

COMMERICAL SEXUAL EXPLOITATION FACTSHEET (CSE)

Background

1. Section 15 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (HTEA) criminalised the purchase of sex in Northern Ireland.
2. At the time the legislation passed, demand for sexual services was one of the primary drivers of human trafficking into Northern Ireland. CARE believed criminalising the purchase of sexual services would reduce demand and consequently lead to traffickers viewing Northern Ireland as a negative market.
3. Additionally, a poll, conducted by the polling company Ipsos MORI in 2014 before the passage of the HTEA Act, found that 78% of those questioned believe that Northern Ireland should criminalise the purchase of sexual services; 62% strongly believe that this should be criminalised. Only 13% of those questioned do not believe that this should be criminalised, while 9% do not know.
4. When examining the findings in more detail, the survey shows that 82% of women and 74% of men believe in criminalising the purchase of sexual services, with only 16% of men and 11% of women opposing it.¹
5. The belief that paying for sex should be criminalised was strong across all age groups. 82% of 16-34s, 79% of 35-54s, and 73% of those aged over 55 stated that they believe that the purchase of sexual services should be criminalised. Small proportions within each age group do not believe that it should be criminalised.²
6. In 2017 the Republic of Ireland (ROI) followed Northern Ireland in criminalising the purchase of sexual services through Part 4 of the Criminal Law (Sexual Offences).

Impact of the law in Northern Ireland

7. Data obtained by CARE shows that since 2018, just one conviction has taken place under landmark provisions aimed at curbing sexual exploitation. Out of 75 arrests logged by the PSNI in relation to 'paying for sexual services', just one led to a conviction, 24 resulted in cautions, and 4 resulted in community resolutions. Other outcomes are unclear. This is hugely concerning.
8. At CARE we are concerned that the success of the offence has been constrained by what appears to be a 'soft touch' implementation strategy. When the Act was introduced, it should have led to a proactive use of the offence against offenders and far greater public awareness raising. Whilst the NI DOJ did advertise the existence of the new offence via media engagement, it failed to go further and meet specific requirements within the legislation to raise public awareness of the change in the law.³
9. The PSNI have told CARE that they regard section 15 as a "useful tool" in their armoury. In 2019, a member of the PSNI's Modern Slavery and Human Trafficking Unit stated, "***Whilst the sale of sex in itself is not a crime in Northern Ireland, it is a criminal offence to purchase sex. I want to make it very clear – if you are paying for sexual services, you are committing a crime. Do you really want to be getting a knock on the door from police, perhaps having to explain to family and friends why you have been arrested? I want to encourage anyone who purchases sex to think of the consequences. Furthermore, you cannot be sure that the person providing the services has not been forced to or trafficked to make a profit for the person***

¹ [78% favour criminalising sex buyers in NI | CARE](#)

² [78% favour criminalising sex buyers in NI | CARE](#)

³ See Section 15(6), <https://www.legislation.gov.uk/nia/2015/2/section/15> and Department of Justice Northern Ireland Freedom of Information Request log, <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/foi-19-22%20-human-trafficking-act-review.pdf> p2

controlling them.⁴ These comments reflect the view on the part of the PSNI that there is a connection between prostitution and human trafficking in Northern Ireland.⁵

10. CARE Northern Ireland believes criminalising the purchase of sexual services continues to be the best approach to reducing the demand for sexual exploitation, however its effectiveness will be limited unless relevant authorities adopt a more proactive and robust implementation strategy.

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⁴ Maurice Fitzmaurice, *Belfast Live*, “Prostitution investigation sparks arrests across Northern Ireland”, 30 September, 2019, <https://www.belfastlive.co.uk/news/belfast-news/prostitution-investigation-sparks-arrests-across-17002299>

⁵ The Organised Crime Taskforce also sees this connection: “The main driver of modern slavery and human trafficking (MSHT) offending is the pursuit of profit by coercing victims to provide a service. Trends in exploitation type remained consistent with last year with slight variances within victim nationalities most affected. Labour exploitation was the most commonly referred exploitation type in Northern Ireland closely followed by sexual exploitation. Adult services websites remain a key enabler for sexual exploitation, again showing the scale of the digital footprint across most organised crime types in Northern Ireland.” Organised Crime Task Force, Annual Report & Threat Assessment, 2018-19, page 24 <http://www.octf.gov.uk/OCTF/files/60/60faf9f8-e37e-407b-b0a2-baf4497de104.pdf>