

Introduction

The challenge area to be addressed:

Adult Services Websites (ASWs) are an extensive and pervasive feature of the digital world across the globe that facilitate the advertising, negotiation and purchase of sexual services yet are also considered to be harbourers of sexual exploitation, modern slavery, and human trafficking (MSHT).¹ ASWs are legal online platforms through which sex workers post profiles advertising sexual services to potential clients. The purchase and sale of consensual sexual services is legal in England and Wales. However, ASWs can (knowingly or unknowingly) facilitate modern slavery abuses, as victims of sexual exploitation are advertised alongside sex workers. Thus, the National Crime Agency (one of the key partners in this research) assess that the use of ASWs is almost certainly the most significant enabler of commercial sexual exploitation in the UK.² This usually happens via profile adverts added for individuals who have no control over sex working and are subjected to some forms of coercion, force, or violence. The problems for law enforcement are related to both preventing platforms as attractive sites for exploiters as well as intelligence gathering, data scraping and investigating information which could lead to safeguarding or disrupting offenders.

ASWs are thus considered to be a key space where serious and organised crime around modern slavery is active; website platforms are attractive to traffickers because of the anonymity running such an online business and the complexity of tracking owners down.³ The lack of current regulation in the UK, mechanisms for governance or any forms of checks around safeguarding or verification of age, for instance, means that ASWs continue to be spaces where organised crime can create profiteering from vulnerable people (usually women and children). As research has established over the past decade, ASWs have grown significantly in the UK to become the dominant route to facilitating the sex industry.⁴ Our partners in the National Crime Agency and National Police Chiefs' Council have intelligence which evidences the rise in the number of

¹ Scoular, J., Pitcher, J., Sanders, T., Campbell, R., & Cunningham, S., 2019. Beyond the Gaze and well beyond Wolfenden: the practices and Rationalities of Regulating and Policing Sex work in the digital Age. *Journal of law and society*, 46(2), pp.211-239.

²NCA, 2017. National Strategic Assessment of Serious and Organised Crime. [online] Available at: <<https://www.nationalcrimeagency.gov.uk/who-we-are/publications/32-national-strategic-assessment-of-serious-and-organised-crime-2017/file>>

³ Hopkins, M., Keighley, R., and Sanders, T., (2023). Organised Crime and the ecosystems of sexual exploitation in the United Kingdom: How supply and demand generate sexual exploitation and protection from prosecution., submitted to Trends in Organized Crime. *Trends in Organised Crime*. [Manuscript submitted for publication].

⁴ Sanders, T., Scoular, J., Campbell, R., Pitcher, J., & Cunningham, S., 2018. Internet sex work: Beyond the gaze. Cham, Switzerland: Springer International Publishing.

ASWs, with constant switches and changes to platforms as they come and go. Whilst the online terrain fluctuates, it is a certainty that these online spaces for commercial sex advertisements are here to stay.⁵

The policy and legal landscape under which regulating ASWs falls is significant. Beyond the modern slavery and human trafficking agenda, the immigration and asylum agenda, as well as sex work and prostitution, there are other areas where knowledge on the role of ASWs is important but lacking. Violence Against Women and Girls, the ten-year government drugs strategy, online harms and safety regulation led by Ofcom and labour exploitation laws are all relevant to how ASWs could be governed in the future.⁶⁷ The findings from this project contribute to these areas by filling significant gaps in knowledge.

The UK Online Safety Bill is the UK Government's proposed legislation to make the UK the safest place in the world to be online while defending free expression, which stemmed from a 2019 Conservative party manifesto commitment.⁸ The Online Safety Bill's focus includes duties of care on user-to-user services, illegal content duties, harmful content likely to be accessed by children, and user empowerment tools. The harms contained in the Bill includes modern slavery, human trafficking, and sexual exploitation. The Bill plans to address these by requiring online services to take a comprehensive and proactive approach to managing risk of harm, and to ensure that risks to the safety of users are considered as part of product and service design.⁹

Included in the Bill are Sections 52 and 53 of the Sexual Offences Act (2003) which includes "causing or inciting prostitution for gain" and "controlling prostitution for gain" and Section 2 of the Modern Slavery Act as priority offences to be regulated. Thus, ASWs will have a duty of care to prevent their sites from being used to advertise victims of sexual exploitation.

In March 2023, the UK Government introduced the Illegal Migration Act, purporting to prevent and deter unlawful migration by unsafe and illegal routes. The Act includes provisions that would amend prior immigration, asylum, and modern slavery legislation.

⁵ Cunningham, S., Sanders, T., Scoular, J., Campbell, R., Pitcher, J., Hill, K., ... & Hamer, R., 2018. Behind the screen: Commercial sex, digital spaces and working online. *Technology in society*, 53, pp.47-54.

⁶ HM Government, 2021. Tackling Violence Against Women and Girls strategy [online] Available at: [Tackling violence against women and girls \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97812/tackling-violence-against-women-and-girls-strategy.pdf)

⁷ HM Government, 2023. From Harm to Hope: a 10-year drugs plan to cut crime and save lives (first annual report 2022-23). [online] Available at: [From harm to hope: a 10-year drugs plan to cut crime and save lives - First Annual Report 2022-23 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114442/from-harm-to-hope-a-10-year-drugs-plan-to-cut-crime-and-save-lives-first-annual-report-2022-23.pdf)

⁸ Conservatives, 2019. Conservative Party Manifesto 2019. [online] Available at: <https://www.conservatives.com/our-plan/conservative-party-manifesto-2019>

⁹ Ofcom, 2022. *Online Safety Bill: Ofcom's roadmap to regulation*. [online] London: Ofcom. Available at: https://www.ofcom.org.uk/data/assets/pdf_file/0016/240442/online-safety-roadmap.pdf Accessed: 8th September 2023.

The Act provides for the denial of support, and for the detention and deportation of people who are recognised to be potential victims of modern slavery. It is unclear at this stage how this Act will impact those who are exploited online however the Modern Slavery and Human Rights Policy and Evidence Centre indicate that without support, victims are likely to be fearful to disclose the details of their exploitation to policing and regulatory services.¹⁰

Consequently, the research team identified a need to understand how ASWs facilitate exploitation and second how they can become part of the prevention mechanisms and reporters of crimes. Untangling the legal from the illegal and the consensual from the exploitative, is a complex interplay of intelligence, whistleblowing, and responses to victim/survivors of crime. Given the growth of these spaces during the Covid pandemic, the centrality of ASWs in the prevention of modern slavery and human trafficking (MSHT) has never been more important. There is some evidence of some promising practice from a select number of ASWs, but this is not well documented, and neither are the mechanisms which would enable ASWs to make it harder for traffickers and exploiters to use their websites as trafficking networks.

Research context: Policy, Political and Legal Context of Adult Service Websites

There is a strong push across Europe to introduce further criminalisation of commercial sex, usually in the form of making it a crime to pay for sex (commonly known as the Nordic Model). In addition, influenced by legal reform in 2018 in the USA and by UK Government concerns around online harms and how law should address these, there are increasing calls to shut down Adult Services Websites (ASWs). However, closure of ASWs would almost certainly result in the marketplace being displaced.¹¹ Displacement risks a reduction in visibility of traffickers' activity in the short term and may have adverse implications on the efforts of law enforcement to disrupt offenders, as well as increasing vulnerability of sex workers to exploitation. Therefore, there is an urgent need to assess and premeditate the impact of any potential change in legislation and regulation on serious organised crime (SOC) and ensure that policymakers are aware of the potential outcomes. This project hence explored these tensions between official public policy documents, the tensions between what police and law enforcers practice, and the risky nature of some ASWs/online platforms.

¹⁰ <https://modernslaverypec.org/resources/migration-bill-explainer>.

¹¹ Romano, 2018. A new law intended to curb sex trafficking threatens the future of the internet as we know it. [online] [Vox.com](https://www.vox.com/culture/2018/4/13/17172762/fosta-sesta-backpage-230-internet-freedom). Available at <<https://www.vox.com/culture/2018/4/13/17172762/fosta-sesta-backpage-230-internet-freedom>>

Knowledge of the inner workings of ASWs and those that engage in digital platform labour is in its infancy.^{12 13} Whilst there is impact related knowledge from the USA after the introduction of the 'SESTA/FOSTA' laws in 2018 which aimed to reduce trafficking, the UK has very little insight into the potential effects of greater regulation of ASWs. We know that the effects of SESTA/FOSTA and the USA's internet policies have been felt beyond the USA, with evidence of working practices for sex workers being altered for the worst in Germany and Switzerland but there has been little space to discuss and debate these in the UK context.¹⁴ We do know that since the 2017 introduction of the Nordic model making it a crime to pay for sex in Northern Ireland, there has been very little evidence of impact on preventing sexual exploitation and there are concerns that as a result exploitation is happening through less visible spaces for example in encrypted spaces or offline.¹⁵

There is some information on how customers using online spaces engage in whistleblowing around exploitation, but knowledge of their 'legal consciousness' or barriers to reporting is scant as established by Sanders and colleagues.¹⁶ These questions are made more urgent as there is a compelling policy and legal landscape focusing on online harms/safety and the duty of care of internet providers. This contemporary legal landscape may encompass further calls for regulatory mechanisms and enforcement processes against ASWs, criminalising those people who run, operate, purchase, or provide sexual services via these digital platforms. Given the potential for future changes in regulation, little is known about how customers and providers of sex on ASWs may react, how alternative spaces may pop up, or whether asking customers for more personal information may pose a threat to the marketplace. Thus, this project gathered new knowledge to fill these identified gaps.

¹² Cunningham, S., Sanders, T., Scoular, J., Campbell, R., Pitcher, J., Hill, K., ... & Hamer, R., 2018. Behind the screen: Commercial sex, digital spaces and working online. *Technology in society*, 53, pp.47-54.

¹³ Hardy, K. and Barbagallo, C., 2021. Hustling the Platform: Capitalist Experiments and Resistance in the Digital Sex Industry. *South Atlantic Quarterly*, 120(3), pp.533-551.

¹⁴ McDonald, A., Barwulor, C., Mazurek, M.L., Schaub, F. and Redmiles, E.M., 2021. "It's stressful having all these phones": Investigating Sex Workers' Safety Goals, Risks, and Practices Online. In *30th USENIX Security Symposium (USENIX Security 21)* (pp. 375-392).

¹⁵ Ellison, G., Ní Dhónaill, C., & Early, E., 2019. A review of the criminalisation of the payment for sexual services in Northern Ireland. A Review of the Criminalisation of the Payment for Sexual Services in Northern Ireland (September 19, 2019).

¹⁶ Sanders, T., Brents, B. G., & Wakefield, C., 2020. *Paying for sex in a digital age: US and UK perspectives*. Routledge.

Research questions

The objectives of this project centred on creating new knowledge and understanding to influence future law and policy reforms around modern slavery and online safety regulation. Our objectives were fourfold:

- To improve evidence on how Adult Services Website businesses can act as prevention stakeholders in MSHT by finding out what data they would need to facilitate police investigations and good practice mechanisms around safeguarding.
- Gather the views of ASWs operators and those who engage with buying sexual services regarding prospective laws to regulate ASWs to give insight into how regulatory reform should be designed to ensure compliance.
- Identify the risks associated with policing around ASWs regarding victim/survivor identification and apprehending offenders to ensure any regulation does not displace MSHT or make spotting victims harder.
- Establish a national network of stakeholders working with ASWs for long-term action planning and consolidation of expertise to speak directly to law, policy, guidance, and practice.

Consequently, we proposed four main research questions to meet these aims and fill the identified gaps in the research area.

1. How can ASWs be used to disrupt offenders? What are the mechanisms adopted by ASWs for identifying victims and what do they do with the information?
2. How do operators of ASWs see their role in preventing abuses?
3. How do users of ASWS (consumers) perceive their role in identifying crimes, barriers to reporting and prospective further criminalisation?
4. What are police expectations on the usefulness of tighter control of ASWs in victim interventions and apprehending offenders?

These research questions, addressed via a multi-method approach, were designed to offer a holistic view of the problems to be answered, but also to encourage collaborative working between ASWs, the police and policymakers tasked with preventing MSHT online.

Methods

This mixed methods study employed interviews with police, practitioners, and ASWs and an online survey with sex buyers to generate a unique body of evidence that reaches beyond existing data or government consultation. By using this four-pronged data collection approach, we mitigated risks of non-cooperation from ASW operatives and professionals. This provided a 360-degree perspective of ASW activity and enabled several strands of recruitment into the project maximising chances of achieving a good sample size. **The full methods protocol is published for replication and transparency and can provide greater detail on the methodology.**¹⁷

Peer research and action learning

This research project employed peer research methods, working alongside Survivor Representatives with Unseen UK. Peer research methods are valuable as they recognise the agency and expertise of those with lived experience to partake and guide research within their community.¹⁸ We worked under Unseen's Survivor Involvement protocol and strategy to inform the setup of the project and the ethical approach to involving adult survivors of exploitation. Consequently, ten peer researchers from eight different countries supported the project, eight females and two males, ranging in age from mid-20s to 65+. They were actively involved through participation in the advisory group, instrument design, implementation, analysis, and the dissemination phase of the research project. The peer researchers were compensated for their time through gift vouchers and payment of travel expenses. **Our published paper on peer research methods provides more detail of how we engaged with the peer researchers.**¹⁹


Research methods: interviews

We successfully conducted 48 interviews with the police (n=30), practitioners (n=13) and those working in the Adult Service Website industry (n=5). **Figure 1** shows the distribution of the forces interviewed across England and Wales and the location of the practitioner and first responder services. The interview tools were jointly devised by the research team and peer researchers, with input from the partners who were used to assess the feasibility and focus of the research questions. Our engagement plans

¹⁷ Keighley, R., and Sanders, T., 2023. Prevention of modern slavery within sex work: Study protocol of a mixed methods project looking at the role of adult services websites. *PLoS one*, 18(5), p.e0285829.

¹⁸ Edwards, R. and Alexander, C., 2011. Researching with peer/community researchers—ambivalences and tensions. *The SAGE handbook of innovation in social research methods*, pp.269-292.

¹⁹ Keighley, R., Sanders, T., Agg, H., Saunders, L., 2023. Participatory Action Research: Developing a collaborative approach to modern slavery research with survivors of exploitation. *Methodological Innovations*. [Manuscript submitted for publication].



included utilising contacts through the NCA and police networks and snowball sampling as participants recommended others with the relevant subject matter experience. Relying heavily on the dynamics of organic and collaborative social networks it was important to design a strategic engagement plan prior to data collection to ensure maximum uptake. Our research partners proved instrumental in this process given their active involvement in this field.

In-depth interviews with ASW staff aimed to understand how ASWs viewed their role and procedures in identifying offenders of MSHT and their appetite for working alongside law enforcement in preventing sexual exploitation. The in-depth interviews with police and practitioners involved with ASWs engagement and enforcement aimed to understand their experiences of MSHT cases on ASWs and their expectations on the usefulness of tighter control of ASWs, including the feasibility and applicability of the Online Safety Bill and greater regulation. Together, these three interview groups offered a 360-degree insight into adult service website operations and the engagement of working parties in preventing MSHT. An omission of any one of these interview groups would overlook necessary and important information from groups that are and ought to be working together collaboratively to prevent exploitation online.

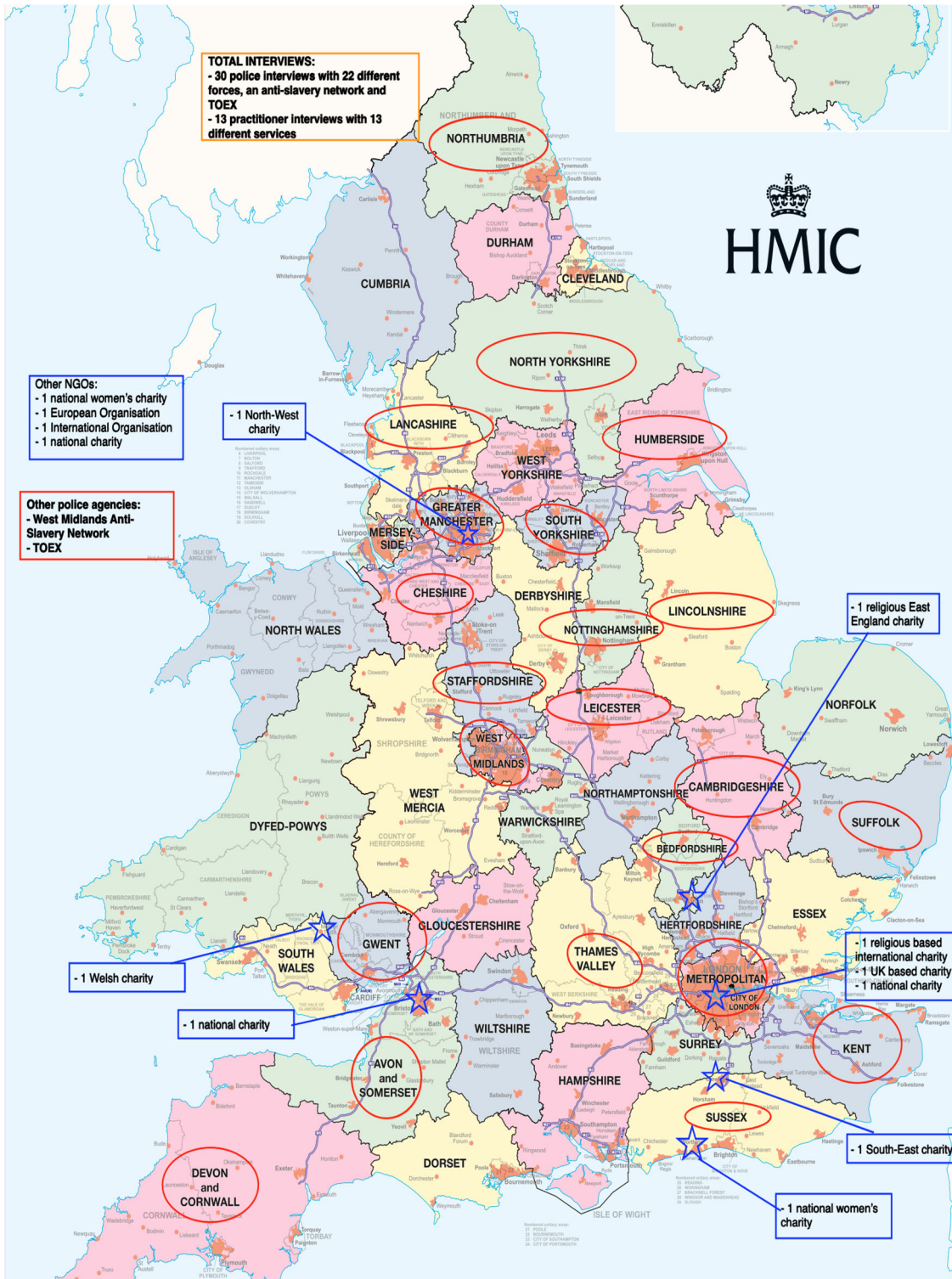


Figure 1: Distribution of the police forces and practitioner services interviews in England and Wales

Research methods: survey

Using JISC's Online Survey (certified to ISO 27001 standard), we carried out a survey for consumers using ASWs, to understand how they perceive their role in identifying crimes, barriers to reporting and prospective further criminalisation in relation to MSHT on ASWs.

We collected data from 142 survey participants to gather a breadth of experiences and opinions to draw informed conclusions. Our engagement plans included advertising on adult service website platforms, and utilising our research partner networks, many of whom (including Unseen, the NCA and NPCC) work closely alongside adult service websites to improve their reporting and support mechanisms regarding abuse, MSHT and other illegal or harmful activities. This research project recognises that those ASWs which engaged and advertised the research are those who are active in preventing MSHT on their sites.

The survey collected basic socio-demographic data from participants, whilst preserving anonymity. This was to understand the diversity of consumers of sex on adult service websites. To assess participants awareness of sexual exploitation, a mix of closed and open-ended questions were asked. The questionnaire's inclusion of some open-ended free text questions allowed participants the opportunity to share their experiences and opinions in an unbiased way, thus giving agency to respondents. The survey questions were also designed with the peer research group who drew on their experiences and knowledge of ASW workings to inform and direct the survey's focus.

Unseen Historic Helpline Data Executive Summary

Drawing on contemporary historical records from Unseen’s Modern Slavery Helpline between 2017 and 2021, researchers analysed the data to identify knowledge on the role of ASWs in reported cases of modern slavery. For more information on Unseen’s Helpline Data, visit their 2023 report.²⁰

From 2017 to 2021, the Helpline received **8,240** reports for modern slavery:

- **1,236** of these are cases of sexual exploitation;
- **130** (10.5%) of which were cases involving an ASW, suggesting an underreporting of the problem.

There could be many reasons why the reports relating to ASWs are so: sexual exploitation is often hidden, difficult to spot, and often the least reported activity due to concerns around those involved in the sex industry of criminalisation and stigma.

The Helpline identified the following vulnerabilities to all forms of MSHT:

- Language
- Age
- Financial instability
- Past abuse
- Immigration status
- Substance abuse
- Mental illness
- Learning difficulties
- Unstable family
- Social unrest

Sub-type of MS	ASW cases	SE cases	% of ASW/SE cases
Commercial Sex	128	792	16.20%
Forced Prostitution	115	381	30.20%
Sexual Slavery	3	63	4.50%
Total Potential Victims	246	1236	19.90%

Table: Proportion of ASW Cases out of total Sexual Exploitation Cases

²⁰ Unseen, 2022. Annual Assessment 2022: Working Towards a World Without Slavery. [online] Available at: [Unseen-Modern-Slavery-Exploitation-Helpline-Annual-Assessment-2022-FINAL.pdf](https://www.unseen.org.uk/wp-content/uploads/2022/12/Unseen-Modern-Slavery-Exploitation-Helpline-Annual-Assessment-2022-FINAL.pdf) (unseenuk.org)

Reporting modern slavery and human trafficking:

Caller Type	Total
Community Member	84
Sex Buyer	30
NGO - Anti-trafficking	5
Potential victim of MSHT	5
Friend of Potential Victim	4

Table: Top 5 ASW caller types

Proximity to Situation	#	% cases
Direct Contact with Potential Victim	66	50.8%
Indirect Contact with Potential Victim	9	6.9%
Observation of Suspicious Activity	43	33.1%
Unknown	5	3.8%
Victim Self-Report	7	5.4%
Total cases	130	100

Table: ASW Cases by Proximity to Situation 2017-2021

Summary:

This report's data proves useful to understand the nature of reports coming into the Helpline, the vulnerabilities, and descriptions of potential victims of sexual exploitation, the ways they were recruited and the ways they were exploited.

Given the use of the internet and Adult Service Websites to facilitate sexual exploitation, this data demonstrates the responsibilities of ASWs to be a part of the prevention and reporting mechanism.

The breakdown provided of the types of modern slavery occurring on ASWs and the potential vulnerabilities outlined could be crucial pieces of information for ASWs as they proactively identify cases of sexual exploitation within their adverts and sex worker profiles.

How can ASWs be used to disrupt offenders? What are the mechanisms adopted by ASWs for identifying victims and what do they do with the information?

Key messages

- ASWs are host to large amounts of **intelligence** and therefore must play a **crucial role** in the identification and prevention of MSHT amongst the online sex industry, including working alongside the police and NGOs supporting survivors of exploitation.
- ASW current responsibilities include multi-layered ID verification and reporting tools, safety centres and partnerships with the police, proactive removal, and human/AI moderation of content.
 - o However, these measures are not universal among all ASW platforms and there is a distinct lack of safeguarding practices across the platforms examined in this project.

Identifying MSHT on ASWs

Law enforcement, ASW operators and practitioners shared information on the current working practices of ASWs to identify exploitative activity on their platforms and working relationships between law enforcement and ASWs during criminal investigations. This section explores the main themes from these interviews, including the proactivity of ASW work, working relationships and practices with law enforcement and how ASWs can be best used to disrupt offenders.

ASW promising practice

‘Because we live in such a complex world, what our goal is, is to keep a personal relationship. Our customer care & community team is able to regularly reach out to creators and make sure they are OK, because this very human and personal relationship is still the most reliable technique, but it always has to happen in combination with technology.’

*ASW Operator,
Sex Education and Adult Content Social Media Platform*

ASW operators interviewed shared how they understood the role of their platform in safeguarding their users and preventing their site from becoming host to exploitative activities. Although they acknowledged room for improvements, the various tools and measures shared by engaged ASWs demonstrates best practice that set them apart from ASWs with no law enforcement engagement. Some platforms have engaged with NGO Stop the Traffik’s bespoke training package on spotting the signs of exploitation, further increasing their expertise. In this way, practitioners and law enforcement have been able to build a comprehensive picture of some ‘red flags’, or potential indicators of exploitation.

- **MSHT policies**, codes of conduct (outlining what content and behaviour is allowed and banned on platforms), DMCA (Digital Millennium Copyright Act) take-down policy, and crime reporting protocols.
- **Trust & Safety Centre** which provides support, advice and resources for sex buyers and sellers.
- **Transparency reports** whereby the platforms publish monthly and/or annual reports both of their work with law enforcement to ensure action against illegal acts and to prevent fraud, money laundering and MSHT and to share any requests for assistance.
- Pop-up & accessible **reporting mechanisms** for users of ASWs.
- MSHT **deterrence** messages for anyone visiting the site.
- Dedicated **support** pages and customer care/community teams.
- **Moderation** of content before upload.
- **Working groups** with the National Crime Agency and police and **partnerships** with NGOs and sex worker support groups and operationalising feedback.

- **Human and AI moderation** of content including complex data scanning software, google content safety machine learning, algorithms and fingerprinting of all content.
- **Multi-layered safety/verification** processes including ID, age and consent verification measures, including 'know-your-customer' processes, and mandate use of identifiable payment methods.
- **Proactive removal** of suspicious content including:
 - Ads created from a VPN/IP address with a bad score.
 - Ads created outside the UK.
 - Disabling unidentified payments.
 - Blocking backlisted phones.
 - Blocking multiple account/advert holders.
 - Identifying Child Sexual Abuse Material, use of certain visual codes or banned words.
 - the use of stock images
 - the language used in a profile
 - poor use of English
 - Use of third person
 - A more 'business-like' tone
 - The cost of services offered
 - The property environment in which sexual services are being sold
 - Dishevelled and tired looking women
- **Proactive reporting** cases to the **police** and data sharing in an easily accessible manner.
- **Compliance** with investigations.
- **Education** for ASW platforms on MSHT, share intelligence on emerging and changing trends and adaptation of internal safety measures.

Working with ASWs

Important to the policing of MSHT online, was exploring the role of ASWs in the prevention ecosystem by aiding criminal investigations. We asked law enforcement to evaluate their working relationships with ASWs when policing sexual exploitation online. Some police officers spoke of having good working relationships with some 'best practice' ASWs, however most platforms do not engage when law enforcement reach out (and nor are they required to by law). Thus, rather than receiving proactive referrals of suspicious activity from ASWs, police spend a lot of investigative resource on identifying potential cases of exploitation themselves, then attempting to build rapport with the ASWs for data/information sharing purposes.

'I don't know whether there's a reluctance of the websites to necessarily accept their role within it. They're a business, they're set up to make money, and they want to present as operating clearly within the law. But how willing they are to look for that exploitation, because that potentially loses revenue for them. And so their profit margins, does that influence their willingness to actively pursue exploitation and stamp that out on the website? Are they turning a blind eye because actually that's making them some money?'

Police Constable, East England

Thus, initially there appeared to be a disconnect between police perceived self-proactivity and a perceived lack of proactivity on the part of ASWs to report suspicious activities to law enforcement. However, often ASW routes into reporting to law enforcement are not always overt or direct. In terms of how this partnership works when looking at reporting, one ASW platform described in detail a three-way partnership with law enforcement:

'We believe that we in our backgrounds, we don't have the expertise that other people have, and it would be wrong for us to believe we know what to do, so it is critical that we surround ourselves and have access to and have a plan what to do if something fishy comes up. We do have three contacts that we know we can go to, and they consist of former law enforcement as well as charities and non-governmental organisations. Depending on the case at hand, we know who to go to and have the help to deal with the case like that.'

*ASW Operator, Sex Education and
Adult Content Social Media Platform*

Oftentimes, upon being made aware of suspicious activity or an advert that perhaps indicated exploitation, law enforcement would contact the ASW hosting the advert to gather more information. Helpful to an investigation includes the financial data, advert location, photographs, and any other background data on the advert publisher to help trace both the exploited survivor and begin to track down the trafficker. One ASW operator spoke about transforming the format in which they shared information with law enforcement. In keeping with police records, they now shared information in a user-friendly spreadsheet, which allows law enforcement to easily identify the problem and proceed with investigations.

The ASW operators interviewed argued that having a designated moderation team and an ongoing active relationship with law enforcement increases the success of police investigations. This leads to the increased apprehension of offenders, safeguarding

victims/survivors, and overcoming the delays in data-sharing that law enforcement described experiencing in their interviews:

‘As part of our commitment to user safety, we refer any suspected criminal activity to the police, and provide the technical information requested by officers to support any resulting prosecutions. We are proud of our proactive, industry-leading work in this area, which has helped to secure a number of convictions for sexual exploitation and trafficking.’

ASW Operator, Free Classified Advertising Website

Where police request information, the ASW operators interviewed stated that they cooperate entirely with law enforcement investigations, including ensuring staff had enough time to liaise with law enforcement on top of their regular duties by increasing hours and pay.

However, obtaining this information largely depends on the platform. Larger platforms typically cooperate, with notable exceptions from some market leaders. There is disparity, however, between platforms’ information channels, with some requiring officers to complete a standardised DPA (Data Protection Act) form, while others require emails to a generic address. Better platforms provide personalised emails and phone numbers for their safeguarding teams, enabling more effective communication.

But the large amounts of data held by ASWs demonstrates their value as an **intelligence pool** for law enforcement investigations, thus making them a critical piece of the prevention and identification puzzle. However, some are concerned ASWs could be doing more in this arena, given their access to this data and ability to proactively scan and identify suspicious activities using their systems. As one officer argued:

‘The challenge is identifying the right people, and that goes back to what we were looking at earlier about the baselines and identifying the correct adverts. My experience of working with the adult services’ websites is they don’t necessarily help us to do that. They will give us the information if we ask for it, but they won’t necessarily help us and say, “Actually, do you know what, we’ve got some concerns”. “This advert has flagged up, would you be able to look at this?” So again, it’s very much a transactional relationship. We will ask for some information because we have a concern, and they will provide that information but nothing further.’

Police Constable, East England

Some practitioner organisations sifted through ASW intelligence through exploitation mapping, trawling through ASWs to identify potentially exploitative activities:

'We look at different stages of trafficking, recruitment, control of victims but we look at one of the biggest elements which is advertising of victims on different online platforms. Because trafficking is a financial crime, traffickers are in it to make money and they are looking for any kind of cost-saving, profit-maximising operations and that's where the prostitution/sexual services websites are playing an important role.'

Modern Slavery Coordinator, European Organisation

Furthermore, when ASWs reported working alongside NGOs, this allowed for a feedback loop regarding potential indicators of exploitation, that ASWs can add to their toolkit to improve detection measures. This ensures that the safety, support, and identification systems on their platforms works, and meets the needs of all users and victim/survivors of exploitation.

Interviewees continually emphasised the importance of utilising ASWs as intelligence pools, and the need to gather sufficient data that is informed by research into modern slavery indicators, which plays a crucial role in the success of police investigations. Law enforcement gave examples of historic investigations whereby an inquiry to an ASW linked over 20 different adverts to one handler, who had paid for £33,000 worth of adverts in a three-month period. Thus, we can see the amount of data ASWs hold which can help law enforcement identify organised networks of criminal activity and the need for strong working relationships between ASWs and law enforcement to disrupt MSHT online.

In summary, the support and proactive nature of the work offered by these collaborations with law enforcement has resulted in a rise in the successful identification of traffickers and safeguarding of victim/survivors. Where platforms are closed off, and do not liaise with law enforcement, traffickers will continue to manipulate the online space and exploit individual for sexual gain and profit.

Safeguarding on ASWs

The interviews yielded some information regarding the safeguarding practices of some ASWs. Furthermore, the researchers carried out a scoping exercise on 17 of the more popular ASW platforms used in the UK to identify safeguarding measures. The data suggests that very few ASW platforms have safeguarding and support measures in place and the inclusion of safety and verification processes varied across platforms. Most popular was the use of pop-up disclaimer T&Cs before accessing the site. Twelve platforms had explicit pop-up messages you had to read and agree to (with varying details of terms and conditions), and five platforms had no such safety processes.

The disclaimers on ASWs laid out the provision of advertising space for adult entertainment providers and for adults seeking entertainment services.

'I do understand that ASWs have a role to play here in mitigating any risks on the platform, so that's why we obviously have all of our partnerships and safety measures in place, because we know that there is a responsibility for us as platforms.'

ASW Operator, Free Classified Advertising Website

Interestingly, most ASWs absolve themselves of some responsibility by stating that they are not an escort agency and plays no part in the booking of any services, nor are they responsible for any of the content hosted on their sites, despite facilitating this by allowing advertisements on their platforms.

Other platforms gave more details upfront regarding the types of content that will be banned, including, but not limited to, imagery which promotes human trafficking, self-harm, rape, and non-consensual sexual activities. Part of their efficacy in safeguarding, is a willingness to operationalise feedback from expertise in the field:

'The feedback is the critical part because we wouldn't have published our platform unless an expert actually told us that it was safe. The feedback that we got, because we have such an innovative, new, and completely, we believe, state of the art and standard setting safety system, the feedback has been that this is how it should be, and this is the safest we can ever make it.'

ASW Operator, Sex Education and Adult Content Social Media Platform

This report mapped the support pages available to users across ASW platforms (both sellers and buyers of sex). Seven platforms had designated support pages, two platforms had some level of support, and eight lacked specific support pages. At the promising practice end of the spectrum, were platforms with trust and safety centres containing articles, videos, links, and resources on online safety (including buying and selling sex safely) as well as on reporting suspicious adverts or profiles. These centres often reiterated the platform's pledge to prevent MSHT and included overt partnerships with related organisations. These included safer sex and MSHT organisations, alongside organisations for mental health and well-being support. Some platforms had Sex Positivity Centre discussing consent, safe sex, sexual health, and sex education. Other platforms contained user forums and FAQs, including links to external support or contact details for the platform's support team. Differentiated support like 24-hour email support, chat with operators, abuse reports, complaints procedures, and 24/7 site monitoring was also provided by some platforms.

The regulation of ASWs

The interviews with law enforcement and practitioners yielded some recommendations for how ASWs can be used to disrupt offenders. These regulatory recommendations could help shape the Codes of Conduct that will underpin the Online Safety Act, Ofcom's role, and their associated engagement with platforms.

The regulation of ASWs should include robust **prevention** measures:

- Standardised, robust and continuous **verification** checks of adverts on ASW platforms, including:
 - **ID and age verification**;
 - checking for duplicates of adverts (including photos used, text descriptions and mobile numbers);
 - before an advert goes live, the ASW should have to make contact with the worker, both to verify their identity and to make sure someone else is not in possession of their phone or advert, including a mechanism for asking for help/support;
 - **verification of financial data** including use of traceable payment methods.
- **Proactive identification** of cases of MSHT and/or suspicious activity through **AI moderation** and **human review of content***, including:
 - Flagging of multiple adverts under one account (or one form of ID//phone number/payment method);
 - suspicious bank accounts or transactions;
 - the text of an advert: including use of Google translate, certain emojis (codes for risky/illegal sexual behaviour), copied text from other adverts and/or poor language use, and suspicious phrase use (such as 'girls changing, new girls weekly');
 - advertising of risky services (such as bareback, sex without a condom); low prices;
 - and analysing the pictures relating to the advert for stock images or image duplicates.
- **Clear reporting measures** including designated support pages, partnerships with modern slavery NGOs and pop-ups informing users of their reporting responsibilities.
- **Mandatory and proactive sharing of data** between ASWs and the police regarding suspected exploitation cases, including the sharing of:
 - financial data;
 - IP addresses;
 - phone numbers;
 - messages and advert details.
- Robust & accessible **safeguarding** mechanisms, including:
 - partnership work with NGOs to support survivors of exploitation;
 - embedded referrals to ASW support pages;
 - an on-hand support team;
 - information on MSHT and what to do if you suspect someone is being exploited;
 - and a general Trust and Safety Centre to protect all users of their platforms.
- **Deterrence** tools which discourage traffickers from operating on ASWs for example, increased prosecutions and sentences for convicted traffickers and pop-up deterrence messaging for platform users.

**There is a recognition that on their own these are not necessarily indicators of exploitation or illegal behaviour, but also of consensual sex working activities.*

How do operators of ASWs see their role in preventing abuses?

Both law enforcement and practitioners view ASWs as having a responsibility to be a part of the solution in working to prevent MSHT, given they are the host through which a large proportion of sexual exploitation is facilitated. However, there is an inconsistency between the ways different platforms choose to engage, with many viewing ASWs as lawless and indifferent to illegal activity occurring on their platforms, failing to safeguard and prioritising income over removing exploitative content.

This research thus examined ASW operators' perceptions of their role in preventing abuses to understand their viewed responsibility in this arena. The ASW operators interviewed spoke about safeguarding services offered to potential victims of exploitation, their working practices with the police, and evaluating the effectiveness of current processes to prevent MSHT on their platforms. They acknowledged the potential for their sites to facilitate modern slavery and sexual exploitation; however, operators described efforts underway to identify and remove exploitative content. The ASW operators interviewed will remain anonymous in this report as part of the consent process for engaging these platforms in this sensitive research. This anonymisation guaranteed engagement and also protects ongoing relationships for future impact and policy work.

Key messages

- The ASWs interviewed offer some examples of **best practice guidance** on ASW platform safety and supporting survivors of modern slavery and identifying potential cases of exploitation on their platforms.
- ASWs **evaluated forthcoming legislation** exploring the Online Safety Bill and how it will seek to regulate ASWs including foreseeing potential disadvantages of greater regulation (such as the displacement of victims, stigma towards consensual sex work, enforcement issues and data privacy), and how it will shape their responsibilities.

MSHT on ASWs

ASW operators were asked about the presence of MSHT on their sites, and to share any instances or case studies that would help to understand how online platforms can become a space for sexual exploitation. The operators we spoke to recognised that ASW platforms have become harbourers of sexual exploitation and illegal activity, which has been exacerbated by the rising use of the internet:

'Adult sites are more targeted than social media, because of a focus on adult material. A lot of adult sites probably do very little for illegal material, we do a lot, but a lot don't and all are looked at the same. Pandemic didn't help, everything pushed online, pushed people into areas might not have used before, including sex workers etc.'

ASW Operator, Pornography and Streaming Website

The ASW operators interviewed shared case studies of MSHT on their platforms and the measures they took to stop it:

Case Study One:

An online report was made to [ASW] customer services regarding Advert I.D: ***** which was posted online in the 'Escort and Massage' category, most recently advertising in the West Midlands area. The report, made directly through the website's 'Report this Ad' feature, contained the following text:

*"Prisoner Sex forced girl in the house more Girl in need of help and small children
There are also in the house please report to the police. License plate number:
*****"*

Action: The related account was immediately investigated by [our] dedicated team of staff who compiled all associated information into a single actionable report, for example the email address, telephone number, and IP address linked to the account. This information was then immediately disseminated to West Midlands Police, followed up by a telephone notification, for urgent enquiries to be undertaken.

Conclusion: West Midlands police advised that from the information provided, they were able to quickly identify those involved and conduct safeguarding visits to the location. Furthermore, they confirmed the individuals involved were recently suspected of serious offences committed against sex workers.

ASW Operator, Free Classified Advertising Website

Case Study Two:

A male customer phoned [ASW] customer services regarding an unrelated issue with an online adult escort advertisement that he had placed on the platform in the London area. The customer service agent requested to speak directly to the female advertised within the advert, as is a standard procedure, and the male refused to allow the female to speak. This raised concerns for the safety and autonomy of the female advertised by staff, who undertake extensive, regular training to identify and address potential risks on the website.

Action: Further investigative work was undertaken by the customer services team, including looking into previous advertisements posted from the same account and checking for any related complaints/reported concerns. Staff attempted to contact the female advertised the following day but were again refused access to her by a male. All associated information relating to this account was compiled into a single actionable report and sent immediately to the Metropolitan police service for urgent enquiries to be undertaken.

Conclusion: The Metropolitan Police were grateful for the information provided and undertook an urgent welfare visit to the location to speak with the female advertised and seek to identify any causes for concern.

ASW Operator, Free Classified Advertising Website

Alongside these example case studies, ASW operators shared some indicators that may suggest an advert, or a profile is of an exploited individual. These were included within the list earlier in the report. Knowledge and awareness of these indicators are useful, as it demonstrates the awareness of some ASWs to recognise the distinction between consensual sexual services being offered and exploitative activities.

Finally, to appropriately deal with identified cases of MSHT on their platforms, the ASW operators we spoke to shared more about their companies MSHT policies. Some were embedded in their T&Cs, others in their Trust and Safety Centre or on a designated Modern Slavery page, whilst for others they made sure it was repeatedly mentioned across all relevant areas of their platform:

‘This is mentioned in several different policies which are actually going to get a revamp soon, so that’s quite exciting. From the typical modern slavery statement, it is most in our terms and conditions, which define the relationship between the creator and us, where they confirm that they are doing this out of their free will.’

ASW Operator, Sex Education and Adult Content Social Media Platform

Interestingly, however, this ASW argued that MSHT policies are not necessarily the best way to tackle the issue, given it is already an illegal type of activity, it is already a given that it is prohibited.

Effectiveness of current processes

Within the conversations around identifying MSHT on their platforms, the ASW operators interviewed were asked to evaluate the effectiveness of their current processes to prevent MSHT. We took the operators at their word and had no way to verify these mechanisms. First, the smaller platforms spoke about 100% human review of content, before it is published on the website, anecdotally saying that this allowed them to catch 99% of the material that is illicit. Often, this human moderation was also supported by powerful tech tools:

‘This AI pre-moderation system really does a very good job in preventing harmful content from going live onto the platform.’

ASW Operator, Sex Education and Adult Content Social Media Platform

‘So, the cliché cheesy saying is that we are now dealing with it faster than ever before, so as a business we’re really sort of proud of how far we’ve come in the last year.’

ASW Operator, Free Classified Advertising Website

They argued that these efforts have accelerated since the Covid-19 pandemic, as more sexual services are negotiated online, revolutionising their trust and safety mechanisms,

and working closely with partners at NGOs and in law enforcement.²¹ This is in line with their vision to continue to demonstrate best practice:

‘The whole company has been founded on impact and that’s always been our goal and it is clearly shown in what we do. As a company we’re very much leading the digital safety standard, not just for adult entertainment sites but for social media platforms in general, so just trying to lead by example and just navigate that taboo as best as we can.’

ASW Operator, Sex Education and Adult Content Social Media Platform

Thus, we recognise that those we spoke to believe their current processes to be effective, as demonstrated by statistics they monitor:

‘It is reliable and effective as can see how many people being forwarded to deterrent pages when searching, lists dynamic, didn’t start at 28,000, started less and grown.’

ASW Operator, Pornography and Streaming Website

Part of their efficacy in safeguarding, is a willingness to operationalise feedback from expertise in the field, such as developing innovative, standard-setting safety systems. Furthermore, another ASW operator spoke about how feedback from law enforcement regarding whether the intelligence they had shared had resulted in success in apprehending an offender was a useful way to benchmark what data is good to collect and share.

Furthermore, ASW operators distinguished between pre-moderation techniques and reactionary moderation techniques that occur after the exploited victim/survivor has already been advertise and potentially sold on the platform. Given the high-risk/harmful nature of exploitation, ASW operators argued that proactive techniques are much more effective than those seeking to problem solve after the damage is done.

They also disparaged that some verification and moderation techniques are not revolutionary, but should be standardised across the board, such as ID verification and requiring traceable financial data. Thus, to remain effective at preventing MSHT and/or detecting it on their platforms, ASWs need to adapt and constantly update their mechanisms to continue to meet their responsibilities in this field.

²¹ Callander, D., Goodwin, A.T.S., Duncan, D.T., Grov, C., El-Sadr, W., Grant, M., Thompson, R.J., Simmons, M., Oshiro-Brantly, J.L., Bhatt, K.J. and Meunier, É., 2022. “What will we do if we get infected?": An interview-based study of the COVID-19 pandemic and its effects on the health and safety of sex workers in the United States. *SSM-Qualitative Research in Health*, 2(100027), pp.1-13.

Responsibilities of ASWs

The ASW operators interviewed recognised that traffickers utilise the internet and their platforms for their illegal activities and therefore clearly understood their role and responsibilities to mitigate this. First, when asked how responsible they thought ASWs ought to be with regards to preventing MSHT, they argued that they are extremely responsible, however, this is in partnership with others who also hold a level of responsibility, for example, sex buyers. They also argued that whilst they are responsible, there will always be those who abuse the system:

'No matter what business you have people will always try and abuse it, you should be held responsible to a standard and this needs to be defined (across the board), and hit the level we have, agree with a code of conduct.'

*ASW Operator, Pornography
and Streaming Website*

'I think it's important obviously for us to take the necessary steps that we can, and within all of our power to reduce those types of cases from occurring on our platform. However, any media platform, there is always the chance of something occurring when you have third party content, but then it's how can we prevent that, how can we catch it as fast as we can and how can we have those relationships to report it to the necessary law enforcement.'

*ASW Operator, Sex Education and
Adult Content Social Media Platform*

Thus, as will be explored, Ofcom's Code of Practice will be about setting guidance that ASWs must meet *to the best of their abilities*, recognising that if they are being proactive, they will not be held liable. This, they argued is not to circumvent responsibility, but to recognise the limits of what is possible in terms of moderating the online world.

How do users of ASWS (consumers) perceive their role in identifying crimes, barriers to reporting and prospective further criminalisation?

From a survey hosted on consumer forums and ASWs, 142 responses were received which shed light on the perspectives of those seeking to buy sex when signs of exploitation are encountered both online and in person. 92% of those surveyed were male, 69% were aged 45 and over, with just under 50% having purchased sexual services on ASWs for 3 years or more. This group of actors in the sex industry are rarely consulted, very difficult to access and often lie under the radar of any policy consultations or discussions.

Key Messages

- There is evidence that when browsing sex worker profiles **verification checks are carried out by sex buyers** to ensure the sex worker is not displaying obvious signs of sexual exploitation.
- Greater **methods of reporting concerns** are needed both to ASWs and the police – there needs to be more education for sex buyers on where to send concerning information.
- Sex buyers in the survey were broadly in agreement for **greater regulation of ASWs**.
- Sex buyers are arguably the initial group who would see **signs of exploitation**, and therefore could play an even greater role than they currently do.

Spotting signs of sexual exploitation

The most common checks carried out by those looking and arranging for sexual services included whether the booking was made directly with the sex worker or through a third party (62.7%), and whether the same contact number was appearing in different ads, suggesting a potentially handler (36.6%).

Respondents were asked for their five most significant concerns that someone is being sexually exploited when interacting with the person. The most common concerns cited were limited to no English spoken (45.8%), looking 'spaced out' from drugs or alcohol or mental health symptoms (36.6%), looking scared (35.2%), evidence of harm (45.1%) and evidence of substance misuse (45.1%).

Most respondents reported that they would cancel the booking if they were concerned about exploitation (73.9%), with others suggesting they would report to the police (34.5%), the ASW platform (30.3%), or discuss their concerns with the sex worker (30.3%).

Regulation of ASWs

When asked if they believe ASWs should be more regulated, 51% of respondents agreed: Respondents gave reasons for their answers, including a duty of care, the importance of a legalized sex market, the argument to stop trafficking at the source and fears of displacement of the market to name a few. There was appetite to see the ASW as the key trusted partner here and were the most likely organisation for the buyer to contact about suspicious concerns. However, there were concerns that regulation of ASWs could demand more personal information from sex buyers, compromising anonymity, thus disincentivising platform use by sex buyers and sex workers resulting in displacement consequences. Overall, respondents believed the Online Safety Bill and regulation of ASWs would make platforms less attractive, increase vulnerability and displace the sex industry. But, there was an acknowledgement that there were ways in which platforms could be regulated and checked by authorities that did not compromise the behaviour of adults to engage in consensual sexual services.

What are police and practitioner expectations on the usefulness of tighter control of ASWs in victim interventions and apprehending offenders?

Key messages

- **ASWs ought to be regulated to increase their responsibilities**, as mentioned to include ID verification and reporting tools, mandatory and proactive data sharing, safeguarding policies and proactive content moderation which is nuanced and informed.
- Through evaluating the forthcoming **Online Safety Bill**, **legislation is not the panacea**, as interviewees foresaw potential disadvantages to increased regulation highlighted earlier, including displacement of victims, stigma towards consensual sex work, enforcement issues and data privacy.
- Regulation must be supported **by multi-agency efforts** to prevent MSHT and a protection of consensual sex workers operating online.
- Regulation must be designed to **protect consensual sex workers**, and there needs to be a greater understanding of modern slavery victimisation, understanding its distinction from illegal immigration.

UK Online Safety Act

‘Legislation is quite often a blunt instrument, but it’s about how it’s applied in practice and what practically you can do to ensure that adherence to legislation is followed through, and the consequences for not adhering I think are key. I think a good, strong legislative framework is helpful but it’s not the panacea. It’s the practical application and the guidance that sits around that.’

*Director, Head of Policy and
Modern Slavery Coordinator, National Charity*

Law enforcement, practitioners and ASWs were asked to comment on the role of legislation and tighter control of ASWs to prevent MSHT online. In this regard, they all spoke first about the potential of regulation, how legislation can be used to shape the regulatory framework for ASWs, the potential problems with regulation, and the positives of increased regulation.

The role of the Online Safety Act

Primarily, law enforcement, practitioners and ASWs all recognised that the role of the Online Safety Bill was to increase the responsibility and compliance protocols of all ASW platforms, to prevent some platforms adhering to safety regulations, and others disregarding their responsibilities. Included in the Bill ought to be stringent rules and guidelines that incorporate minimum standards for compliance:

'I do think there should be minimum standards for what these companies can and should do, and minimum standards around how they should deal with concerns. It's a little bit like, quite topical, Elon Musk taking over Twitter, what the impact of that would be if you remove the controls. I think having controls that allow businesses to provide a demand service where that is legitimate, above board, is not going into or moving into criminal activity, but there has to be guidance and guidelines around that in terms of what minimal standards should be applied and then what best practice looks like.'

*Director, Head of Policy and
Modern Slavery Coordinator, National Charity*

The guidelines were an important factor of the Bill stipulated by practitioners, to enable ASWs to understand their role and the measures they need to adopt. Thus, ignorance or just ignoring the latest regulation cannot be an excuse for inaction. Total compliance was thus another factor that the Bill would bring forward regarding online safety, which when coupled with strong supporting guidance would facilitate this compliance:

'I think for me it's making sure that the legislation is not too onerous but is very clearly understood. Legislation can be a bit of a minefield, particularly the way in which it's written, but the intention sometimes doesn't follow through in terms of the written legislation, so I think it's about making sure that people know and understand exactly what that means on a practical level. You can have very loose legislation, but the guidance is very strong, so if you've got statutory guidance for example, you can have very strict legislation but then it's never going to quite fit with the majority of what you're trying to achieve. And therefore, making sure that you've got both good legislative framework and strong guidance is the way I think, particularly from this what can appear to sometimes be quite a toxic subject, I think would be important.'

*Director, Head of Policy and
Modern Slavery Coordinator, National Charity*

To encourage this compliance, ASWs must be engaged within the process. Thus, ASW operators argued that they as platforms, need to be included in the regulatory

conversation, to ensure any legislation is fair, measured and will appropriately target exploitation. This would include enforcing levels of standard to cooperation, which ASW platforms must be willing to meet. Thus, enforced compliance is an important feature of the Bill:

'I think that this is the way, but we must be aware that it must be done in such a way that no one is left out. Right now, the identification of the advertiser is not mandatory, having platforms that do it and others that do not, I think that the legislation has to be in charge of creating laws that force everyone to certain verification measures.'

ASW Operator, Adult Classified and Ads Website

This enforced standard would overcome the issues of some ASW operators not complying and having no responsibility in this space. Furthermore, for failure to cooperate, there needs to be penalties which would disincentivise non-compliance.

'Making sure that you take away any profits that they've made from it so that actually it's not worth doing. Like I said with the ASWs, if you started just giving them financial penalties for having hosted people who were trafficked.'

Detective Inspector, Southwest

Penalty fines would encourage ASWs to do their due diligence when screening adverts on their platforms and discourage them from making money off exploitation. Thus, it also makes them more responsible for the content they host if there is a sanction that could ruin or affect their business. However, it is not realistic to ask ASW platforms to entirely replace the polices' responsibilities in tackling MSHT. Therefore, law enforcement agencies and ASWs advocated for an ongoing, collaborative working group to jointly manage resources and support each other in MSHT prevention initiatives.

'We need really clear rules, either government-led or co-led by government and the private sector. So, I think just leaving everything to the websites, the incentive system is not there. They'll always have the incentive to make more money, to have more ads, to have more traffic. But I'm not sure they really have the incentive to oh, let's make sure that all the risks are taken care of. So, I think it has to be at least co-regulated, government and platforms and have some mandatory requirements, especially on age verification, consent verification.'

Modern Slavery Coordinator, European Organisation

However, practitioners and ASW operators recognised that a large volume of resources may be required to meet any regulatory changes, therefore ASWs must be supported by

the Bill with allocated funding for required resources alongside dedicated police forces that deal with criminal activity online around sex trafficking.

Furthermore, all interviewees argued that safeguarding must remain the priority activity at the heart of legislation designed to make the online space safe from illegal activities.

‘But if they’re going to deliver what is potentially harmful content and platform in the UK, I think the law probably around forcing their compliance to engage and provide evidential and safeguarding material should be very strong. And that’s perhaps where the ban comes. We talked about not driving them underground, and if they’re not willing to play ball, then that’s where the ban comes. I think there’s always the opportunity, the digital space is a nightmare for the cross border and the powers thing, if ever there’s a Bill, especially, I mean the definition of this one, you’d like to think it’s all over it, wouldn’t you, but yeah, the reach of it beyond borders is really important.’

Detective Sergeant, South Wales

Altogether, the regulatory framework will require ASWs to take a comprehensive and proactive approach to mitigating and preventing harms. However, the Bill should only be defined insofar as it aids law enforcement in prosecuting traffickers. It should not cross the line into over-regulating ASWs to the extent that sex workers are made more vulnerable and/or MSHT victim/survivors are treated as offenders, a critical concern law enforcement raised given the introduction of the Illegal Migration Bill which has a direct effect on this space.

The links between MSHT and immigration crimes

Public understanding of human trafficking is traditionally considered to be cross-border, thus incorrectly placing understanding of modern slavery within the context of immigration and migration control.²² In practice, however, the smuggling/trafficking and voluntary/forced migration dyads do not recognise the complexity of migrants being victim to exploitation. Therefore, those interviewed were asked about the conflation between modern slavery and illegal migration and whether they thought this would help or hinder the process to protect victim/survivors from being trafficked. Across the board, law enforcement and NGOs supporting survivors of modern slavery vehemently denied that it would be a good idea, and criticised the notion of criminalising victims of modern slavery:

²² Hamid, H.B.A., 2023. Consent in A Trafficking Paradigm: Exploring the Conflation Between Sex Trafficking and Voluntary Sex Work. *UUM Journal of Legal Studies*, 14(1), pp.161-188.

After describing how increased regulation should be shaped, law enforcement, practitioners and ASW operators were asked to identify any potential challenges to regulating this space:

- **Enforcement problems** as the majority of ASWs may ignore the legislation and traffickers are unlikely to halt their criminal activities.
- A need for **different regulatory measures** depending on platform size and resource.
- **Data privacy** concerns as ASW customers do not want to disclose more personal information, and/or the risk of this information being leaked.
- Decreased use of regulated ASWs and **increased** use of **unregulated ASWs**.
- A recognition that victims could be **displaced offline** or to **encrypted spaces**, increasing vulnerability to MSHT as victims are harder to identify.
- The potential to **stigmatise** the **commercial sex industry**, as police pointed to Illegal Migration Bill and associated border control laws criminalising the victims, not traffickers, and practitioners pointed to brothel-keeping laws criminalising the women, not traffickers.
- **Difficulties in regulating the online world** as legislation plays catch up to technological developments.
- **Barriers to victim engagement** including criminalisation of sex workers, documentation issues and migration stigma/criminalisation of migrants.

Advantages of regulation

However, legislation and regulation are not without its advantages, and law enforcement, practitioners and ASW operators were keen to point these out in an effort to carefully shape the regulatory framework to be as effective as possible:

- **Preventing exploitation** on ASWs through robust prevention and moderation mechanisms.
- **Safeguarding** sex workers and online workers through decreasing vulnerability to exploitation.
- **Raising awareness** of online safety and improving **whistleblowing** from platform users to **increase reporting** of MSHT.
- **Regulated compliance** of ASWs that increases their responsibilities in this area.
- **Education** of sex work as a legitimate business distinct from exploitation.

Conclusion and recommendations

Drawing together the findings from the in-depth interviews with law enforcement, practitioners and ASW operators, and the survey with sex buyers, this report concludes several key recommendations targeting three stakeholder groups: the UK Government, Ofcom and ASW platforms.

The UK Government:

1. Formulate the Online Safety Bill with prevention of MSHT at its core:

This research identified some key regulatory practices that will be adopted within the Online Safety Bill and associated Codes of Practice to reinstate the UK as a leader in tackling Modern Slavery. However, legislation must be supported by increased funding for law enforcement and safeguarding measures for those working online, addressing the concerns and potential challenges with regulation mentioned above.

2. Respect the continued practices of the wider sex industry:

Criminalising sex work in any form (independent workers, or those working together for safety in brothels) puts sex workers at increased risk of abuse, violence, and exploitation. The criminal justice system and current legislative measures fail to address the complexities of exploitation and fail to adequately distinguish modern slavery from consensual sexual activity.

Our research found concerns that, as happened in the USA with SESTA/FOSTA, sex work is in danger of being driven into more dangerous environments because of legislation that was simply supposed to target sexually exploitative activities. Thus, it is the case that legislation to prevent modern slavery and human trafficking must also be supported by an effort to protect the consensual sex industry from being disrupted or stigmatised.

3. Recognise that modern slavery does not equal illegal migration:

The Illegal Migration Act (IMA) seeks to criminalise illegal migration for victims, even when this was forced or coerced, resulting in victims of modern slavery who are perceived to be not cooperating with law enforcement investigations and the National Referral Mechanism (NRM) going unsupported if they are deemed to meet the Act's criteria (e.g. have arrived in the UK irregularly).²³ Law enforcement and practitioners

²³ <https://modernslaverypec.org/resources/migration-act-explainer>

interviewed were sceptical regarding this development, as despite the Government arguing the IMA is necessary due to abuse of the modern slavery systems, law enforcement have not identified evidence of such abuse. Instead, they uncovered a myriad of barriers to engagement with the system that may exacerbate levels of underreporting we are seeing, including but not limited to:

- A mistrust of authorities;
- Fear of abuse to themselves/their families by trafficker;
- A wish to escape exploitation and not prolong their trauma;

The UK Government must recognise that the IMA's modern slavery provisions are likely to decrease victims' willingness to support criminal investigations and may also increase the risk of exploitation. UK MSHT policy must be integrated with trauma informed support and provisions that support rather than stigmatise or blame victims of trafficking.

Ofcom:

Establish Codes of Practice and a working group in consultation with ASWs and sex workers.

1. Towards a better understanding of MSHT:

Ofcom, as the independent regulator of the Online Safety Bill, need to better understand what modern slavery is, the ways in which victims are recruited and trafficked into the UK, and the ways ASWs are used to facilitate consensual sex work as distinct from exploitation and trafficking.

2. Monitor ASWs:

Ofcom either need the tools to monitor ASWs themselves or work closely with partners (such as the police) to identify violations. This includes ways to prevent encrypted spaces being an alternative to facilitate exploitation.

3. Code of Practice:

Ofcom's Code of Practice must include minimum standards and detailed guidelines for ASWs to improve their modern slavery detection and eradication, including ID and consent verification.

4. Consultation:

Ofcom need to build their Codes of Practice in consultation with expertise in the field. This includes setting up a working group with ASWs, law enforcement, NGOs and practitioners, sex workers, and survivors of exploitation whose insider knowledge can shape the regulatory framework.

ASW platforms:

Increased responsibility and regulation of online platforms that disrupts MSHT and protects consensual sexual activity.

1. Collaboration with ASWs is key:

ASWs must be included in the conversation, with partnerships and working groups with NGOs, law enforcement and sex worker communities to stay abreast of current and ongoing MSHT and internet safety trends, to share tips for identifying modern slavery and be proactive in referrals of suspicious content. This is important given their expertise on the adult entertainment industry.

2. Support broader efforts to increase responsibility of ASWs:

Explore ways to increase responsibility of ASWs to proactively prevent MSHT on their platforms whilst reassuring them of their rights to continue to facilitate the purchase and sale of consensual sexual activities. This could include a continuation of the ASW working group operated by the NCA and financial repercussions for failure to cooperate.

Also included in this is an incentive scheme to abide by Ofcom's Codes of Practice and increase proactivity and working relationships with law enforcement.

ASWs should also explore ways of making it easier for sex buyers to report concerns, given their appetite for responsibility in this area.

3. Areas identified for ASW implementation include:

- a) **MSHT policies, codes of practice** (outlining what content and behaviour is allowed and banned on platforms), DMCA take-down policy, and crime reporting protocols.
- b) **Proactive sharing of financial, advert and personal data** with law enforcement to assist criminal investigations.
- c) **Trust & Safety Centre** which provides support, advice, and resources sex buyers and sellers.
- d) **Transparency reports** whereby the platforms publish monthly and/or annual reports both of their work with law enforcement to ensure action

- against illegal acts and to prevent fraud, money laundering and MSHT and to share any requests for assistance.
- e) **Pop-up & accessible reporting mechanisms for users of ASWs** including partnerships with Unseen who run the UK's Modern Slavery Helpline.
 - f) **Human and AI moderation of content** including hash scanning, google content safety API, algorithms and fingerprinting of all content and the proactive removal of **suspicious content** including:
 - Ads created from a VPN/IP address with a bad score.
 - Disabling unidentified payments.
 - Blocking multiple account/ advert holders.
 - Ads created outside the UK.
 - Blocking blacklisted phones.
 - Identifying Child Sexual Abuse Material, use of certain visual codes or banned words.
 - g) **Multi-layered safety/verification processes.** These include ID, age, and consent verification measures, including 'know-your-customer' processes, and mandate use of identifiable payment methods.
- **Education for ASW platforms on MSHT.** Sharing intelligence on emerging and changing trends and adaptation of internal safety measures.

Areas for further research

Further research is required to explore further the online dimensions of sexual exploitation, and an evaluation of the use of a variety of social and policy responses to exploitation.

As policy and regulation in the form of the Online Safety and Illegal Migration Acts progresses, we need to evaluate their efficacy in seeking to criminalise exploitation whilst safeguarding consensual sex workers online. There is a need for a stable and universally agreed upon approach to sex work in general whilst any modern slavery interventions adhere to international policies that seek to protect victims of exploitation and criminalise offenders. Given the current timeframe the efficacy of increased regulation in this area is unknown.