

# Urgent: All Party Parliamentary Group (APPG) on Prostitution launches inquiry on 'pop-up' brothels.

The deadline for written evidence is **Monday 18th December 2017**.

Dear Friends,

The APPG on Prostitution and the Global Sex Trade has launched an inquiry into the increase of “pop-up” brothels – short term lets in which people sell sex.

The APPG states that the investigation has been prompted by *“growing reports of organised crime groups establishing ‘pop-up’ brothels to sexually exploit women”*, yet provides no evidence to back up this claim.

It will now look to *“gather evidence on the scale of the practice, who is involved, and what action the Government should take.”*

This inquiry is not independent and is deeply biased.

You may recall the APPG’s previous inquiry into prostitution in 2014 and its remit to *“develop proposals for government action with a focus on tackling demand for the sex trade.”* Unsurprisingly, the inquiry’s conclusion was to recommend the blanket criminalisation of sex workers’ clients, as well as targeting sex workers with draconian ASBOs, which carry up to five years in prison if breached. These proposals were influenced unduly by the original secretariat of that group, a Christian charity called CARE, which has a [track record](#) of homophobia and fundamentalist Christian views. This inquiry was discredited when the chair of the APPG refused to publish the evidence on which its recommendations were apparently based.

The demands that sex workers are making are being disparaged and ignored. We have repeatedly told parliament, including the APPG, that decriminalisation in New Zealand has made it safer for sex workers and that those who claim to want to abolish prostitution must say how else we are supposed to survive.

Austerity cuts (which have targeted women in particular) and policies such as benefit sanctions have led to a big increase in prostitution like in Sheffield which reported a 166% increase. Why aren’t these issues being addressed by politicians who claim to want to save women from prostitution? Or why not an inquiry into the epidemic of violence sex workers are facing? Our experience shows that when sex workers report violence they often [face prosecution themselves](#) while little is done to catch their attackers.

We want to stop this Committee in its tracks and make them listen to people who have to live with the horrendous impacts of the unjust prostitution laws.

You’ll see that the questions are biased, make various unproven assumptions and misdirect people into answering in a particular way. We need as many people as possible (and particularly sex workers) to respond to the inquiry so that our shared views are reflected in the final report.

Please see APPG guidelines on submitting evidence and our briefing points below. If you want to stay anonymous, you can send your evidence to us at [ecp@prostitutescollective.net](mailto:ecp@prostitutescollective.net) and we can forward it to the APPG.

Thank you,

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Please see [here](#) for guidelines on submitting evidence [From the APPG].

## **ISSUES THAT YOU MAY WANT TO ADDRESS WHEN ANSWERING THE APPG QUESTIONS**

### **SUMMARY:**

1. “Pop-up brothels” are the direct result of police crackdowns, forcing women to move on all the time.
2. Police and the Crown Prosecution Service should prioritise protection over prosecution of sex workers by vigorously investigating and prosecuting rape and other violence.
3. Exploitation should be defined and tackled in the same way as it is in other industries.
4. Sex workers should be provided with viable economic alternatives and other support to leave prostitution if they want to.
5. [Decriminalisation](#) of sex workers on the street and in premises was [recommended](#) by the prestigious Home Affairs Committee in 2016. New Zealand decriminalised sex work in 2003 with [verifiable success](#).

### **The scale and nature of the practice:**

#### **How do pop-up brothels operate?**

1. This is a question best answered by sex workers and others who work in so-called “pop-up brothels”, yet they are the very people who will be most deterred from engaging with the APPG because of its obvious bias.
2. “Pop-up brothels” are just one of the diverse ways that sex workers are working: outside, inside, self-employed, on your own or collectively with others, engaged in an employer-employee relationship, part-time or full-time. Not a new phenomenon.
3. So-called “pop-up brothels” are short-term lets of premises where sex is sold. The short-term aspect is often a direct effect of criminalisation because the police routinely close premises down or threaten occupants with prosecution to make them move on. Letters stating: “*any female at this address now, who is found at this same address in the future, is VERY LIKELY to be arrested [for brothel-keeping]*” have been distributed widely to flats all around the country.
4. In Westminster it was found that “*the steady increase in police brothel closures has also had the negative impact of displacing sex workers (potentially into more risky situations) . . .*”
5. The question presumes that the operation of pop-up brothels is different from other premises where sex workers work together. This appears to be a cynical attempt to mystify, distort and sensationalise one particular way that women work from premises.

#### **Who is involved in the operation of pop-up brothels?**

1. Most “brothels” in the UK are small scale collective ventures where sex workers are working together. Many women prefer to work in this way because it offers greater safety, companionship and lower running expenses. Women share the responsibilities of the tenancy and advertising, and organise among themselves who will work when. Some places have a receptionist to answer the phone for greater safety. Yet by law this is illegal as two women or more sharing premises constitute a brothel.

#### **On what scale are pop-up brothels operating and has there been an increase?**

1. Sex workers renting accommodation for a brief period as part of a “tour” is nothing new but the increase in so called “pop-up brothels” is directly linked to police threatening women with prosecution and forcing women to move on all the time. So, whilst the police complain about “pop-up brothels” and use them to lobby for more resources, it is the same police who are causing the problem.

2. Austerity cuts (86% of which have targeted women) and policies such as benefit sanctions have led directly to a significant increase in prostitution in some areas (Doncaster reports a 60% increase, Sheffield 166%).

## Links with organised crime:

### **What links are there between organised crime groups and pop-up brothels?**

1. Please note that this question asks, “what links?” not “are there links?” Where is the evidence that there are links between “organised crime gangs” and “pop-up brothels”?
2. Claims made by police in Newquay for example, of the connection between “pop-up brothels” and trafficking, were [recently investigated and thoroughly discredited](#).
3. One obvious comparison that throws doubt on the claim of a widespread involvement of organised crime is that for years “*the scale of and nature of sex trafficking into the UK has been [exaggerated by politicians and media](#)*”.
4. The UK’s biggest ever investigation of sex trafficking [failed to find](#) a single person who had forced anybody into prostitution in spite of hundreds of raids on sex workers in a six-month campaign by government departments, specialist agencies and every police force in the country.
5. The most reliable and recent [research](#) found that less than 6% of migrant sex workers had been trafficked, many said they prefer working in the sex industry rather than the “*unrewarding and sometimes exploitative conditions they meet in non-sexual jobs*”.
6. Existing laws are already in place to tackle “organised crime” -- violence, threatening behaviour, false imprisonment . . . Yet these aren’t being implemented. Last year a woman working the streets in East London went to the English Collective of Prostitutes (ECP) for help because she was being threatened by a gang of men who were enraged that she wouldn’t give them a cut of her earnings. When she went to report these threats, the desk sergeant said, “*Are you telling us that you are a prostitute because if so, we will arrest you.*”

## Associated harms and exploitation:

### **What is the scale and impact of sexual exploitation in pop-up brothels?**

1. What is this inquiry categorising as sexual exploitation? Some opponents of decriminalisation conflate all prostitution with sexual exploitation. This is deeply insulting to sex workers. It denies that sex workers, like other people, can distinguish between the sex they consent to (for money or not) and that which violates their bodies and their will. Like other workers, sex workers’ consent is conditional: if they don’t get paid, it’s forced labour.
2. Those who get labelled as “exploiters” under brothel-keeping and controlling law are primarily sex workers working with others for safety. The laws and the current policing policy of [widespread closures](#) of premises is exacerbating exploitation. Every raid and every closure makes it more dangerous to work, and harder for sex workers to resist exploitation and fight for better working conditions. If anyone who “assists in the management of a brothel” is at risk of prosecution, then sex workers can’t employ anyone to help keep them safe. If they do, those people understandably demand a higher cut of the takings because of the risk of arrest. Rip off landlords are given a green light to exploit sex workers because of the risk associated with prosecution.
3. Where sex workers are hounded by the police and forced to repeatedly move on, the relative safety of an established premises dissolves. For example, sex workers no longer have the time (or finances) to invest in security measures like CCTV and/or build up a known, potentially safer, client base. As earnings drop it is harder for sex workers to refuse clients or provide particular services—a key marker of exploitation.
4. Why does the APPG not ask about rape and other violence against sex workers? They would find that there is a lot, but crucially as the World Health Organization (WHO) says: “*criminalisation of sex work contributes to an environment in which violence against sex workers is tolerated, leaving them less likely to be protected from it.*” Plus, when sex workers do report violence they often face [prosecution themselves](#) while little is done to catch their attackers.

## How do pop-up brothels impact on the wider community?

1. We object to the implication that premises where sex workers are working together have a negative impact on society. Many people will have a brothel near them and not know that it exists. Women try to be discreet. If noise or other nuisance is caused it should be dealt with in the same way as noise or nuisance from a club or other business.
2. Many women working in flats in Soho for example, have been part of the community for decades, shop in local businesses and get on well with their neighbours. Local people were alarmed at the raids and closures of flats in 2013, making way for the gentrification of historic Soho, what actor Rupert Everett described as "[a land-grab, facilitated by the police.](#)"
3. In 2010, Claire Finch was found [not guilty](#) of a criminal charge of keeping a brothel. The jury, in line with public opinion, refused to criminalise Ms Finch for working together with friends from her own home for safety. Supportive neighbours defended her, and gave evidence that she was a caring, respected and much-loved member of their community.

## Effective responses and prevention strategies:

### How can individuals exploited in pop-up brothels be best provided with help and support?

1. Again, a weighted question. The question implies that everyone working in premises defined as a brothel is "exploited". Sex work is first and foremost an income-generating activity. In fact, many said that working in the sex industry is a better option than the "*unrewarding and sometimes exploitative conditions they meet in non-sexual jobs*". Six million people are earning less than the living wage in the UK. One woman working in the sex industry described it thus: "*I can earn £250 for four hours. Worse case, I walk out with £50 and that's still more than I would earn in a day job at £5 an hour.*"
2. In an ECP [survey](#) of 77 sex workers in London in 2009, women were asked what they needed in order to leave the sex industry. 53% replied "*better paying jobs*", and 20% "*higher benefits*". Others said "*housing*", "*needing more education or skill-training*", "*childcare*", and "*lower rent*".
3. Exploitation should be defined as it is in other jobs: a) where there is force and coercion offenders should be prosecuted under the criminal law; b) where there is "severe" exploitation in the form of withholding of wages, the employer should be prosecuted under gang masters or other legislation (not paying the minimum wage should also result in prosecution); c) where the exploitation amounts to the employer taking too big a cut of a worker's wages, for example, workers must be able to go to a tribunal for redress. None of this is possible in a criminalised system, making decriminalisation an imperative to tackling exploitation.
4. The best way to tackle exploitation is to empower workers to complain, report abuse and take action against exploitative employers. In New Zealand, which [decriminalised sex work](#) in 2003, over 90% of sex workers said they had additional employment, legal, health and safety rights. 64.8% found it easier to refuse clients, 70% said they were more likely to report incidents of violence to the police, and some have taken employers to the human rights commission and got compensation.

### How can organised crime networks profiting from sexual exploitation be stopped?

1. Having not established that organised crime networks were profiteering from sexual exploitation, and not defining whether, in their view, sexual exploitation equals all prostitution, the APPG goes on to ask how those networks can be stopped!
2. The laws must target abuse and violence, and not be used to justify raids, arrest and even deportation of migrant sex workers. Closure Orders can be brought on the uncorroborated word of a single police officer. Police discretion can result in racism and other discrimination as women of colour and/or women with insecure immigration status are targeted for arrest and deportation.
3. Police should abide by National Police Chiefs' Council (NPCC) policy and target premises where there is evidence of force and coercion. Enabling victims to come forward and report violence by guaranteeing that they won't be arrested for prostitution offences is an imperative. There are precedents for this, for example, Westminster Council recommended that the police develop: "A

*standard method of responding to reports of violence from sex workers in which the incident is prioritised over any other issues or crimes if appropriate.”*

### **What, if any, action should the government take in relation to pop-up brothels?**

1. **Immediately implement the Home Affairs Committee (HAC) recommendations** that sex workers on the street and working together in premises be decriminalised. As well as the “deletion of previous convictions and cautions for prostitution from the record of sex workers”. Loitering and soliciting laws should be abolished. The law on brothel-keeping abolished to ensure that people are prosecuted only where evidence of force and coercion exists. Decriminalisation would allow sex workers to openly form and join trade unions to fight for improved working conditions and wages.
2. **Repeal universal credit, benefit sanctions, the benefit cap and bedroom tax** and reinstate Income Support for single mothers, to ensure that people aren’t pushed into sex work by hunger and homelessness.
3. **Ban zero-hour contracts** (working with trade unions) to ensure viable alternative employment opportunities.
4. **Police review police practices in line with NPCC guidance** and immediately cease raiding and forcing closure on premises where sex workers are working together for safety.
5. **Police and the Crown Prosecution Service (CPS) should prioritise protection over prosecution** of sex workers by vigorously investigating and prosecuting rape and other violence. Resources should not be squandered on the policing of consenting sex.
6. **Change Closure Order law so that premises can’t be closed on basis of police suspicion** that certain offences are being committed or “*will be committed*” including “*causing, inciting and/or controlling prostitution for gain*”
7. **Ensure that sex workers and sex workers’ organisations are centrally involved** in the process of changing policies and the law.

**Provide viable economic alternatives and other support for those who want to leave prostitution. For example:**

1. **Refuges and other targeted help for women escaping domestic violence;**
2. **Immediate cash payments to cover any transitional period** until sex workers are able to get benefits or another form of employment; financial help to cover childcare costs and to clear debts;
3. **Social housing priority for sex workers who are “vulnerable”** because of homelessness, drug use, domestic or other violence, especially if they have children;
4. **Immediate and appropriate drug rehabilitation services** for those who want them.