**Online Appendix**

**Figure 1A: Proposed Clause 8, Criminalising the purchase of sexual services, Criminal Justice and Immigration Bill Committee, 27 November 2007**

‘(1) A person (A) commits an offence if—

**he intentionally obtains for himself** the sexual services of another person (B), and before obtaining those services, he has made or promised payment for those services to B or a third person, or knows that another person has made or promised such a payment.

(2) In this section “payment” means any financial advantage, including the discharge of an obligation to pay or the provision of goods or services (including sexual services) gratuitously or at a discount.

(3) A person guilty of an offence under this section is liable on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both.’

(Commons Hansard, 27 Nov 2007, Col. 539) [emphasis added]

**Figure 1B: Human Rights Justice Committee Legislative Scrutiny Policing and Crime Bill, 16 April 2009**

Page 15, [Clause 13] leave out lines 33 to 37 and insert –

‘(1) A person (A) commits an offence if -

(a) A makes or promises payment for the sexual services of a prostitute (B), and

(b) any of B's activities relating to the provision of those services are intentionally controlled for gain by a third person (C), and

(c) A **is aware, or ought to be aware**, that B's activities are controlled for gain.

(1A) Whether **A ought to be aware** that B's activities are controlled for gain is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B is controlled for gain.

(2) It is irrelevant where in the world the sexual services are to be provided and whether those services are provided.’

(Human Rights Joint Committee, 16 Apr 2009, para. 1.36) [emphasis added]

**Figure 1C: Report Stage House of Commons, proposed new Clause 25, 19 May 2009**

New clause 25 — Paying for sexual services of a prostitute known to be trafficked or coerced: England and Wales—

After section 53 of the Sexual Offences Act 2003 (c. 42) insert—

‘53A Paying for sexual services of a prostitute known to be trafficked or coerced: England and Wales

(1) A person (A) commits an offence if—

(a) A makes or promises payment for, or uses, the sexual services of prostitute (B), and

(b) A **knows, or ought to know**,

(i) that B is the victim of trafficking.

(ii) that the sexual services have been provided through coercion of B,

(iii) that B has provided sexual services in order to gain access to controlled drugs, or

(iv) that a third party has influenced the activity of B by direction or instruction in circumstances where B does not freely consent to such direction or instruction.’

(2) It is irrelevant where the sexual services have been or will be provided.

(3) In this section, ‘trafficking’ means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

(4) In this section, ‘coercion of B’ includes—

(a) violence against B or another person,

(b) threats against B or another person, or

(c) intimidation of B.

(5) A person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months, or a fine not exceeding the statutory maximum, or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.”’

(Commons Hansard, 19 May 2009, col. 1398) [emphasis added]

**Figure 1D: Policing and Crime Bill presented to the House of Lords, as brought from the House of Commons on 20 May 2009**

13. Paying for sexual services of a prostitute subjected to force etc: England and Wales

After section 53 of the Sexual Offences Act 2003 (c. 42) insert—

‘53A Paying for sexual services of a prostitute subjected to force etc.

(1) A person (A) commits an offence if—

(a) A makes or promises payment for the sexual services of a prostitute (B),

(b) a **third person (C) has used force, deception or threats** of a kind likely to induce or encourage B to provide the sexual services for which A has made or promised payment, and

 (c) **C acted for or in the expectation of gain for C or another person (apart from A or B)**.

(2) The following are irrelevant—

(a) where in the world the sexual services are to be provided and whether those services are provided,

(b) whether A is, or ought to be, aware that C has used force, deception or threats.

(3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding Level 3 on the standard scale.

(4) **For the purposes of this section “force” includes coercion by threats or other psychological means including exploitation of vulnerability.”**

(House of Lords, 21 May 2009, Bill 48) [emphasis added]

**Figure 1E: Amendment 211 at House of Commons Report Stage, 19 May 2009**

Amendment 211, tabled by Anthony Steen, replace Clause 13 [/14] with

‘“53A Paying for sexual services of a trafficked prostitute

(1) A person (A) commits an offence if—

(a) A makes or promises payment for the sexual services of a prostitute (B), and

(b) B has been **trafficked**, and

(c) A is aware, or ought to be aware, that B has been trafficked.

(2) Whether A ought to be aware that B has been trafficked is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B has been trafficked.

(3) It is irrelevant where in the world the sexual services are to be provided and whether those services are provided.”’

(Commons Hansard, 19 May 2009, col. 1399) [emphasis added]