Appendix 3 - Background of the Current Prostitution Policy

3.1 Current prostitution policy

In summary, the Amsterdam Prostitution Policy consists of the following elements:

- A licensing system for windows, clubs and escort agencies
- Monitoring of these licences by the City of Amsterdam in collaboration with the police
- Inspections of the unlicensed sector (such as inspections of working from home, unlicensed escort, massage parlours, etc.) by the City and the police
- Tackling human trafficking within a broad partnership of partners in the chain
- Care and support for sex workers/efforts to empower sex workers (care is offered within both the licensed and the unlicensed sector), where the City subsidises specialist assistance to sex workers and ensures that the services of social workers, assistance with health issues, fieldwork, legal support and training courses are available to sex workers

You will find a more detailed description of the prostitution policy in the Prostitution Monitor. The Prostitution Monitor describes the current prostitution policy. This Monitor is accompanied by a document called 'Monitor: Summary & Problems'[1]. This describes the most significant problems of the current prostitution policy.

3.2 Bill for the Sex Work Regulation Act: privacy regulations and working from home

National legislation plays an important role in the design and implementation of the prostitution policy. For example, privacy legislation has resulted in significant limitations for policies on surveillance and enforcement and the combating of abuses and human trafficking in the licensed and unlicensed sectors. As a result of this, the current policy cannot be implemented optimally at present.

The bill for the Sex Work Regulation Act (*Wet regulering sekswerk*, Wrs), which provides a legal basis for certain types of data processing, was submitted for consultation on 15 October 2019. However, the bill does not solve all the problems in this area and it may well take a long time for the Sex Work Regulation Act to be introduced. This means that the obstacles created by the privacy regulations will continue to exist until then.

The bill for the Sex Work Regulation Act also contains a national scheme for a licence obligation for individual sex workers, with a compulsory intake at the municipality. This means that work performed from one's own home by independent sex workers will become a licensed activity. Currently, home prostitution on a commercial basis is not permitted in the City of Amsterdam.

When formulating new measures and determining their enforceability, developments in national legislation must also be taken into account. At present, it is still unclear whether and when this Act will be introduced[2].

3.3 Outreach care

In addition to the aforementioned additional concrete actions/measures, it is very important to continue investing efforts in establishing contacts and offering care so as to improve the overall position of sex workers. Only through long-term investment in building relationships and providing information/help can a proper relationship of trust be developed, so that we can also reach and assist persons in more vulnerable situations. In this way, we see reports of abuse or human trafficking emerge, sometimes years after the occurrence of the incident[3]. Due to the growth of the unlicensed sector, the services of care partners are stretched to capacity. The capacity for deploying outreach care for sex workers is limited due to limited resources. More outreach care would allow us to reach more sex workers in vulnerable situations and better utilise the existing care offer.

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[1] The Monitor/Monitor Summary was sent to the City Council for the meeting of the Council Committee on General Affairs on 5 December 2019 and is scheduled for discussion in the Committee on 19 March.

[2] For the sake of completeness: the City of Amsterdam, along with Utrecht, The Hague, Rotterdam and Groningen, have responded to the consultation; you have been informed about this in the mail sent on 11 December.

3 During the expert session on 19 November, the Public Prosecution Service, police and care partners emphasised the importance of 'visibility, findability and long-term relationships (opportunity for building a relationship of trust)'.