

**FINES** If you are fined you have the right to pay in instalments depending on your income and expenses. If you are having trouble paying, you can ask the court to reconsider or even ask for fines to be wiped out. If you were kept in custody for over 24 hours you can ask for the fine to be deemed served.

**REHABILITATION** Prostitute cautions and loitering and soliciting charges should not appear on your record after a year, but they will come up in an enhanced criminal records check. For other offences it depends on the sentence.

**TAXES** Paying taxes doesn't protect you from prosecution. The taxman can take your money even though they say your work is illegal.

**REPORTING VIOLENCE** Many women don't report rape, assault, robbery or other violence for fear of being arrested themselves. We have fought for the police to investigate violent attacks rather than prostitution offences. We can help you to get the protection you are entitled to. In 1995 we helped two sex workers take a private prosecution against a serial rapist – we won and he was jailed for 11 years.

**CHALLENGING POLICE ILLEGALITY AND RACISM** Some officers abuse their powers, demanding free sex, stealing your money or being violent. Don't put up with it. Get in touch with us. Corrupt officers must be stopped.

The English Collective of Prostitutes is a network of women who work or have worked in different areas of the sex industry – both on the streets and indoors. Since 1975, we have been campaigning for decriminalisation and safety for sex workers. We help sex workers defend themselves against criminal charges. We fight for housing, benefits, higher wages and other resources so that any of us can leave prostitution if and when we want.



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# Know Your Rights An A-Z for sex workers

Looking for help to defend your rights?

Need to know about:

- Police & immigration raids
- Soliciting & "prostitute cautions"
- ASBOs
- Closure orders
- Engagement & Support Orders
- Working with other women
- Charges of "brothel-keeping" or "controlling"
- How to work more safely
- What to do if you are threatened or attacked
- Helping someone who is being beaten or forced to work against their will
- Police seizing your assets
- Are your clients breaking the law?



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**STOP AND SEARCH** The police can only search you on the street if they suspect that you are likely to commit an offence or are carrying a weapon. They can arrest you for not giving your name and address only if they suspect you of anti-social behaviour, if you are driving, or if they want to summons you to court for an offence. Otherwise, do not answer any police questions.

**CAUTIONS** You have to be cautioned twice, on two separate occasions, before you can be charged with loitering and soliciting. "Prostitute cautions" are different from criminal cautions. Ask to see the record of the cautions at the police station. Loitering and soliciting convictions should be taken off your record after a year.

**REHABILITATION ORDERS** You can refuse an "Engagement and Support Order". If you accept the order and breach it, you can be arrested, held for 72 hours, brought back to court and fined.

**ANTI-SOCIAL BEHAVIOUR ORDERS** ASBOs are used a lot. They are mostly based on hearsay evidence – no witnesses come to court to give evidence, just the police officers saying what they were told by anonymous people. You can get legal aid to challenge ASBOs.

**BROTHEL-KEEPING** If you sell sexual services from a flat with someone else, even if you are not there at the same time, the flat can be classed as a brothel. But the police have to prove that more than one person was providing sexual services. You don't have to let the police in without a warrant. Don't give a statement. Work rotas, menus of sexual services, your name on the bills or the tenancy, texts . . . can all be used to incriminate you.

Some women have been found not guilty by showing that the flat was run in a collective way for safety with no one overall in charge. A landlord can let premises to one prostitute alone but not if they know it is going to be used as a brothel (more than one sex worker). You can't sublet your flat to someone involved in habitual prostitution.

**CLOSURE ORDERS** If a closure notice is put on your home/working premises, anyone with "an interest" in the premises can object. You only have 48 hours to do that, but you can go to court and ask for an adjournment while you prepare your case. Women have won by challenging the police evidence. The orders last for three months.

**CONTROLLING PROSTITUTION** This is a serious charge which is can be used against women working together, not only managers. Renting premises, organising a work rota, paying bills, hiring and firing (even if there is no coercion) can all be used as evidence to incriminate you.

**LAPDANCING** Being a dancer is not illegal but a 2010 change in licensing has increased monitoring and regulation of dancers by management. Get in touch with us if you want to unionise to improve your working conditions.

**TRAFFICKING** Most people think of trafficking as bringing someone into the country by force and coercing them to work. But trafficking charges can be used against anyone who helps a sex worker come into the UK or move within the UK, especially if they are immigrant – they don't have to be forced. Sex workers have helped victims escape but the laws make this hard. If you know someone who needs help, get in touch with us.

**ADVERTISING** It's against the law to advertise sexual services on the web, in shop windows, newspapers, contact magazines, etc. Some sex workers advertise as "escorts", masseuses, etc. Putting cards in phone boxes is illegal.

**PROCEEDS OF CRIME** The courts have the power to freeze bank accounts and seize your savings and assets (house, car, jewellery) if they judge you are involved in criminal activity. This power is usually only used after you have been convicted of an offence – a good reason to plead not guilty and fight the case.

**CLIENTS** Soliciting for sex on the street (kerbcrawling) is illegal. Since 2010 it is illegal to "pay for sex with a prostitute subject to force and coercion", and men can be convicted even if they didn't know the sex worker was being forced.

**COURTS** Never plead guilty to something you haven't done. It is worth fighting your case in order not to have a conviction. Every offence starts in the Magistrates' Court. A case only gets sent to the Crown Court (for a trial with a jury) if it is serious but you stand a better chance of being acquitted with a jury than with a magistrate.

**BAIL** If you are being held in custody you can apply for bail. If you are not granted bail the first time, you can apply again after seven days.

**PROBATION** Probation varies from six months to two years. If the court tries to do a probation report on the same day as your conviction, you should ask, or get your lawyer to ask, for more time so your situation can be considered properly.