



Department of
**Health, Social Services
and Public Safety**

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Consultation Response Questionnaire

**‘Leaving Prostitution:
a strategy for help and support’**

September – October 2015

Responding to the Questionnaire

The Department of Health Social Services and Public Safety (DHSSPS) is seeking your views on the draft Strategy, 'Leaving Prostitution: a strategy for help and support'. Please use this questionnaire to tell us your views on the draft document.

The consultation runs from **11 September 2015** and the closing date for comments is **23 October 2015**. Responses received after this date **will not be considered** due to the tight legislative deadline.

Please send your response or any other queries you may have to:

Address: Department of Health, Social Services and Public Safety
Integrated Projects Unit
Room D2.17
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ

Email: gary.gregg@dhsspsni.gov.uk

Telephone: 028 9052 2512

Please note that all responses will be treated as public and may be published on the DHSSPS websites. If you do not want your response to be used in this way, or if you would prefer for it to be used anonymously, please indicate this when responding (See Statement of Confidentiality and Access to Information Legislation below).

Confidentiality and Access to Information Legislation

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with access to information legislation: these are chiefly the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004 (EIR).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice (section 45) with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the DHSSPS.

For further information about confidentiality of responses please contact the Information Commissioner's Office:

Address: Northern Ireland Information Commissioner's Office
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14 Cromac Place
Belfast
BT7 2JB
Telephone: 028 9027 8757 or 0303 123 1114
Email: ni@ico.org.uk
Website: www.ico.org.uk

Please tick the box below if you want your response to be treated as anonymous. (NB: response details may still be shared under any future Freedom of Information requests.)

I want my response to be treated as anonymous.

Thank you for completing this questionnaire and providing input to this consultation.

About You

I am responding ... (please tick appropriate option)

- as a member of the public
- on behalf of an organisation
- other _____ (please specify)

Please enter your details below:

Name	Louise Kennedy
Job Title (if applicable)	Regional Policy & Information Coordinator
Organisation (if applicable)	Women's Aid Federation Northern Ireland
Address	129 University St, Belfast,
City/Town	Belfast
Postcode	BT7 1HP
Email Address	Louise.kennedy@womensaidni.org

Part 1 – Draft Strategy

Question 1 – Scope

Do you agree with the scope of the Strategy as detailed in Section 2(b)?

- Yes (see comments below)
- No *(please tick one option only)*

If No, please explain why and let us know how you think this could be improved.

-) While we are generally satisfied with the scope of the Strategy, we would point out that it is very difficult to completely separate out services to support those exiting prostitution from trafficking support services. In the course of supporting all adult female potential victims of human trafficking, we have found that there is a strong link between human trafficking and prostitution. We have also found that the needs of victims of sex trafficking and those in prostitution can be similar in many ways.
-) Indeed, through our work on trafficking, Women's Aid Federation NI already engages with women who may wish to exit prostitution. In practical terms, by supporting all potential victims of trafficking, we provide support to those who do eventually get a positive conclusive decision of trafficking in the NRM and also those who do not. We have found that there is a great deal of overlap and ambiguity between prostitution and trafficking, and support women who although not deemed to be trafficked within the narrow construct of the NRM, may nonetheless have a huge support needs and may have entered prostitution through coercion, grooming or lack of other options. For example, some trafficking victims may present as sex workers initially, and take some time before either disclosing trafficking or even realising themselves that they have been sexually exploited. In such situations, it is practical that trafficking support services and services to support the exit from prostitution have some link.
-) We would also point out that paragraph 2.11 should be more specific in acknowledging all forms of prostitution involving those under 18 equates to abuse. The paragraph does not currently make this explicit in our view.

Question 2 – Barriers

Do you agree with the main barriers to exiting prostitution as described in Section 5 of the Strategy?

- Yes
 No *(please tick one option only)*

If No, please explain why and let us know how you think these could be improved.

- J Women's Aid welcomes the outline of barriers to exit prostitution at section 5. This is based on sound and highly-regarded research on exiting prostitution by experts in the field.
- J We would add that, as well as overt coercion, more subtle manipulation and abuse may be used as a means to block someone from exiting prostitution. We would also add that specifically having no recourse to public funds has been identified as one significant factor in why women enter and are unable to exit prostitution.¹ We would further add that the stigma surrounding prostitution may be a barrier, both in the perception of the person wishing to exit and in how that stigma manifests in society. Those in prostitution may fear being unable to make the transition to employment or other aspects of what might be considered 'mainstream society' due to their background and how others might view them. Additionally, they may face discrimination or backlash from those who stigmatise them for having been involved in prostitution, making it much more difficult to live outside of the industry.
- J We welcome the statement at 5.14 which acknowledges that "It is clear that those involved in prostitution are not a homogenous group and the numerous barriers to exiting prostitution will require a PAS that is flexible enough to cater appropriately for the needs of all individuals."

¹ See Dr Rebecca Dudley, *Domestic Abuse and Women with No Recourse to Public Funds: Where Human Rights do not Reach*, Queen's University Belfast.

Question 3 – Existing Services

In Section 6 of the Strategy, do you agree that the key existing services available for those wanting to exit prostitution have been identified?

Yes

No *(please tick one option only)*

If No, please explain why and let us know how you think these could be improved.

- J We support the need for partnership working and joined up working at section 6.1.
- J We would urge that all existing support providers are provided with training so that they can better deal with the many complex issues that may arise when supporting someone who is in, or wishes to exit, prostitution. We would suggest that Women's Aid Sexual Violence training may be instructive in this regard.
- J At 6.3, we would add mental health services to this list, and add that there is a gap in supporting women with complex needs that include mental health and substance abuse issues in Northern Ireland. It is often not possible or advisable for women with complex needs to enter generic services; they require specialist and expert support, and an environment which can accommodate them while ensuring that others who are accessing the service are not put at risk by them (for example in the case of those with addictions or certain mental health or behavioural issues).
- J Under employment, we would urge that the strategy recognises the need for DEL / Job centre staff to understand how to engage with someone who wishes to exit prostitution and seek employment. There is a need for training around how to assist someone who has exited or is on the journey to exit prostitution, how to work with them and understand the issues that may arise (such as gaps in CV etc), and how to engage in a constructive, sensitive and non-judgmental manner.
- J Under Housing, We do not believe that existing services are currently sufficient to support those who wish to exit prostitution. Like those who experience domestic violence, trafficking or sexual violence, it is not sufficient to place someone who is exiting prostitution into just any housing. Housing should be away from areas where brothels operate, it should have appropriate safety measures in place and it should include support staff who are able to help the person navigate their way through exiting.
- J Domestic & sexual violence - Women's Aid welcomes the acknowledgment of

the link between prostitution and domestic & sexual violence. Women's Aid has, and continues to, support women who have been involved in prostitution and who are seeking support due to domestic violence. We have also supported women who present to us initially as sex workers but are clearly victims of domestic violence.

- J We would make the point that there is not necessarily an increasing trend of pimp/partner relationships as stated in the document. In fact, Women's Aid has worked with many women and girls over the years who have been in such a situation - it is by no means a new phenomenon.
- J We would also point out that support for those who have experienced sexual violence is crucial. In our experience, which is also supported by a vast amount of research, the majority of those in prostitution have experienced sexual violence of some kind. Many of those who would consider themselves to be survivors of prostitution would categorise their entire experience in prostitution as a form of sexual violence. Others may consider themselves to have chosen prostitution but have experienced violence and abuse / specific incidents of abuse and violence while in prostitution. All of these women require specialist support to deal with the trauma of the violence and abuse that they have experienced. This support should be provided by experts who understand sexual violence and who will deliver support that is appropriate, non-judgmental and tailored to the needs of every individual.
- J We urge that details of the 24 Hour Domestic & Sexual Violence Helpline, Women's Aid, Men's Advisory Project and Rainbow Project are included at 6.17.
- J At 6.18 we recommend the inclusion of NEXUS as another service available to victims of sexual violence. Again it would be helpful if contact details for the Helpline and the Rowan were included in this section.
- J At 6.19, we would query what evidence exists to support the claim that outreach and drop-in services are most effective in supporting those in prostitution to exit. In fact, we would submit that there is a need for dedicated accommodation in addition to other services, to support those who have lost accommodation due to their exit, or who wish to exit but whose accommodation is tied to the sex industry. Certainly drop-in and outreach services form a part of the response to supporting those in prostitution; however these services tend to focus on harm reduction as opposed to exiting. A broader wrap-around service, with support from a keyworker, is required to effectively support those in all circumstances wishing to exit.

Question 4 – Programme of Assistance and Support (PAS)

Do you agree with the proposal to deliver the Programme of Assistance and Support (PAS) as described in Section 7?

Yes

No *(please tick one option only)*

If No, please explain why and let us know how you think this could be improved (within the confines of the severe restriction on resources).

- J We appreciate that this strategy is not the PAS itself and that it will be forthcoming and possibly also subject to public consultation. We look forward to sharing our views on the details of the PAS when it has been formulated.
- J The PAS should be able to work for those wanting to exit prostitution regardless of the situation they are in. Our experience working to support those in prostitution, those who have exited, and female victims of human trafficking and exploitation, has shown that each woman has an individual set of circumstances and requires support tailored to those circumstances. Much like supporting women who have been affected by domestic or sexual violence or human trafficking, it is important to work with women at their own pace. Each person will have different needs and different expectations as to how they need to be supported to exit. Crucially, any PAS must be able to ensure that those exiting prostitution receive support which deals not only with the immediate practical issues facing them, but also the reasons which may have resulted in their entry to prostitution in the first place. Both extensive research and experience of practitioners working on the ground with women in prostitution has shown that there are strong links between entry into prostitution and coercion, child abuse, grooming, domestic violence and other traumatic life events. A strategy to facilitate exiting from prostitution must ensure that effective support is in place to help those exiting deal with these underlying issues.
- J Women's Aid does not believe that all aspects of service provision are already covered by what is already in place. In our view, there is a gap in the provision of specialist support service with accommodation attached. Such a service should be staffed by people who understand the complexities underlying a decision to exit, who appreciate that exiting prostitution is rarely if ever a linear process, and who offer non-judgmental support and assistance which is tailored to the needs of each individual requiring support. This strategy must recognise that exiting prostitution rarely involves a quick fix; rather it is a long process that requires long-term support from dedicated support workers.
- J We are appalled that no resources have been attached to this work, despite previous assurances that there would be a budget to support those wishing to exit prostitution as part of the suite of changes to how Northern Ireland engages with prostitution under the new legislation. It is simply not possible to provide a

meaningful programme of assistance and support without resources. Nor is it realistic to expect any positive outcomes in terms of people successfully exiting prostitution without specific, tailored services. The fact is that these services are not currently available, and the list of services outlined are not adequate to effectively support people to exit prostitution. For example, a drop-in service may be helpful in harm reduction, but it is not an exit support service. We would also question where funding would come from for counselling, given that those exiting prostitution may need long-term, specialist therapeutic counselling over a number of years, and such services are not available on the NHS.

) We are not convinced that focusing on “ensuring that these workers (social workers, police, health care workers etc) are able to provide the advice and support necessary” will be sufficient to assist someone in exiting. As already stated, it may take months or even years for a woman to transition out of prostitution. Much like domestic violence, women do not leave prostitution for numerous, complex reasons. They may require support of varying degrees of intensity, emotional support and advocacy, and would inarguably benefit from a dedicated support worker with whom they can build trust and use as a go-to person for that support. Without such dedicated support, we believe that it is much less likely that a person in prostitution would successfully exit, particularly if they are left effectively to their own devices to engage with the myriad statutory and non-statutory service providers that they need to in order to overcome the many hurdles on the journey to exiting.

) Women’s Aid believes that, as the support needs of women who wish to exit prostitution is 24 hours a day, so too must the support be. We would also submit that, given the number of foreign nationals who are engaged in prostitution in Northern Ireland, any service must have a comprehensive understanding of the cultural and practical issues that may go hand in hand with supporting a BME woman who wishes to exit.

Overall, this proposal is extremely disappointing, particularly when compared to the range of services that have been put in place to support victims of human trafficking. The trafficking and exploitation bill from which this strategy derives is based on the Nordic model, which espouses the principles of criminalising pimps and buyers of sexual services while supporting those in prostitution. In our view, this proposal not only contravenes the spirit of the legislation, but it may put people in prostitution at risk by failing to deliver on the support element of the legislation.

) We strongly urge the Department to honour the commitments made by the Assembly within the legislation, and commit resources to develop effective coordinated services that will effectively support anyone who wishes to exit prostitution in Northern Ireland.

Question 5 – Governance

Are the proposals on future governance for the Strategy and the PAS, as described in Section 8, appropriate?

Yes

No (*please tick one option only*)

If No, please explain why and let us know how you think these could be improved.

Part 2 – Equality Screening

Introduction – Section 75 of the Northern Ireland Act 1998

Section 75 of the Northern Ireland Act 1998 requires Departments to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without.

Departments are also required to have regard to the desirability of promoting good relations between persons of a different religious belief, political opinion or racial group.

Question 6 – Adverse Impact

Are the proposals set out in this consultation document likely to have an adverse impact on any of the nine equality groups identified under Section 75 of the NI Act 1998?

Yes

No

(please tick one option only)

If Yes, please state the group or groups and let us know why you think they would be adversely affected and how this could be reduced or alleviated in the proposals.

If this strategy goes ahead without proper resourcing, it may have an adverse impact on women.

Question 7 – Equality of Opportunity and Good Relations

Are you aware of any indication or evidence (qualitative or quantitative) that the proposals set out in this consultation document may have an adverse impact on equality of opportunity or on good relations?

Yes

No *(please tick one option only)*

If Yes, please explain why and let us know what you think should be added or removed to alleviate the adverse impact.

Question 8 – Improved Equality of Opportunity and Good Relations

Is there an opportunity to better promote equality of opportunity or good relations?

Yes

No *(please tick one option only)*

If Yes, please give details as to how.

Question 9 – Human Rights

Are there any aspects of the policy where potential human rights violations may occur?

Yes

No *(please tick one option only)*

If Yes, please give details.

Part 3 – Additional Comments

Question 10 – Additional Comments

Please use the space below to provide any additional comments you may have.

It would be helpful if you reference which part of the document you are commenting on. If you refer to any other documents, please provide the title, author and if possible approximate date of publication.

- J Women's Aid has concerns about the use of the DOJ/QUB research as a basis for determining the scope and nature of prostitution in Northern Ireland. Women's Aid has previously noted our reservations with the study, and would question its value given its limited scope and questionable conclusions. We absolutely refute the research's conclusions that underage prostitution is not common and that most people enter prostitution as adults. This conclusion not only flies in the face of extensive research that has been conducted globally about the sex industry, but also contradicts our own practical experience as support providers in Northern Ireland. In our experience it is not uncommon for girls under 18 to be coerced and / or groomed into sexual activity or prostitution as part of domestic violence. The fact that the research presents findings which denies such abuse exists in Northern Ireland is frankly insulting to victims. We would also highlight the fact that the research itself notes its limitations and recommends further more thorough research with a more extensive methodology. We do not believe that this study truly captures the extent or nature of prostitution in Northern Ireland, and would caution against using it to inform future policy on prostitution. We do however fully support the Eaves research which is also referenced in the document.
- J 3.1 (page 12) - While it may not be for this consultation to assess the value or otherwise of existing legislation on prostitution, nonetheless the use of the phrase "living off immoral earnings of a prostitute" is stigmatising and unhelpful language. We recommend that the use of this phrase is not necessary in a strategy on supporting those who may wish to exit prostitution.
- J Section 3(a) on legislation in Northern Ireland is unclear and confusing. There is no need to lead with information on the soliciting offence as it has now been repealed, or about any offence that is no longer on the statute books. We suggest that only legislation and offences that are current are included, with a note that soliciting offence has been repealed. This will make it clear that soliciting is not an offence in Northern Ireland.