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Prostitution of young persons – a topic of social work and/or penal legislation

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Young people who prostitute themselves also often live on the street. They are part of the groups of street kids found in the city-centres of big cities. They are threatened by such risks as HIV-infection and the results of widespread drug abuse and are socially excluded. These young persons have little chance of reintegration into a stable social environment beyond prostitution.

In the field of social work, prostitution of young persons is perceived as a form of deviation, which is influenced by psycho-dynamic and social factors and motives; penal legislation has no influence on this behaviour. Male and female prostitution differ in terms of their motives, forms of approaches and developments. Most young prostitutes can be found around the main train-station area. Drop-in-centres and street-work projects are also usually located in this area. They offer support to survive on the street and/or to get out of the field of prostitution.

The prostitution of young persons is rarely criminalised. In the past, legislation could not stop prostitution. Neither the former article 175 of the German law, prosecuting homosexual activities between adults and adolescents, nor the recently introduced article 182 prosecuting sexual contacts between adults and young persons between 14 and 16 years, have had any impact on the prostitution of adolescents.

Penal legislation can only have a supportive function for young persons, as long as the legislation considers the living circumstances of the adolescents and does not contradict social developments which have already taken place. This relates to the prostitution of young persons as well as the widespread sexual behaviour of adolescents in general. German legislation protects young persons sufficiently. It can not be expected that an increase in the severity of penalties will influence the living conditions of young prostitutes. Furthermore, an anonymous system of sanctioning, like the penal legislation, will not be able to introduce behavioural changes. Young prostitutes should be supported by social workers in non-judgemental and non-controlling settings and should be encouraged in their efforts to stop prostituting themselves. The increased criminalisation of sexual contacts in prostitution can also cause a breaking off of contacts between street workers and young prostitutes. The whole scene could withdraw into private homes, which would no longer be accessible to social workers.