



HAL
open science

New Information Technologies and the Organisation of Procuring - The Case of Gig Prostitution

Bénédicte Lavaud-Legendre, Bénédicte Lavaud-Legendre

► To cite this version:

Bénédicte Lavaud-Legendre, Bénédicte Lavaud-Legendre. New Information Technologies and the Organisation of Procuring - The Case of Gig Prostitution. *Revue de droit comparé du travail et de la sécurité sociale*, In press. halshs-04347843

HAL Id: halshs-04347843

<https://shs.hal.science/halshs-04347843v1>

Submitted on 15 Dec 2023

HAL is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.

New Information Technologies and the Organisation of Procuring - the Case of Gig Prostitution

**Benedicte Lavaud-Legendre Bénédicte Lavaud-Legendre, CNRS Research Fellow -
HDR, COMPTRESEC UMR CNRS 5114, University of Bordeaux**

Research subjects: Labour Law, Criminal Law, Forced Labour, Exploitation of Migrants, Agricultural Work, Seasonal Workers, Domestic Work.

Publications:

- B. Lavaud-Legendre (dir.), *Prostitution de mineures - Trouver la juste distance*, Chronique sociale, 2022, 234 p.
- B. Lavaud-Legendre, « Esclavage, servitude, travail forcé et traite : interprétation et pouvoir créateur du juge européen », *Revue du Groupe de recherches actions sur la criminalité organisée* (GRASCO), 2022.

Résumé

Les modalités d'exercice de la prostitution ont considérablement évolué ces dernières années : le lieu de la rencontre entre l'offre et la demande n'est plus la voie publique mais la *toile*, les tarifs et prestations sont déterminés lors d'échanges numériques, la rencontre physique se fait en hôtel ou en appartement. On est passé de ce qu'on qualifiait de *prostitution de rue* à une *prostitution logée*. Ce que nous appelons *Prostitution par Plans* est l'une des modalités de cette dernière, particulièrement utilisée par les adolescents. La présente contribution analysera l'évolution du proxénétisme sous l'angle de l'influence des nouvelles technologies de l'information, en faisant un parallèle avec celle observée dans les relations de travail formel. Nous mettrons notamment en évidence la multiplication des tâches nécessaires à l'organisation de l'activité, et l'implication d'individus chargés d'accomplir des prestations sur un mode intermittent et précaire.

Mots-clés : Prostitution, proxénétisme, ubérisation du travail, travail des plateformes, prestations, logistique, prostitution de mineurs.

Abstract

How prostitution is practised has changed considerably in recent years: the place where supply and demand meet is no longer the public highway but the web, prices and services are determined during digital exchanges, and physical meetings take place in hotels or flats. What was known as a *housed prostitution* is now a *street prostitution*. This nowadays *Gig prostitution* or *prostitution by plans* is one of the modalities, particularly used by teenagers. This contribution will analyse the evolution of pimping with regard to the influence of new information technologies. Thereby, a parallel is drawn to observed formal labour relations. In particular, we will highlight the multiplication of tasks necessary for the organisation of the activity and the involvement of individuals charged with performing services in an intermittent and precarious mode.

Keywords: Prostitution, Pimping, Uberisation of Work, Platform Work, Services, Logistics, Underage Prostitution.

The practice of prostitution has changed considerably in recent years: supply and demand no longer converge on the public highway but on the *Web*; rates and services are determined in digital interactions, and physical encounters takes place in a hotel or flat, in what is referred to as *housed prostitution* as opposed to *street prostitution*¹. What we term *Gig prostitution* or *Prostitution par Plans* is one way of conducting this housed prostitution.

The term « Plan » refers to the fact that during this period (around three days), the prostitute remains entirely at the mercy of those who profit from her activity. This activity, which falls under the criminal definition of procuring (Articles 225-5 et seq. of the French Criminal Code), has been booming in France since 2010, particularly among young people under the age of 25, a significant proportion of whom are minors². The public authorities have responded by marshalling significant resources and establishing a working group in 2020 - involving multiple actors - followed by the publication, in December 2021, of a national plan to combat the prostitution of minors, coordinated by the Secretary of State for Child Protection³.

This article presents the results of two research projects carried out between 2018 and 2022⁴, mainly using judicial data, and pays particular attention to the role of new technologies and logistics in this criminal activity⁵. We will show that the emergence of this form of business organisation is linked to what one author describes as the « information revolution »⁶, which is probably as momentous as the industrial revolution. This has been made possible by the convergent development of microelectronics, computing (machines and software) and telecommunications technologies. The information technology paradigm influences all aspects of daily life, and is accompanied by the development of networked operations. Information has become a raw material.

Analysing the trends in procuring in the light of the influence of new information technologies draws parallels with the trends observed in formal employment, namely the significant development of logistical functions and the increasing scarcity of « jobs » in favour of a service-based approach.

¹ Interview with Ms E. Arrighi, Chief Superintendent of Police, OCRTEH, *AJ pénal*, January 2023, p. 11.

² The link between new technologies and the protagonists' youth was highlighted back in 2014 by L.-S. Jonsson, C.-G. Svedin and M. Hyden, « Without the Internet, I never would have sold sex: young women selling sex online », *Cyberpsychology: Journal of Psychosocial Research on Cyberspace*, vol. 8, no. 1, 2014, p. 1.

³ <https://www.gouvernement.fr/actualite/premier-plan-national-contre-la-prostitution-des-mineurs>

⁴ This research is based primarily on the analysis of data from 10 criminal proceedings relating to acts that took place between 2012 and 2019, which were finally judged as « aggravated procuring ». The first research project, entitled « Prostitution de mineures : quelles réalités sociales et juridiques ? » (Prostitution of Minors: What are the Social and Legal Realities?) was carried out with assistance from the sociologist C. Plessard and the epidemiologist G. Encrenaz (<https://hal.archives-ouvertes.fr/hal-02983869v2>). The second study, « Prostitution de mineures - Définition et analyses pluridisciplinaires et des Plans et des parcours de vie » (Prostitution of Minors - Definition and Multidisciplinary Analyses of Life Plans and Courses), was conducted with the assistance of C. Plessard, sociologist, G. Desquesnes, Senior Lecturer in Sociology, IAE Caen, CERREV, Université de Caen Normandie, N. Proia-Lelouey, Professor of Clinical and Pathological Psychodynamic Psychology, MRSH, Université de Caen-Normandie, G. Encrenaz, epidemiologist, and G. Debruyne, IE CNRS, COMPTRESEC, UMR 5114. The final report is available online: <https://shs.hal.science/halshs-03971210>

⁵ G. Paché, « Prostitution 2.0, la face obscure de la digitalisation », *Management et datascience*, no. 6(3), <https://management-datascience.org/articles/20560/>

⁶ M. Castells, *La société en réseaux - L'ère de l'information*, Fayard, 2001.

We have defined « Plans » as being a particular means of organising procuring based on a *configuration*⁷ combining a place reserved for the practice of prostitution (a hotel or flat rented for this purpose)⁸, a defined period of time (around three days) and interdependent roles responsible for carrying out the activity: at least one *Prostitute*⁹ and one *Boss*, to which may be added satellite roles (Service Providers)¹⁰. We have defined the roles according to the activities carried out by each person within the activity. These roles cover all of the rights and duties incumbent upon an individual in the context of this activity which is legally defined criminal¹¹.

Consequently, a Plan involves at least one Prostitute (a person who engages in sexual activity in return for payment) and one Boss (whose role is to direct or manage the prostitution activity; this is a coordinating role). Beyond these players, satellite roles (*Recruitment Providers* and *Logistics Providers*) can be identified. Recruitment Providers refer people who are planning to prostitute themselves to the Bosses. *Logistics Providers* take the necessary steps to set up, operate and monitor the activity. The data analysed enabled roles to be assigned to 103 individuals whose average age at the time of the incident was 19. Stating that the definition of Plans relates to roles rather than to specific individuals means that their implementation implies the performance of the tasks required for the activity to take place. However, these tasks may be performed by several different individuals.

The fact that the activity is organised in the form of Plans does nothing to change the nature of the activity nor the power relationships between the protagonists: those who supervise the activity engage in acts that are criminalised under the offence of procuring: aiding, assisting, or protecting the prostitution of others (article 225-5 1° of the French Criminal Code (CP)); hiring, training or diverting a person for the purpose of engaging in prostitution (article 225-5 2° CP); exerting pressure on someone to prostitute themselves or to continue to do so (article 225-5 3° CP), etc. Prostitution is not defined under French law, but the Criminal Division of the Court of Cassation has ruled that the practice involves remuneration, physical contact of any kind, and satisfying the sexual needs of others¹².

As a specific form of procuring, the implementation of a Plan involves the Prostitute/Boss pairing, at the very least. However, the shift from *street prostitution* to *housed prostitution* has led to the emergence of new tasks, with certain individuals - distinct from the Bosses - being specifically responsible for these tasks on an occasional or regular basis, according to the demand. The logistical dimension of the business therefore increases significantly. As far as procuring is concerned, information technology has two types of effect that can be identified in the formal sector. The first relates to the proliferation of tasks required to organise the activity (**I**) and the second to the involvement of individuals responsible for performing services on an intermittent and insecure basis (**II**).

⁷ N. Elias, *Qu'est-ce que la sociologie ?*, Paris, Editions de l'Aube, coll. « Agora », p. 10.

⁸ Broadly speaking, during the course of a Plan, a Prostitute may be required to travel to a client's home.

⁹ In the original French-language version of this study, we have used the feminine form with reference to the « Prostitute's » role because, in our data, all the individuals involved in some form of prostitution turned out to be female. However, prostitution is also carried out by men in criminal organisations other than those we have analysed.

¹⁰ C. Plessard, « Comment la prostitution de mineures s'organise-t-elle ? Analyse structurale de réseaux criminels », in B. Lavaud-Legendre (dir.), *Prostitution de mineures. Trouver la juste distance*, Lyon, Chronique sociale, 2022, p. 215.

¹¹ Concerning the social role, see L. Van Campenhout and N. Marquis, *Cours de sociologie*, Dunod, 2^d ed., coll. « Psycho Sup », 2020, p. 131.

¹² Crim. 27 March 1996, no. 95-82.016.

I - The proliferation of tasks linked to the organisation of the activity

Technological developments and the opportunity to transmit information in dematerialised form now have a considerable impact on almost every aspect of contemporary life. In business, the information revolution has led to the decentralisation of certain tasks and the growing importance of the real-time coordination of interactive communication networks.¹³ This has impacted the type of tasks to be carried out and the organisation of relations with clients and suppliers.

The transition from *street prostitution* to *housed prostitution* has been accompanied by the development and dematerialisation of some of the tasks required to organise the activity (**A**), which essentially relate to the use of logistics as a technique for rationalising physical flows. This is made possible by better knowledge of the associated information¹⁴. However, behind these organisational factors, certain invariants - which define the very nature of procuring - persist (**B**).

A - Dematerialisation of certain tasks required for the activity

The rapid development of information technologies and their use in procuring has changed the nature of the tasks to be carried out and has brought in new players.

Recruiting future prostitutes, publishing advertisements, contacting and arranging to meet clients, renting prostitution premises and, to a certain extent, exercising control over individuals, are now carried out electronically. The importance of these tasks justifies the specific assignment of certain individuals to them. We describe these individuals as *Logistics Providers*: « *When we started the business, they kept an eye on the girls, they found the phones and made sure they didn't go out, and secondly, they kept an eye on them while we came and took the money* » [extract from interview]¹⁵. Their work is obviously remunerated¹⁶ - during police interviews, the sum of 40 to 70 euros per day was mentioned.

Management science identifies three dimensions of logistics: « planning (demand forecasting, production scheduling, supply programming, etc.), administrative management (customer order processing, stock keeping, service monitoring, etc.), and physical flow management (order preparation, packaging, delivery, etc.) »¹⁷, and these three dimensions are clearly present in prostitution by Plans.

Planning refers to the recruitment of prostitutes and the drafting and posting of the solicitation notices required to implement the Plans. This activity involves the identification of periods during which fluctuations in demand (weekends, school holidays, sporting events, beginning or end of months, etc.) and the availability of the necessary venues (hotels, flat rooms, etc.) can be anticipated. The recruitment of Prostitutes is a recurrent task, as several Prostitutes may be used during the course of a single Plan. In addition, a prostitute may work for a boss on an occasional basis, in which case their relationship is not intended to be a long-term

¹³ M. Castells, *La société en réseaux - L'ère de l'information*, op. cit.

¹⁴ B. Lyonnet and M.-P. Senkel, *La logistique*, Dunod, 2015, § 13.

¹⁵ All extracts from the proceedings included in this study have been anonymised. First names have been changed. These may be extracts from hearings or recordings from telephone tapping operations.

¹⁶ Such acts are punishable under art. 227-23 and 226-2-1 of the French Criminal Code.

¹⁷ B. Lyonnet and M.-P. Senkel, *La logistique*, op. cit., « Introduction à la logistique » chapter, § 33.

arrangement. This is borne out by the following exchange between an interviewer and one of the protagonists: « **Question:** *So Lola has two bosses?* **Response:** *Yes, in fact, she would secretly work for Malo. Those tend to two fight over Lola because she brings in more money, and that's why they want to keep her.* **Question:** *Do Malo and Kevin know each other?* **Response:** *Yes. Sometimes one lets a girl work for the other » [interview extract].*

The unpredictable nature of the Plans means that supply has to be matched to demand, with a sufficient number of prostitutes available for each Plan. Certain individuals, whom we have described as *Recruitment Providers*, will specialise in recruiting new Prostitutes. In addition, soliciting clients involves a number of activities, such as drafting advertisements and taking the photos used for this purpose, which will be published on social networks and online advertising sites (general or specialist).

Administrative management involves the online publication of advertisements prepared during the planning phase, responding to clients, organising appointments and collecting money during the Plans. Once a prostitute has been recruited, a venue has been booked and an advert has been posted online to recruit clients, the next task is to manage the interactions with these clients in order to arrange appointments and organise travel. In *street prostitution*, the prostitutes themselves are directly responsible for these interactions when they physically meet their clients. In *housed prostitution* and, more specifically, in *prostitution by plans*, the person in the hotel room or flat with the prostitute will manage these interactions.

Finally, *physical flow management* refers to the efforts made to ensure that the prostitutes are actually present at the prostitution sites, which means overseeing their movements, and also « assisting » them by supplying them with the everyday consumables they require to carry out their activity (food, drinks, alcohol, drugs, hygiene products, etc.): « *I also knew that the guy I was doing a favour for and giving the products to was supervising girls who were prostituting themselves. But I wasn't thinking about the consequences; I never imagined I'd be risking so much prison time. I had no idea that I could get into so much trouble for taking food or dope to the pimp. I didn't want to get mixed up in this, I only did it as a favour to him » [interview extract]. These activities are less dematerialised than others, although it is not uncommon to place orders online and use Uber-type service providers to deliver meals or other supplies.*

When Service Providers go out of their way to provide prostitutes with everything they ask for, it is purportedly in order to treat them like « princesses » and to be kind to them. However, the proposed justification does not stand up to scrutiny¹⁸. In the data consulted, several prostitutes reported that when, despite the instructions, they wanted to go out and buy cigarettes or other provisions themselves, the Service Providers physically intervened to prevent them from leaving.

There is probably a certain hierarchy within criminal services. The rates paid for logistical tasks are lower than those paid for the supervision or control of prostitutes: « *I was offered a job in charge of security because they said you're good at keeping girls safe and they offered me €1,500 a week. And that's the average; it seemed like I could make more. So, like an idiot, as I'd just got out of prison and had nothing else...» [hearing extract].*

¹⁸ B. Lavaud-Legendre, « Prostitution de mineures : De la nécessaire sanction pénale des actes destinés à tromper la victime », in *id.* (dir.), *Prostitution de mineures. Trouver la juste distance*, Lyon, Chronique sociale, 2022.

Despite the importance of logistics and the emphasis placed on the voluntary nature of the activity, the use of coercion and violence remains ever-present. Legally, the consent of minors who engage in prostitution is irrelevant among the criteria forming the basis for the application of the law, whether from the perspective of protecting children or the standpoint of punishing criminal conduct.

B - The invariants of procuring

Beyond the emergence of new tasks arising from new technological developments, these technologies have no impact on the legal definition of « prostitution », which is the focus of the wrongful acts associated with procuring (encouraging, facilitating, or profiting from the prostitution of others, etc.).

As far as the Court of Cassation is concerned, an encounter between a prostitute and a client remains a physical one and is therefore not influenced by new technologies. It has specifically excluded the practice of *caming* - i.e. the production of images or videos of a sexual nature in return for payment, in accordance with a client's instructions - from the legal definition of prostitution on the grounds that there is no physical contact¹⁹. Therefore, this dematerialisation of sexual relations not included in the offence of procuring, even when it is carried out on a commercial basis.

Similarly, in the Plans studied here, the control exercised over prostitutes remains primarily physical²⁰. During a plan, the *Logistics Provider* remains in the immediate vicinity of the prostitute at all times (either remaining in the bathroom or toilet, or pacing in front of the bedroom door). This practice is often justified by the desire to protect the prostitute from a malicious client, or to avoid detection by the police: « *He would stand in the bathroom while I had sex and watch to see if anything happened to me or whether the clients didn't pay properly* » [interview extract]. However, analysis reveals that the real aim is to thwart any desire to escape: « *I followed him and he put me in a hotel room. He told me that if I moved he was going to send people to kill my family* » [interview extract]. However, although this is not shown by our data, other studies point towards the use of dematerialised means of control²¹.

The dematerialisation of tasks linked to the organisation of the activity is accompanied by the increased specialisation of actors as a result of the use of digital tools. In *street prostitution*, the onus is on the prostitutes to solicit and negotiate with clients, and to book venues. These activities are carried out directly. Here, they require more extensive organisation and the involvement of specific actors.

As we have seen, the emergence of the tasks performed by what we have termed *Logistics Providers* is largely linked to the opportunities provided by information technology. As in the formal sector, their development « profoundly transforms the nature of work and the organisation of production »²². This change is accompanied by a specific form of involvement in the activity.

¹⁹ Crim. 18 May 2022, no. 21-82.283.

²⁰ It should be noted that some criminal groups carry out close remote surveillance by geolocating telephones, for example, or by asking prostitutes to connect their phone cameras so as to check on their locations.

²¹ L.-S. Jonsson, C.-G. Svedin and M. Hyden, « Without the Internet, I never would have sold sex: young women selling sex online », *op. cit.* See also E. Arrighi, AJ pénal, January 2023, *op. cit.*

²² M. Castells, *La société en réseaux - L'ère de l'information*, *op. cit.*, p. 337

II - Service Providers' modes of involvement in the activity

Logistics Providers' activities are inextricably linked to the opportunities provided by information technologies, and therefore share the main characteristics associated with the use of these technologies in the formal sector (A). We can draw even closer parallels by demonstrating that *Logistics Providers*, like platform workers in certain respects, are placed in a vulnerable position and are subject to significant constraints (B).

A - Characteristics of Logistics Providers' activity

New technologies affect the forms of work carried out in the formal sector in numerous ways.

In particular, they lead to more flexible working hours and less « job » stability, while enabling the performance of activities in variable locations and weakening the social contract between employer and employee²³. These developments also lead to the emergence of new forms of work. The « uberisation of work » is one such example, « situated at the interface between self-employment and salaried employment »²⁴. Platform workers are subjected to working conditions that can be described as degraded due to the very nature of the activities they perform, and pressures linked to the quest for greater profitability, the instability of the activity, the insistence on responsiveness, etc. At the same time, they do not benefit from the forms of protection associated with employee status (social protection, working time regulations, holidays, collective representation, etc.). Platforms « match the supply and demand for work activities »²⁵ and service providers are required to intervene on demand for payment on a piece-work basis.

Most of these elements can be found in the criminal context in question when analysing Service Providers' modes of involvement on behalf of the Bosses, and the same analysis could be made with regard to the Prostitutes' modes of involvement²⁶. *Logistics Providers* are heavily involved during the implementation of the Plan. During the period between two Plans, however, their only task is to prepare for the next one. As regards job stability and the « weakening of the social contract between employer and employee » - to coin a phrase used in the formal sector - we are unable to refer to an earlier period to compare the *Logistics Providers'* and the *Bosses'* situations. Nonetheless, the relationships are clearly unstable. A *Logistics Provider* may work for one or more Boss(es). A Boss may decide to use a Logistics Provider on a very occasional basis. Several Service Providers may intervene successively in the same Plan. The very nature of logistics tasks means that the individuals performing them are interchangeable. Different Service Providers may provide supplies, answer advertisements or transport individuals. What is essential for the criminal operation is for the role to be fulfilled. The identity of the person occupying the role is of secondary importance.

The availability of Service Providers depends on various factors, such not being used for another type of service, or not in prison, which not uncommon given the criminal records of the individuals concerned... Finally, as we have seen, a Plan is linked to a location - a hotel or

²³ *Ibid.*

²⁴ I. Daugareilh and A. Fiorentino, « L'ubérisation du travail – Introduction », *Revue de droit comparé du travail et de la sécurité sociale*, no. 2019/2, p. 7.

²⁵ *Ibid.*

²⁶ B. Lavaud-Legendre, C. Plessard and G. Encrenaz, « Prostitution de mineures : quelles réalités sociales et juridiques ? », *op. cit.*

flat, etc. rented for this purpose - which, by its very nature, is destined to change according to the opportunities.

Given the unpredictable nature of the activity, these factors are likely to make it very difficult for the investigating authorities to gather evidence. Concerning another aspect of the issue, the dematerialisation of the activity also raises concrete legal questions on the procedural level.²⁷

For example, the manner in which *Logistics Providers* in the criminal sector and platform workers in the formal sector carry out their activities is strongly determined by the rapid development of new technologies. This mode of involvement impacts the dynamic, ephemeral, mobile and immediate nature of the activity. However, as we have seen with platforms, experience shows that the constraints experienced are hidden, but no less real.

B - Vulnerable individuals under severe constraints

Behind the emphasis on the voluntary nature of the activity, the reality is more complex. Responsiveness, mobility and adaptability are the qualities required of *Logistics Providers*. Contrary to what is claimed, they - like platform workers - have very little room for manoeuvre in organising their activity²⁸. They are not free to determine the services they provide, choose their working hours or set the prices they charge²⁹. In reality, *Logistics Providers* often find themselves in situations of economic dependence and subject to major constraints in their relationships with the Bosses.

These factors mean that they can be considered vulnerable. « Vulnerability » can be defined as an intermediate zone between an integration zone and a disaffiliation zone: « social vulnerability [is an] unstable intermediate zone, combining job insecurity with the fragility of local support »³⁰. In the formal sector, a statistical analysis of data from the French Employment Survey reveals that individuals who declare themselves to be « self-employed entrepreneurs » (« auto-entrepreneurs ») are generally recruited from the least privileged segments of the population. Amongst self-employed workers, the self-employed entrepreneur category has the highest proportion of people who left school without any qualifications. In addition, the activity appears to be insecure for people who declare self-entrepreneurship to be their main activity³¹. A significant proportion of self-employed entrepreneurs therefore belong to the most disadvantaged categories of self-employed workers.

All of these factors can be found among *Logistics Providers*. As part of our study, we have described the profile of those involved in criminal activity based on the criterion of the satisfaction of needs (medical, psychological and educational) defined in the « *Démarche de consensus sur les besoins fondamentaux de l'enfant en protection de l'enfance* » (Consensus

²⁷ S. Lannier, « Plan national de lutte contre la prostitution des mineurs : aspects numériques », *AJ Pénal*, 2023, p. 20. M. Finn and L. Stalans, *How targeted enforcement shapes marketing decisions of pimps: evidence of displacement and innovation*, *Victims & Offenders*, vol. 11, no. 4, 2016, p. 578.

²⁸ B. Blancheton, « Enjeux économiques de l'ubérisation : histoire, innovations, nouvelles frontières du salariat et de la firme, affaiblissement de la croissance économique », *Vie et sciences de l'entreprise*, vol. 1, no. 205, 2018, p. 10.

²⁹ On the subject of self-employment, the *Chambre sociale* notes that it is characterised by the opportunity to build up one's own clientele, and by the freedom to set one's own prices and define the conditions under which the service is provided: Soc. order no. 374 of 4 March 2020 (19-13.316) - « Uber » order.

³⁰ R. Castel, *Les métamorphoses de la question sociale*, Paris, Folio, 1999, p. 7.

³¹ J. Gros, « Les statistiques de l'emploi face aux mutations du travail indépendant », in F. Dubet (dir.), *Les mutations du travail*, 2019, p. 77.

approach to the basic needs of children in child protection)³². Vulnerability factors linked to family instability, breakdowns in relations with parents and situations of insecurity were examined. Our results show that these factors are substantially over-represented in our study population compared with a comparable general population³³, but also reflect the relative homogeneity of our study population (all individuals involved in prostitution by plans, whether as perpetrator or victim) with regard to these criteria. For example, it is notable that 53 % of the population studied left school at 16 without any qualifications. According to the Virage survey, this proportion amounts to only 9 % in the general population³⁴.

While the data reflect the homogeneity of the study population in terms of these criteria and throughout the subjects' trajectory, it can be hypothesised that when they become involved in procuring, *Logistics Providers* are in a more vulnerable situation than the Bosses who use their services, although this point merits further investigation. For example, some Service Providers claim that they agreed to participate in a Plan because they had nowhere to sleep. Taking care of the logistics function guaranteed them a roof over their heads for the night: « *Let me tell you, I wasn't sleeping at home, I didn't receive any money for what you're saying. I stayed for a very brief period in a hotel; I'm afraid of reprisals. I don't know what was going on. I was there but I couldn't go home, sir. I'm not going to spit on the people who gave me shelter and I'm afraid of reprisals. I was brought in but only for a short time; I couldn't go home and I respect the police's work but I don't want to give the impression of having done something I didn't do, sir* » [interview extract].

A number of factors distinguish between the profiles of Bosses and Service Providers, suggesting that involvement in aggravated procuring could be part of a criminal career. Becker uses Everett C. Hughes' « career » concept to describe the trajectory followed by an individual: « In its objective dimension, a career is composed of a series of clearly defined statuses and jobs with typical sequences of positions, achievements, responsibilities and even adventures. In its subjective dimension, a career is made up of changes in the perspective from which people perceive their existence as a whole and interpret the meaning of their various characteristics and actions, as well as everything that happens to them »³⁵. This concept can be applied to an individual's trajectory within criminal activity.

The first distinction is linked to their age and the second to their history of delinquency. The average age of the Bosses is 21.7 while that of *Logistics Providers* is 20.16 years (and that of prostitutes 17.7 years). It is therefore possible to envisage participants starting out as Service Providers before becoming Bosses.

³² 28 February 2017 - Drawn up by 15 experts, this document is the result of a multidisciplinary and cross-disciplinary approach designed to establish a shared scientific corpus defining the scope, content and even the analytical tools contributing to an understanding of the fundamental, universal and specific needs of children in child protection.

³³ We opted to use the survey entitled « Violence et rapports de genre: contextes et conséquences des violences subies par les femmes et les hommes » (VIRAGE - Violence and gender relations: contexts and consequences of violence suffered by women and men) - Volet Principal, 2015 (2015, INED), by the Institut National d'Etudes Démographiques, which was conducted by telephone in 2015, among a sample of 27,000 men and women, representative of the population aged between 20 and 69, living in mainland France. See <https://virage.site.ined.fr>. We selected individuals aged between 20 and 23 from the Seine-et-Marne, Hauts-de-Seine and Seine-Saint-Denis departments of France.

³⁴ *Ibid.*

³⁵ H. Becker, *Outsiders: Etudes de sociologie de la déviance*, Paris, Ed. Métailié (trad. J.-P. Briand), 2012, p. 126.

In addition, the criminal histories of Bosses and Service Providers differ to some extent. The study population includes an overwhelming proportion of individuals with a history of criminal convictions (around 85 % of the males). This appears to concern a slightly higher proportion of Bosses than *Logistics Providers*. The former are also more likely than the latter to have a history of involvement in procuring and violent crime. A significant proportion of Bosses and Service Providers appear to have previous convictions for drug-related offences. It should be noted that this indicator does not include offences relating solely to use or possession.

As far as the balance of power between Service Providers and Bosses is concerned, the former are in a position of inferiority in relation to the latter. *Logistics Providers* do not set the price of their services: « *I was offered a job in charge of security because they said you're good at keeping girls safe and they offered me €1,500 a week* » [hearing extract]. In a telephone conversation, the Boss is clearly identified as giving instructions to the Service Provider on what to do: « *If XF is asleep, you let her sleep; you stay with her until I get back, OK? If she's not sleeping, you make her work, you go along with her* » [extract from a telephone-tapping operation]. They operate in a climate of constraint and fear : « *They clearly told me to keep quiet, but I'm not going to do that; at some point I'll have to explain myself, no doubt, as you know, you know my role, but for the moment I don't want there to be any misunderstanding and for it to backfire on me* » [hearing extract].

The qualitative analysis of the data and the contextualisation of modes of criminal operation provide various elements that point towards *Logistics Providers* being in a situation of dependence and vulnerability vis-à-vis the Bosses. This observation is confirmed by comparison with the formal sector. The people who work behind the scenes and whose main task is to manage flows using digital tools are caught in a stranglehold between the clients, on the one hand, and the principals, on the other. Furthermore, the very nature of their activity is largely dictated by the attributes associated with digital tools: immediacy, rationality, efficiency, etc. - all elements that turn these Service Providers into puppets in the hands of those who profit from their actions.

Nevertheless, these considerations should not obscure the fact that if the criminal career theory were to be confirmed, today's Service Providers would become tomorrow's Bosses. In this respect, the parallel with platform workers may no longer apply: delivery drivers are unlikely to have any real prospects of advancement in this sector of activity, for example.

It has therefore been shown that the information revolution has led to the emergence of new forms of work, both in the formal sector and in criminal activity. In various respects, parallels can be drawn between *Logistics Providers'* mode of involvement in *prostitution by plans* and platform workers' involvement in their own activity. Setting aside the considerable differences that still distinguish the formal sector from criminal activity, it can be observed that that in both cases, the success of these systems is based on matching the proposed supply with the demand from clients who manage all their commercial exchanges on their smartphones. In addition to measures designed to regulate these activities, or to punish them in the criminal context, reducing the demand is undoubtedly one way to curb the growth of such practices.