

WOMEN AGAINST RAPE

Crossroads Women's Centre, 25 Wolsley Mews, London NW5 2DX

Phone: 020 7482 2496 Fax 020 7267 7297

war@womenagainstrape.net

asylumfromrape@womenagainstrape.net

www.womenagainstrape.net

Women Against Rape opposes clauses to criminalise the purchase of sexual services (Modern Slavery Bill)

Proposals to criminalise clients are detrimental to safety

As proposals on prostitution are being discussed, we ask MPs to consider our arguments on women's safety and why we oppose the Clauses to the Modern Slavery Bill to criminalise clients, and support the amendment to the Street Offences Act to decriminalise loitering and soliciting.

1. We disagree with the view that all prostitution is rape.

Since we started in 1976 many thousands of rape victims, including many sex workers, have come to us for help. All have had strong views about when sex was consenting and when it was not. But people who wish to 'abolish prostitution' have tried to muddy this crucial distinction between rape and consenting sex, whether the latter is part of a long-term relationship, casual or paid for. Only the women involved can say if they consented to sexual activity or not.

1. Criminalising clients increases violence and exploitation.

Justice and protection for victims of rape, trafficking and exploitation, and the prevention of these crimes, depend on the ability of survivors to come forward to report, and on the willingness of the police to conduct thorough investigations. That is the considered view of survivors of rape and other violence, including sex workers. We believe that criminalising prostitution (whether the women, the clients or both) forces women underground and into more dangerous contact arrangements.

In addition, there is no proposal to decriminalise women who work together indoors. Why, when this is much safer than working on the street? Women working indoors threatened with arrest for brothel keeping because they work together with other women for safety are not likely to seek help from the police. We know many who have not reported serious attacks for fear of being arrested or deported; others who reported were told that they were “asking for it” or that “a prostitute can’t be raped”; others still were charged for minor offences such as speeding and petty theft.

1. Targeting men who are not accused of violence distracts from dealing with rape and other violence.

There is an assumption that every man who goes to a prostitute is a dangerous predator. Yet there is no evidence that targeting clients decreases the number of violent men. Prostitution is illegal in the US, and both clients and sex workers are criminalised. Yet there is no shortage of rapists and serial murderers, and the conviction rate is as pitiful as in the UK.

To target men who have not been accused of violence just because they purchase sexual services, diverts police time and resources away from reported rapes and sexual assaults. Recent scandals of police and CPS ignoring reports of mass rape and child abuse in Manchester, Rotherham, Rochdale, Oxford, children’s homes across the country, and by prominent men protected by the establishment such as Jimmy Savile, show the urgent need to prosecute perpetrators who have been reported to the police.

Police and CPS have often tried to excuse the appalling 6.5% conviction rate for reported rape by saying that rape is uniquely hard to prove. But these shocking cases have exposed negligence and prejudice within the police and CPS as the major obstacle to successful investigations and prosecutions.

Worboys and Reid, two serial attackers who were allowed to rape tens of victims, and in Southwark where police prioritised motor offences over rape, are further examples.

If police and prosecutors have not been successful in prosecuting traffickers, something is wrong with what they are doing. This is no justification for bad law criminalising consenting sex.

Targeting clients may be easier than investigating rapists, it may be more appealing to the police as an easy way to raise their crime figures – but it will not help deal with rape, child abuse, sexual assault or domestic violence. It will divert police time and resources away from these crimes.

1. Parallels between prostitution, trafficking, rape and domestic violence are misleading.

Research for the Ministry of Justice by the Home Office and ONS (An Overview of Sexual Offending in England and Wales, 2013) published statistics including from women themselves identifying rape and other violence in the national crime survey. This has not been true of trafficking research used by the government. The discredited claim that 80% of prostitute women in Britain are victims of trafficking was based on racist assumptions that women with a foreign accent were likely to have been trafficked.(1) Women were not given a chance to say whether they were coerced into prostitution (i.e. kidnapped and raped) or working to make a living (i.e. sex workers). Claims that the nature of trafficking makes this impossible are untrue.

1. Victims of trafficking are being deported rather than helped.

We work with asylum seekers who have suffered rape and other torture – some have run away from traffickers in their country of origin or in the UK. Instead of protection and safety they face disbelief, destitution, detention and deportation. How can victims report rape or exploitation if they risk being sent back to the torture they have fled from? While asylum appeals are being considered, many end up sleeping rough. Thirty-five per cent of the women who slept outside reported being sexually assaulted, including rape, none reported to police. Sometimes women went into the homes of men who they thought would help them, only to be raped.(2) Others have been driven to prostitution to survive and as a result

of punitive laws are rendered extremely vulnerable to rape, domestic violence and exploitation of all kinds.

Women Against Rape, 30 October 2014

(1) 2004 POPPY Project memorandum to Home Affairs Committee: 'of approximately 8,000 women involved in off-street prostitution in the capital, 80% were foreign nationals. The Project believes that a large proportion of foreign national women are likely to have been trafficked...' Other misleading 'evidence' is based on ads carrying the words 'exotic' or 'foreign' without corroboration from the women involved.

(2) Underground Lives – An Investigation into the living conditions and survival strategies of destitute asylum seekers in the UK, 2009.