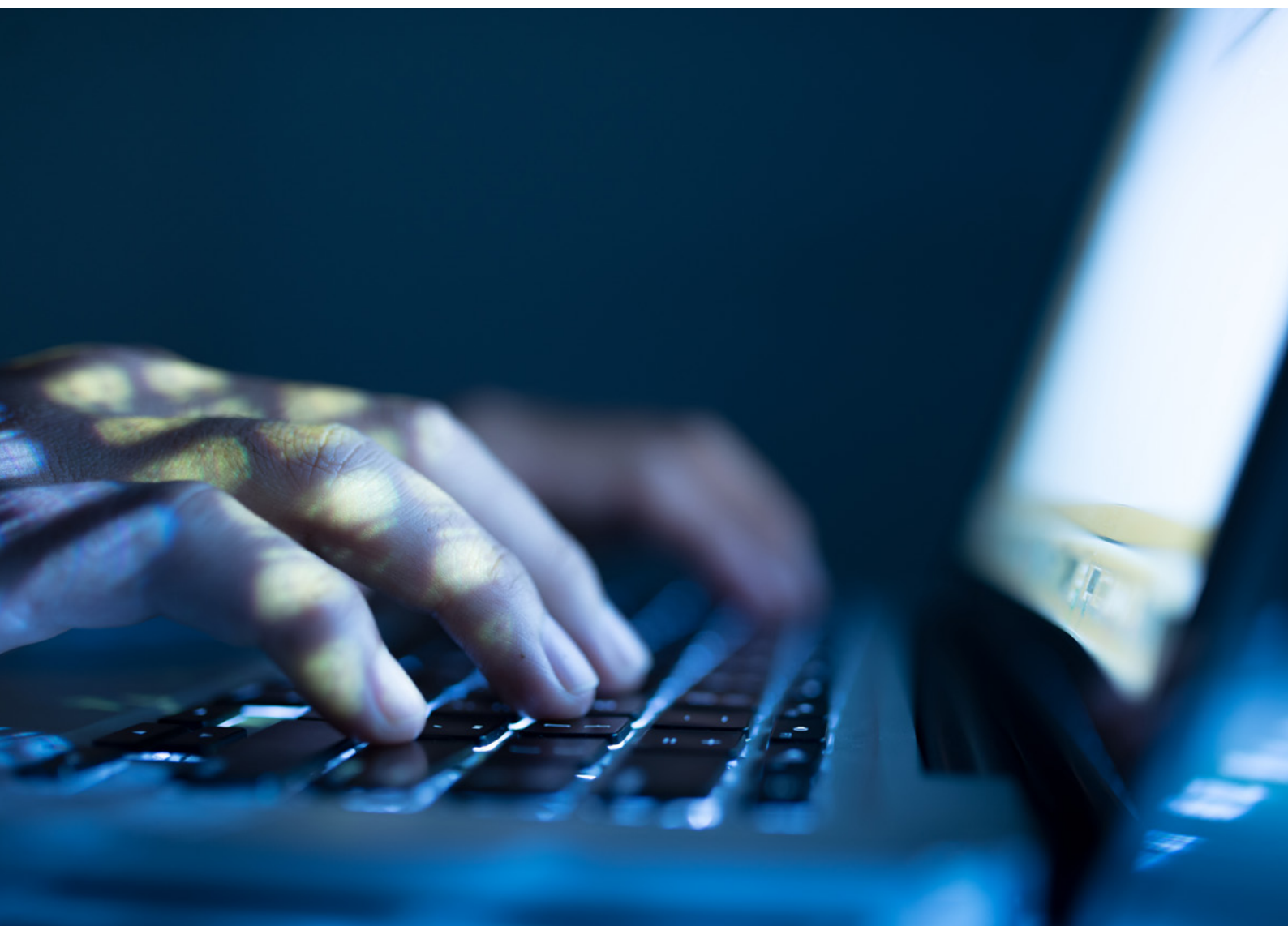


# Online Pimping

**An Inquiry into Sexual Exploitation Advertising Websites**

**Cross-Party Group on Commercial Sexual Exploitation**



# Online Pimping

## An inquiry into Sexual Exploitation Advertising Websites

**Cross-Party Group on Commercial Sexual Exploitation, 2021**

### **About the Cross-Party Group on Commercial Sexual Exploitation**

The Cross-Party Group on Commercial Sexual Exploitation works to end commercial sexual exploitation in Scotland. Cross-Party Groups provide an opportunity for Members of the Scottish Parliament to engage with external stakeholders on a particular subject. The Cross-Party Group on Commercial Sexual Exploitation is co-convened by Ruth Maguire MSP and Rhoda Grant MSP. The Secretariat is provided by Dr Jacci Stoye.

[www.cpg-cse.com](http://www.cpg-cse.com)

### **Acknowledgements**

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# Forewords

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The internet has changed how sex buyers find women to sexually exploit. Rather than ‘kerb-crawling’ or finding an advert in a phone box, men wanting to pay to sexually access women’s bodies can now simply log on to their computer and visit a Sexual

Exploitation Advertising website. On these highly lucrative commercial websites, hundreds of women are advertised for prostitution every single day.

Sexual Exploitation Advertising websites have not only been a boon for sex buyers - they are a gift to sex traffickers. The ease and speed with which pimps and traffickers can now advertise their victims to potential ‘customers’ has turbo-charged the sex trafficking trade.

Our inquiry is the first parliamentary inquiry ever conducted in the UK on Sexual Exploitation Advertising websites – and all governments should heed the disturbing findings. These ‘pimping websites’ fall through the cracks of our outdated laws on sexual exploitation. Website operators are free to enable and profit from the prostitution of others – without criminal sanction.

The Scottish Government must lead the way in adopting sexual exploitation laws that are fit for the twenty-first century. That means making it a criminal offence to enable or profit from the prostitution of another person; combatting demand by criminalising paying for sex; and decriminalising and supporting victims of sexual exploitation.

It’s time for Scotland to lead the way and take action to end this exploitation.

**Ruth Maguire MSP**



The commercial sexual exploitation of women harms both individuals and our society. It is a barrier to true equality.

Those who enable and profit from it are guilty of exploitation and abuse.

We know this industry is trapping, trafficking and enslaving women, all to feed abusive men’s sense of entitlement. This entitlement is not just for sexual gratification, but to hold power over women.

Websites that knowingly host prostitution adverts are as guilty of exploitation as the pimps, managers and slave masters that have a direct hand. They must be held to account.

The operators of Sexual Exploitation Advertising websites are fully aware of the misery their actions cause, but their greed negates even the most cursory concern for the welfare of those they exploit.

The clear action required from our investigation, that can be seen in this report, is that these websites must be criminalised.

To tackle commercial sexual exploitation, we need to tackle the exploiters and protect and empower those they exploit. Those who feed this industry must also face sanction, making it more difficult for this trade to thrive.

Closing Sexual Exploitation Advertising websites is one important step on the path to ensuring no one is for sale in Scotland.

**Rhoda Grant MSP**

# Executive Summary

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## Introduction

In 2020-2021, the Cross-Party Group on Commercial Sexual Exploitation conducted an inquiry into Sexual Exploitation Advertising websites. Sexual Exploitation Advertising websites are commercial websites dedicated solely or partly to advertising individuals for prostitution.

The inquiry was launched in response to growing reports of commercial advertising websites being used to facilitate sex trafficking and sexual exploitation in Scotland. It represents the first parliamentary inquiry dedicated to analysing Sexual Exploitation Advertising websites ever conducted in the UK.

The purpose of the inquiry was to establish what role Sexual Exploitation Advertising websites currently play in facilitating sex trafficking and sexual exploitation in Scotland - and to identify what action the Scottish Government should take in response.

## Findings

### **The role of Sexual Exploitation Advertising websites in facilitating sex trafficking and sexual exploitation:**

1. Sexual Exploitation Advertising websites are a major enabler of sex trafficking and sexual exploitation in Scotland.
2. 'Market-leading' Sexual Exploitation Advertising websites centralise and concentrate demand online from sex buyers.
3. Opportunities and incentives for third parties to traffic and exploit women via Sexual Exploitation Advertising websites cannot be 'designed out' of the websites.

4. Sexual Exploitation Advertising websites knowingly facilitate and profit from the prostitution of others.
5. Sexual Exploitation Advertising websites do not enhance the safety of women. They endanger vulnerable women by incentivising and enabling sex trafficking.

"My advert was put on the internet. I didn't do that, the pimp's girlfriend did ... I had to fight with the customers but I didn't speak very good English at that time."

Natasha<sup>1</sup>

### **Government and law enforcement responses to Sexual Exploitation Advertising websites:**

6. Existing Scottish legislation on sexual exploitation fails to prevent the operation of Sexual Exploitation Advertising websites.
7. The scale of sex trafficking and sexual exploitation facilitated by Sexual Exploitation Advertising websites vastly outstrips policing capacity to respond to it.
8. Current UK-wide law enforcement collaboration with Sexual Exploitation Advertising websites is failing to meet its ostensible objectives, provides political cover to the website companies, and underplays the level of threat posed by the websites.
9. Successful international legal and law enforcement initiatives to tackle Sexual Exploitation Advertising websites enable evidence-based action in Scotland.

## Recommendations

In order to prevent Sexual Exploitation Advertising websites fuelling and facilitating sex trafficking and sexual exploitation, the following public policy and policing reforms should be enacted in Scotland:

### Legislation

- Introduce the offence of enabling and/or profiting from the prostitution of another person.
- Introduce the offence of providing or offering money or other benefit (including food and accommodation) in return for a person performing sex acts.
- Repeal Section 46 of the Civic Government (Scotland) Act 1982 in order to prevent victims of sexual exploitation from being sanctioned for soliciting in a public place.
- Expunge previous convictions under Section 46 of the Civic Government (Scotland) Act 1982 from individuals' records.

### Law enforcement

- Upon the introduction of the offence of enabling and/or profiting from the prostitution of another person, enforcement action should be taken against Sexual Exploitation Advertising websites that continue to operate in Scotland in violation of the law.
- Until the introduction of the offence of enabling and/or profiting from the prostitution of another person, law enforcement must fully and robustly enforce existing legislation and powers relating to the activities of Sexual Exploitation Advertising websites.
- All law enforcement personnel who work on matters relating to sexual exploitation, including the National Crime Agency and other UK-wide

law enforcement bodies that operate in Scotland, should receive specialist training on the nature and harms of sexual exploitation.

### Support services and education

- A comprehensive, well-resourced network of holistic support and exiting services should be provided for individuals who are currently or have formerly been involved in commercial sexual exploitation in Scotland. Training and other relevant capacity-building initiatives should also be provided for personnel in mainstream services who interact with victims of commercial sexual exploitation.
- All schools should adopt a whole school approach to tackling sexism and promoting equality between women and men in order to promote positive attitudes amongst young people in relation to consent and healthy relationships. In support of this, every Initial Teacher Training provider in Scotland should include training on how to tackle sexism in schools as a core and compulsory part of their courses for trainee teachers.

# Introduction

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## The global context

The trafficking of women and girls into and around Scotland to be sexually exploited is a scourge on society. Just 4% of men in Scotland report having paid for sex in the past five years<sup>2</sup>, yet that minority of men is fuelling a brutal human trafficking market and causing untold trauma and suffering.

Globally, trafficking for sexual exploitation is the most detected form of human trafficking<sup>3</sup> and the most lucrative form of modern slavery<sup>4</sup>; and the profitability of human trafficking is on the rise. The Organization for Security and Co-operation in Europe (OSCE) & Tech Against Trafficking report indications that there has been “*substantial growth*” in the human trafficking marketplace during the past 10-15 years<sup>5</sup>.

While sex trafficking is fundamentally underpinned by demand from sex buyers, the OSCE and Tech Against Trafficking report the growth of a factor with huge implications for the scale and profitability of trafficking for sexual exploitation: online advertising platforms. They note that there has been an “*exponential increase in the online advertisements of human trafficking victims in different parts of the world*”<sup>6</sup>.

Similarly, Europol, the European Union’s law enforcement agency, reports: “*The online advertisement of sexual services is an increasing phenomenon relating to THB [trafficking in human beings] for sexual exploitation, with children being advertised as adults.*”<sup>7</sup> In its 2018 report, ‘Criminal Networks Involved in the Trafficking and Exploitation of Underage Victims in the European Union’, Europol states: “*Online advertisement of sexual services is reported as an increasing phenomenon in child trafficking for sexual exploitation. Suspects in many instances create the online profile of the*

*victims on specific websites and manage accounts and prostitution services, while other times victims are convinced to do it by themselves, provided with forged documents to register as adult users. Suspects often force victims to produce sexually explicit photographs to be posted online and to take part to video-chat meetings with clients.*”<sup>8</sup>

This trend in advertising sexual exploitation victims online was also detected by the UK Parliament’s All-Party Parliamentary Group (APPG) on Prostitution and the Global Sex Trade in its 2018 inquiry into organised sexual exploitation in England and Wales. The inquiry found that the sexual exploitation of women by organised crime groups is widespread and “*industrialised*”<sup>9</sup>. These organised crime groups exploit predominantly non-UK national women, exerting coercive control over victims and sexually exploiting them for profit in ‘pop-up’ brothels, massage parlours, hotel rooms and private residences.

A critical factor identified in the APPG on Prostitution and the Global Sex Trade’s inquiry as enabling large-scale organised sexual exploitation was the use of ‘prostitution procurement websites’ - commercial websites dedicated solely or partly to advertising individuals for sexual exploitation. Organised crime networks were found to typically rely on these websites to advertise victims to sex buyers.

## An emerging threat in Scotland

Consistent with international trends, there have been growing reports of commercial advertising websites being used to facilitate sex trafficking and sexual exploitation in Scotland.

In 2020, the Sunday Times reported that Facebook, Twitter and Instagram had launched investigations into the use of their platforms by websites including Escort Scotland, Vivastreet and Adultwork. The Sunday Times stated: *“The sites are used by gangmasters to advertise sex with women trafficked from a range of countries including China, Vietnam and Nigeria, and sold into prostitution as a form of modern slavery”*<sup>10</sup>.

The Sunday Times further noted: *“Police Scotland is concluding an investigation into a gang using sex-for-sale sites to run a prostitution ring said to be worth “a considerable amount of money”. The force says it is powerless to act against site operators, however, because the servers are located abroad and it is not illegal to sell sex in the UK.”*

Police Scotland also publicly reported in 2020 that commercial advertising websites were being used to advertise sex trafficking victims in Scotland. Detective Chief Superintendent Sam McCluskey stated: *“Many of those being sexually exploited are advertised on websites including adult services websites.”*<sup>11</sup> These ‘adult services’ websites were described by Detective Chief Superintendent McCluskey as *“the most significant enablers of sexual exploitation”*<sup>12</sup>.

In 2019, the Sunday Mail published an investigation into the use of the website, Vivastreet, to advertise sex trafficking victims to Scottish sex buyers. The report, ‘Sex slaves bought and sold on Vivastreet as web giants blamed for rise in Scots human traffick cases’, reported: *“human traffickers are using the UK’s biggest community website to sell sex slaves”*<sup>13</sup>.

The Sunday Mail noted that the investigation was prompted *“after a leading anti-trafficking organisation said it had experienced a 42 per cent increase in sexually exploited women coming to them for help in the last year. Some of the women said they had been advertised on sites such as Vivastreet.”*<sup>14</sup>

## Trafficking for sexual exploitation: a statistical overview

- The United Nations Office on Drugs and Crime report that in 2016, 59% of detected victims of trafficking globally were trafficked for the purpose of sexual exploitation, making it the most detected form of trafficking<sup>15</sup>. 94% of the victims of trafficking for sexual exploitation were female.
- Trafficking for sexual exploitation is the most common form of human trafficking in the European Union, accounting for over half (60%) of registered victims in the EU-27 in 2017-2018<sup>16</sup>. 92% of the victims of trafficking for sexual exploitation were women.
- In 2020, Police Scotland identified 84 women and girls trafficked for sexual exploitation (as of 30 November 2020)<sup>17</sup>. Detective Chief Superintendent Sam McCluskey of Police Scotland said: *“We believe the number of women, and girls, identified as being trafficked and sexually exploited is under-estimated. We know there are many more victims.”*<sup>18</sup>
- Between July 2018 and July 2019 there were 230 cases of sexual exploitation involving 506 potential victims reported to the UK-wide Modern Slavery Helpline<sup>19</sup>. 93% of the potential victims were female.
- In 2018, the Home Office estimated that the median length of time a trafficking victim is held in sexual exploitation is nine months (274 days), with individual victims experiencing a median of 795 counts of rape and other forms of sexual assault during that period<sup>20</sup>.
- Trafficking for the purpose of sexual exploitation is substantially more lucrative than other forms of modern slavery. Utilising data from 51



countries over a 15-year period, it was calculated that a victim of modern slavery will generate on average \$3,978 (£3,030) a year for their exploiter. However, a victim of sex trafficking will generate average profits of \$36,000 a year<sup>21</sup>.

- A cross-sectional analysis of up to 150 countries found that reported trafficking flows are larger into countries where prostitution is legal<sup>22</sup>.
- A study of European countries using cross-country data found that sex trafficking was most prevalent in nations with legalised prostitution regimes. The researchers concluded support for their proposition that “*slacker prostitution laws make it more profitable to traffic persons to a country.*”<sup>23</sup>

## About Sexual Exploitation Advertising websites

Sexual Exploitation Advertising websites are commercial websites dedicated solely or partly to advertising individuals for prostitution. Sexual Exploitation Advertising websites have also been referred to as ‘prostitution procurement websites’, ‘escort advertising platforms’ and ‘Adult Services Websites’.

The primary target audience of Sexual Exploitation Advertising websites is men who want to pay to sexually access women’s bodies (referred to in this report as ‘sex buyers’).

Prior to the internet, sex buyers were reliant on advertising methods such as ‘calling cards’ in phone booths, visible brothels, street soliciting and adverts in local newspapers in order to identify a person they could sexually exploit. Historically, this advertising has been curtailed by government and trade body action. Brothel-keeping and street soliciting are criminal offences, and the Crown Prosecution Service highlights Newspaper Society advice for newspapers which advises against publishing

advertisements for brothels or for “*the illegal offering of sexual services*”<sup>24</sup>. With the advent of the internet, sexual exploitation advertising now predominantly takes place online<sup>25</sup>.

Sexual Exploitation Advertising websites operate by charging fees for hosting sexual exploitation adverts and/or enhancing the prominence of the advert on the site, while being free to use by sex buyers. A sex buyer wishing to sexually exploit an individual he identifies through an advert contacts the ‘seller’ directly via a phone number or messaging service provided in the advert.

Sexual Exploitation Advertising websites provide a standardised online profile form for individual advertisers to complete. This typically includes: a list of ‘services’ on offer, which includes acronyms and euphemisms for sex acts; fees for particular time periods; contact information such as a mobile phone number; and a gallery of images purportedly of the individual being advertised.

Researchers at the University of Bristol analysed profiles on two unnamed online platforms, described as “*market leaders nationally in advertising adult services online*”<sup>26</sup>, using data provided by the platforms. Approximately three quarters of the ‘advertisers’ were women. On one of the platforms, Platform A, 40% of the advertisers were listed as 26 years old or younger. On Platform B, 72% of the advertisers on the site were listed as 26 years old or younger, and 23% were listed as aged 18-21 years old.

The online marketplace of individuals being advertised to sex buyers cannot be characterised as a sprawling, dispersed and disconnected collection of independent adverts. Instead, sexual exploitation advertising is highly concentrated and centralised on a small number of commercial websites operated by third party companies.

The UK’s National Police Chief’s Council stated in 2019: “*The ASWs [Adult Services Websites] which*

*currently have the largest share of the UK sexual services market are Adult work and Vivastreet.”<sup>27</sup>*

“These organised crime groups hide in plain sight. [...On these websites] there will be people who are being subjected to horrific and degrading treatment and there are organised crime groups who will control these women and will facilitate these adverts. Of that there is no doubt.”

Detective Superintendent Filippo Capaldi, Police Scotland

Internationally, some governments and law enforcement agencies have been taking action to prevent the operation of Sexual Exploitation Advertising websites. In 2018, it became a federal criminal offence in the United States to own, manage or operate an interactive computer service to promote or facilitate the prostitution of another person<sup>28</sup>.

In France, it is a criminal offence to assist or profit from the prostitution of others, including by advertising individuals for prostitution. In 2018, a criminal investigation was opened into the advertising website Vivastreet for aggravated pimping, on the basis that the website was hosting adverts for prostitution<sup>29</sup>. As of February 2021 the case is ongoing.

In Scotland, however, commercial websites that knowingly facilitate and profit from the prostitution of others currently operate free from criminal sanction.

## About the inquiry

Cross-Party Groups provide an opportunity for Members of the Scottish Parliament (MSP) to engage with external stakeholders on a particular subject. The Cross-Party Group on Commercial Sexual Exploitation enables Members to undertake research and make public policy recommendations

on matters relating to commercial sexual exploitation in Scotland.

Consistent with the policy of the Scottish Government<sup>30</sup>, the Cross-Party Group on Commercial Sexual Exploitation recognises prostitution as commercial sexual exploitation and a form of violence against women. Sexual exploitation can involve the exchange of money, accommodation, services or goods in return for sex acts.

In 2020, MSP members of the Cross-Party Group on Commercial Sexual Exploitation launched an inquiry into Sexual Exploitation Advertising websites. This represents the first parliamentary inquiry dedicated to analysing Sexual Exploitation Advertising websites ever conducted in the UK.

The inquiry was launched in response to growing concerns about the harms resulting from Sexual Exploitation Advertising websites; in particular, their role in enabling trafficking for sexual exploitation and organised crime.

While there are a range of online platforms that are utilised in the context of commercial sexual exploitation, the focus of this inquiry is on Sexual Exploitation Advertising websites that enable sex buyers to identify individuals they can pay to perform sex acts directly on/with them.

This inquiry sought to establish:

- What harms are associated with Sexual Exploitation Advertising websites;
- What role Sexual Exploitation Advertising websites play in facilitating trafficking for sexual exploitation and organised crime;
- What the current approach of the Scottish Government and law enforcement agencies is to Sexual Exploitation Advertising websites;
- What action has been taken internationally with respect to Sexual Exploitation Advertising websites; and

- What action the Scottish Government and law enforcement agencies should take in relation to Sexual Exploitation Advertising websites.

The Cross-Party Group on Commercial Sexual Exploitation uses the term ‘Sexual Exploitation Advertising websites’ to refer to websites that host prostitution adverts, rather than ‘Adult Services Websites’ – as used by some of the websites in question. This is because ‘adult services’ is a euphemism that serves to obscure and normalise sexual exploitation and abuse.

The individuals and organisations who gave oral evidence to the Cross-Party Group on Commercial Sexual Exploitation as part of this inquiry are listed in Appendix A. Minutes of the oral evidence hearings are provided in Appendix B<sup>31</sup>.

# Findings

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## PART A: The role of Sexual Exploitation Advertising websites in facilitating sex trafficking and sexual exploitation

### Key findings

1. Sexual Exploitation Advertising websites are a major enabler of sex trafficking and sexual exploitation in Scotland.
2. ‘Market-leading’ Sexual Exploitation Advertising websites centralise and concentrate demand online from sex buyers.
3. Opportunities and incentives for third parties to traffic and exploit women via Sexual Exploitation Advertising websites cannot be ‘designed out’ of the websites.
4. Sexual Exploitation Advertising websites knowingly facilitate and profit from the prostitution of others.
5. Sexual exploitation advertising websites do not enhance the safety of women. They endanger vulnerable women by incentivising and enabling sex trafficking.

### 1. Sexual Exploitation Advertising websites are a major enabler of sex trafficking and sexual exploitation in Scotland.

The Cross-Party Group on Commercial Sexual Exploitation received evidence from law enforcement agencies and support services that Sexual Exploitation Advertising websites are a major enabler of sexual exploitation and sex trafficking in Scotland.

Detective Superintendent Filippo Capaldi, Head of Police Scotland’s National Human Trafficking Unit, told the inquiry: *“Adult Services Websites are one of the main facilitators of trafficking for the purposes of sexual exploitation in Scotland and the rest of the UK, and we come across them quite commonly when we are dealing with trafficking inquiries, particularly involving foreign nationals.”*

Linda Thompson, National Coordinator of the Women’s Support Project, stated: *“Opportunities for men to purchase sex, in terms of advertisements, have always been there – in the back pages of newspapers, obviously in postcards, advert cards that were placed in phone boxes. We’ve had books previously published as a guide to where men can purchase sex. But obviously with the explosion of the internet, that has just put it all on steroids. ...In my work I do scoping, I do regular scoping of Vivastreet in particular, and we always find adverts that we would hand over to the police, that we would have concerns about trafficking.”*

Bronagh Andrew, providing evidence on behalf of Routes Out and TARA, organisations which provide specialist support to women who have been trafficked and sexually exploited, informed the inquiry that they have supported women who have been trafficked and advertised on Sexual

Exploitation Advertising websites. Ms Andrew stated: *“What we’ve found is that Romanian women tended to have been advertised on large websites... Women who have been trafficked have no autonomy. They may be groomed into it. Women will say, ‘Oh another woman put [the advert] up for me’, and they know very, very little about it.”*

Bronagh Andrew also highlighted that adverts on Sexual Exploitation Advertising websites can be used to exert control over victims, as well as advertise those individuals to sex buyers: *“Often traffickers use the profiles or the images as a tool to continue control and coercion: ‘so, if you don’t do as you’re told, I’ll send your mum or your father this profile and they’ll know what you were doing’, or ‘the police will see that profile and you’ve got a big smile on your face so they won’t believe you’ve been coerced’. So I think profiles can be used in a number of ways... Sometimes for women we support they simply don’t know what’s out there to begin looking for it, and psychologically holding that can be really challenging in terms of recovering and moving on and beginning to rebuild your life if you don’t know what images are out there and you don’t know who can access those images, who’s seen those images. It’s very difficult in terms of moving forward.”*

“A lot of the women that we have worked with have said they had no choice in an advert going up [on a Sexual Exploitation Advertising website]. Natasha, who I worked with, had been trafficked into Scotland from Romania; she had no involvement in the writing of her advert. That advert was placed on her behalf, and it listed what sexual services she was ‘really in to’ and ‘could not wait to offer to men’. She never wrote that. She never agreed that. And she talked about punters arriving and she did not speak English. And they would have negotiated what was going to happen in that room with her. That

punter would have negotiated that with her trafficker/pimp.”

Linda Thompson, Women’s Support Project

The pivotal role of online platforms in facilitating trafficking for sexual exploitation is not unique to Scotland. The UK’s Joint Slavery and Trafficking Analysis Centre – a multi-agency intelligence unit established by policing, Her Majesty’s Government (HMG) and the National Crime Agency – has stated: *“Adult services websites represent the most significant enabler of sexual exploitation in the UK.”*<sup>32</sup>

The UK Parliament’s All-Party Parliamentary Group (APPG) on Prostitution and the Global Sex Trade conducted an inquiry into organised sexual exploitation in England and Wales in 2018. The inquiry, which involved interviews with half of all police forces in England and Wales, concluded that the use of Sexual Exploitation Advertising websites (or ‘prostitution procurement websites’) is part of the modus operandi of organised crime groups engaged in sexual exploitation. The APPG on Prostitution and the Global Sex Trade concluded:

*“Websites such as Vivastreet and Adultwork are key to the typical ‘business model’ used by the organised crime groups and third party exploiters who dominate the UK’s off-street sex trade. They provide a quick and easy way for traffickers to connect with men around the country who are willing to pay to gain sexual access to a woman’s body. Any notion that prostitution websites introduce ‘safety’ to the sex trade by making procurement visible is a dangerous and misleading fallacy. They hide sexual exploitation in plain sight. The websites significantly contribute to the ease and scale of sex trafficking.”*<sup>33</sup>

Giving evidence to the Cross-Party Group on Commercial Sexual Exploitation, Valiant Richey, Special Representative and Co-ordinator for Combating Trafficking in Human Beings at the Organization for Security and Co-operation in Europe (OSCE), explained that Sexual Exploitation

Advertising websites are a major enabler of sex trafficking because they make it substantially easier and more attractive to perpetrate this crime:

*“These websites increase the scale and profitability of the market dramatically. ...It made it much easier for traffickers to advertise people and much easier for buyers to find them. And any time you reduce that threshold, those barriers to accessing the market, you are going to see more engagement and that’s been the major problem. It also reduces risk for traffickers, so it makes it much more attractive. And we know that because we see the proliferation of websites and we see the volume of ads. But we also know it because we talk to survivors, and before these sites came along they were being sold maybe once or twice a night. Now it’s ten times because they can get buyers much, much more quickly.”*

Diane Martin CBE, a survivor of sex trafficking and member of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) International Survivors of Trafficking Advisory Council, told the inquiry: *“Profiteers, pimps and organised crime groups have used these websites to create a mainstream market to sell women for sex. Trafficking and pimping is big business, and these websites incentivise that and make it easy. ... They are a key part of the supply chain connecting traffickers with sex buyers.”*

Research by the OSCE and Tech Against Trafficking reveals that the use of Sexual Exploitation Advertising websites to perpetrate sex trafficking is an international trend. The organisations highlight that there has been an *“exponential increase in the online advertisements of human trafficking victims in different parts of the world”*<sup>34</sup>. They suggest this dramatic increase could be partly explained by *“the entry of additional criminals in the human trafficking marketplace who are taking advantage of the technological progress.”*<sup>35</sup>

The bar to entry into sex trafficking is significantly lowered by the opportunity for open, online

advertising. The OSCE and Tech Against Trafficking report: *“online platforms allow any trafficker, whether part of a large criminal organization or unaffiliated individual, to advertise their victims on the Internet. ...traffickers are in a position to reduce their operations on the streets and move them entirely into a virtual space. This way, traffickers do not have to worry about their victims being spotted by law enforcement or anti-trafficking NGOs. This is a significant de-risking of the crime as it serves to create an additional barrier to law enforcement in victim and trafficker identification.”*<sup>36</sup>

## **2. ‘Market-leading’ Sexual Exploitation Advertising websites centralise and concentrate demand online from sex buyers.**

Sexual Exploitation Advertising websites play a key role in enabling widespread sexual exploitation in Scotland because they concentrate and centralise the nation-wide customer base for sex traffickers: sex buyers. This ready-made, instantly accessible, open online marketplace substantially lowers the bar to entry for would-be offenders into the sex trafficking trade.

Profiting from sexually exploiting another person requires being able to identify and connect with individuals willing to pay for sexual access to the victim. Unless the paid sexual abuse is committed by individuals known to the exploiter(s), connecting with sex buyers involves advertising. The majority of men do not pay for sex. Just 4% of men in Scotland report having paid for sex in the past five years, according to the most recent National Survey of Sexual Attitudes and Lifestyles<sup>37</sup>. Therefore, the sexual exploitation advertising must reach the specific minority cohort of men who do, or would consider, paying for sex.

A small number of Sexual Exploitation Advertising websites dominate the national online marketplace of sexual exploitation advertising. The accessibility, public prominence and market dominance of these

websites serves to concentrate and centralise the customer base for sexual exploitation – enabling exploiters to immediately connect with sex buyers through the simple, quick process of listing an advert on the sites.

An acknowledgement of market dominance, and competition between market-leaders, can be observed in evidence highlighted by the APPG on Prostitution and the Global Sex Trade: *“Vivastreet acknowledges the shared function of the sites in a section of the website titled ‘Vivastreet or Adultwork?’ [The Vivastreet website states:] ‘Most of you will be aware there is another big site you can find escort advertising in the UK. Yup, Adult Work. This page is to take a quick look at the differences between Vivastreet and Adult Work so you can decide the best place to spend your hard earned cash.’”*<sup>38</sup>

Market dominance has also been observed in Ireland’s online sex trade. Dr Monica O’Connor, Senior Researcher at University College Dublin’s Sexual Exploitation Research Programme, told the inquiry: *“Initially there were many [Sexual Exploitation Advertising websites] in Ireland. But gradually over a period of the last twenty years it’s become dominated by one agency. ...Escort Ireland now dominate the market, and they advertise probably 650-700 women every day.”*

By centralising nation-wide demand from sex buyers online, market-leading Sexual Exploitation Advertising websites enable sex trafficking operations to easily and quickly target their advertising at geographically specific subsections of their customer base. This is possible because Sexual Exploitation Advertising websites typically allow adverts to specify, and change, the location of the individual being advertised. Sex buyers visiting the websites can also sort and search for sexual exploitation adverts according to their location.

This geographical targeting feature of Sexual Exploitation Advertising websites is highly advantageous to organised crime groups engaged

in trafficking for sexual exploitation. A common model of operation used by sex trafficking rings entails moving women between different locations to be exploited by sex buyers in those areas<sup>39</sup>. This movement can help to evade police detection and also deter help-seeking by victims. The unfamiliar and changing setting can foster disorientation and isolation, preventing victims from becoming known to local services and/or developing relationships of trust with local agencies - which may facilitate disclosure of sexual exploitation.

Moving locations can also serve a profit function, enabling exploiters to tap multiple local markets of potential sex buyers. By enabling adverts to change the location that women are being advertised in, Sexual Exploitation Advertising websites enable sex traffickers to easily move victims around different locations without the need for pre-existing local knowledge or connections.

### **3. Opportunities and incentives for third parties to traffic and exploit women via Sexual Exploitation Advertising websites cannot be ‘designed out’ of the websites.**

Operators of Sexual Exploitation Advertising websites have no realistic or reliable way of ensuring that individuals being advertised for prostitution on their sites are not being criminally exploited by a third-party.

There may be very clear and obvious signs on a Sexual Exploitation Advertising website that an individual *is* being criminally exploited. For example, a single mobile phone number may be used as the contact number for bookings on multiple different adverts; one individual may place adverts for multiple women; or a man may pay for a woman’s advert. However, the absence of such overt indicators does not mean the individual being advertised for prostitution is not being forced, coerced or otherwise exploited by a third party.

For instance, trafficking rings can simply purchase multiple cheap, pay-as-you-go mobile phones in order to avoid having to use the same phone number on multiple adverts, and women may be forced or coerced to place their own advert. Indeed, Bronagh Andrew, Operations Manager at TARA, an organisation that provides support for victims of sex trafficking, told the inquiry:

*“What we have found is that traffickers will get women to upload the adverts online. Anecdotally we’ve heard that the pre-paid financial cards that you get are used to then pay for the adverts, which means that there is not a link to a credit card or a bank account and the whole thing is done in the woman’s name, so that there is no link to the trafficker and the exploiter. For many women, I think they just simply don’t know where they have been advertised. Some women have disclosed photographs have been taken of them in lingerie and provocative poses, but they don’t know much more than that.”*

Detective Sergeant Stuart Peall of Lancashire Constabulary told the inquiry that organised crime groups can and do adapt their tactics in order to avoid detection by law enforcement: *“Like any other form of crime, people wise up to what you’re doing. Offenders wise up. So the stuff we’ll be telling them [Sexual Exploitation Advertising websites], and NCA [National Crime Agency] will be telling them - around look out for this, look out for that - as soon as it comes out in a trial what you’ve used the next crime group become brighter.”*

Megan King told the Cross-Party Group on Commercial Sexual Exploitation about her personal experience of being exploited through prostitution and advertised to sex buyers on a Sexual Exploitation Advertising website. Ms King was initially unaware that she was being advertised on a website: *“When I was handed over to my first client, at which point I had no idea I was being sold into the sex trade, that client took intimate photos of me, some in my underwear and others more intimate and degrading. The underwear shots were then used as profile*

*pictures on my Adultwork profile that my pimp created without my knowledge or consent.”*

Ms King told the inquiry that the website she was advertised on required the person posting an advert to provide a photograph holding their passport in order to ‘verify’ and post it. However, it was not Ms King who provided ‘verification’ for her own advert. She stated: *“there’s no real way that [the website] can verify that that woman is the same woman that is then sold to a punter. In my situation, I believe that my pimp’s wife took passport photographs under which all of his girls were then advertised.”*

Ms King said: *“Whereas kind of on the street, you can visibly see the vulnerability or the women - not that that’s safe either - but behind, off street, where it’s all online, who do you really know is behind it? It’s very, very easy for exploiters to get away with advertising whoever they want.”*

There is evidence that Sexual Exploitation Advertising websites have allowed individuals to place adverts despite the presence of overt indicators that those individuals were engaged in criminal exploitation. In 2018, it was revealed that a single trafficker had spent £25,000 advertising victims on Vivastreet. Prior to the trafficker’s arrest, Vivastreet had responded to this man’s high rate of spending on prostitution adverts not by calling the police, but by allocating him an account manager<sup>40</sup>.

#### **4. Sexual Exploitation Advertising websites knowingly facilitate and profit from the prostitution of others.**

Sexual Exploitation Advertising websites do not just ‘happen’ to have prostitution adverts posted on their sites; they provide a standardised form for advertisers to complete specifically for this purpose. The advert template provided by these websites typically includes a list of ‘services’ on offer - consisting of acronyms and euphemisms for sex acts, dedicated space to enter fees according to particular time periods, contact information, and a



gallery for photographs. This standardised advert template enables prospective sex buyers to search and filter women being advertised according to different criteria.

Sexual Exploitation Advertising websites knowingly facilitate and profit from the prostitution of other people. When prosecuting a trafficking gang that advertised victims online, Judge Robert Altham stated in 2017: *“The women’s services were advertised on Vivastreet, a general classified ad website which has an escort classification. The services were blatantly prostitution.”*... *“No one, including those who make a profit from Vivastreet, could have been left in any doubt prostitution services were being offered.”*<sup>41</sup>

Giving evidence to the Cross-Party Group on Commercial Sexual Exploitation’s inquiry, Linda Thompson of the Women’s Support Project told the inquiry that Sexual Exploitation Advertising websites *“absolutely facilitate the ease of women entering into this industry – absolutely facilitate it. And they are geared up to bring in more women.”* Ms Thompson described a feature on one Sexual Exploitation Advertising website that incentivised individuals advertising prostitution on the website to encourage other people to do the same: *“[if] you as a supplier, as an advertiser, bring another woman in you get a referral code and they will give you... additional credits into your account. In fact, they encourage other women to bring women in and basically profit off other women via a referral code.”*

## **5. Sexual exploitation advertising websites do not enhance the safety of women. They endanger vulnerable women by incentivising and enabling sex trafficking.**

Sexual Exploitation Advertising websites typically openly display the phone numbers of women being advertised on the sites. Anyone who visits the websites can freely access these phone numbers while remaining anonymous. The prospective sex buyer (or any other website visitor) does not need to

provide the website operator, or the individual being advertised, with a single piece of information before they obtain and use the phone number. Website visitors can also use a Virtual Private Network (VPN) when accessing Sexual Exploitation Advertising websites, which provides enhanced anonymity by disguising the sex buyer’s computer IP address. It is wholly implausible that the open, anonymised online access to the phone numbers of women being advertised for sexual exploitation (or the phone numbers of their pimps and traffickers) delivers any meaningful notion of ‘safety’ or ‘security’ to the individuals being advertised.

Valiant Richey, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, told members of the inquiry: *“[An] argument I hear, and often from the sex industry, is that these sites are safer. They are not. They are easier. And easier is not the same as safer. ...The problem is that just like on the street, nobody knows who the buyer is who is going to walk through the door, and a good buyer can be a bad buyer tomorrow. There is simply no way to eliminate violence from this industry and the websites do not help do that.”*

Evidence provided to the Cross-Party Group on Commercial Sexual Exploitation highlighted an erroneous claim that in the absence of Sexual Exploitation Advertising websites, the level of supply and demand for prostitution would remain constant and simply be displaced to another advertising space, such as the dark web or the streets, and that this would represent a reduction in ‘safety’. Such a claim is fallacious on multiple counts: levels of supply and demand for sexual exploitation are context dependent; there are substantial barriers and disincentives to traffickers and sex buyers using advertising spaces such as public streets and the dark web; there is nothing that can be deemed safe about the open, anonymised online access to the phone numbers of women being advertised on Sexual Exploitation Advertising websites; and regardless of which space the advertising takes place in, the act

that is being advertised – sexual exploitation and abuse – cannot be made ‘safe’.

Demand for sexual exploitation is not inevitable and unchanging. Most men do not pay for sex; just 4% of men in Scotland report having paid for sex in the past five years<sup>42</sup>. There is extensive evidence that levels of demand vary over time and place<sup>43</sup>. Individuals who pay for sex are not expressing an ‘controllable urge’ or fulfilling a ‘need’ that must be met. They are making a decision, and that decision is influenced by attitudes, beliefs and situational factors – such as the risk of criminal sanction and how practically easy it is to identify a person to sexually exploit.

The OSCE and Tech Against Trafficking point out in an analysis of the role of technology in trafficking: *“the use of the dark web for advertising human trafficking victims has its limitations. ...human trafficking is a financially motivated crime and traffickers seek as many clients as possible. This is best achieved by using the open web to which everyone has access. The dark web has several technological barriers that can reduce the overall marketplace, and thus it is not well-suited for increasing the numbers of clients, and is more geared towards buyers with niche interests, like in the cases of human trafficking for organ removal, and those trading in child sexual exploitation imagery.”*<sup>44</sup>

Ultimately, if a significant proportion of current sex buyers can continue to locate adverts for sexual exploitation on ‘less accessible’ parts of the internet, then so can law enforcement, and legislation could be enforced against offenders.

In relation to claims that closing Sexual Exploitation Advertising websites would simply lead to a displacement of that market to streets and public places, Special Representative Valiant Richey told the inquiry: *“The problem with that argument is that it assumes a constant size of the market. [But] when the street moved to the internet the market grew because it’s easier. It is not correct to assume that when you shut down the sites the entire market is*

*going to move back to the streets. That’s just not how it goes, because there is so much [of a] barrier to using other methods. The market is going to shrink in the same way that it expanded when it went to the internet. That’s why this argument is again fallacious”.*

It is simply not possible to ‘vet’ a sex buyer and predict whether he is going to perpetrate additional forms of violence or crime against the individual he is paying to sexually exploit, regardless of whether the advertising takes place on the street or via a website. If a prospective sex buyer is known to an individual selling sex, and/or is not known to have committed violent crimes or other offences in the past, this in no way determines that he is ‘safe’. Providing a tragic example of this, in 2006 Steve Wright murdered five women involved in sexual exploitation. Wright was a long-time, regular sex buyer and known to women in the local prostitution trade. He was described by one woman he sexually exploited in the area as *“an average, normal punter”*<sup>45</sup>.

Megan King, who was exploited through prostitution and advertised on Sexual Exploitation Advertising websites during her early twenties, told this inquiry: *“I also do not believe that these websites make anyone safer. ...these punters don’t need to prove who they are. They can have a profile [on a particular Sexual Exploitation Advertising website], which they can have feedback as well. But even if they have the best feedback in the world, I’ve heard of women who have seen regular clients for several years and then they’ve attacked them. So, the feedback really means nothing. The punter could be lovely to 10, 12, 100 women and then attack. And they’re using a fake name, we’re using a fake name, so no one really knows who each other is.”*

Fundamentally, the purpose of Sexual Exploitation Advertising websites is to generate profits by hosting advertisements for sexual exploitation. The website companies knowingly enable and profit from the prostitution of others. This is online pimping.

Sexual exploitation itself can never be made 'safe'. Extensive evidence shows that having repeated unwanted sex in exchange for money (or accommodation, goods or services) can have deeply harmful, wide-ranging and long-lasting psychological and physical consequences<sup>46</sup>. This is further to the additional acts of violence and abuse found to be perpetrated at alarming levels by sex buyers<sup>47</sup>.

Importantly, any assessment of the impact that Sexual Exploitation Advertising websites have on women's safety must take into account the wider impact these websites have on expanding the scale of sexual exploitation – and the vulnerability of women and girls to sexual exploitation.

As discussed earlier in this report, Sexual Exploitation Advertising websites concentrate and centralise demand from sex buyers across Scotland. This ready-made, instantly accessible, open online marketplace incentivises sex trafficking. The websites substantially lower the practical, financial and technical threshold for individual exploiters and organised crime groups to engage in this highly lucrative crime. Quite simply, websites that incentivise and facilitate paid rape cannot be claimed to enhance women's safety. Sexual Exploitation Advertising websites undermine the safety of women and girls, both now and in the future, who are vulnerable to sexual exploitation.

# Findings

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## PART B: Government and law enforcement responses to Sexual Exploitation Advertising websites

### Key findings

6. Existing Scottish legislation on sexual exploitation fails to prevent the operation of Sexual Exploitation Advertising websites.
7. The scale of sex trafficking and sexual exploitation facilitated by Sexual Exploitation Advertising websites vastly outstrips policing capacity to respond to it.
8. Current UK-wide law enforcement collaboration with Sexual Exploitation Advertising websites is failing to meet its ostensible objectives, provides political cover to the website companies, and underplays the level of threat posed by the websites.
9. Successful international legal and law enforcement initiatives to tackle Sexual Exploitation Advertising websites enable evidence-based action in Scotland.

### 6. Existing Scottish legislation on sexual exploitation fails to prevent the operation of Sexual Exploitation Advertising websites.

Scotland currently lacks comprehensive legislation to prevent individuals and companies facilitating and profiting from the sexual exploitation of others. Instead, there is a patchwork of laws that serve only to prohibit particular instances of third-party facilitation of sexual exploitation.

Giving evidence to the Cross-Party Group on Commercial Sexual Exploitation's inquiry, Claire Mitchell QC stated: *"In Scotland, the relevant law on procurement for prostitution is to be found in the Criminal Law (Consolidation) Scotland Act 1995, Section 7 to 13. The first thing to note about the Act is that it is a consolidation Act, which means that it is bringing together different parts of pre-existing legislation or former common law and put them in one place. Consolidation Acts do not usually change the law. The laws which were put in place in respect of procurement significantly pre-date the use of modern technology."*

Claire Mitchell QC stated that in order for Sexual Exploitation Advertising websites to be held criminally liable for hosting prostitution adverts, new legislation would be required. On the question of whether existing legislation could be amended to prohibit the operation of Sexual Exploitation Advertising websites, Claire Mitchell QC told the inquiry: *"If we're really wanting to get to the heart of this problem, I think bespoke legislation is really what you need to bring us right up to the twenty-first century."*

Sarabjit Singh QC highlights that Sexual Exploitation Advertising websites are potentially legally liable for payments received that are considered to be

‘criminal property’ within the meaning of section 340 of the Proceeds of Crime Act 2002 (which is a UK-wide Act). He states: *“in an individual case, it may be possible to show that a prostitution advertising website is operating unlawfully in the UK in that the operator knows or suspects that the money it receives for hosting advertisements constitutes or represents a person’s benefit from criminal conduct.”*<sup>48</sup>

The Scottish Government Justice Directorate has published a Human Trafficking and Exploitation Strategy, as required by the Human Trafficking and Exploitation (Scotland) Act 2015. The strategy commits to *“Identify Perpetrators and disrupt their activity”* as one of the key ‘action areas’ in pursuit of the elimination of human trafficking and exploitation<sup>49</sup>. However, at the time of this inquiry, Sexual Exploitation Advertising websites were not specifically identified as a target for disruption and deterrence in the strategy.

## **7. The scale of sex trafficking and sexual exploitation facilitated by Sexual Exploitation Advertising websites vastly outstrips policing capacity to respond to it.**

In January 2016, approximately 1800 adverts for ‘sexual services’ were identified in a single day across four main websites in Scotland<sup>50</sup>. Those websites were: Escort Scotland, Adultwork, Vivastreet and Backpage. The majority of the individuals being advertised were women.

During the course of the Cross-Party Group on Commercial Sexual Exploitation’s inquiry into Sexual Exploitation Advertising websites, COVID-19 restrictions were in place. Despite this, on a single day in February 2021, 570 ‘escort’ adverts were identified on just one of the market-leading Sexual Exploitation Advertising websites in Scotland<sup>51</sup>.

An initiative led by the National Crime Agency, which involved three weeks of operational ‘intensification’

activity relating to Sexual Exploitation Advertising websites between September 2018 and March 2020, resulted in 15 arrests and 18 potential victims of trafficking for sexual exploitation being identified in Scotland<sup>52</sup>.

Detective Superintendent Filippo Capaldi, Head of Police Scotland’s National Human Trafficking Unit, highlighted the immense challenge to law enforcement posed by the scale of adverts on Sexual Exploitation Advertising websites: *“The difficulty is there is no end in sight. There is no let up to it. It will continue to appear. There are new adverts coming on and older ones dropping off every single day. It’s a constant churn. So do we have the resources now to do that work? We don’t have a lot of capacity in relation to our cyber-crime team who are very much engaged in the child protection aspect of it. It would really require an uplift in resourcing to do that particular work and be dedicated to that particular work.”*

As previously detailed in this report, law enforcement may be able to identify some clear indicators that an individual being advertised on a Sexual Exploitation Advertising website is a victim of trafficking for sexual exploitation simply by looking at the advert (or automating analysis of open-source information in the adverts). Each of those indicators of third-party exploitation, however, represents a failure of the traffickers to ‘cover their tracks’. It is entirely feasible to advertise victims of sex trafficking on Sexual Exploitation Advertising websites without any discernible evidence of criminal exploitation being present in those adverts. As such, the absence of overt indicators in an advert does not mean that the individual is not a victim of trafficking for sexual exploitation. That could only be reasonably determined by conducting further investigations.

Dr Xavier L’Hoiry of the University of Sheffield provided evidence to the inquiry on research he and colleagues had conducted to assist law enforcement in identifying overt indicators of criminal exploitation on Sexual Exploitation Advertising websites. The

analysis tool produced by this research project for law enforcement was described as a ‘triage’ tool. Based on interviews conducted with law enforcement representatives, Dr L’Hoiry told the Cross-Party Group on Commercial Sexual Exploitation: *“Everybody acknowledged that they are swimming massively against the tide here, that these resources can only do so much. They physically don’t have the resources to make a massive dent in this.”*

Valiant Richey, Special Representative and Co-ordinator for Combating Trafficking in Human Beings across the OSCE’s 57 participating states, highlighted the common fallacy that Sexual Exploitation Advertising websites assist in the enforcement of laws prohibiting trafficking for sexual exploitation. Special Representative Valiant Richey told the inquiry:

*“We often hear this argument from police: ‘well, the internet is good for us because we know where to go and look for it’. Yes, that’s true. But the problem is it’s facilitating an expansion of scale far beyond police resources or knowledge or capacity. So this argument is a false, red herring argument because it suggests that you should leave those sites in place to help law enforcement - and that is completely ridiculous because the volume we’re talking about is much, much worse. ...How do we know that they can’t handle it? Because if they were making a dent in the problem the traffickers would go somewhere else, and they’re not.”*

Commercial Sexual Exploitation Advertising websites are a market-expanding force. They incentivise and facilitate sex trafficking and sexual exploitation. If Sexual Exploitation Advertising websites are a significant source of intelligence about sex trafficking it is precisely because they are a key facilitator of it. The ultimate marker of success of government and law enforcement action on trafficking for sexual exploitation is not an ever-increasing number of convictions, but the reduction and prevention of incidences occurring in the first place.

Rob Spectre, CEO of Childsafe.ai, told the inquiry: *“I think investigators that rely on marketplaces to provide the discovery and evidence for their cases are making three very critical myopic mistakes. The first one is the suggestion that they have the capacity to arrest everyone that is committing human trafficking. In a ninety-nine billion dollar global market there is zero per cent chance that any law enforcement agency in any nation has the capability of effectively responding to the number of human traffickers in their area. Suggesting that they need an online directory in order to conduct these operations is suggesting that they have the individual capacity to arrest all the human traffickers that are operating in their particular market, and that simply is untrue.*

*“The second bit is that human traffickers are attracted by three things: first, making the same amount of money that they could selling drugs, second is doing so at a dramatically lower risk, and third is the quick and easy distribution that is afforded by the internet. If you can make the same money as you are selling drugs for much less risk of getting caught, and you don’t have to stand on a street corner and sell your wares but you can just post one ad, it’s much faster and much easier.*

*“The last thing that I would ultimately observe is that after Backpage was seized [in the US], human trafficking investigations didn’t end, human trafficking convictions didn’t end. Obviously in any illicit economy that is moving at the technological pace that we’re moving at, folks have to adjust. They do it for counter terrorism, they do it for narcotics, they do it for weapons trafficking. I don’t understand why the public’s expectation of law enforcement should be different in this problem domain.”*

It is also important to note that the operation of Sexual Exploitation Advertising websites impose a substantial burden on public money and resources. These profit-making website companies externalise the ‘financial fall-out’ of facilitating sex trafficking and sexual exploitation and place that economic burden on the Scottish people.

A single police investigation into trafficking for sexual exploitation can take multiple years to complete. Police Scotland's Detective Superintendent Filippo Capaldi informed the inquiry that investigations can involve a wide range of policing personnel: *"Typically, Human Trafficking investigations will involve a range of specialist investigators including but not limited to intelligence officers, financial investigators and cybercrime officers. In addition, complex investigations are led by a Senior Investigating Officer (SIO), an allocated Deputy and a dedicated enquiry team and may involve both overt and covert policing tactics."*

In 2018, the Home Office estimated that the total law enforcement costs relating to suspected victims of trafficking for sexual exploitation in one year in the UK was £37.2 million<sup>53</sup>. The total costs relating to victims of this crime, including victim services and health services, was estimated to be £247.6 million.

## **8. Current UK-wide law enforcement collaboration with Sexual Exploitation Advertising websites is failing to meet its ostensible objectives, provides political cover to the website companies, and underplays the level of threat posed by the websites.**

Evidence provided to the Cross-Party Group on Commercial Sexual Exploitation has revealed that UK-wide law enforcement agencies have publicly collaborated with Sexual Exploitation Advertising websites, with the website operators publicly positioned as credible partners in crime reduction.

Rob Richardson, Head of the Modern Slavery and Human Trafficking Unit at the National Crime Agency (NCA), told the Cross-Party Group on Commercial Sexual Exploitation: *"We are working closely with the industry - with Adult Services Websites - to encourage them to raise standards and design out opportunities for trafficking."* ...*"The*

*strategy with those Adult Services Websites is around helping them identify exploitation."*

In October 2018, the National Crime Agency and Modern Slavery Police Transformation Unit (MSPTU) co-hosted a conference for law enforcement personnel on *'Investigative opportunities presented by adult services websites'*<sup>54</sup>. One of the speakers invited to present to police officers at the conference was described by MSPTU as a representative of *"one of the largest classified advertising sites currently carrying adverts for sexual services"*<sup>55</sup>. One of the 'key topics' addressed at the conference, according to MSPTU, was: *"Why it is important to maintain good relationships with ASW [Adult Services Websites] operators to support the work of the industry."*<sup>56</sup>

An overview of the origins of the current UK-wide law enforcement approach to Sexual Exploitation Advertising websites is provided by MSPTU: *"In 2017, JSTAC [Joint Slavery and Trafficking Analysis Centre] assessed that adult services websites were a key enabler to adult sexual exploitation in the UK, and would likely continue to be so for the next three years. This judgment informed law enforcement and policy efforts to mitigate the threat posed by exploitation enabled through these sites. Consequently, the centre was commissioned to produce a series of 'deep-dive' papers to identify the best means of response. They worked with the wider MSPTU and partners across government to consider the options available and review their implementation abroad. As a result, JSTAC successfully informed the approach that has since been adopted across government."*<sup>57</sup>

The NCA's Rob Richardson told this inquiry that the agency's work with Sexual Exploitation Advertising websites involves *"raising awareness of how trafficking presents on their platforms"*. Similarly, Lewis Hunt, operations manager of the NCA's Modern Slavery and Human Trafficking Unit, is quoted in the Daily Record in 2019 stating: *"We've been working with some sites including Vivastreet to make them aware that human traffickers are using*

women and for them to take steps to prevent this happening.”<sup>58</sup>

It is the view of this inquiry that it is simply not credible that Sexual Exploitation Advertising websites are not, and have not previously been, aware that human traffickers use their websites to advertise victims. Sexual Exploitation Advertising websites have repeatedly been requested to provide data to police forces as part of criminal investigations into trafficking for sexual exploitation. The use of market-leading Sexual Exploitation Advertising websites by organised crime groups has also been revealed in multiple criminal convictions of traffickers and pimps, and reported in the media. Below is a selection of those convictions:

- In 2020, six people were convicted of sexually exploiting Romanian women in a network of brothels, including in Blackburn, Leeds, Nottingham and London. The gang’s business model involved advertising their victims on Sexual Exploitation Advertising websites and moving them from town to town. Lancashire Constabulary stated: *“They applied a particular premium to the feature that a girl was “new in town;” often the banner headline on the Viva Street website, for example offering a woman for hire as “Bella” in Blackpool in one week, and as “Kathy” in Whitehaven the next.”*<sup>59</sup> This case was reported in the press<sup>60</sup>.
- Sean Kang Wong was jailed in 2019 for trafficking women for sexual exploitation in brothels in Truro and Plymouth. On arrival at one of the brothels, police found a sex buyer who revealed he had seen an advert on Vivastreet and called an attached number<sup>61</sup>. This case was reported in the press.
- In 2019, a trafficking gang was convicted of sexually exploiting Czech women in Manchester. Women were tricked into coming to the UK for work and then forced into sexual exploitation. ‘Sabina’, one of the gang’s victims, was advertised on Adultwork<sup>62</sup>. This case was reported in the press.
- Three men were jailed in 2018 for sexually exploiting a 14-year-old girl. They had advertised the girl to sex buyers on Vivastreet. The girl was raped by 20 men who responded to the advert<sup>63</sup>. This case was reported in the press.
- In 2018, two men were jailed for trafficking women for sexual exploitation<sup>64</sup>. The pair operated nine brothels in total, in Chesterfield, Derby and Lincoln. The victims were reportedly advertised on Vivastreet. In a text exchange between two traffickers, one wrote: *“hey Mo, what’s up, can you send me your bank card details please the bank has frozen my account and I can’t take out the Viva Street adverts?”*<sup>65</sup>. This case was reported in the press.
- In 2018, six members of a sex trafficking ring were convicted for exploiting Romanian women in a network of five brothels in Preston, Blackburn, Manchester and Luton. The traffickers were reported to have spent tens of thousands of pounds advertising their victims on Vivastreet<sup>66</sup>. This case was reported in the press.
- In 2017, two people were convicted of operating four brothels in Manchester. After submitting a data protection request to Adultwork and Vivastreet, the police were able to link the profiles of women advertised on the sites to bank accounts, addresses and phone numbers operated by the offenders<sup>67</sup>. In relation to the adverts of victims posted on Sexual Exploitation Advertising websites, The Manchester Evening News reported: *“The M.E.N. has seen photographs of these women, which were used to verify their ages on the adult websites. In one picture, a hollow-eyed young woman, dressed in jeans and a jumper, stares expressionless at the camera. ...The pictures show the women with their passports, ID cards and a copy of the day’s paper”*.<sup>68</sup> The Manchester Evening News also



reported that one of the offenders kept several women's Romanian ID cards to discourage them from leaving. As highlighted above, this case was reported in the press.

- In 2017 a man was convicted of trafficking and sexually exploiting women in a network of London-based brothels. The trafficker advertised women to sex buyers on Adultwork<sup>69</sup>. Multiple women reported that he had sexually assaulted them while he took explicit photographs of them to use on advertising websites. When police visited one of the offender's brothels, they found a woman locked inside one of the rooms. The trafficker was reported to have made £1.6 million from the brothels in a single year<sup>70</sup>. This case was reported in the press<sup>71</sup>.

As previously highlighted, in 2018 it was revealed that a man had spent £25,000 advertising women for prostitution on Vivastreet. In response to this high level of spending, Vivastreet had allocated the man his own account manager<sup>72</sup>. He was subsequently convicted of sex trafficking. In relation to the man's high spending rate on prostitution advertisements of women, Sarajit Singh QC points out: *"That ought to have least given rise to the suspicion on the part of the operator of the website that the man was committing criminal offences such as controlling prostitution for gain and/or sex trafficking and that his payments to the website constituted or represented a benefit from such crimes."*<sup>73</sup>

This inquiry also observed a troubling lack of professional curiosity on the part of the NCA regarding the operations of Sexual Exploitation Advertising websites and the information they hold relating to trafficking for sexual exploitation. Sexual Exploitation Advertising website operators obtain data when adverts are placed and paid for which can be used to help determine:

- how many individuals have evidently paid to advertise more than one woman on the website for prostitution;

- how many individuals have evidently placed and/or paid for a prostitution advert wherein the person being advertised was not themselves;
- which countries the bank accounts of those paying for adverts are based in; and
- what proportion of adverts are evidently connected to another advert on the website via, for example, the same mobile phone number being used across multiple adverts.

The above information would provide important intelligence on the historic and contemporary scale and nature of trafficking for sexual exploitation in the UK – and the role of Sexual Exploitation Advertising websites in facilitating it. During an evidence hearing held by this inquiry, Ruth Maguire MSP asked the Head of the NCA's Modern Slavery and Human Trafficking Unit, Rob Richardson, if the NCA has requested such information from Sexual Exploitation Advertising websites:

**Ruth Maguire MSP:** *"Would the websites provide these figures to you? Have you asked for them before?"*

**Rob Richardson, National Crime Agency:** *"So we work closely with them. The engagement we have is kind of at a high level where we educate them and help them identify indicators of trafficking. What we don't do is ask them for those kind of figures, probably because it's quite intrusive. We have some positive working relationships with one particular website but not with others."*

In his evidence, the NCA's Rob Richardson told this inquiry that 'Adult Services Websites' (ASWs) *"are assessed as one of the most significant enablers of sexual exploitation linked to trafficking in the UK."* Indeed, the websites continue to be a common feature of ongoing police investigations into trafficking for sexual exploitation. In supplementary written evidence, Mr Richardson stated: *"ASWs have been directed to report any suspicious behaviour to their local police force. They have not made any referrals directly into the NCA."*

However, Detective Superintendent Filippo Capaldi, Head of Police Scotland's National Human Trafficking Unit, told the inquiry: *"I've never had a proactive approach from one of the major sites. ...It's more of a law enforcement approach to them, rather than a preventative approach by the ASWs coming direct to us."*

Therefore, despite the NCA's approach of 'working closely' with Sexual Exploitation Advertising websites over multiple years, those same websites continue to be a common tool used by sex traffickers to advertise their victims to sex buyers in Scotland and across the UK, and the websites are failing even to proactively contact Police Scotland's National Human Trafficking Unit about potential criminal activity.

Valiant Richey, OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, was unequivocal about the futility of a law enforcement approach that seeks to encourage Sexual Exploitation Advertising websites to 'design out' opportunities for sex trafficking. Special Representative Richey told the inquiry:

*"There are no meaningful safeguards. There just simply are not. We know this because the sites are full of trafficking victims. We also know this because that's where the police go to find their trafficking victims. They are on those sites and there is nothing stopping it. Monitors that these websites claim to have do not work [and] have no ability to determine if someone is being coerced on to the site"*.

Despite Sexual Exploitation Advertising websites continuing to be a major facilitator of sex trafficking and sexual exploitation in Scotland, they have been able to leverage UK policing's stated approach of 'working closely' with them for political purposes.

When Sexual Exploitation Advertising websites have been subject to scrutiny and criticism in the media, including calls for their commercial operations to be legally prohibited, the websites have deliberately

utilised their collaboration with UK law enforcement in their defence.

*"AdultWork are already at the forefront in the battle against exploitation and viewed by the UK Home Office, anti-trafficking units and law enforcement agencies as being very much part of the solution and not the problem, and as such will continue to oppose any change to the legislation and work closely with our partners within the industry to ensure the voice of reason is heard."*<sup>74</sup>

- Adultwork, quoted in: 'Sex website Adultwork says it's not the cause of Cornwall's sex trafficking problem', Cornwall Live, 6 February 2019.

*"As acknowledged by UK law enforcement, adult services websites like escort-scotland.com can be important partners in combatting trafficking."*<sup>75</sup>

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*"We're working closely with the Home Office and law enforcement agencies, such as the National Crime Agency, to help develop an industry-wide approach to identifying and preventing online trafficking, and we urge all other online platforms to engage with this process."*<sup>76</sup>

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At present, legislation does not allow UK law enforcement agencies to block the operations of Sexual Exploitation Advertising websites on the basis that they are facilitating and profiting from the prostitution of others. Police can, however, robustly engage with the websites and ensure the full application of existing laws and powers, including the Proceeds of Crime Act 2002.

It is the view of this inquiry that the UK-wide policing approach of publicly collaborating with Sexual Exploitation Advertising websites, and positioning the websites as credible partners in crime reduction, is ill-founded, counterproductive, and demonstrative of a disturbing complacency toward the mass rape and sexual abuse being facilitated by Sexual Exploitation Advertising websites.

Rob Spectre, CEO of Childsafe.ai - an artificial intelligence platform for monitoring, graphing and modelling child exploitation risk online - gave evidence to the inquiry on international responses to Sexual Exploitation Advertising websites. Mr Spectre told the inquiry: *“Almost every nation that we have observed in the commercial sex economy has one monopolistic leader in the space that at some point had a cooperative relationship with law enforcement. This includes Backpage in the United States. ...The cooperation was so profound, indeed, there is a commendation from then FBI Director Robert Mueller to the CEO of Backpage in 2011. That 100% happened. That said, eventually it became clear that Backpage was a significant market-expanding force on the overall market.”*

In 2018, the CEO of Backpage pleaded guilty to conspiring to facilitate prostitution and money laundering, and today Sexual Exploitation Advertising websites are prohibited in the United States.

## **9. Successful international legal and law enforcement initiatives to tackle Sexual Exploitation Advertising websites enable evidence-based action in Scotland.**

There are international precedents for legal and law enforcement action to reduce the scale of sexual exploitation and sex trafficking facilitated online by Sexual Exploitation Advertising websites. Evidence relating to recent actions in France and the United States are detailed below.

### **France**

In France it is illegal to operate a Sexual Exploitation Advertising website. Articles 225-5 and 225-6 of the French Criminal Code prohibit procuring (pimping) in all its forms. This includes assisting or profiting from another person’s prostitution<sup>77</sup>. Procuring is punishable by seven years’ imprisonment and a fine of €150,000. The sentence increases to 20 years imprisonment and a €3 million fine if the procuring is committed by an organised group.

The Cross-Party Group on Commercial Sexual Exploitation’s inquiry into Sexual Exploitation Advertising websites took evidence from Lorraine Questiaux, head of legal affairs at Mouvement du Nid - an organisation that provides support services for women exploited through prostitution in France. In 2016, Mouvement du Nid lodged a complaint against Vivastreet with prosecuting authorities on the basis that the website was hosting adverts for prostitution in France, thereby violating France’s law prohibiting pimping. Ms Questiaux told the inquiry that it had become apparent *“Vivastreet was actually what we call the ‘first procurer’ in France - the ‘first pimp’ in France, statistically. ...Vivastreet was gathering the main part of the market.”*

The Vivastreet France website contained an ‘Erotica’ section in its classified ads listings, with individuals being advertised for erotic massages or ‘company’<sup>78</sup>. Individuals placing an advert could select the option of ‘unlimited city change’, enabling the location of the advert to be modified. The adverts displayed on the website were less explicit than those on the UK version of the website. An investigation into Vivastreet in France published by Mediapart and Unsighted observed: *“Although the suggestive photos leave little doubt as to the nature of the services offered, no announcement is explicit. There is never any mention of an exchange, and neither do the ads ever come with a price tag”<sup>79</sup>.*

Hugo Lemonier, a journalist in France, told the inquiry: *“Vivastreet had designed a system that perfectly fitted to the sex trafficking organisation.*

*You could manage multiple profiles from the same account and organise sex tours for each of your women. It meant that you could change the location of your ad at various times of the month.”*

In 2018, the Parquet de Paris, the Paris public prosecutor’s office, opened a criminal investigation into Vivastreet on charges of aggravated procuring<sup>80</sup>. Shortly after this, Vivastreet in France suspended the ‘Dating’ section of its website – which included the ‘Erotica’ advert listings. The company stated on its website: *“It has been suggested that some users make inappropriate use of our site, acting in a way that would be contrary to our terms and conditions. As a result, we decided to suspend our dating section, to prevent any abuse.”*<sup>81</sup> The criminal investigation into the company is ongoing.

Lorraine Questiaux of Mouvement du Nid reported that the removal of the ‘Erotica’ listings on Vivastreet had a substantial impact. She told the inquiry: *“It was demonstrated that there was a huge withdrawal of the demand, a huge withdrawal of the activity in prostitution ...The market is really impacted by those huge shut-downs.”*

France’s comprehensive laws against enabling or profiting from the prostitution of others function to prohibit Sexual Exploitation Advertising websites and enable police to take enforcement action when website companies are suspected of violating that legislation.

## United States

In the United States, the prostitution trade is illegal in every state except Nevada<sup>82</sup>. However, prior to 2018, Sexual Exploitation Advertising websites were openly operating and managing to avoid criminal sanction. The website operators were able to do this by claiming they had no role in the content of the advertisements and that, as a consequence, they were protected by the Communications Decency Act (CDA), which protects websites from liability for third party content<sup>83</sup>.

One of the most prominent Sexual Exploitation Advertising websites operating prior to 2018 was Backpage.com. Backpage was a classified advertising website that operated in 97 countries. 90% of the website’s income was attributable to “adult ads”, according to the state of California<sup>84</sup>. Backpage was found to have generated profits of over \$100 million per year in 2013 and 2014<sup>85</sup>. Criminal prosecutions against Backpage for pimping had repeatedly failed, with a judge in 2016 dismissing charges against the website and asserting that Backpage was protected by the CDA.

Echoing efforts by Sexual Exploitation Advertising websites in the UK to promote their relationship with law enforcement agencies for political purposes, the Washington Post reported in 2017: *“Backpage has frequently noted that it cooperates with and has been thanked by numerous law enforcement agencies for providing investigators with connections to pimps and other criminals. McDougall [Backpage’s general counsel] has said that Backpage acts as “the sheriff of the Internet” and that sex ads would be dispersed among sites in other countries if Backpage stopped posting them.”*<sup>86</sup>

The ability of websites such as Backpage to avoid criminal liability for hosting prostitution adverts ended on 11 April 2018, when two federal Acts were signed into law: the Stop Enabling Sex Traffickers Act of 2017 and the Allow States and Victims to Fight Online Sex Trafficking Act of 2017. The Acts, commonly referred to as SESTA-FOSTA, establish criminal and civil liability for websites that unlawfully promote and facilitate prostitution and sex trafficking<sup>87</sup>. The Acts received bipartisan support. The House of Representatives voted 388-25 in favour of SESTA-FOSTA, while Senators voted 97-2 in favour it<sup>88</sup>.

### Stop Enabling Sex Traffickers Act of 2017

Official Titles as Introduced:

*A bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers*

*and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking*<sup>89</sup>.

### **Allow States and Victims to Fight Online Sex Trafficking Act of 2017**

Official Title as Introduced:

*To amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes*<sup>90</sup>.

In the same month that SESTA-FOSTA was signed into law, Carl Ferrer, the Chief Executive of Backpage, pleaded guilty to conspiracy to facilitate prostitution. In his admission, Ferrer wrote that the company's practice of editing the prostitution adverts "were only one component of an overall, companywide culture and policy of concealing and refusing to officially acknowledge the true nature of the services being offered in Backpage's 'escort' and 'adult' ads."<sup>91</sup>

The OSCE's Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Valiant Richey, told the Cross-Party Group on Commercial Sexual Exploitation's inquiry: "Governments should really be considering policy options to shut down these sites as quickly as possible. SESTA-FOSTA, the bill in the United States, is the best example of that. That bill passed and the market declined by eighty per cent in seventy-two hours. We documented the data. Eighty per cent decline in seventy-two hours. I'm not aware of any anti-trafficking legislation anywhere in the history of the world that had such an impact on the market in such a short time."

Reflecting on the impact of the legislation, Special Representative Valiant Richey told the inquiry: "When adopting policy like that you also need to supplement it with support for exiting services, support for vulnerable people, that will undoubtedly

*be needed if you are successful in starting to impact the marketplace."*

One year after Backpage was closed and SESTA-FOSTA passed, Childsafe.ai conducted an analysis of the impact these actions had on online prostitution advertising<sup>92</sup>. The research found that the sexual exploitation advertising market was significantly disrupted, with a reduction in demand and the failure of any Sexual Exploitation Advertising websites to recapture the previous market dominance of Backpage, thereby undermining the ease and profitability of sex trafficking. The analysis reported: "One year after the market disruption in April 2018, web traffic to advertising websites selling sex draw 5-8% of the unique visitors individually as Backpage did at its height in 2016."<sup>93</sup>

The report concluded: "A 12x increase in the treasure and time required to market commercial sex alters the economics of sex trafficking dramatically. Startup costs are higher, monthly profits are lower and administrative hours are longer. Combined with a significant decrease in demand and an increased perception of risk, sex trafficking is a less attractive illicit business in 2019 than it was in 2018."<sup>94</sup>

Hugo Lemonier told the inquiry that, similar to the disruption effect observed in the United States, since the closure of Vivastreet's 'Erotica' advertising in France, "None of the websites that exist today have managed to get this monopolistic position that Vivastreet had."

Giving evidence to the Cross-Party Group on Commercial Sexual Exploitation, Rob Spectre, CEO of Childsafe.ai, stated: "SESTA-FOSTA did have a debilitating effect overall on the online distribution layer [serving the prostitution trade] that existed in the United States, but its passage was also accompanied by one of the first major federal indictments of a website that was facilitating commercial sex in the United States, a site called Backpage. ...Those twin events together had a significant dislocation for websites that were operating in commercial sex.

*So those two events together: law enforcement and public policy.”*

Rob Spectre of Childsafe.ai also highlighted the effectiveness of SESTA-FOSTA in reducing the economic incentive for operating Sexual Exploitation Advertising websites: *“I think a useful comparison is the difference between how much money Backpage was making - the previous dominant marketplace before SESTA-FOSTA, and how much money CityXGuide was making, which was the first website that was seized under SESTA-FOSTA. You had one website that was dominant before the passage of this legislation, and you had another website that was succeeding after this legislation. Backpage was making 150 million dollars a year, CityXGuide was making 20 million dollars a year. So, in terms of the overall revenue that these websites can make, with a combination of enforcement activity and public policy you can dramatically reduce how attractive these websites are to operate as a business model. Not only are these websites getting fewer visitors, they are getting fewer advertisers, they are attracting fewer buyers and they are making less money.”*

# Recommendations

In light of the findings of this inquiry, the Cross-Party Group on Commercial Sexual Exploitation recommends that the Scottish Government takes urgent action to prevent Sexual Exploitation Advertising websites fuelling and facilitating sex trafficking and sexual exploitation in Scotland.

“[If] we want a fairer equal Scotland, we have to tackle these websites and their role and their function in the exploitation and harm of women and girls across Scotland”

Linda Thompson, Women’s Support Project

## Principles and observations

Government action to prevent the facilitation of sex trafficking and sexual exploitation via Sexual Exploitation Advertising websites should be underpinned by the following principles and observations:

- The exchange of money, employment, accommodation, services or other goods in return for sex acts is sexual exploitation and abuse.
- As recognised by the Scottish Government, commercial sexual exploitation - including prostitution - is a form of violence against women<sup>95</sup>.
- Facilitating or profiting from the sexual exploitation of another person is never acceptable.
- The crime of trafficking for sexual exploitation is primarily perpetrated for financial gain. As a commercial undertaking, certain conditions must be met in order for sex trafficking to be viable and profitable. This includes sufficient demand from sex buyers and the ability for

traffickers to advertise to and connect with sex buyers. Additional factors influencing the economics of sex trafficking include the risk of criminal sanction and the resource costs involved in perpetrating this crime.

- The level of demand for sexual exploitation is context dependent.
- The concentration and centralisation of demand from sex buyers on market-leading Sexual Exploitation Advertising websites incentivises and facilitates sex trafficking and sexual exploitation.
- Sexual Exploitation Advertising websites are a market-expanding force.

“Any approach must also include clear prevention work, make the links with wider gender inequalities, alongside challenging demand for those paying for sex and disrupting the activities of organised crime groups and the individual abusers who seek to profit from the exploitation of women.”

Bronagh Andrew, Trafficking Awareness Raising Alliance

## Objectives

In order to realise the Scottish Government’s aim of eradicating violence against women, legislative and law enforcement action relating to Sexual Exploitation Advertising websites should collectively seek to achieve the following objectives:

- Prevent the online centralisation and concentration of demand from sex buyers.
- Deter and disincentivise trafficking for sexual exploitation and other forms of third-party exploitation of the prostitution of others, with

the effect that sexual exploitation a high-risk, low profit crime.

- Reduce demand from sex buyers for sexual exploitation.
- Support individuals who are subjected to sexual exploitation to exit, heal and manage the impact of the harms they have experienced.
- Hold perpetrators to account and support victims of sexual exploitation to access justice.

“[The] man who recruited me into prostitution managed to serve prison time and will be subjected to a proceeds of crime hearing to pay back the hundreds of thousands of pounds that he earned from exploiting me and others. But the websites that directly profit off every booking, off every girl who advertises globally, have no repercussions for their exploitation. This feels like an extreme injustice to our trauma.”

Megan King, survivor of sexual exploitation

## Public policy and law enforcement actions

In order to prevent Sexual Exploitation Advertising websites fuelling and facilitating sex trafficking and sexual exploitation, the following public policy and policing reforms should be enacted in Scotland:

### Legislation

- » Introduce the offence of enabling and/or profiting from the prostitution of another person. Penalties must include permission for the relevant Scottish authority to prevent access to websites that contravene this law, regardless of the jurisdiction that the website owner is physically and/or financially registered in.

- » Introduce the offence of providing or offering money or other benefit (including food and accommodation) in return for a person performing sex acts.
- » Repeal Section 46 of the Civic Government (Scotland) Act 1982 in order to prevent victims of sexual exploitation from being sanctioned for soliciting in a public place.
- » Expunge previous convictions under Section 46 of the Civic Government (Scotland) Act 1982 from individuals’ records.

### Law enforcement

- » Upon the introduction of the offence of enabling and/or profiting from the prostitution of another person, enforcement action should be taken against Sexual Exploitation Advertising websites that continue to operate in Scotland in violation of the law. Enforcement action against market-leading Sexual Exploitation Advertising websites should be prioritised.
- » Until the introduction of the offence of enabling and/or profiting from the prostitution of another person, law enforcement agencies must fully and robustly enforce existing legislation and powers relating to the activities of Sexual Exploitation Advertising websites.
- » All law enforcement personnel who work on matters relating to sexual exploitation, including the National Crime Agency and other UK-wide law enforcement bodies that operate in Scotland, should receive specialist training on the nature and harms of sexual exploitation. The development and delivery of this training must be consistent with the Scottish Government’s Equally Safe strategy, which identifies prostitution as a form of violence against women<sup>96</sup>.



## Support services and education

- » A comprehensive, well-resourced network of holistic support and exiting services should be provided for individuals who are currently or have formerly been involved in commercial sexual exploitation in Scotland. Training and other relevant capacity-building initiatives should also be provided for personnel in mainstream services who interact with victims of commercial sexual exploitation.
  
- » All schools should adopt a whole school approach to tackling sexism and promoting equality between women and men in order to promote positive attitudes amongst young people in relation to consent and healthy relationships. In support of this, every Initial Teacher Training provider in Scotland should include training on how to tackle sexism in schools as a core and compulsory part of their courses for trainee teachers.

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