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Mr E Goodman
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22 February 2008

Dear Mr Goodman,

Thank you for your letter of 20 January to Vernon Coaker enclosing a previous letter dated 14 September 2007 about prostitution. As I am sure you will appreciate, the Minister receives a large amount of correspondence and is unfortunately not able to respond to each one individually. I have, therefore, been asked to reply on his behalf.

The Government undertook a comprehensive review of the legal framework in relation to prostitution as part of the Paying the Price consultation in 2004. This review specifically considered the merits of introducing an offence to criminalise those who pay for, or offer to pay for, sex, along the lines of New Clause 8 and the approach adopted in Sweden. The results of that consultation contributed to the development of the current Coordinated Prostitution Strategy, which was widely welcomed by stakeholders as being a positive and constructive way forward and is currently being rolled out nationally and at a local level.

Although the strategy rejects the option of introducing a specific offence of paying for sex, it does support the principles of the Swedish model – focussing on the areas of prostitution where exploitation and violence are commonplace and where the existence of a sex trade is a nuisance for local communities. The strategy is clear that where street sex markets exist, enforcement activity should be directed at those creating the demand for prostitution – the kerb crawlers and the punters on foot. Offences already exist to enable the police to deal with anyone buying or attempting to buy sex

from someone on the street, and we believe that robust enforcement and awareness raising can and does have an impact on attitudes and behaviour.

In terms of off-street prostitution, the strategy states that the demand for commercial sex from under-18s or individuals trafficked to this country is totally unacceptable. We have specific offences that cover paying for the sexual services of a child, and rape remains the appropriate offence with which to prosecute those who pay for sex with an individual who does not consent.

New Clause 8 would make it an offence to pay for the sexual services of any person, whether that activity takes place on or off-street and whatever the relationship between the people involved. The Government has some concerns about a generic offence that criminalises paying for sex, as set out in New Clause 8. Most notably, the impact such a move might have on those who are involved in selling sex, and their vulnerability to exploitation and violence. Criminalising all sex buyers could force some of those currently involved in selling sex to continue doing so but to adopt more covert practices, creating a more hidden sex market and making it increasingly difficult for support services and enforcement agencies to identify and make contact with individuals. This could expose them to heightened violence, exploitation and unsafe sexual services.

Nonetheless, the Government does recognise that there is considerable support for more to be done to tackle the demand for prostitution. On 27th November 2007, Vernon Coaker announced to the Criminal Justice and Immigration Bill Committee that he would be undertaking a short-term review to look at what more can be done to tackle demand. This review will look at the various approaches adopted in other jurisdictions and will involve consultation with stakeholders, including enforcement agencies and service providers.

I hope you find this information helpful.

Yours sincerely,



Mrs M Lockmun
Direct Communications Unit