71% of the public supports the law.\(^{17}\)

The pimping and trafficking of people is a highly lucrative business. When the market is reduced, there is less money to be made and less reason for criminal gangs to engage in the activity. In order to effectively reduce commercial sexual exploitation, it is important to tackle the demand which cultivates the industry.

Policing and Crime Act 2009

Section 14 of the Policing and Crime Act 2009 was introduced 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.

Sections 17 and 18 give 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.

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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 We must be honest about prostitution reality: Amsterdam official. DutchNews.nl, 14 October 2011
12 Lifting brothel ban not worked, says Mayor; Dutchnews.nl 21 September 2007
15 Information supplied by the Nordic Institute for Gender Studies and the Nordic Council of Ministers, released on 16 October, 2008
16, 17 Ibid
What still needs to change?

Addressing demand

The introduction of Section 14 of 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 the Section 14 offence can be applied to prostitution, wherever it occurs. However, Section 14 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 for Section 14 in 2010-11\(^\text{18}\). 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.\(^\text{19}\)

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. Unfortunately, good, vital and specified exit projects are often under-funded.

CARE would like to see greater use of Section 17 orders and court diversion schemes which can support and encourage people to leave prostitution. Increased funding for these specialist support services is also need.

**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. Following a consultation period, the Bill was introduced for debate by the Assembly in June 2013.


**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.

Police and Crime Commissioners have a key role to play in setting the priorities for local policing. We encourage you to find out if your PCC has put human trafficking and addressing demand for prostitution on their Action Plan. Please ask them to make these issues a high priority in your area.

You can join our campaign by signing up to receive our Loose the Chains emails which will give you news and opportunities to take action.

[www.care.org.uk/loosethechains-signup](http://www.care.org.uk/loosethechains-signup)

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18 Few convictions under law for using prostitutes BBC.co.uk/news 28 July 2011.

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.

“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

Everyone has a story to tell. Some stories are never heard. The Gathered Voices project invited people on the margins of society to speak, through poetry, testimonies, stories and art. These are the voices from the streets that are rarely heard, and yet they have so much to teach about what it is to be a human being.

www.gatheredvoices.com

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Blog: www.care.org.uk/loose-the-chains-blog
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If you would like more detailed information about commercial sexual exploitation, please contact the CARE Public Affairs Team on 020 7233 0455 or at ltc@care.org.uk

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