

COURTS & CONVICTIONS: Never plead guilty to something you haven't done. It is worth fighting your case in order not to have a conviction. You can get loitering and soliciting removed from your record so it isn't visible when applying for other jobs.

BAIL: If you are being held in custody you can apply for bail. If charged you may be "released under investigation" without conditions.

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 (paid).

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

CHALLENGING POLICE ILLEGALITY & 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.

TRAVELLING: Some countries, including the US, may refuse you entry if they suspect you are a sex worker. Don't make it easy for them by carrying condoms, work clothes, work phone, etc.

CLIENTS: Soliciting for sex on the street (kerb-crawling) is illegal. It is illegal to "pay for sex with a prostitute subject to force and coercion". Men can be convicted even if they didn't know the person was being forced.

The information in this rights sheet applies to sex workers of all genders. If you are trans, you should have your gender recognised by police and others in authority regardless of what's on your documentation; they don't have the right to ask whether you have a Gender Recognition Certificate.

Under each section there is more to be said, so please get in touch for further information and if you want help fighting any injustice.

See our website for this guide in other languages and a 'Know Your Rights Against Deportation' sheet: prostitutescollective.net

GET IN TOUCH

The ECP is a network of sex workers, mostly women, working both on the streets and indoors campaigning for decriminalisation and safety. We fight against being treated like criminals. We've helped sex workers win against charges of soliciting, brothel-keeping & controlling – the last two most often used against women who are working together for safety. Most sex workers are mothers doing their best for their children. We campaign against austerity cuts and for housing and other survival resources so that any of us can leave prostitution if and when we want.

English Collective of Prostitutes
Crossroads Women's Centre
25 Wolsey Mews, Kentish Town
London NW5 2DX

Tel: 020 7482 2496

Email: ecp@prostitutescollective.net

KNOW YOUR RIGHTS



A GUIDE FOR SEX WORKERS

ENGLISH COLLECTIVE OF PROSTITUTES

It's legal to be a sex worker in the UK . . . but working together and virtually anything you need to do to contact a client, is illegal.

NEED TO KNOW ABOUT? Police and immigration raids; soliciting; "prostitute cautions"; civil orders; what to do if you, or someone you know, is threatened or attacked; working with other women; police seizing your money; are your clients breaking the law?

This rights sheet aims to ensure that sex workers, no matter where we work, know the law, how to protect ourselves from arrest, how to defend ourselves if charged, and where to get help. Also, by making public how harsh and unjust the laws are and how they undermine our safety, we hope to build support for the decriminalisation of prostitution.

STOP AND SEARCH: The police can fingerprint you on the spot if they suspect you have committed an offence, and search you on the street if they suspect you are likely to commit an offence or, for example, are carrying illegal drugs.

You don't have to give your name and address unless suspected of anti-social behaviour, if you are driving, or if they want to summons you to court for an offence. You can use any name you want unless it is for an illegal purpose. You do not have to answer police questions. Get the name and number of the officers – you will need them if you want to make a complaint.

CAUTIONS/LOITERING & SOLICITING:

You have to be given a “prostitute caution” on two separate occasions, before you can be charged with loitering and soliciting. “Prostitute cautions” are different from criminal cautions - no admission of guilt needed and no appeal. DO NOT plead guilty if you are arrested when you aren't working.

CIVIL ORDERS: Criminal Behaviour Orders, Injunctions to “prevent anti-social behaviour”, Public Space Protection Orders . . . many different orders are used against sex workers on the street to supposedly stop certain behaviour or ban people from an area. Hearsay evidence, where the police say what they were told by anonymous people, is often used.

Breaching some of these orders is a criminal offence. In some cases you can get legal aid to challenge them. “Engagement and Support Orders” are given instead of a fine for loitering and soliciting but if you breach it, you can be arrested, held for 72 hours, brought back to court and fined.

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.

BROTHEL-KEEPING: If you work with someone else in a flat you can be done for running a brothel, even if you are not there at the same time. Police have to prove that more than one person was providing sexual services for money. You don't have to let the police in without a warrant. “Welfare visits” are often used to gather evidence against you. Get the police's names and numbers.

Work rotas, menus of sexual services, your name on the bills, 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. A landlord can let premises to one sex worker but not if they know it is going to be used as a brothel. You can not sublet your flat to someone involved in “habitual prostitution”.

CONTROLLING PROSTITUTION: This charge can be used against women working together. Renting premises, organising a work rota, hiring and firing (even if there is no coercion) can all be used as evidence to incriminate you.

SAFETY: Safety measures like working with others, avoiding isolated areas, can put you at greater risk of arrest. But they are crucial to keeping us safe.

REPORTING VIOLENCE: Many sex workers don't report rape or other violence for fear of being arrested themselves. We can help you fight to get the protection you are entitled to. With Women Against Rape, we helped two sex workers take a private prosecution against a serial rapist – we won and he was jailed for 11 years.

TRAFFICKING: Most people think of trafficking as bringing someone into the country by force and coercing them to work. In fact, anyone who helps a sex worker come to the UK or travel within it, especially if they are immigrant, can be done for trafficking. Sex workers have helped victims of trafficking to escape but the laws make this hard.

STALKING: It is an offence to persistently contact someone in a way that makes them feel scared or harassed. Keeping a photographic and written record of all contact will make it easier to get a conviction.

STRIPPING: It's not illegal to be a stripper but a 2010 change in licensing laws has increased monitoring and regulation by management.

ADVERTISING: It's against the law to advertise sexual services. 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 assets (house, car) 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 fight the case.