

# **Confronting Prostitution**

**Liberal Democrat Proposals to  
Tackle Prostitution in  
England and Wales**



**Policy Paper 3**

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# Confronting Prostitution

*Prostitution and the problems associated with it are on the increase.* The spread of ‘red light’ districts causes understandable concern to residents and makes many people (women in particular) feel vulnerable. Those involved in prostitution are increasingly at risk from violence and disease. Worldwide, the abhorrent practices of child prostitution and forced prostitution are rising.

It is tempting to ignore the questions raised by prostitution, given the traditional British reluctance to discuss sex-related issues sensibly. To avoid the topic is, however, folly, given the far-reaching problems outlined above.

*Liberal Democrats are not afraid to face up to difficult problems.* That is why we have produced this paper. In it, we set out to:

- *Liberate from prostitution* those who do not wish to be involved in it.
- *Rationalise the legal framework* to protect those who remain.
- *Regulate prostitution and reduce the nuisance caused to individuals and communities.*
- *Prevent the involvement of children in prostitution.*

The causes of prostitution are various, but we believe that two key factors have been identified that condition the decision to become a prostitute: poverty and sexual abuse.

Since 1979, there has been a threefold increase in the number of children in the UK who live below the poverty line. One in five are now brought up in such circumstances. The removal of benefit entitlements from 16 and 17 year olds and the related increase in homelessness has inevitably left some young people more vulnerable to those who offer them money or shelter in return for sex. *An increasing number of people who live in poverty feel driven into prostitution and see no alternatives. In addition, numerous studies have identified strong links between prostitution and sexual abuse.*

*Many, but not all, of those working as prostitutes would wish not to be involved. Liberal Democrats seek to ensure that no one should be driven to work as a prostitute.* We would seek to offer people real opportunities and alternatives to prostitution by:

- Promoting work opportunities for all.
- Investing in and increasing access to quality education and training.
- Enhancing the economic independence of women and young people.

- Improving the benefits system.
- Working to combat the sexual abuse of children and adults.

Currently, prostitution is not itself illegal in the UK, but many of the activities associated with it, such as soliciting and advertising, are. This means that prostitutes are pushed by the law into a criminal sub-culture, although they earn their living in a way that is not actually illegal. This legal framework serves the needs and interests of neither the police, nor prostitutes, nor those to whom prostitution causes a nuisance. Evidence from Holland and Thailand, reinforced by experience here, suggests that the criminalisation of prostitutes does not reduce the level of prostitution.

*We would therefore repeal the current laws which force prostitutes into the criminal sub-culture and replace them with fairer, more effective laws specifically designed to protect vulnerable individuals, regulate prostitution and prevent nuisance.* We would apply current laws on obstruction and nuisance more strictly. We would replace unfair and ineffective legislation on kerb crawling and soliciting by a new offence of harassment covering the behaviour of pimps, prostitutes, clients and others.

Although illegal, there are hundreds of brothels in the UK, many masquerading as saunas, massage parlours or escort agencies. Their status means that they are unregulated. They are often established in inappropriate places, such as near schools or in residential districts. They are often run by unscrupulous and exploitative owners, with an incentive to recruit ‘new blood’. The women who work in them are isolated and vulnerable, without recourse to legal protection. *Liberal Democrats are strongly opposed to the establishment of state- or local authority-run brothel. We would establish a system to regulate the activities of privately-operated brothels to address the problems outlined above.*

*Government must face up to the public health implications of prostitution.* To neglect them and simply blame prostitutes and clients is short sighted and ineffective. We believe local health authorities should be responsible for health care, outreach, education and HIV prevention services for male and female prostitutes and their clients, to promote safer sex practices and reduce the incidence of HIV and other sexually-transmitted diseases.

International action is required to tackle forced prostitution and eliminate the traffic in women and children. The UK’s aid programme needs to consider such issues and this country must take a lead in pressing the UN for action to stop the trade in child and forced prostitution. *Liberal Democrats would introduce legislation allowing English and Welsh residents to be tried in courts here for child abuse offences perpetrated overseas.*

*Our approach would, we believe, have the desired affect of liberating from prostitution those who do not wish to be involved in it, protecting those who continue to work in it, and tackling the nuisance caused to individuals and communities by the current arrangements.*

# ***Facing Up to Prostitution***

**1.0.1 Any attempt to tackle the issue of prostitution must start from where the country is, not where we might like it to be. This paper therefore starts by examining the situation as it is today and the numerous problems associated with prostitution in this country and abroad. From there, it explores and defines the key issues of principle which Liberal Democrats apply in formulating our approach to prostitution. Thereafter, we propose specific measures for tackling the problems identified and balancing the Liberal Democrats' twin concerns of liberty of the individual and the rights of communities.**

## **1.1 The Current Situation**

1.1.1 *The problems associated with prostitution are increasing and it is about time the country's political establishment faced up to this fact.* Although there is very little large scale quantitative research into the sex industry, the experience of agencies working in related fields in the UK and overseas suggests that the incidence of prostitution is increasing, particularly amongst the young. The latest Home Office figures reveal a 35% rise in the number of 10-16 year old girls in England and Wales cautioned for soliciting since 1989. International charities and police agencies report an alarming growth in forced prostitution, both within the European Community and outside it (*Sale of Children*, UN Commissioner for Human Rights, 1993; etc).

1.1.2 *The current law in this country is confused and contradictory and protects no-one.* Prostitution - the exchange of sex for money - is not illegal in this country. Almost all the associated activities in which a prostitute necessarily takes part are, however, illegal.

Prostitutes may not approach people in the street and identify themselves as prostitutes. They are legally forbidden to advertise services which they can legally provide. They may not work from a flat which they share with friends in the same occupation. If they share their earnings with their partners or male members of their family over 18, the latter may be liable to prosecution.

1.1.3 *The criminalisation of these activities encourages the spread of other crime.* Residents in 'red light' districts are sometimes subject to harassment and intimidation by clients and pimps. Brothels flourish in a twilight world outside the law. Violence against prostitutes goes largely unreported, because they are extremely reluctant to come into contact with the police.

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1.1.4 *The law is discriminatory and, as a result, often ineffective.* It is much easier to bring cases against female prostitutes than male clients, although many of the problems associated with prostitution - such as harassment and violence - are caused by clients. (Birmingham City Council reports arrest rates of 10:1 (prostitute:client) over the last several years, despite the fact that there are substantially greater numbers of clients than prostitutes.)

1.1.5 Currently, the police can arrest a woman for soliciting if they have cautioned her twice. When the woman appears in court she is then described, in the light of the two cautions she has already received, as '*a common prostitute*'. (It is not unheard of for a woman in

no way associated with prostitution to be arrested by police officers who consider her dress or behaviour to be that of a prostitute. Such women may accept cautions from police officers rather than go through the trauma of court appearances, already labelled as prostitutes.)

1.1.6 This paper seeks to:

- *Identify the causes of prostitution.*
- *Liberate from prostitution* those who do not wish to be involved in it.
- *Rationalise the legal framework* to regulate prostitution and protect those who remain.
- *Reduce the nuisance caused to individuals and communities* by the current system.

## 1.2 Why People Become Prostitutes

1.2.1 The decision to become a prostitute in Britain today is conditioned by many factors, a number of which are outside the control of the individuals. Indeed, a considerable number of those driven to prostitution feel they have been left with no choice. Among the factors which influence people to become prostitutes poverty and sexual abuse are key.

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***Liberate from prostitution those who do not wish to be involved in it and give protection from exploitation from the vulnerable.***

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1.2.2 *Poverty:* Women suffer the effects of poverty more frequently and more severely than do men. This partly explains why women are generally the sellers of sexual services and men overwhelmingly the purchasers. One of the key factors identified by practising prostitutes and by researchers as leading people into prostitution is economic need. And while issues of morality and choice are important in any

discussion of prostitution, at a fundamental level it is an economic issue. In Bangkok a child can be bought for £70-£100 for use in the sex industry. Much prostitution can be traced directly to the need of the individual or their family to survive.

1.2.3 In the UK in 1990/91, 4.6 million women had independent incomes of less than £25 per week, as opposed to 0.4 million men. In 1990, there were more than 1 million single mothers, and the 'legitimate' employment rate in this group has continued to decline over the last 10 years. Increasingly, young men are also falling into the poverty trap, as unemployment rises and the training budget is cut.

1.2.4 *Sexual Abuse:* Numerous studies have shown that of people engaged in prostitution a disproportionate number have suffered from sexual abuse.

1.2.5 There are, however, also people who freely choose to work as prostitutes, regardless of their economic circumstances.

## 1.3 A Sensible Approach to Prostitution

1.3.1 Changing attitudes and social circumstances, and the scale of the international sex 'industry', mean that it is time to reconsider the issue of prostitution and clarify a coherent political and legal approach to it. In doing so, we acknowledge that the sex 'industry' is not an industry in the conventional sense; and that our approach therefore needs to be defined by a sensitivity to the human issues involved.

1.3.2 Recent interest in the issue by the church, council groups and the Women's Institute reflects a growing awareness that the current system of law and policing is not effective in preventing child or forced prostitution, addressing the concerns of residents in 'red light' areas, protecting prostitutes from violence or abuse, nor promoting public health.

1.3.3 Policy on prostitution needs to be formed within a clear moral and philosophical framework. In order to enable the formation of rational policy we have identified three underlying principles. They are:

- *Protection from exploitation* for the vulnerable;
- *Respect for community concerns* and their environment.
- *Individual empowerment*: the freedom of informed choice;

1.3.4 We believe that the law should not generally intervene in consenting sexual relations between adults. In the words of John Stuart Mill “*the only purpose for which power can rightfully be exercised over any member of a civilised community, against his [or her] will, is to prevent harm to others*”. Liberal Democrats support the right of the adult citizen to make a choice whether or not to work as a prostitute.

1.3.5 Whether or not prostitution is illegal has little direct effect on its prevalence or its nature. In Holland and Thailand, prostitution has only recently been made legal. Nevertheless, prostitution has flourished in both countries for years, despite its previous illegality.

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***This package would reduce the overall level of prostitution far more effectively than changes to the criminal law.***

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1.3.6 The sale of sex for money will therefore continue for the foreseeable future. It is the job of legislators to see that only those who freely consent to do so participate in prostitution, and that in so doing they do not interfere with the activities or rights of others.

1.3.7 Those who adopt a dogmatic approach for or against the decriminalisation of

prostitution (the abolition of the laws which criminalise the practitioners of a trade not in itself illegal) are therefore missing the point. It is much more useful to examine practical ways to apply the three principles identified above: protection for the vulnerable, freedom for the informed individual and respect for the community. This pragmatic approach leads us to favour the repeal of those laws which criminalise prostitutes, but just to repeal these laws would not be enough. It is also essential to regulate the sex industry to protect those who work in it and to protect local communities from the nuisance traditionally associated with it.

1.3.8 Neither individual nor community must be allowed to oppress the other. A balance of needs, rights and responsibilities must be struck in this area of policy as in every other.

## **1.4 Stopping People from Feeling Pressured into Prostitution**

1.4.1 *Everybody is entitled to live without being led to resort to prostitution.* Everybody should have a real set of options and life choices, so that no-one feels driven into a lifestyle that is repellent to them.

1.4.2 Successive governments have concentrated their efforts on criminalising and stigmatising those who turn, in desperation, to prostitution. This strategy has failed. In contrast, we attach the greatest importance to the fight against poverty and sexual abuse, investment in education, and the provision of ‘exit routes’ and non-directive counselling.

1.4.3 We are committed to a package of measures to prevent people, particularly young people, from being led into prostitution. In particular, we propose to:

- Increase access to and the quality of education and training (English White Paper 6, *Excellence for All*, 1992).

- Remove the injustices of the benefits system, and ensure that none of our citizens falls through the safety net of state provision (see Federal Green Paper 11, *Common Benefit*, 1992; currently being updated).
- Enhance the economic independence of women and young people (*Common Benefit*).
- Combat sexual abuse of children and adults and help them overcome its effects where it

has occurred (Policy Paper 1, *A Caring Society*, 1994).

- Work towards a fairer distribution of the world's resources so that no child is led to resort to prostitution as a result of poverty (Federal Green Paper 15, *Shared Earth*, 1990).

*Liberal Democrats believe this package would be far more effective in reducing the overall level of prostitution, than any possible changes to either the criminal law or policing methods.*

# Community Concerns

**2.0.1 Prostitution has a significant impact on the communities within which it takes place. We recognise the distress that inappropriate public sexual activity can cause. We have heard repeatedly from the representatives of residents in ‘red light’ areas about the problems which can be associated with street prostitution:**

- The harassment of women, young men and, on occasions, children by men seeking sex.
- The threat of street violence and the intimidating presence of pimps and sometimes drug dealers.
- The nuisance of used condoms, litter and sometimes hypodermic needles dropped in the streets.
- The distress caused by inappropriate sexual activity in public places.
- The noise and traffic congestion caused by kerb crawlers and sightseers.

2.0.2 Residents associations, as well as welfare and educational organisations working with prostitutes, generally reject the notion that these problems associated with street prostitution can be eliminated by the more stringent application of the current law.

2.0.3 *In contrast, decriminalisation, accompanied by careful regulation, would, we believe, significantly reduce the impact of street prostitution.* It would make it substantially easier for prostitutes to work from premises by, for example, enabling them to advertise in unintrusive ways (see section 2.1). As a result, fewer prostitutes would work on the streets.

2.0.4 Current legislation on sexual and street offences is confused, sexist, relies unduly on police evidence and does not even achieve its own objective of clearing the streets of prostitutes. Liberal Democrats would replace it with the non-discriminatory enforcement of new and current legislation designed to prevent nuisance to the community inflicted by any member of it, regardless of their profession. In particular, we would:

- *Use current legislation fairly and effectively* to combat the noise and disturbance sometimes associated with prostitution.
- *Apply more strictly the laws on obstruction and littering*, with a review and rationalisation of the current laws on nuisance and public order.
- *Create a new, enforceable offence of harassment*, to replace ineffective and inequitable kerb crawling and soliciting legislation.

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***Our approach will enable us to deal fairly and effectively with the problems associated with prostitution.***

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2.0.5 *The new harassment offence would be applicable equally to prostitutes, clients, pimps and others, such as drug dealers.* It would have the advantage that the police would be able to identify those parties causing the most nuisance; as likely to be the client or the pimp as the prostitute themselves. Residents, visitors and prostitutes would all be equally

able to seek redress under the harassment legislation.

2.0.6 The new legislation would require a complaint to be received, ensuring that some nuisance had actually been suffered before action was taken by police. The complaint would require substantiation and action could then be taken, conviction requiring the usual standards of proof, and the defendant having the usual rights, including the right not to be addressed in court as a common prostitute (see 1.1.5).

## **2.1 Advertising of Sexual Services**

2.1.1 One of the manifestations of prostitution generally unacceptable to the public is the intrusive advertising of sex for sale, either in person (through soliciting or “windows”) or through the display of pornographic cards in public places (eg phone boxes). A regulated system of advertising would enable these problems to be tackled.

2.1.2 Were prostitution to be recognised as a legal activity, advertisements by workers in the sex industry would have to conform to relevant standards of honesty, decency and legality. It would be easier to enforce regulation of where such advertisements appeared, and to eliminate more effectively the nuisance of cards

advertising sexual services being placed in phone boxes, a practice currently prevalent in some areas.

2.1.3 Liberal Democrats have already stated elsewhere the principle that pornography must not be forced on those who have not made a choice to seek it out. We are therefore committed to banning pornographic images in the workplace and in newspapers. We would apply this same principle to the advertising of prostitution-related services where it was pornographic in nature.

2.1.4 We are committed to combating sexual abuse and rape. Liberal Democrats would make illegal all pornography which promotes sexual activities which are in themselves illegal. Thus, we would make pornographic marketing based on rape or sexual activity with children illegal.

2.1.5 We support the work of ICSTIS (the Independent Committee for the Supervision of Standards of Telephone Information Services) in establishing a clear code of practice on the use and advertisement of 0898 sex lines. In particular, we support the restriction to ‘top shelf’ magazines of advertising for sex lines. We would continue to support the work of ICSTIS in reviewing and updating the regulation of sex lines, based on wide public consultation.

# ***Working Environments***

3.0.1 It is illegal to run or work in a brothel in Britain. In practice, however, there are literally hundreds of brothels in this country, operating out of private houses, saunas, massage parlours, escort agencies and so on. These brothels are generally tolerated by the police, whose priorities rightly usually lie elsewhere.

3.0.2 Working from premises, with other people around, is often safer than working in isolation at home or on the streets. *Prostitution based from premises may also have less impact than street prostitution on the communities in which it takes place.* There are, however, a number of specific problems with commercial brothels:

- The technical illegality of brothels means that there is no control over where they are established or how they are run.
- The prostitutes who work in brothels have little or no say in the services which they offer or the hours or conditions under which they work, nor can they seek legal redress for crimes committed against them in a brothel for fear of prosecution themselves.
- Brothel owners have an incentive to recruit people, including young people, to prostitution and are in very powerful positions over their employees, who tend to be socially isolated and have low self esteem.

3.0.3 *The current informal system of toleration is failing both the community and the prostitutes.* It places the vulnerable employee, and sometimes the client, at real risk of violence. We believe that it would be totally inappropriate for any level of government to take over the running of brothels, and we are therefore strongly opposed to state- or local authority-run brothels. Commercial brothels

must, however, be brought under the regulatory framework of the law.

## **3.1 Prostitutes Working for Themselves**

3.1.1 Many prostitutes work the streets, accosting passers-by in 'red light' districts, working in clients' cars or homes, or in hotel rooms paid for by clients. Many would prefer to work from premises, but do not want to work in a brothel for a third person. Currently, even domestic flats where two prostitutes work together are classified as brothels and therefore illegal.

3.1.2 It is important to differentiate between small, unobtrusive, cooperatively-owned and -run premises on the one hand, and larger commercial enterprises on the other.

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### ***The current informal system of 'toleration' of brothels is failing.***

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3.1.3 We believe it is safer and causes less disturbance for prostitutes to work from premises than on the streets. In cases where up to three prostitutes work together from their own premises, we would apply to them only those rules which apply to other self-employed persons working from home or from premises. In cases where nuisance is suffered by neighbours, appropriate law would be enforced, to enable action to be taken (see 2.0.4).

## **3.2 Controlling Commercial Brothels**

3.2.1 There are two key areas of practical concern regarding commercial brothels: their employees and clients must be protected from

abuse, and the community within which they function must be protected from related nuisance or disturbance. We would:

- *Introduce a system to control and regulate commercial brothels* to include health and safety and nuisance regulations, covering, for example, such matters as opening hours.
- *Introduce legislation to protect the rights of prostitutes working in brothels.* Currently, all contracts relating to prostitution are invalid. We would give legal recognition to such contracts (freely entered into and without coercion) to protect prostitutes from abuse and clients from exploitation. To be valid all such contracts would, however, have to include both the right of the prostitute to refuse to accept a particular client and the right to refuse to perform a particular service.
- Place an obligation on the employer to ensure that *all employees have free, voluntary access to appropriate health care* facilities and advice.
- *Consult as to the consequences of these proposals for the planning process.*

3.2.2 Planning law recognises that some areas are less suitable than others for various

purposes. Just as it might be inappropriate for a factory to be situated in a residential district or a large pub next door to a school, there are also many areas in which it is inappropriate to have brothels. The regulatory system would work alongside a proper planning process for brothels to prevent them from being established in inappropriate areas. There are, however, some areas where we believe local authorities and residents would be prepared to accept brothels (for example, in areas where intrusive street prostitution is currently rife and the local population would welcome greater control and regulation).

3.2.3 If activities associated with adult consenting prostitution were decriminalised, prostitutes would have the protection of the law, and it would be easier to identify and eliminate areas of gross abuse. At the moment, prostitutes do not feel able to approach the police for assistance, since they may themselves be arrested for prostitution-related offences. Similarly, the communities within which prostitutes work would have the protection of laws which explicitly recognise their rights, instead of being reliant on outdated and unsuitable sexual offences legislation for protection or redress.

# Health

**4.0.1 Liberal Democrats accept the definition of the World Health Organisation of health as encompassing physical, psychological and social wellbeing.**

4.0.2 Prostitutes, specially street prostitutes, face a number of particular health problems associated with their profession. They are disproportionately the victims of violence. They may suffer from the ailments associated with poverty and inadequate diets, and some work long anti-social hours outside in all weathers. They may also suffer from the mental health problems associated with poverty.

4.0.3 People who have a high number of sexual partners also run additional health risks. The health of prostitutes is particularly at risk if they begin their sexual activity at an early age. Cervical cancer and pelvic inflammatory disease are examples of problems associated with sexual activity which are more prevalent in prostitutes than in the general population.

4.0.4 Traditionally, there has been public concern about the health risks posed to the non-prostitute community through sexual contact with the prostitute community. This concern comes largely from prejudice and a lack of available information. In fact, research (*Day and Ward* and others) shows that a prostitute is more likely to be infected by a client than vice versa. The need for adequate protection and safer sex is well recognised by experienced prostitutes.

4.0.5 Prostitutes themselves, and the agencies which work with them, recognise that those prostitutes most likely to accede to client pressure to provide unprotected sex are those who are supporting drug habits. There is a higher than average use of intravenously injected drugs in the prostitute community, and this must be tackled by health programmes as well as the law.

4.0.6 Current health programmes in this area concentrate on prostitute education, and fail to address the equally pressing issue of client education. It is essential that education initiatives tackle the issue of reducing the demand for unsafe sex, as well as pressuring prostitutes to cease the supply.

4.0.7 Liberal Democrats approach the issue of prostitute health from a viewpoint that stresses the importance of comprehensive primary care. We believe that enabling people to set their own health priorities and work for healthy lifestyles is the best way of achieving our health objectives. Given this, we are firmly opposed to the principle of any kind of compulsory health checks for prostitutes or their clients.

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***Preventive and educational health provision must be freely available to everyone.***

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4.0.8 *Instead, we are in favour of making all health provision - preventive, educational, and treatment-orientated - accessible to everyone, including male and female prostitutes.* This will eventually be best achieved by the provision of general NHS primary care resources. Currently, however, many prostitutes are unwilling to go to GPs with their specific health problems, and health workers (although training and awareness is improving in this area) are often uncertain about how to deal with the problems faced by prostitutes.

4.0.9 *In the short term, it may therefore be necessary to develop easily accessible specific services, in areas of special need.* Voluntary

agencies may be able to provide high quality support in some localities which assists prostitutes to access services. We believe, however, that it is district health authorities that must take primary responsibility for providing health care, outreach, education and HIV prevention services for male and female prostitutes, and also for promoting safer sex

practices and reducing the incidence of HIV and other sexually transmitted diseases. The increasing involvement of prostitutes in developing and improving services will improve the targeting and effectiveness of health provision in this area.

# Male Prostitution

5.0.1 Although the majority of prostitutes are women, a growing number of young men raise money by working as ‘rent boys’. The proposals in this paper apply both to male and female prostitutes. We recognise, however, that male prostitutes face a number of problems specific to their gender or sexual orientation.

5.0.2 Male prostitution involves activities usually considered as homosexual, although sometimes one or both of the people involved do not consider themselves to be homosexual. As a result of prejudice, men who work as prostitutes sometimes suffer from violence and discrimination at the hands of the community, the police and the legal system.

5.0.3 Liberal Democrats are committed to fighting discrimination on the basis of sexual orientation. The current legal position of male prostitution is discriminatory, and we therefore propose a legal framework which would apply equally to all prostitutes, regardless of gender or sexual orientation.

5.0.4 The environment in which prostitutes usually work and the traditional difficulties of obtaining police cooperation in eliminating sexual attacks on prostitutes mean that sex workers are at particular risk of rape. Liberal Democrats believe that the rape of a prostitute is no less a crime than the rape of any other person. In order to protect men in this, as well as in other vulnerable situations, Liberal Democrats would redefine the rape charge to include anal as well as vaginal intercourse.

5.0.5 Social prejudice against gay people, means that homosexual adolescents are particularly prone to be lacking in confidence or self esteem. Poor self esteem is, in turn, a common factor in leading young people to enter prostitution. In *Partners for Freedom and Justice* (Federal White Paper 2, 1989) and elsewhere, Liberal Democrats set out a package

of measures to tackle discrimination on the basis of sexual orientation. We would:

- *Outlaw discrimination on the basis of sexual orientation* by introducing a UK Bill of Rights together with specific legislation.
- *Create a common age of consent* regardless of gender or sexual orientation.
- *Repeal Section 28 of the 1991 Local Government Act.*

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***Liberal Democrats are committed to fighting discrimination on the basis of sexual discrimination.***

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Such proposals would, we believe, improve the environment for gay young people and enhance their sense of self-worth and would therefore make a significant contribution to reducing the number who turn to prostitution.

5.0.6 Support must be provided for men working as prostitutes and opportunities must be provided to enable those who wish to escape from the sex industry to do so.

5.0.7 Transvestites face particular problems in finding employment within the conventional workplace and often feel marginalised and undervalued by society. They are thus more prone than other groups to being drawn into prostitution. The counselling services and retraining initiatives which we propose will assist transvestites in the sex industry to assess the alternatives available to them.

# Protecting Children and Young People

## 6.1 Protecting Children

**6.1.1 Children must be protected from sexual exploitation. The Liberal Democrat approach to prostitution would free up police time and resources to enable them to concentrate on eliminating the evil of child prostitution.**

6.1.2 In general, adult workers in the sex industry are vigorously opposed to the involvement of children in the sex industry, knowing as they do the risks involved. As a result of the current relationship between prostitutes and legal authorities, the former are reluctant to come forward with information on child exploitation. Under our proposals joint police-prostitute initiatives could play a major role in combating child prostitution.

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***Liberal Democrats are determined to act to eliminate the evil of child prostitution.***

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6.1.3 Severe penalties must be imposed on adults who have commercial sex with young people under the age of majority (see 7.0.4). Persons who seek to profit from the prostitution of children should be subject to even heavier sanctions.

## 6.2 Keeping Young People Out of Prostitution

6.2.1 *Young people should not be working as prostitutes* and Liberal Democrats would take action to keep them out of the industry. We believe, in the light of evidence from home

and abroad, that the most effective way of preventing young people from becoming involved in prostitution is to tackle youth poverty and homelessness, and build young people's sense of self esteem and their own potential. Over the past 15 years, however, youth poverty and homelessness have increased. One in five children is now a member of a household living below the poverty line - a threefold increase since 1979 (*Institute for Public Policy Research*, July 1993). 156,000 young people are homeless (*Shelter*, 1993). Students and those under 18 have lost their entitlement to almost all benefits.

6.2.2 Liberal Democrats believe that these problems must be addressed if we are to keep young people out of prostitution. We would do so by:

- *Investing in education* to improve quality and accessibility, even if this means raising taxes.
- *Providing a guarantee of at least two days education and training* - in college or the workplace - for all 16-18 year olds, leading to recognised qualifications.
- *Restoring full benefits rights for young people*, making entitlement on the basis of need not age.
- *Scrapping the discriminatory lower rate of income support* for those under 25.
- *Paying housing benefit in advance* and make loans for rent deposits, as part of an overall strategy to cut homelessness.

6.2.3 We would take specific measures to protect children in care and leaving care, who are particularly prone to being drawn into prostitution. We would place a responsibility on local authorities to:

- *Liaise with health, education, youth, leisure and community services and with the police* to identify children at particular risk, ensuring that information, training and working methods are shared.
- *Instigate more stringent checks on the residential centres* in which they place children in their care. These checks should not only focus on a qualitative analysis of the care, disciplinary and staffing procedures, but also the nature of support which is offered on leaving care.
- *Protect young people with behavioural problems*, by ensuring that the authority has access to secure accommodation.

These proposals are explained in more detail, in Policy Paper 1, *A Caring Society* (1994).

6.2.4 It is currently legal for anyone over the age of consent to work as a prostitute. Criminalising young people who work as prostitutes would not, we believe, keep them out of prostitution. Instead, it would put them at extra risk by placing them outside the protection of the law and deterring them from seeking social or medical help or advice. In order to help young people who are involved in prostitution to find a way out or, at worst, to function in a safe way, we would support and encourage the development of a range of welfare services, targeted particularly at young people.

## 6.3 Supporting Families

6.3.1 Currently it is an offence to 'live off immoral earnings', and this legislation is

occasionally used to prosecute pimps, some of whom are violent and exploitative and extort money from prostitutes. Liberal Democrats believe that everyone, whatever their profession, should be able to practice it free from violence or extortion. We believe that the decriminalisation of prostitution would free prostitutes from their reliance upon pimps. It would enable them to seek the protection of the police where pimps or other threatened violence or attempted to extort money. Any worker should, however, have the right to share their earnings with whomsoever they wish and, in particular, to support their families.

6.3.2 One of the reasons which leads women to work in prostitution is the need to support their families, particularly when they are single parents. The flexibility of prostitution enables them to go out to work when children are not around, and the earnings enable them to support their families better than the majority of jobs available to those women with few formal educational qualifications.

6.3.3 Prostitutes are frequently extremely devoted and protective parents, and the fear of having their children taken away from them by social services is one of the main anxieties from which they suffer. In some cases, it is the motivation which leads them into prostitution in the first place.

6.3.4 In general, prostitute parents refuse to allow their children to come into any contact with clients, and keep their domestic and working lives rigorously segregated. The fact that a person is a prostitute should not lead to the assumption that they are an unfit parent. In cases where children are at risk of being disturbed by their environment, or involved in sexual activity even as observers, then their welfare must of course be paramount, and appropriate protective measures must be taken.

# ***The International Situation***

**7.0.1 The sex industry has international financial backing and international customers, and any realistic response to its abuses must be coordinated on an international level. Young women, in particular, are regularly kidnapped and transported across national boundaries to service the sex industry. Men travel from around the globe to have sex with young children, in particular to Latin America and Asia.**

7.0.2 There are a number of United Nations resolutions which deal with the issue of prostitution, forced prostitution, trafficking in human beings against their will and child prostitution. The 1949 Convention is currently under review, in an effort to make it more effective in combating forced prostitution. Liberal Democrats would work with other countries in the United Nations to try to achieve the objectives in this paper. We would like to see the Convention redrafted to concentrate exclusively on the prevention of trafficking, forced prostitution and child prostitution.

7.0.3 We welcome recent initiatives for the various police forces of member states to work together to enforce UN protocols and the possible establishment of a United Nations International Court, which should concern itself with the sexual trade in children and unwilling adults, as well as with other crimes.

7.0.4 We are in favour of a law, along the German model, allowing English and Welsh residents to be tried in courts in this country for child abuse offences (as defined by English and Welsh law) perpetrated overseas, subject to the

amendment of the law as proposed elsewhere in this paper. Where extradition is requested, that should be an alternative to prosecution in this country, assuming normal conditions are met.

7.0.5 Liberal Democrats are committed to international cooperation to eliminate the world trade in child and forced prostitution. We would work with all suitable available agencies to achieve this.

7.0.6 Liberal Democrats agree wholeheartedly with the approach of Anti-Slavery International, who state that at the heart of the struggle against international forced and child prostitution is the struggle for women's rights. We also believe that international efforts to combat global poverty are essential in tackling forced and child prostitution.

7.0.7 There are increasing numbers of illegal immigrants working in prostitution in this country and elsewhere. These women face particularly brutal mistreatment, given that their captors are in a position to threaten them with disclosure and deportation. The Economic and Social Council of the UN recognises that *“in the last 10 years, the presence of prostitutes from third world countries on the European prostitution market has become a structural and permanent social phenomenon”* which requires a coordinated European response. We endorse their recommendation for an international working group to examine this problem, and the establishment of relevant targeted welfare provision, and educational initiatives in the major countries of origin of emigrant prostitute women.

# ***Appendix: Individuals and Organisations Submitting Evidence***

The following individuals and organisations submitted written or oral evidence to the working group:

Amhurst Residents Action Group  
Anti-Slavery International  
Birmingham Safe Project  
Corrective Party  
English Collective of Prostitutes  
Josephine Butler Society  
King's Cross Residents Action Group  
Streetwise Youth Project  
United Nations Children's Fund  
Vincent Street and Area Residents Association

Marina Bernard, Public Health Research Unit, Glasgow University  
Sheila Dunne  
John Macleod, Medical Adviser to the Centenary Project  
Alexa Michael  
Dr Maxwell Patterson  
Ruth Morgan Thomas, Scottish Prostitutes Education Project  
Cllr C.J.Powell  
June Taylor

Current and former sex workers from around the UK

*Submitting evidence should in no way be understood to indicate support for the Liberal Democrats or this paper's recommendations.*

*This Paper has been approved for debate by the Federal Conference by the Federal Policy Committee under the terms of Article 5.4 of the Federal Constitution. If approved by Conference, it will form the policy of the Party.*

*Many of the policy papers published by the Liberal Democrats imply modifications to existing government public expenditure priorities. We recognise that it may not be possible to achieve all these proposals in the lifetime of one Parliament. We intend to publish a costings programme, setting out our priorities across all policy areas, closer to the next general election.*

### **Working Group on Northern Ireland**

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*Note: Membership of the Working Group should not be taken to indicate that every member necessarily agrees with every section or every proposal in this Paper.*

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