

Sex Work & Prostitution



On successful completion of this module, learners will be able to:

1. **Describe** what constitutes prostitution and the differing types.
2. **Describe** the risks that communities face as a result of prostitution.
3. **Identify** the offences linked to prostitution.
4. **Explain** the policing response to prostitution including the treatment of sex workers.

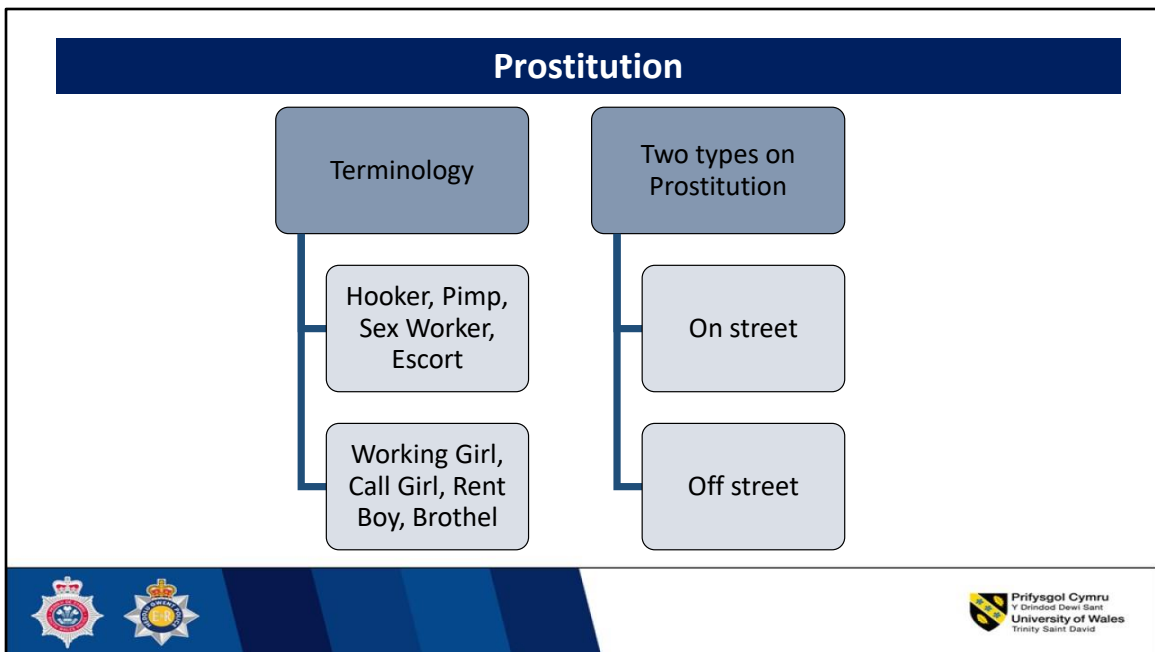
Prostitution

Section 51 Sexual Offences Act 2003



A person, who at least on one occasion & whether or not compelled to do so, offers to provide sexual services to another person in return for payment or a promise of payment to themselves or a third person & “prostitution” is to be interpreted accordingly





Terminology may include – Hooker, Pimp, Sex Worker, Escort, Working Girl, Call Girl, Rent Boy, Brothel

- Brothel A place used for the purpose of male or female prostitution – taken from the Oxford Dictionary of Law
- Places are only considered to be Brothels if more than one person uses the property for prostitution (either at the same time, or one person using it at a time)

*** It is not illegal to sell sex at a brothel unless the person is involved in the management or control of a brothel, so one person living in a house and being used by that person alone for prostitution would not be a brothel***

On-street prostitution: This is where prostitution occurs on the streets. This includes parks, cars, stairwells and other public places.

Off-street prostitution: This can be defined as any type of prostitution which does not take place on the streets. It generally includes prostitution that takes place in brothels, massage parlours and saunas or through escort agencies or call-out services. It also includes prostitution that takes place in privately owned flats or houses which is often

far more inconspicuous.

They are categorised separately due to the different risks linked to them.

On- street for example has associated substance misuse, homelessness and social exclusion.

Off- street has links to trafficking

Prostitution

TRUE **or** **FALSE?**

1. Prostitution only involves women offering sexual services

2. All women selling sex to men are heterosexual

3. All men selling sex to men are gay

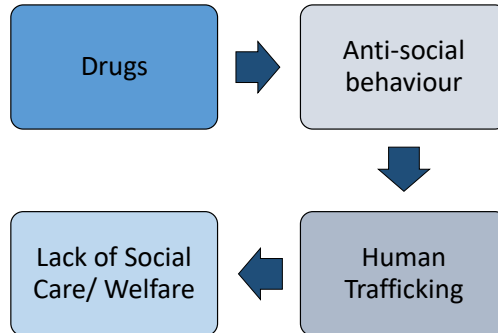
4. Prostitution is always a choice

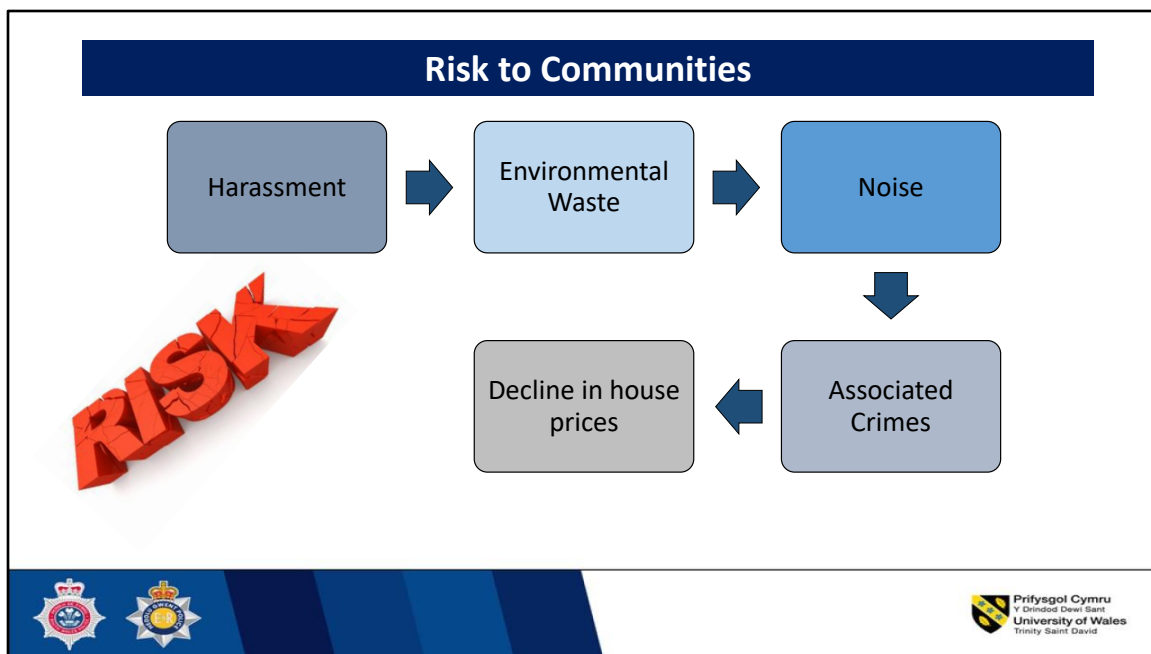


1. FALSE - Prostitution involves both men and women offering sexual services.
2. FALSE – Lesbian and bi-sexual women sell heterosexual sex
3. FALSE – Heterosexual and bi-sexual men sell homosexual sex
4. FALSE – For many – prostitution is anything but a choice.

Prostitution

Prostitution could be the visible sign of many hidden crimes & social issues





Forces work together in partnership with other agencies to help tackle the issues that are associated with prostitution:

The risk, threat and harm that can be inflicted on communities by prostitution include:

- harassment of people – generally women by kerb crawlers;
- environmental – e.g. discarded syringes and used condoms;
- noise/visual pollution – sex workers and those associated with them loitering in the neighbourhood, sex workers' cards in phone booths;
- associated crimes – e.g. drug dealing, robbery, blackmail, protection;
- loss of real-estate and other economic value to the neighbourhood – low house prices and restricted business opportunities;
- exposure to risk by the vulnerable, especially children and young people, which can lead to serious violent and sexual crime, causing long-lasting physical and emotional harm to the individual, and threats or acts of violence to their families.

The world of the sex trade is potentially complex and can have links to the drugs trade, firearms, organised crime, human trafficking and child abuse. It can stretch from low level, street-corner activity up to serious international criminality.

Prostitution is NOT an Offence ...

However, there are some offences, which are linked to prostitution:-

Loitering or Soliciting

S1 of the Street Offences
Act 1959

Soliciting Another Person for Sexual Services as a Prostitute

S51A of the Sexual
Offences Act 2003

Causing or Inciting Prostitution for Gain

S52 of the Sexual
Offences Act 2003

Paying for Sexual Services of a Prostitute Subjected to Force

S53A Sexual Offences
Act 2003



no requirement

Sexual means

Section 78 of the Sexual Offences Act 2003 defines "sexual" for the purposes of part 1 (sections 1 - 79) (with the exception of section 71 which has a separate definition).

78 For the purposes of this part (except [section 71](#)), penetration, touching or any other activity is sexual if a reasonable person would consider that -

(a) whatever its circumstances or any person's purpose in relation to it, it is because of its nature sexual, or

(b) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual.

Notes

(i) *This definition is relevant to many of the offences under this part (sections 1 - 79) For example, [section 2\(1\)\(b\)](#) refers to [penetration](#) which is sexual and [section 3\(1\)\(b\)](#) refers to [touching](#) which is sexual.*

(ii) *There are two alternative limbs to the definition of "sexual". Paragraph (a) covers activity that the reasonable person would always consider to be sexual because of its nature, such as sexual intercourse. Paragraph (b) covers activity that the reasonable person would consider, because of its nature, may or may not be sexual depending on the circumstances or the intentions of the person carrying it out, or both: for example, digital penetration of the vagina may be sexual or may be carried out for a medical reason. Where the activity is, for example, oral sex, it seems likely that the reasonable person would only need to consider the nature of the activity to determine that it is sexual. But where it is digital penetration of the vagina, the reasonable person would need to consider the nature of the activity (it may or may not be sexual), the circumstances in which it is carried out (e.g. a doctor's surgery) and the purpose of any of the participants (if the doctor's purpose is medical, the activity will not be sexual; if the doctor's purpose is sexual, the activity also is likely to be sexual).*

(iii) *If, from looking at the nature of the activity, it would not appear to the reasonable person that the activity might be sexual, the activity does not meet the test in either paragraph (a) or (b), even if a particular individual may obtain sexual gratification from carrying out the activity. The effect of this is that obscure fetishes which do not seem sexually relevant to a reasonable person (e.g removing a woman's shoe) do not fall within the definition of sexual activity*

Further Offences

Keeping A Brothel

S33 & S33A Sexual
Offences Act 1956

Placing an Advert Regarding Prostitution

S46 of the Criminal Justice
& Police Act 2001

Kerb Crawling

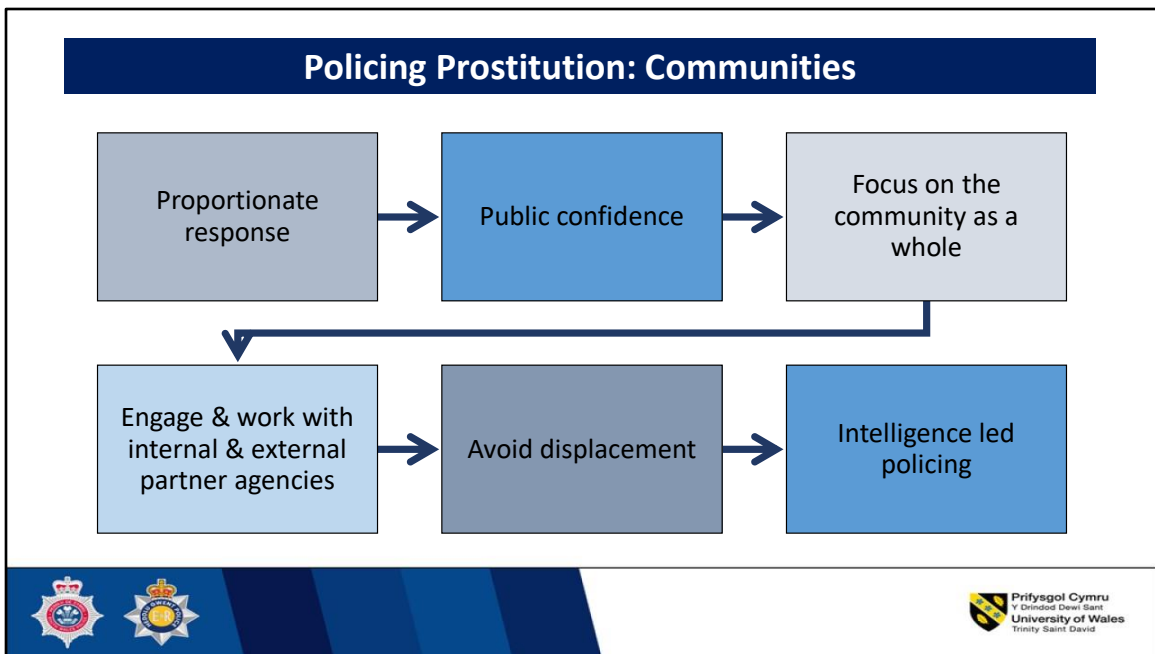
S1 of the Sexual Offences
Act 1985

Trafficking People for Sexual Exploitation

S59A Sexual Offences Act
2003 further ratified by the
Modern Slavery Act 2015



What is a Brothel ? “ A place used for the purpose of male or female prostitution”
Oxford Dictionary of Law.



Taken from NPCC National Police Sex Worker Guidance 2015

-The confidence and satisfaction of the public is important to the success and legitimacy of every police force. The public's perception is formed by what they experience regularly and can be influenced by the media.

5.16 The presence of visible prostitution in an area can have a negative impact on a community's confidence and satisfaction. Conversely, the implementation of successful, sustainable strategies that eliminate or substantially reduce prostitution can increase community confidence and decrease the opportunities for other related forms of crime and disorder to emerge.

5.17 Police should concentrate on the community as a whole, rather than focusing on the single act of street sex working, ensuring they deal with other problems in the area such as drug dealing, anti social behaviour and poor environmental conditions.

5.19 Communities where there is a visible presence of street based prostitution can experience the following issues:

Harassment of people (most commonly reported of women) by men in cars & on foot
Environmental/littering – e.g. used condoms, discarded syringes

Noise

Impingement on residents' use of public space and some sex work encroaching on personal spaces

Fears re individuals coming into the area who may be committing associated crimes—e.g. drug dealing, robbery, coercion of sex workers

Concerns amongst some residents that the presence of street sex work may reduce value of real-estate and other economic value to the neighbourhood – e.g. lower house prices and restricted business opportunities

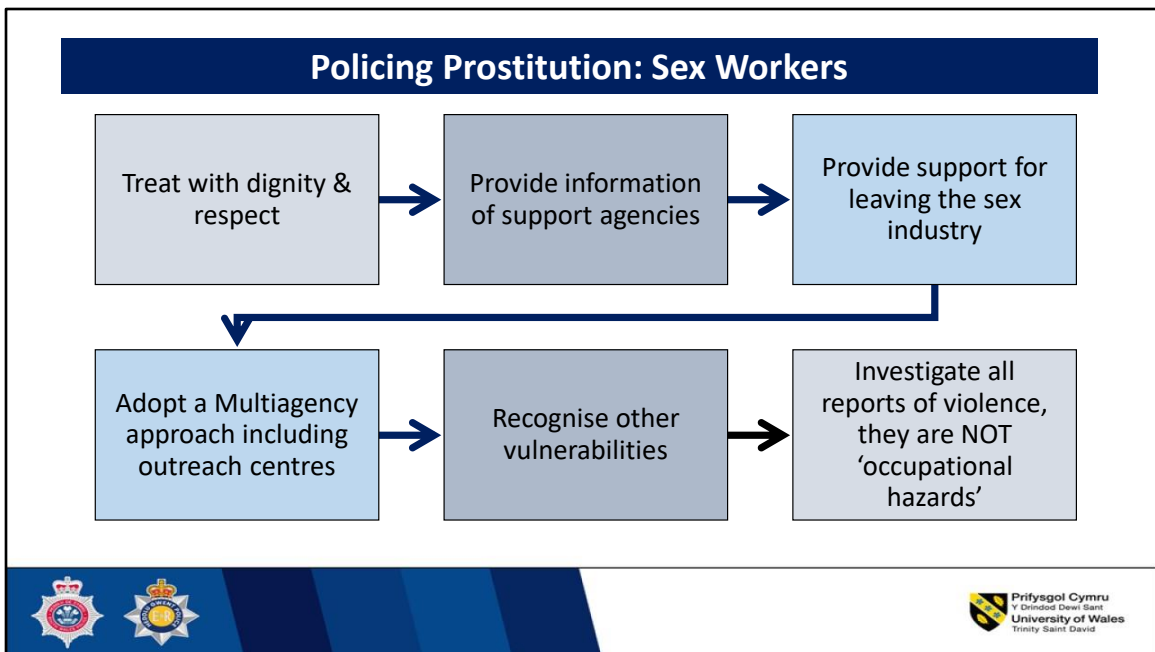
Fears and anxieties for the welfare and safety of sex workers

Fears that children, young people may witness soliciting and sexual activities

Traffic related issues

5.20 Impacts are also reported by some members of some communities in which indoor premises are located, for example, noise at unsociable hours, customers knocking on neighbouring doors by mistake, concerns that women in premises may be victims of trafficking. Other premises operate discretely and generate no community complaint.

“Crackdowns” on either sex workers themselves or men in cars & on foot are at the very best, likely to prove only short-term palliatives and may result in displacement to other areas. Displacement is not a solution and will put sex workers at greater risk.

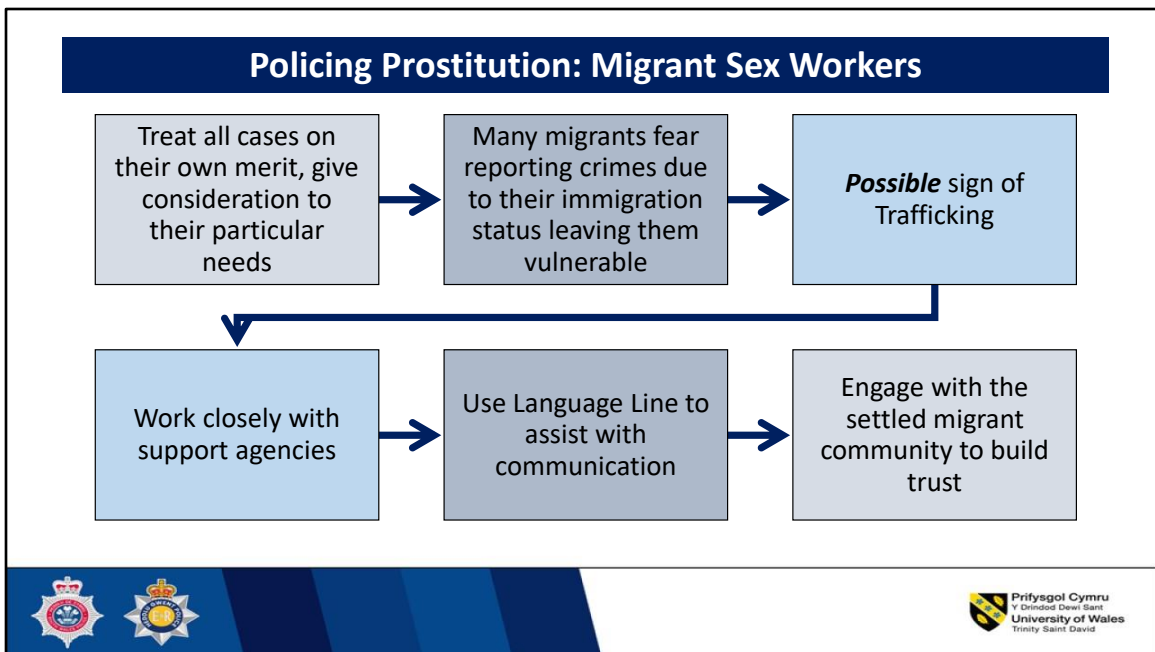


5.23 Sex workers should always be treated with dignity and respect. A key aim of this guidance is to improve the communication between the police and sex workers. Gaining the trust of the individual will enhance the intelligence picture not only about prostitution but also the community as a whole. It will also increase the confidence of sex workers to report crimes against them. Sex workers feel they cannot safely report crimes as they fear being treated like criminals and not the victim (Boff 2012).

5.24 It is important officers provide sex workers with information about health provision services, social care, housing, safety and drug treatment support necessary to address their needs and to minimise threat, risk and harm to them.

5.25 Another key aim must be to ensure opportunities are created and appropriate interventions provided to allow sex workers to leave prostitution if they choose to do so. If no such services

are available in a police force area, forces need to work with multi agency partners to develop such support.



5.31 Consideration must be given to their particular needs. Sex workers in the UK are stigmatised and face discrimination. When these factors are combined with legal, cultural, language issues and racism faced by many migrant sex workers, a disadvantaged and excluded vulnerable group is created.

5.32 Many migrants especially those with undocumented or irregular immigration status are reluctant to report any crimes committed against them to the police for fear of prosecution for immigration offences and a lack of trust in the police, for some, due to poor experiences of police in home nations.

5.33 This leaves migrant workers vulnerable to targeted crimes with perpetrators believing they will not be reported. (NB amongst the last 10 murders of sex workers in the UK between October 2013-March 2015 at the time of writing, 9 of the victims were migrant women and one victim was a white British woman, a concerning trend)

- Although it's a possible sign, migrant sex workers may not be victims of trafficking....
'Whilst police officers should always be vigilant to signs of trafficking and exploitation it should however be noted that there is a solid base of evidence that confirms that the majority of migrant sex workers are not trafficked (ACPO 2010¹) into the UK and may be here working legally'

Policing Prostitution: Male or Transgender Sex Workers

Often face stigmatisation,
increasing isolation



Small number of male street
sex workers, more private
sellers



As previously, work closely with
partner agencies & treat each
person with dignity & respect
according to their needs



Transgender sellers have
additional social/ economic
pressures



Male and transgender sex workers often face severe stigmatisation, increasing the isolation of an already socially marginalised group. As with females, men sell sex in a variety of ways in a range of sectors and for a number of reasons.

5.36 There are only a small number of male street sex work beats in the UK and the largest sector for men, as with women, is the private or independent internet based sector.

Transgender sex workers often face added pressures both socially and financially, which are not always recognised by authorities. In some cases sex work is one of a few viable options for transgender people in order to fund their treatments and experiencing difficulty in finding other forms of employment (UK NSWP 2008).

Prostitution – Key Themes

