

c/o PO BOX 481  
Fareham  
Hampshire  
PO14 9FS

Tel: 02380 478922

Email: [npcc.foi.request@cru.pnn.police.uk](mailto:npcc.foi.request@cru.pnn.police.uk)

10/04/2019

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 059/19

Thank you for your request for information regarding sex work and prostitution guidance which has now been considered.

Applicant Question:

Freedom of Information Request

Please can you provide the following information relating to the National Policing Sex Work and Prostitution Guidance dated January 2019 (and which is currently available from

<http://library.college.police.uk/docs/appref/Sex-Work-and-Prostitution-Guidance-Jan-2019.pdf>

1. What steps were taken to ensure the guidance complies with the Public Sector Equality Duty (PSED) specified in the Equality Act 2010?
2. What steps were taken to assess the impact of the guidance on the duty under the PSED to eliminate discrimination and harassment of individuals on the basis of their sex, including the need to eliminate the widespread harassment of women and girls by men on the streets, in workplaces, public places and online?
3. What steps were taken to assess the impact of the guidance on the duty under the PSED to foster good relations between persons who share a relevant protected characteristic and persons who do not share it – and particularly between men and women in the wider community?
4. Please provide full records, including any impact assessments, of all steps taken.
5. What was the basis for the decision to include no guidance on using legislation against kerb crawlers?
6. What was the basis for the decision to include no guidance on targeting people who buy sex from someone who's been forced, coerced, or deceived into it under Section 53A of the Sexual Offences Act 2003?
7. What steps were taken to ensure the guidance complies with binding obligations under Article 6 of the Convention on the Elimination of All Forms of Discrimination against women (CEDAW)?

1st Floor, 10 Victoria Street, London SW1H 0NN T 020 7084 8950 F 020 7084 8951



8. What steps were taken to ensure the guidance complies with binding obligations under the Protocol to Prevent and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime, and in particular the obligation to suppress men's demand for prostitution that fosters human trafficking for the purposes of the exploitation of the prostitution of others?
9. Which organisations or individuals were used as advisors during the development of the guidance?
10. What efforts were made to reach out to women's groups and organisations to seek their views on the guidance?

NPCC Response:

The NPCC does not hold information captured by your request. There are no records or documents held and therefore I am unable to produce any information. I have however, liaised with colleagues, who are content to provide the following information, outside of the Act in efforts to assist you.

**1. What steps were taken to ensure the guidance complies with the Public Sector Equality Duty (PSED) specified in the Equality Act 2010?**

It must be noted that this is **advice** only to Police Forces, and although it has been agreed by NPCC, it is not a defined formal Policy or Procedure and as such no formal assessments were required or undertaken. That said, it was written as an inclusive document and recognising the complex nature of sex work and prostitution the guidance does not attempt to give definitive direction for every circumstance police professionals will be faced with. Instead, the guidance advocates principles which will guide the police approach. It is hoped that application of this guidance will result in a more consistent police approach to engagement with sex workers and to the resolution of criminal offences and neighbourhood issues. Throughout the guidance officers and staff are encouraged to focus upon addressing the safety of sex workers and targeting those who seek to victimise and exploit.

**2. What steps were taken to assess the impact of the guidance on the duty under the PSED to eliminate discrimination and harassment of individuals on the basis of their sex, including the need to eliminate the widespread harassment of women and girls by men on the streets, in workplaces, public places and online?**

It must be noted that this is advice only to Police Forces, and although it has been agreed by NPCC, it is not a defined formal Policy or Procedure and as such no formal assessments were undertaken. That said, it was written as an inclusive document and recognising the complex nature of sex work and prostitution the guidance does not attempt to give definitive direction for every circumstance police professionals will be faced with. Instead, the guidance advocates principles which will guide the police approach. It is hoped that application of this guidance will result in a more consistent police approach to engagement with sex workers and to the resolution of criminal offences and neighbourhood issues. Throughout the guidance officers and staff are encouraged to focus upon addressing the safety of sex workers and targeting those who seek to victimise and exploit. This guidance offers practical advice to those dealing with sex work related issues. It recognises the need to address community concerns but also stresses as a priority the duty that police services have to enhance the safety of sex workers and to find practical ways to address crimes against, and exploitation of, those connected to prostitution. This guidance recognises that many sex workers are marginalised and can be vulnerable. Street sex workers can be especially vulnerable, with addiction and mental health issues prevalent. Police responses must be careful not to inadvertently increase vulnerability

**3. What steps were taken to assess the impact of the guidance on the duty under the PSED to foster good relations between persons who share a relevant protected characteristic and persons who do not share it – and particularly between men and women in the wider community?**

See point 1 for response – the guidance will however be subject to a piece of work during 2019 to assess how it is being received and delivered by Forces.

**4. Please provide full records, including any impact assessments, of all steps taken.**

See point 1 for response – the guidance will however be subject to a piece of work during 2019 to assess how it is being received by Forces.

**5. What was the basis for the decision to include no guidance on using legislation against kerb crawlers?**

The advice document was designed not to list all offences in relation to sex working / prostitution as this would become an unwieldy document. It was designed with the key aspects of addressing vulnerability first and foremost and then tackling those that exploit. It was written with 5 principles in mind:

5 guiding statements, have been established to act as anchor points underpinning the development of this guidance. These principles have been developed in consultation with national partners from across law enforcement, academics and partners in both the statutory and voluntary sectors, and also feedback from those directly involved in sex work and prostitution.

1. "The sex industry is complex, often stigmatised, and has many evolving typologies. It is often hidden from the wider public. We recognise this environment is conducive to the abuse or exploitation of those selling sex."
2. "Policing starts from a position that seeks to address vulnerability and exploitation. We will engage with those involved in order to build mutual trust and confidence and encourage the sharing of information to improve safety."
3. "The police should use engagement and intelligence to develop a better understanding of the typologies and extent of prostitution. We will work with partners to develop an approach that tackles the issues associated with sex work and prostitution by engaging a wide group of stakeholders."
4. "The role of policing is not to make moral judgements. The police focus will be on reducing vulnerability and criminality. We will seek to maximise safety and increase trust and confidence. This will encourage those in the sex industry to report crimes and abuse. This approach will shift the focus onto safeguarding those being harmed in the sex industry. Intelligence and information should be shared between forces and relevant partners to maximise safety and target those who exploit or cause harm."
5. "An evidence-based 'what works' approach will be used to enhance awareness of officers and partners dealing with this complex environment. It will ensure the focus is on vulnerability and safety and a consistent approach across the country."

**6. What was the basis for the decision to include no guidance on targeting people who buy sex from someone who's been forced, coerced, or deceived into it under Section 53A of the Sexual Offences Act 2003?**

This guidance highlights indicators of sexual exploitation and the presence of organised criminal activity. The presence of organised criminal activity within the sex industry is unquestionable and causes great harm to individuals and communities. Where such criminal activity is identified, it is our responsibility to robustly investigate and bring to justice those involved. The police focus will be on reducing vulnerability and criminality. We will seek to maximise safety and increase trust and

confidence. This will encourage those in the sex industry to report crimes and abuse. This approach will shift the focus onto safeguarding those being harmed in the sex industry. Intelligence and information should be shared between forces and relevant partners to maximise safety and target those who exploit or cause harm.”

**7. What steps were taken to ensure the guidance complies with binding obligations under Article 6 of the Convention on the Elimination of All Forms of Discrimination against women (CEDAW)?**

It must be noted that this is advice only to Police Forces, and although it has been agreed by NPCC, it is not a defined formal Policy or Procedure and as such no formal assessments were undertaken. That said, it was written as an inclusive document and recognising the complex nature of sex work and prostitution the guidance does not attempt to give definitive direction for every circumstance police professionals will be faced with. Instead, the guidance advocates principles which will guide the police approach. It is hoped that application of this guidance will result in a more consistent police approach to engagement with sex workers and to the resolution of criminal offences and neighbourhood issues. Throughout the guidance officers and staff are encouraged to focus upon addressing the safety of sex workers and targeting those who seek to victimise and exploit.

**8. What steps were taken to ensure the guidance complies with binding obligations under the Protocol to Prevent and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime, and in particular the obligation to suppress men's demand for prostitution that fosters human trafficking for the purposes of the exploitation of the prostitution of others?**

A key component is targeting those that exploit. The advice/ guidance was developed alongside the Modern Slavery NPCC lead. This guidance highlights indicators of sexual exploitation and the presence of organised criminal activity. The presence of organised criminal activity within the sex industry is unquestionable and causes great harm to individuals and communities. Where such criminal activity is identified, it is our responsibility to robustly investigate and bring to justice those involved. I hope that you find this guidance of use in your efforts improve our communities, enhance the safety of sex workers and to target those who seek to exploit the vulnerable

**9. Which organisations or individuals were used as advisors during the development of the guidance?**

It must be noted that this is a refresh of the previous guidance issued by NPCC. We recognised that the issue can polarise opinion and prompt passionate debate. Some people argue that prostitution is an inherently exploitative activity and should be challenged at every level and demand a zero tolerance approach; others have a position that engaging in sex work is a matter of personal choice for individuals who need to be protected and respected by the Police Service and wider society. The document is not biased towards any of these viewpoints, however instead is a document whose intended audience is Police Officers with an aim of ensuring a consistent approach to reducing vulnerability and targeting those that exploit.

Police Force areas with experience of this area, were engaged in the process as were academic partners and the Home Office. In addition, National Ugly Mugs due to their work with Police were involved.

**10. What efforts were made to reach out to women's groups and organisations to seek their views on the guidance?**

It must be noted that this is a refresh of the previous guidance issued by NPCC. We recognised that the issue can polarise opinion and prompt passionate debate. Some people argue that prostitution is an inherently exploitative activity and should be challenged at every level and demand a zero tolerance approach; others have a position that engaging in sex work is a matter of personal choice

for individuals who need to be protected and respected by the Police Service and wider society. The document is not biased towards any of these viewpoints, however instead is a document whose intended audience is Police Officers with an aim of ensuring a consistent approach to reducing vulnerability and targeting those that exploit. We also took into account relevant academic research in this area such as beyond the gaze which gave an overview of issues faced by Police officers.

Yours sincerely

Sherry Traquair  
NPCC Freedom of Information Officer & Decision Maker

[www.npcc.police.uk](http://www.npcc.police.uk)

## COMPLAINT RIGHTS

### Internal Review

If you are dissatisfied with the response you have been provided with, in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 20 working days of the date of this response. The handling of your request will be looked at by someone independent of the original decision, and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

If, after lodging a complaint with NPCC, you are still unhappy with the outcome, you may make an application to the Information Commissioner at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.