

English Collective of Prostitutes

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Criminalising clients undermines sex workers safety

Initial response by the English Collective of Prostitutes to European Women's Lobby recommendations. 4 December 2012

1. At a time of economic crisis when poverty among women and children is rising throughout Europe (see EWL own research ¹) and more women, particularly mothers, are working in the sex industry to survive, the European Women's Lobby and 200 NGOs throughout Europe, choose to mount an initiative against prostitution: To criminalise prostitute women's clients when all the evidence shows that this will push prostitution more underground and make it harder for sex workers to get protection from rape and other violence, shows a total disregard for the lives of women in the sex industry. Criminalising clients will not stop prostitution, nor will it stop the criminalisation of women. But it will make more dangerous and stigmatising for those of us who work as prostitutes.²

Lily, from the ECP, commented:

Nine out of 10 women turn to prostitution or lap dancing to get money to survive. I work with students, mothers and all kinds of other women. Recently my mum couldn't afford a pair of school shoes for my brother. When I worked a day job I couldn't help her, but now I can. We are not ashamed of what we have to do to survive. But we are furious that those who claim to know what's best for us are ready to see us starve as long as we keep our clothes on, or put us in prison when we take them off.

¹ An Invisible Crisis? Women's poverty and social exclusion in the European Union at a time of recession

² <http://www.scotsman.com/news/attacks-on-prostitutes-soar-after-vice-driven-underground-by-law-1-1164904>

2. Faced with no benefit or job, or only the lowest-waged jobs, many women will sell sexual services. Are we less degraded when we have to skip meals or beg in order to feed our children; stay with a violent partner to keep a roof over our heads; or work 40 hours a week for under £5 an hour unable to pay our bills? Is it surprising that many women would rather make three times as much working part-time in a brothel? Those who rage against prostitution have not a word for mothers struggling to feed their families. Since student fees were raised, many more women students are paying for their education by working in the sex industry. If governments are offended by the work we do, they should stop welfare reform, abolish student fees, reinstate resources for women fleeing domestic violence and bring in pay equity. With the urgent economic need women across Europe are facing, have women politicians nothing better to do than to attack sex workers?

3. This is a two-pronged attack on women, led by an unholy alliance of feminist politicians and Christian fundamentalists who object to prostitution just as they object to gay marriage. Until recently gay sex was criminalised just like prostitution. Why are governments which support gay marriage, criminalising consenting sex for money? There are many reasons why people have sex and one of them is money. It is time prostitution was decriminalised like gay sex has been.

4. The EWL proposal for "the prohibition of the purchase of a sexual act" (accompanied by "the suppression of repressive measures against prostituted persons") follows the example of legislation introduced in Sweden which decriminalised sex workers and criminalised clients. Yet evidence shows that discrimination and

stigma against sex workers has increased, that sex workers have been put more at risk of attack and are less able to call on the protection of the police and the authorities: “We have also found reports of serious adverse effects of the Sex Purchase Act – especially concerning the health and well-

being of sex workers – in spite of the fact that the lawmakers stressed that the law was not to have a detrimental effect on people in prostitution.” Where is the outrage at the fact that “a quarter of single mothers in Sweden now live in poverty, compared to 10% seven years ago.”

5. Existing legislation in all EU countries already prosecutes anyone who forces or coerces anyone into the sex industry. Why extend it to consenting sex? The EWL proposal for “the criminalisation of all forms of procuring” will result in anyone associated with sex workers being at risk of prosecution. Here in the UK there are laws against brothel-keeping, controlling and causing and inciting someone into prostitution, all of which are most often used against people who associate with sex workers rather than people who exploit sex workers. For example, women who place an advert on the web for another sex worker or who pass on a client.

6. EWL propose “the development of real alternatives and exit programmes for those in prostitution” but where are the concrete proposals to address the massive increase in poverty among women and children in Europe? Can we really believe that such programmes exist, and if they do that they are viable when other women can’t find jobs or get wages high enough to take care of their families?

7. The EWL proposal for “the development of prevention policies in the countries of origin of prostituted persons” is likely to mean a strengthening of immigration controls to prevent women from poorer countries crossing international borders. Trafficking legislation in the UK has primarily been used in this way and to target immigrant sex workers for arrest and

deportation. It has done little or nothing to protect victims of trafficking.

8. EWL present Sweden and the Netherlands as the “two main legislative options”. They are not. New Zealand decriminalized prostitution in 2003. The

New Zealand Prostitution Reform Act is a good basis for any serious change in prostitution law and policy. It removes prostitution from the criminal law, allows people to work together collectively, and distinguishes between consenting sex and violence and exploitation. Crucially, it has been shown to improve sex workers’ working conditions, while making it easier for those who want to get out, to do so.

³Why is New Zealand being ignored? A summary of the difference between decriminalisation (New Zealand) and legalisation (Netherlands) is here:<http://prostitutescollective.net/2010/09/28/decriminalisation-of-prostitution-v-legalisation-2/>

9. Since the UK passed the Policing and Crime Act which criminalised men who “have sex with a prostitute forced or coerced”, raids and arrests of sex workers have escalated. Many women in our network are facing brothel-keeping charges, which carry a seven-year prison sentence, for working at home with friends. One woman who reported a serious attack by two men threatening to torch her premises was prosecuted for brothel-keeping; the attackers were not pursued.

See how crackdowns on prostitution are putting sex workers lives at risk:<http://prostitutescollective.net/2012/04/02/crackdowns-on-prostitution-putting-sex-workers-lives-at-risk/>

And calls to change the laws to enable sex workers to come forward and report violence: <http://www.guardian.co.uk/society/2012/jan/16/change-law-prostitutes-crime-violent>

³http://prostitutescollective.net/2010/03/28/recommendations-for-changes-in-prostitution-law-and-policy/#_ftn1