



## United Kingdom

- Population: 63.5 million
- GDP per capita (in US dollars): 46,332
- Constitutional monarchy
- Human development index (HDI): 0.907 (14<sup>th</sup> rank among 187 countries)
- Gender inequality index (GII): 0.177 (39<sup>th</sup> rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 81 on a scale from 0 (highly corrupt) to 100 (very clean)
- Member of the European Union since 1973.
  
- No official national statistics on prostitution. There are between 80,000 and 100,000 prostituted persons according to estimates (*Fondation Scelles*, 2013).
- Prostitution is legal for adults, but all forms of its organization are illegal (operating brothel, procuring, kerb crawling<sup>1</sup>, soliciting on the street ...)
- In 2008, the United Kingdom criminalized the purchase of sexual services from individuals forced into prostitution. This law, however, is not easily applicable.
- The Swedish model is making progress in England and Scotland. Since June 2015, the purchase of sexual services is criminalized in Northern Ireland. The customer can be punished with a maximum of 6 months imprisonment and / or fines.
- In March 2015, the Modern Slavery Act 2015 came into force. This text brings together several laws on human trafficking and gives a better legal consistency. Sanctions can range from fines to life imprisonment.
- Between 2013 and 2014, the government prosecuted 226 individuals for trafficking (all types) of which 155 were given sentences. That is an increase since 2012-2013: 139 individuals prosecuted, including 99 convicted.
- 70% of the prostitution industry now operates indoors through massage parlors, unauthorized brothels, escort services, and private residences.
- The fight against child sexual exploitation was strengthened, particularly against psychological manipulation for sexual purposes and forced labor in cannabis farms.

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<sup>1</sup> A kerb crawler (or curb crawler) is a person who drives around areas known for street prostitution soliciting prostituted persons for sexual activity.

- Country of destination for human trafficking victims. Domestic trafficking problem concerning vulnerable minors.
- Trafficking and prostitution victims mostly from Nigeria, Romania, Slovakia, Vietnam, China, Czech Republic, Uganda, Poland, India and Albania.

In recent years, the United Kingdom's strategy in combating prostitution has undergone structural, ideological, and legislative changes. A recent study refers to the proposed "Swedish Model" in the United Kingdom as "neo-abolitionism" as it shifts criminalization from the purchaser to those that create and profit from the demand (*Criminology and Criminal Justice*, November 2014). As of late, Northern Ireland has been the only member of the United Kingdom to actualize the Swedish model in their own legislation in December 2014, criminalizing the purchase of sex under the Human Trafficking and Exploitation Bill (*BBC News*, January 14<sup>th</sup>, 2015). In Scotland, the bill failed to gain support in Parliament despite a rather active debate on prostitution policy (*The Guardian*, July 15<sup>th</sup>, 2013). While the European Parliament approved a resolution endorsed by Labour London MEP Mary Honeyball in support of the Swedish Model in 2014, further progress to enforce the Swedish Model will most likely follow the election of a Labour government in England (*International Business Times*, February 26<sup>th</sup>, 2014).

Prostitution free from coercion is currently legal, but the participation in other encompassing services—including the operation of a brothel, kerb crawling<sup>2</sup>, and prostituting for gain through procuring, sex trafficking or organized gang activity is punishable by law. (*The Crown Prosecution Services*, June 2013) Due to the criminalization of on-street solicitation for sex, approximately 70% of the UK prostitution industry now operates indoors through massage parlors, unauthorized brothels, escort services, and private residences (*The Guardian*, February, 27<sup>th</sup>, 2015). While the majority of prostituted British nationals operate indoors, the streets experienced an increase of non-British nationals, primarily from Romania, Slovakia, Nigeria, Poland, and the Czech Republic (*EAVES*, June 2013). Specifically, London experienced an increase in brothels operating out of private flats or residences as a result of the 2012 London Olympic Games (*EAVES*, June 2013). Police raids of brothels and operations to "clean up the streets" drove prostitution from the streets to the private sector, or more arguably, into more dangerous underground situations that potentially leave prostituted persons more vulnerable to coercion.

The criminalization of the purchase of sex attempts to deter demand in the hopes of reducing the appeal of prostitution overall. However, opposition of the United Kingdom's regulationist strategy stems from the contradiction embedded in prostitution legislation and policy. Simultaneously condoning and condemning prostitution undermines a pervasive political strategy for the present and obscures the United Kingdom's strategy for political policy in the future (*APPG*, March 2014). Cognizant of their unique emotional, physical, psychological, and economic situations, the United Kingdom government acknowledges that prostituted persons and victims of human trafficking are among the most vulnerable and require specialized protection and services. Concerning their current conflicting political

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<sup>2</sup> A kerb crawler (or curb crawler) is a person who drives around areas known for street prostitution soliciting prostituted persons for sexual activity.

strategy, do the recent political and social measures enacted by the United Kingdom appropriately address the vulnerabilities of these victims of sexual exploitation, or are the legislative inconsistencies leaving them more vulnerable than before?

While there is no definitive answer to this question, the United Kingdom government's continued efforts to enact social and political change warrant recognition for taking steps in the direction of developing a holistic and multi-disciplinary approach to prostitution strategy (EAVES, June 2013). Through the establishment of new government services, the implementation of new legislation, along with the increasing collaboration with local authorities and social services, the United Kingdom government made some significant strides in the improvement of prostitution policy.

### **Exiting the “Revolving Door” of Prostitution**

Studies have shown that prostituted individuals involved in both on-street and off-street prostitution express the desire to exit prostitution, but obstacles like unstable housing, drug/alcohol abuse, economic instability, and criminal records impede successful exiting (EAVES, 2012). These obstacles highlight a need for formal exit services that provide integrated services specialized in prostituted individuals to address the various needs of victims, ranging from social services to health services to legal aid. Studies have also shown that victims of sexual exploitation have relatively negative experiences interacting with government services like the local authorities or social services, but have positive experiences with other non-governmental services, like health services (*The Cyrenian's GAP Project*, 2013). These tensions may stem from the fact that prostitution has not been regarded as a priority in law enforcement services, which focus their attention and the majority of their resources on combating drugs instead. This strategy is viewed as indirectly deterring prostitution by deterring drug use, but has been interpreted instead as a *laissez-faire* approach. Law enforcement officers are thought to only engage with prostitution when it is brought to their immediate attention through complaints or otherwise (EAVES, June 2013). Coupled with ineffective services, the criminalization of prostituted persons perpetuates the “revolving door” phenomenon of prostitution, causing victims to return back to prostitution. Criminalization disregards the underlying factors that pull individuals back into prostitution, limits their ability to seek employment due to criminal records, and creates tension and discourages trust between victims and police (APPG, March 2014). Whether the police have more pressing priorities or simply suffer from a lack of resources, combining efforts and sharing information with other services could alleviate the strain on resources and personnel. Multi-agency cooperation fills in the gaps by addressing the needs of those seeking to exit prostitution across the spectrum of health, economic, legal, rehabilitation and law enforcement services and facilitating the exiting process. Ultimately, improving the overall quality of service and providing successful aid can decrease the likelihood of reentering the “revolving door.”

## **Filling in the Gaps**

In an effort to address these gaps in services, the United Kingdom recently established various government bodies and implemented legislation that would promote collaboration and information sharing between authorities, NGOs, and other social services to prevent those in need from falling through the cracks of the system.

Multi-agency collaboration is vital in preventing threats through “early and effective identification of risk, improved information sharing, joint decision making and coordinated action” (*The Home Office UK*, July 29<sup>th</sup>, 2014). By creating an integrated and stable network of agencies, Multi-Agency Safe Guarding Hubs (MASHs), reduce the chances of falling through the cracks. MASHs combat the sexual exploitation of at-risk children and young people through the combined efforts of social care, law enforcement, health, education, probation, housing, and youth offending services, with locations all over the UK including London, Nottinghamshire, Devon, Birmingham, Southwark, Barnet, Oxfordshire, Herefordshire, Merton, and more (*The Home Office UK*, July 29<sup>th</sup>, 2014). Scotland’s Multi-Agency Sexual Exploitation Policy is currently awaiting adoption (*Corporate Policy and Strategy Committee*, May 12<sup>th</sup>, 2015), and similar measures are under development in Northern Ireland (*Marshall*, November 2014).

Taking a similar approach, the National Crime Agency (NCA) was established in 2013 and unites various bodies of law enforcement working in conjunction to reduce “serious and organized crime” (*NCA*, November 27<sup>th</sup>, 2014) both domestically and internationally. Top priority concerns for the NCA include modern-day slavery, immigration crimes, drug trafficking and sexual exploitation. The NCA holds a specialized unit, the Child Exploitation & Online Protection Centre (CEOP), dedicated to the protection of children and young people from sexual exploitation both online and offline. Other specialized units under the NCA concerned with combating sexual exploitation and human trafficking include the Border Policing Command and the Anti-Kidnap and Extortion Unit (*NCA*, November 27<sup>th</sup>, 2014) The NCA has been successful in identifying and prosecuting child sex offenders and traffickers involved in exploitation, including the arrest of 24 suspects involved in the exploitation of over 50 victims in April 2015 (*NCA*, April 21<sup>st</sup>, 2015). Collaborated efforts with international authorities and organizations demonstrate an initiative to reduce crimes of sexual exploitation in the United Kingdom and abroad.

## **Human Trafficking is a Human Rights Issue, Not an Immigration Crime:**

The United Kingdom is an appealing destination for traffickers, due to the country’s multiple intersections of international travel. Victims of human trafficking, typically females between the ages of 14-17, tend to be trafficked from Nigeria, Romania, Slovakia, Vietnam, China, Czech Republic, Uganda, Poland, India, and Albania (*CEOP*, June 2013). Human trafficking manifests itself in various guises, and while more females experience trafficking for purposes of sexual exploitation, the United Kingdom experienced an escalation in trafficked males, generally younger children from Vietnam or other regions of Asia, for purposes of forced labor on cannabis farms (*CEOP*, June 2013). In addition to the

indisputable evidence of international trafficking in the United Kingdom, there also exists a discernible amount of domestic human trafficking (*The Home Office UK*, 2011).

In 2011, The UK Home Office published a Strategy on Human Trafficking projected to take effect through 2015. Since its implementation, the UK government successfully established National Referring Mechanisms (NRMs), the NCA, and increased the capabilities of the UK Human Trafficking Centre (UKHTC) and the UK Border Agency (UKBA) to respond to situations of human trafficking. The UK government has even taken measures to train airline staff to recognize trafficking, in an attempt to prevent trafficking within UK borders and abroad. (*European Commission*, 2013) This demonstrates the structural shift in the approach to human trafficking in the UK, transferring capabilities and more responsibility to the UK Border Agency and addressing issues from a perspective of immigration. Taking an immigration approach may be convenient for the government, but it can cause more harm to the victims, particularly when dealing with cases of non-UK nationals. Victims are at a greater risk of being re-trafficked, due to the government's "repatriation and deportation" strategy (*Garbers*, 2015) that perpetuates human trafficking by returning vulnerable victims back to high-risk situations. By returning victims to their country of origin, the UK government eliminates the need to provide long-term aid to victims that remain in the UK (*Obe*, August 21<sup>st</sup>, 2014). The current approach fails to construct a victim-centered, long-term plan for tackling trafficking in the UK from a human rights perspective.

### **The Rotherham Effect: Raising Awareness of Child Sexual Exploitation**

When former Chief Social Work Advisor to the Scottish Government Alexis Jay conducted an independent study of the scale of child sexual exploitation in Rotherham, South Yorkshire, the findings were appalling enough to cause political scandals, media investigations, and government intervention. The study demonstrated a collective failure among Rotherham politicians, authorities, and social services to prevent and protect children from being sexually exploited. A. Jay estimates that from the period of 1997-2013, approximately 1,400 children fell victims according to horrendous accounts of sexual exploitation, abuse, grooming, and rape. A. Jay claims that the 1,400 estimate is a "conservative" approximation (*Obe*, August 21<sup>st</sup>, 2014), with stories of recent allegations and scandals still covered by media to this day indicating that the severity of abuse in Rotherham exceeds what was previously imagined.

Child sexual exploitation, however, is not isolated to Rotherham. Similar situations have been investigated in other towns, like Rochdale, Oxford, Derby (*BBC News*, August 27<sup>th</sup>, août 2014), and even launching inquiries occurred in Scotland and Northern Ireland. Child sexual exploitation and abuse take many different forms, including sexual grooming, abusive relationships, human trafficking rings, and gang rape. Victims of child sexual exploitation are generally females as young as 11 years old (*Obe*, August 21<sup>st</sup>, 2014), but children under the age of 15 with access to internet, social media, or smartphones are identified as the most vulnerable and at-risk group. The prevalence and accessibility of technology combined with increasing independence on the internet correlate with an increasing trend of non-contact sexual grooming that leads to sexual abuse upon contact (*CEOP*, June 2013). The process involves sexual predators contacting vulnerable children through chat rooms and other social

media sites and “grooming” children in preparation of initiating physical contact that results in exploitation and abuse. In order to shift contact between child and predator from online to in-person, the predator “grooms” the child by encouraging isolation from family and friends, offering money or other gifts, establishing trust, and condoning the exchange of indecent photos or videos, referred to as self generated indecent imagery (SGII) (*CEOP*, June 2013). Grooming constitutes an extremely manipulative process, and histories of sexual abuse, troubled family backgrounds, neglect, mental/emotional health problems, parental drug/alcohol addiction and domestic violence (*Obe*, August 21<sup>st</sup>, 2014) increase children’s vulnerability to all forms of coercion.

These methods of manipulation make it more difficult for services—both legal and extralegal—to intervene, due to the complicatedly strong bond between the child and the perpetrator. Many children are deceived into thinking that the relationship with their perpetrator is an amorous one, resulting in reluctance from the child to divulge information that could lead to the perpetrator’s prosecution. On the other hand, many perpetrators threaten child victims to keep silent about their relationship through violence and intimidation (*Department for Communities and Local Government*, March 27<sup>th</sup>, 2015). Pursuing legal redress can become difficult and cause further trauma, especially when children are required to testify in court in front of their perpetrator. With the intention of minimizing harm and trauma to victims, the Ministry of Justice revised the Victim’s Code in 2013 along with the implementation of the Witness Charter (*Barnardo’s*, April 2014). These legislative improvements allow victims to pursue alternative methods of providing testimony, like pre-recording examinations outside of the courtroom, as well as allowing victims to seek counseling before the trial begins (*Barnardo’s*, April 2014). Similar legislation already exists in other parts of the UK, like the Victim and Witnesses Bill in Scotland, and the Criminal Justice Act of 2013 in Northern Ireland (*European Commission*, 2013).

Introduced in 2014, the Anti-Social Behaviour and Crime Policing Act is one method by which the UK hopes to combat child sexual exploitation. Under this Act, authorities may issue Abduction Notices, Sexual Risk Orders, and Sexual Harm Protection Orders to improve the identification of sexual predators and abusers. Sexual Risk Orders entail travel restrictions in the UK and abroad for a minimum of 2 years under Schedule 5 s.122C of the Act (*The House of Parliament UK*, March 13<sup>th</sup>, 2014). Replacing previous methods of “naming and shaming” used to expose predators to the public (*EAVES*, June 2013), Part 9 s.113 issues Sexual Harm Protection Orders for a minimum of 5 years, which can also be issued to predators that have been convicted or already received warnings (*The House of Parliament UK*, March 13<sup>th</sup>, 2014).

In 2012, ECPAT UK successfully closed the “three-day loophole” under the Sexual Offences Act of 2003. Under the newly amended Sexual Offences Act, registered sex offenders no longer have a three-day grace period to notify UK authorities if they plan leaving the country. Currently, registered offenders must notify authorities of all plans to travel abroad, which will protect more children domestically and abroad from British sex offenders (*ECPAT International*, 2013).

## **Cannabis Farming: New Trends in Modern-Day Slavery**

Despite progress in multi-agency work and recent legislation, the face of child exploitation is constantly evolving. In addition to child sexual exploitation, other types of non-sexual exploitation, like modern-day slavery, serve as UK's most pressing priorities in the safeguarding of children. While adults and children alike experience trafficking for purposes of sexual and forced labor exploitation—the Home Office approximates almost 13,000 victims—the amount of children trafficked for purposes of cannabis farming escalated by 150% in recent years (*The Guardian*, May 23<sup>rd</sup>, 2015). Vietnamese children, in particular, form the largest group of at-risk children involved in cannabis farming all over the UK (*CEOP*, June 2013), but children both from the UK and abroad are subjected to various types of abuse, often simultaneously. It has come to recent attention that the UK government systematically fails to protect these children by not identifying them as victims of trafficking. Instead, some children face prosecution and detention for drug offences, despite being held against their will and forced to cultivate drugs (*ACPO*, August 16<sup>th</sup>, 2010). In response, the Modern Slavery Act was introduced in 2015 to increase protection for child and adult victims of slavery and trafficking. The act protects victims from the offences and prosecutions related to their experiences in slavery (*ATMG*, April 2015). Yet, these children still continue to face charges and fail to be identified as victims, revealing flaws in the implementation of the Act.

### **Looking Forward**

Issues of prostitution, human trafficking, and modern-day slavery connect and intersect in the greater network of sexual exploitation. For example, prostituted individuals can ultimately become trafficked under the coercion of violent procurers, or trafficked children on cannabis farms can simultaneously be trafficked for purposes of sexual exploitation. While human trafficking and prostitution may manifest themselves in different ways, the various efforts of the United Kingdom to combat these different forms of sexual exploitation have the same purpose in mind: to protect those that are most vulnerable. Thus, the United Kingdom continues to ameliorate legislative measures and governmental assistance to improve the protection of victims. Developments in multi-agency work, the introduction of victim-oriented legislation, and the advancement of the Swedish Model could all impact the way in which the United Kingdom not only currently deals with sexual exploitation, but also how to prevent it.

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