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Improve support for people exiting prostitution; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 The support objectives

In this Act a reference to the support objectives is a reference to the objectives of—

- (a) supporting persons to exit prostitution;
- (b) recognising prostitution as a form of violence against women; and 5
- (c) recognising that prostitution is a barrier to gender equality.

2 Duty to prepare, publish, and review a national strategy and guidance

- (1) The Secretary of State must, in conjunction with other government departments, prepare and publish a strategy (“national strategy”) to promote the provision of services supporting persons to exit prostitution. 10
- (2) In preparing the national strategy the Secretary of State shall have regard to the support objectives.
- (3) The national strategy shall set out such actions, arrangements and outcomes as the Secretary of State considers appropriate to meet the support objectives.
- (4) The Secretary of State shall in particular — 15
 - (a) identify and promote best practice in the provision of services supporting persons to leave prostitution;
 - (b) provide guidance in respect of the provision of services supporting persons to leave prostitution; and
 - (c) establish qualitative or quantitative benchmarks, targets and indicators aligned to the support objectives with which the provision of services supporting persons to leave prostitution shall be evaluated. 20
- (5) The first national strategy must be published no later than 9 months after the coming into force of this Act.

- (6) The Secretary of State must review the national strategy at intervals of not more than 3 years.
- (7) The Secretary of State may review the national strategy at any other time.
- (8) If the Secretary of State decides to revise the national strategy following a review, the Secretary of State must publish the revised strategy as soon as is reasonably practicable. 5

3 Duty to prepare, publish, and review local strategies

- (1) A local authority and its local Health and Wellbeing Board must jointly prepare and publish a strategy (“local strategy”) for the local authority’s area to ensure the provision of services supporting persons to exit prostitution. 10
- (2) In preparing the local strategy the local authority and local Health and Wellbeing Board shall have regard to –
- (a) the support objectives;
 - (b) the most recent national strategy published under section 2; and
 - (c) any guidance and benchmarks produced under section 2. 15
- (3) The local strategy must provide for a programme of support and assistance to be made available in accordance with that strategy no later than 6 months after publication of the strategy.
- (4) A local strategy may also include provision relating to specific action which the local authority and the local Health and Wellbeing Board expect to be taken in relation to the local authority’s area by –
- (a) any public authority with functions which are capable of contributing to the pursuit of the support objectives, or
 - (b) any voluntary organisation or other person whose activities are capable of contributing to the pursuit of those objectives. 20
- (5) But the inclusion in a local strategy of any provision relating to action mentioned in subsection (4) requires the prior approval of the body or person concerned.
- (6) A local authority and a local Health and Wellbeing Board must, in exercising their functions, take all reasonable steps to achieve the objectives specified in their most recently published local strategy. 30
- (7) The first local strategy by each local authority and local Health and Wellbeing Board must be published no later than 18 months after the coming into force of this Act.
- (8) A local authority and its local Health and Wellbeing Board must review the local strategy at intervals of not more than 3 years. 35
- (9) A local authority and a local Health and Wellbeing Board may review the local strategy at any other time.
- (10) If a local authority and a local Health and Wellbeing Board decide to revise the local strategy following a review, they must publish the revised strategy as soon as is reasonably practicable. 40

4 Matters relevant to exiting prostitution

- (1) Strategies pursuant to sections 2 and 3 of this Act shall address the provision of assistance and support for persons leaving prostitution in connection with (but not limited to) the following matters –
- (a) substance misuse; 5
 - (b) housing and homelessness;
 - (c) healthcare including mental health care services;
 - (d) welfare benefits and social security benefits;
 - (e) employment, education and training;
 - (f) legal advice; 10
 - (g) probation services and strategies to prevent re-offending;
 - (h) abuse in childhood;
 - (i) domestic abuse;
 - (j) sexual violence;
 - (k) child sexual exploitation; 15
 - (l) counselling; and
 - (m) safeguarding and promotion of the welfare of children.
- (2) Strategies pursuant to sections 2 and 3 of this Act must ensure that assistance and support provided to persons leaving prostitution –
- (a) is provided to meet the assessed physical, psychological, and social needs of the individual receiving support in a manner which takes due account of their safety and need for protection from harm; 20
 - (b) is not conditional on an individual acting as a witness in any criminal proceedings;
 - (c) is provided only with the agreement of the individual receiving the support; 25
 - (d) is provided through a coordinated multi-agency approach;
 - (e) is not limited to short-term or emergency support;
 - (f) meets the support objectives; and
 - (g) is subject to formal monitoring and evaluation. 30

5 Interpretation

In this Act –

- “abuse” means physical, sexual, psychological, emotional or financial abuse;
- “child sexual exploitation” has the same meaning as in section 51 of the Sexual Offences Act 2003; 35
- “domestic abuse” means abuse where the parties to the abuse are personally connected within the meaning of section 76 of the Serious Crime Act 2015;
- “prostitution” has the same meaning as in section 54 of the Sexual Offences Act 2003; 40
- “sexual violence” means sexual exploitation, sexual harassment, or threats of violence of a sexual nature;
- “substance misuse” means the misuse of drugs, alcohol and other substances; 45
- “violence against women” means gender-based violence, domestic abuse and sexual violence where the victim is female.

6 Extent, commencement and short title

- (1) This Act extends to England only.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Support to Exit Prostitution Act 2016.

Support to Exit Prostitution Bill [HL]

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To improve support for people exiting prostitution; and for connected purposes.

Lord McColl of Dulwich

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