

Written evidence submitted by Neil Radford, Police Sergeant, Nottinghamshire Police

1. Executive Summary

- Nottingham has a current model that involves enforcement to reduce the demand for and support to reduce the supply of prostitution.
- Over 1500 kerb crawlers have been dealt with since 2004, a significant proportion of which have attended a rehabilitation course.
- There has been a significant reduction in the city of the demand for prostitution.
- Since 2004 over 400 persons involved in the supply of on-street prostitution have been dealt with.
- A multi-agency group meets monthly to plan care packages for those involved in prostitution to look at safeguarding and to exit them from this life.
- There has been a comparable reduction in people involved in street-level prostitution.
- Reporting of sexual offences and violence against those involved in prostitution has been improved by avoiding enforcement and by utilising the support agencies to gather evidence and assist the victim through the process.
- Funding for support needs to be more easily secured, but also linked to an exit strategy.
- Offences of controlling, causing or inciting prostitution can be difficult to prove. Additional lower-level offences to support these would be beneficial.
- Paying for the sexual services of a child should be absolute where the victim is under 16.
- An absolute offence of purchasing sex is required in order to tackle the demand for off-street prostitution.

2. Introduction

2.1 I am a serving police officer in the Nottinghamshire Police based in the City of Nottingham. I am the team leader of a Prostitution Task Force (PTF), which is a joint project between Nottingham City Council's Community Protection Directorate and Nottinghamshire Police's City Division. This initiative has been in place since 2004 and has a specific remit to reduce prostitution within the city and was given the following strategic aims:

- Preventing individuals, and particularly children and young people, from being drawn into prostitution;
- Providing appropriate protection and routes out for those already involved;
- Protecting communities from the nuisance associated with prostitution;
- Ensuring that those who control, coerce or abuse those in prostitution are brought to justice;

- Ensuring that those who seek to use or abuse the services of those involved in prostitution are diverted from these actions and their behaviour changed through rehabilitation or otherwise brought to justice.

A significant part of the team's work involves partnership support and joint planning.

3. A Focus on the Demand for Prostitution Rather than the Supply

- 3.1 It has always been a significant part of our approach to reduce prostitution by tackling the demand through enforcement and the supply through support. Since 2004 we have dealt with 1590 men caught attempting to purchase a sexual act on the streets of Nottingham. Of these 945 have attended a one-day rehabilitation programme known as the Change Course intended to address the man's use of prostitution. Of these men, 33 are known to have reoffended, 7 of these outside our force area. This gives a recidivism rate of around 3.5% over the last 12 years.
- 3.2 Admission to the course requires that the man have no previous convictions for prostitution, sexual or violence against women or children offences. The reason for this is that we would be unlikely to address this behaviour in one day and a more prolonged and intensive period of work would be required. We also require that the man accept his guilt and actions and finally that he agree to pay a fee of £240 to pay for the course, so there is no expense to the public or the police. As shown by the high level of attendees, this is an option that a significant proportion of the men accept. Their initial motivations are to avoid a court appearance and any associated publicity of their actions, but the vast majority of men will state afterwards that the course was beneficial.
- 3.3 One of the main reasons for men not attending the course is that it is primarily offered in English and we are increasingly catching foreign nationals. In 2004 75% of the men caught kerb crawling in Nottingham were British. This has steadily fallen until in 2015 it was about 33%. We have provided the course in Polish on 3 occasions, but as this is a summary offence subject to a 6 month time limit for prosecutions, we struggle to catch enough men who speak the same the language to make a course viable and cost effective. This could be improved by running regional foreign language courses, but at present there isn't sufficient consistency amongst forces for this to happen.
- 3.4 One particular tactic used by our team to catch kerb crawlers has largely remained unchanged throughout the last 12 years, which gives us a direct comparison of men being caught. In 2004 we would regularly catch in excess of 30 men over two nights and this was largely limited by the time it took to process each man before looking for the next. This same tactic struggles to catch 10 men over two nights now and we often spend periods of time with no activity at all. This supports the anecdotal evidence of the police, the local residents and the women involved in prostitution, that the number of men looking to purchase sex on the streets of Nottingham has significantly fallen over the last decade.
- 3.5 All men caught by our team involved in kerb crawling are interviewed (usually as a voluntary attendee, but occasionally on arrest). Men attending the Change

Course will receive a police caution at the end of the day and men attending court a conviction. This allows us to capture photographic, fingerprint and DNA identity evidence from all of these men. Whilst I would never suggest that all kerb crawlers will go on to commit more serious offences, it is likely that men involved in sexual or violent attacks on women in general, but specifically those involved in prostitution, will probably have been involved in kerb crawling at some stage. DNA evidence proved vital in the quick resolution of the murder inquiry in Ipswich in 2006. By taking this approach, we ensure that these men are recorded on police systems should such a tragedy occur again.

- 3.6 Alongside this enforcement activity we have a group known as the Prostitution Support Network (PSN) that includes the police, health, housing and statutory support alongside the voluntary sector who provide both drop-in sessions at their base and outreach in a specialised van. This group meets monthly in order to case conference those involved in prostitution, primarily at the on-street level. We will look at the most prolific and chaotic women as well as any imminent prison releases or other people thought to be at risk. A joint plan will be agreed and the most appropriate agency to take this forward identified. The police do not generally consider enforcement activity against anyone involved in the supply of prostitution and the few cases where this does occur are always in conjunction with the care plans drawn up at this meeting. The circumstances where police intervention is agreed usually involve cases where a person is involved in other criminality associated with their prostitution such as robbery or if they are exerting control over more vulnerable women. We do not generally utilise prostitution legislation, such as loitering or soliciting, to achieve this and rely on criminal or ASB powers.
- 3.7 Since 2004 we have dealt with 436 different women and 3 transgender individuals involved in street prostitution. We measure and define a person as being active involved at any given moment based on being encountered within a 6 month period. At its peak in 2004 this figure sat at over 150 women. Today, this is just under 40. We have seen a steady decline in the number of people involved in street prostitution that has been consistent and sustained and shows every indication of continuing to fall. This reflects the fact that exiting a lifestyle of prostitution is not a quick process and requires consistent and prolonged support. Our two voluntary agencies do not have an end date attached to any work they do and have worked with some women for over 20 years.
- 3.8 A recent analysis of foreign national women involved in street prostitution showed that there have only been a few isolated instances in Nottingham and these have been quickly dealt with and the women diverted. The neighbouring cities of Leicester and Derby are reporting a large influx of non-British women, especially from Eastern Europe. This would seem to indicate that Nottingham is not a city of choice for either women to travel to or for potential traffickers to focus on. All other things being fairly equal between these cities, this would appear to indicate that our strategy is not an attractive one to these people as prostitution is not as profitable on the streets of this city.
- 3.9 It has long been Nottingham's approach to reducing prostitution that we support those involved in the supply to stabilise their lives, work safely and ultimately aim towards exiting, whilst at the same time taking a robust enforcement stance

against those involved in the demand. Through over a decade's sustained work, we have shown that this approach has had a significant effect on reducing both supply and demand.

4. Violence against women

- 4.1 As often quoted, we identified several years ago that there was an under-reporting of offences against those involved in prostitution. There are many reasons for this and we introduced a number of measures to try to address this situation.
- 4.2 It is always best evidence for the police to interview a victim and for a medical practitioner to capture forensic evidence, but this is often the very reason why some women are reluctant to report offences. We still encourage this approach where possible, but we have provided forensic freezers to three support agencies, two of them in the voluntary sector. Training has been provided to key staff on how to take samples through swabbing etc., which allows the support agencies to preserve forensic evidence in cases where a victim refuses to engage with the police. Should they change this view in the weeks or months after the attack, there will still be some forensic evidence for us to work with. This isn't perfect, but it's better than nothing.
- 4.3 The initial report of an attack is often made to a support agency rather than the police and we work with this agency to provide continued support throughout the whole process including attending court and beyond. This is in addition to any liaison officer provided by the police and ensures that the victim always has someone to turn to, even long after the case has been finalised. It has been my experience that women involved in prostitution are excellent witnesses when they are the victim of a sexual or violent offence as they know they have support, are confident that they are believed and are in a position where they want to see the offender brought to justice. There are posters at the local drop-in centre that promote the successful convictions achieved.
- 4.4 Due to the fact that we do not use enforcement when dealing with those involved in the supply of prostitution, there is a high level of trust in our team amongst this group. They will openly discuss issues and drivers behind their prostitution and any concerns they have over the area, other persons involved in or controlling prostitution and more general life issues. This provides us with a better understanding of their needs and helps identify the appropriate response or agency to help them.

5. Further Measures

- 5.1 Exiting prostitution – Funding for support agencies, both statutory and voluntary, tends to be an on-going concern, with many agencies having to devote a considerable amount of time to bidding for charitable monies and occasionally having to satisfy competing requirements. A more secure funding stream would alleviate this.
- 5.2 Support from voluntary agencies can sometimes focus too much on support with little or no emphasis on exiting. If we're not careful, support alone will actually enable women to stay involved in prostitution. If we had an identifiable

and accountable form of funding then conditions could be introduced to ensure that care packages are tailored towards exiting prostitution. Clearly support is absolutely vital and the police could not do their job without this partnership approach, but the overall focus should be on reducing prostitution and the harms associated with it through assisting those involved to exit.

- 5.3 Exploiter's Accountability – Prior to the introduction of Sections 52 and 53 of the Sexual Offences Act 2003, we had an offence of 'living off immoral earnings'. This was a relatively straight-forward offence to prove and prosecute, although it represented a much lower level of coercion and control than the new offences. With the repeal of this legislation, offences of controlling, causing or inciting prostitution were introduced. These represent a higher level of coercion and control, but can be harder to prosecute, meaning that men who would have been convicted of the old offence are no longer brought to justice. The new offences effectively demand a double intent in that we have to initially show the control or cause and then we have to demonstrate an intent to gain. This leaves us with the situation that were a man to force prostitution on others for sadistic pleasure, he would not commit these offences.
- 5.4 My view has always been that we need a tiered approach based on the level of force or control and the motivation, much as we do with violent assaults. The lowest level would effectively be the old 'living off immoral earnings', the next being exerting some form of control or incitement to prostitution finishing on an offence where this is for gain (effectively combining the first 2), much as the current offences. This would allow us to bring far more men or women to justice for exploiting others through prostitution.
- 5.5 The current offence under Section 47 Sexual Offences Act 2003 of 'Paying for the Sexual Services of a Child' includes the phrase – 'A does not reasonably believe that B is 18 or over'. I have interviewed a few men caught with 17 year old girls and the first thing they say is that they thought she was 18. As soon as this comment is on record, the CPS will not run the case. This does not become a strict liability offence unless the child is under 13 years of age. I believe that this should be amended to under 16. Any sexual act with a child under 16 is liable to constitute an offence and Section 47 should reflect this. The situation where a child is 16 or 17 years old is different as a sexual act that is not for payment probably wouldn't be an offence. However, I would like to see the emphasis changed so that the presumption is that the offender should have known her age unless he can show good reason for his belief. There is no doubt that younger looking women involved in prostitution are more likely to attract men than older ones and this makes children vulnerable.
- 5.6 Discouraging Demand - It has been my experience that men purchasing sex will not do so openly. They will not tell their partners that this is what they do and are often reluctant to even discuss it with friends. I am not a supporter of naming offenders in local media, mainly because of the enormous impact that this will have on their families, especially partners and children. This seems disproportionate to the desired outcome.
- 5.7 I do believe, however, that we can only reduce the demand for prostitution by having a legal model that is robust and enforceable. In Nottingham, we have shown that by a consistent and sustained approach to dealing with kerb crawlers that we have reduced their numbers. The same cannot be said for the

off-street scene however. There is currently no absolute offence of purchasing sex away from public areas and the offence of paying for sex with a person subject to control or force etc. can be a difficult offence to prove. A strict liability offence of purchasing sex in any circumstances would alleviate this and allow us to take our successful on-street practises into an off-street situation. There are many issues with this in practice, mainly around the Regulation of Investigatory Powers Act 2002 (RIPA), but these are not insurmountable.

- 5.8 The Change Course could easily be adapted to cater for those caught purchasing off-street. Ultimately, I would envisage a course suitable for both scenarios, improving the opportunities for foreign language courses.

6. Declaration of Interest

I have no declarations of interest to disclose.

7. Contact Details

Neil Radford
Nottinghamshire Police
Radford Road Police Station