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## **Equally Safe Consultation**

### **Written submission from the English Collective of Prostitutes, December 2020.**

The English Collective of Prostitutes is an organisation of sex workers, working both on the street and in premises, with a national network throughout the UK. Some of our members live in Scotland. Since 1975, we have campaigned for the decriminalisation of prostitution, for sex workers' rights and safety, and for resources to enable people to get out of prostitution if they want to.

#### ***1. Do you agree or disagree that the Scottish Government's approach to tackling prostitution, as outlined in this section, is sufficient to prevent violence against women and girls?***

#### **Prostitution is not violence against women.**

We disagree with the Scottish Government's approach to tackling prostitution and do not believe that it prevents violence against women and girls.

Claiming, as the Scottish Government does, that prostitution is inherently violent because, by definition, it involves "unwanted sex" is insulting and demeaning to sex workers. It denies that sex workers, like other people, can distinguish between the sex we consent to (for money or not) and that which violates our will and our bodies.<sup>1</sup> Like other workers, sex workers' consent is conditional: if we don't get paid, it's forced labour/rape.

Labelling prostitution as commercial sexual exploitation and a form of violence against women and girls is the justification for a strategy of attempting to abolish prostitution, not by ensuring that women have financial alternative to enable them to live, but by criminalising the act of buying sex. This is fundamentally flawed as prostitution is not fuelled by men's desire for sex but by women's need for money.

It is a strategy that increases violence against women as criminalisation, whether of sex workers or clients, exacerbates the harms sex workers suffer.<sup>2</sup>

#### **Criminalisation of sex work undermines safety.**

Criminalisation of sex work deters women from reporting violence for fear of arrest and for those of us who are migrant, deportation. Research shows that where arrests of sex workers and clients were high, less women report violence.<sup>3</sup> When women do report violence, they often face prosecution for prostitution related offences while little is done to catch their attackers.<sup>4</sup> Violent men are effectively being given impunity to attack again; no wonder that violence is at epidemic proportions.

Police crackdowns prevent women from using even the most basic security measures to keep safe.<sup>5</sup> Police wield enormous power over sex workers because of the threat of arrest and exposure. They are not the saviours the anti-prostitution lobby portrays them to be and they often abuse their powers. Sex workers have been shown to be one group of "vulnerable" women targeted by police rapists and abusers.<sup>6</sup>

Sex workers in our network speak of daily humiliation, bullying and threats:

*“The police wait outside my house to catch me when I leave... they jeer at me, and make sexually explicit jokes. I’m strip-searched and they sometimes leave the door open so the male officers can see in.”<sup>7</sup>*

A recent study into sex work policy in Europe by the International Committee on the Rights of Sex Workers in Europe (ICRSE), which we would recommend the Scottish Government take into consideration as part of their consultation, found that 36% of sex worker’s experiences with police were ‘only a bad experience,’ and that within these, 28% reported that they experienced psychological violence, 9% sexual violence and 6% physical violence.<sup>8</sup>

The most publicised example of police brutality against sex workers in the UK in recent memory are mass raids against sex workers in Soho central London, in which women were humiliated, degraded and threatened by the London Metropolitan Police<sup>9</sup>.

### **The prostitution laws undermine safety**

The current legal framework in Scotland, specifically laws against brothel-keeping, loitering and soliciting increases the levels of violence, harassment, brutality, racism and stigma experienced by sex workers. The laws are implemented in a discriminatory way with trans, migrant and women of colour disproportionately targeted. Our dossier<sup>10</sup> documents widespread police racism against immigrant and women of colour in our network.

Our #makeallwomensafe campaign<sup>11</sup> highlights the injustice of the laws, that:

*“Even though the exchange of sex for money is legal, the law makes it illegal for women to work together with a friend. Sex workers are forced to choose between possible arrest and keeping themselves safe or avoiding a criminal record and putting themselves in danger. No woman should have to make that choice.”*

Evidence shows it is safer to work inside with others. In one report, the majority (77%) of violent incidents were experienced by street-based sex workers compared to 11% by inside solo sex workers and 6% by sex workers in brothels, parlours or saunas<sup>12</sup>.

Characterising prostitution as violence against women and criminalising it makes it harder for sex workers to fight exploitation and violence in the sex industry and women are denied labour rights. Sex workers are demanding the right to unionise and take legal action against exploitative employers and these efforts should be supported.

## **2. What are your observations as to the impact of the coronavirus outbreak on women involved in prostitution in Scotland?**

Sex workers, many of whom are mothers, have been left without an income by the coronavirus crisis and are facing destitution, debt, and homelessness. Thousands of women are now reliant on food banks to survive.<sup>13</sup>

But because sex work is criminalised, sex workers are being deprived of the support, payments and protections available to others. As identified by the Scottish government, migrant sex workers subject to No Recourse to Public Funds restrictions are denied benefits, social housing and even access to domestic violence refuges.

Few women applied for the UK government self-employed scheme, and of those that did, many faced problems with the application. Some told us that they were worried about outing themselves as sex workers to the authorities. Others could not produce the necessary documentation in their chosen “cover” profession to qualify. All the women that applied for self-employed status have been paying tax. A number of the women that did not apply and all those that were refused have also paid tax for many years.

Many women tried applying for Universal Credit and the problems they encountered included: waiting weeks before they got any money, the housing allowance not covering their rent, not being able to prove their identity, having no money for mobile data to be able to access the online application, and being turned down for arbitrary reasons.

Back in March we called for emergency payments for sex workers in crisis, worker status so that women could get sick pay, wage relief and the benefits that other workers can claim, healthcare regardless of immigration status, a moratorium on arrests and expunging of criminal records.<sup>14</sup>

Thousands of people wrote to their MP with our demands. Three MPs put forward written questions in Parliament asking what was being done to protect and support sex workers in the pandemic.

The Government responded that its “priority is to tackle harm and exploitation associated with sex work and prostitution,” and that it “believes that people who want to leave prostitution should be given every opportunity to find routes out”. This is an extraordinarily dishonest response considering that it is this government’s policies of austerity cuts, 86% of which have fallen on women, deliberate destitution and homelessness that are pushing women into prostitution and preventing women from leaving.

Sadly, this response is reminiscent of the Scottish government’s approach in this consultation. You report that “the main reasons given as barriers to women exiting prostitution . . . were financial reasons and a lack of choice, with poverty being the main driver”. That’s right “poverty as the main driver”. But this consultation focused on reducing or abolishing prostitution says nothing about addressing women’s poverty. No wonder sex workers have no confidence in what the Scottish government says about wanting to help women exit prostitution.

There is also evidence of a rise in arrests and police harassment during the pandemic, as sex work was effectively completely criminalised during lockdowns. Again, this led to more violence, more risk, and more women handed cautions and convictions that make it harder to exit prostitution.

### ***3. Which of the policy approaches (or aspects of these) outlined in Table 3.1 do you believe is most effective in preventing violence against women and girls?***

The English Collective of Prostitutes does not support any of the models offered in Table 3.1.

#### **Decriminalisation improves safety and health**

We urge the Scottish government to consider full decriminalisation, as introduced in New Zealand in 2003 with verifiable success.<sup>15</sup>

Sex workers have felt the positive effects of this change in the law, with 90% of sex workers living there saying they now have more employment, legal, health and safety rights<sup>16</sup>.

Women have reported being able to sustain their own safety strategies more easily, as they can screen clients for a longer time without fear of their client being arrested and a resultant loss of income<sup>17</sup>. There has been a significant improvement in the relationships between sex workers and the police, with 70% of sex workers saying they were more likely to report violence;<sup>18</sup> 68% felt able to refuse clients (compared to 47% before<sup>19</sup> – this is a key marker of exploitation.

There has been no growth in the size of the sex industry in New Zealand and the country has not become a “hot bed of trafficking”. According to the US State Department’s 2019 Trafficking in Persons report,<sup>20</sup> New Zealand is in the lowest possible global ranking for trafficking.

#### **The “Nordic model” is dangerous and undermines safety**

The ECP strongly opposes the legal model of criminalising the act of paying for sex, labelled as ‘Prohibitionism’ in this consultation,

There is a substantial body of evidence that criminalising sex workers’ clients undermines safety.

Sweden criminalised clients in 1999. Sex workers face increased stigma, are more at risk of violence, and are less able to call on the protection of the police and the authorities. as this can lead to police harassment, the loss of custody over children, or deportation<sup>21, 22</sup>

Sex workers have still not been decriminalised, as they can be prosecuted under procuring laws when they band together for safety<sup>23</sup>. Migrant sex workers have been deported for ‘not supporting themselves in an

honest manner' even though their work is not illegal<sup>24</sup>. Landlords have been pressured by police to evict sex worker tenants under threat of being prosecuted themselves<sup>25</sup>. Harm reduction work like giving out rape alarms and condoms is opposed by the authorities on the grounds that it encourages prostitution and is futile because sex work is considered to be immutably dangerous<sup>26</sup>.

Despite claims that the law has led to a decline in prostitution, there is no actual evidence of this.<sup>27</sup>

Evidence shows that after Ireland's sex purchase law was introduced, reported violent crime against sex workers, from threats to assaults with weapons, rose by 92%<sup>28</sup>. Sex workers are now less likely to report dangerous clients to Gardaí. Migrant and trans women sex workers in particular have been targets of violence.<sup>29</sup>

In France, a two-year evaluation of the law found 42% of sex workers were more exposed to violence and 38% have found it increasingly hard to insist on condom use.<sup>30</sup>

In Norway, sex workers have faced evictions, prosecutions and increased stigma – with migrant workers particularly targeted.<sup>31</sup>

In Northern Ireland the introduction of the model failed to reduce demand, failed to reduce trafficking, and has led to an increase in violent assaults and anti-social and threatening behaviour towards sex workers.<sup>32</sup>

**Decriminalisation of sex work is supported by** prestigious women-led organisations like the Royal College of Nursing, Women Against Rape, and human rights groups such as Amnesty International, Human Rights Watch, ILGA World – the International Lesbian, Gay, Bisexual, Trans and Intersex Association, Global Alliance Against Traffic in Women, and global organisations including the World Health Organization and UNAIDS.

#### ***4. What measures would help to shift the attitudes of men relating to the purchase of sex? Do you have any examples of good practice either in a domestic or an international context?***

What justification is there for this consultation to focus on men's attitudes to paying for sex as a source of violence against women? Firstly, if women had money and the financial means to refuse prostitution it wouldn't matter what men thought, prostitution would reduce.

Secondly, there is a crisis in the policing, investigation and prosecution of rape and other violent crimes against women generally. Under 1% of reported rapes currently end in conviction which has led to Women Against Rape and others commenting that "rape has been effectively decriminalised." And how can we forget that two (which rose to three during the COVID crisis) women a week are killed by their partner or former partner. We would strongly urge this consultation to focus on the effective implementation of laws against violence rather than men's attitudes, if the aim is to make all women safe.

The male attitudes that do matter are of those men in authority who treat women and sex workers in particular as if our lives don't count and therefore deny us the protection against violence that we are all entitled to. If police prioritise enforcement of the prostitution laws over protecting women from violence that gives a green light to violent men to act with impunity.

If the laws force sex workers to work illegally if they want to work in safer ways, for example with another woman, then men know that women are in a weak position to report violence because they risk arrest themselves.

#### ***5. How can the different needs of women involved in prostitution (in terms of their health and wellbeing) be better recognised in the provision of mainstream support?***

### **Ending criminalisation as an essential first step in providing support to sex workers.**

Under the prostitution laws thousands of sex workers a year, the vast majority women, are arrested, raided, prosecuted and even imprisoned for working on the street<sup>33</sup> or together with others in premises. It is impossible to accurately consider what "mainstream support" women need until this burden or criminalisation is removed.

## **Providing financial and other support to mothers would reduce prostitution.**

The majority of sex workers are mothers. This consultation doesn't mention this. Any responsible government must surely be concerned that so many mothers are finding it impossible to survive and support their children except by selling sexual services? This should be a central concern for law and policy makers. One obvious reason is that benefits are too low to live on and the other jobs available to women, especially mothers with childcare costs, don't pay enough.

In the UK, the English Collective of Prostitutes, Support Not Separation, the Global Women's Strike and a number of other women's organisations, as well as the Green New Deal for Europe are campaigning for a care income<sup>34</sup> to address social and environmental justice. They point to the fact that 80% of women are mothers and that overwhelmingly mothers are the primary carers and are impoverished as a result. An income that addresses mothers' poverty and recognises their vital contribution to society would go a long way to tackling the economic conditions that drive women, especially mothers, into prostitution.

## **Addressing stigma and discrimination**

Stigma and fear of punitive treatment and prosecution are the primary barriers sex workers face in terms of access to support. A 2007 study found that 62% of street sex workers and 90% of parlour workers had not disclosed their work to their GP<sup>35</sup>.

Decriminalisation wouldn't abolish the stigma and discrimination faced by sex workers overnight but it would change the terrain and give sex workers more rights and confidence to enforce those rights as they would no longer fear prosecution for working in a criminal industry. This could have a profoundly positive effect on the health of people in the industry; for example, a study published in the Lancet Journal found that decriminalisation could reduce HIV infections by 46%<sup>36</sup>.

Women also fear losing custody of their children when accessing VAWG services and with good reason. A woman in our network whose husband, on release from prison, came to track her down and threatened to kill her and kidnap her child, recently had this experience. We helped her get rehoused but in the course of meetings with social workers and the local authority, social workers started to question whether she was doing enough to protect her child. We were scandalised because the woman had been working night and day to organise to move in order that her family would be safe and had met obstructiveness, incompetence, neglect, disinterest and carelessness from the authorities and now she was being blamed. Without our intervention she would have been at risk of losing her child.

We are also outraged at the blatant discrimination in the provision of funding for services for sex workers. Sex worker-led organisations in Scotland like Umbrella Lane and Scot-PEP have extensive specialised knowledge and experience and provide "best practice" support but are excluded from government funding, including the funding made available for the COVID-19 crisis, because they do not subscribe to the ideological view that prostitution is a form of violence against women. To deny funding to the organisation that sex workers trust, and which are best placed to give women help, advice and support, is unjustifiable.

### ***6. In your opinion, drawing on any international or domestic examples, what programmes or initiatives best supports women to safely exit prostitution?***

## **Providing non-judgemental independent support, advice and information.**

What we know best is the work we and other sex worker led organisations do: providing rights information, fighting for safety and against police abuse and criminalisation. What we know doesn't work are crackdowns on sex workers, including those that claim to be targeting clients. From our experience, if the service is judgemental and/or not independent of the police and criminal justice system, then sex workers won't use it.

Across the UK, many sex worker specific projects started with funding from the Home Office with the aim of to "reduce nuisance and disorder".<sup>37</sup> This lack of independence was demonstrated when many projects took funding to implement Engagement and Support Orders<sup>38</sup> which required them to "breach" women if they did not comply – consequently destroy women's trust in the services.

## **Providing financial and other practical support**

One example of an approach that did assist women to leave prostitution is Ipswich where in 2006 five young women were murdered by a serial killer over a period of a few months. The massive outpouring of concern and outrage compelled the local authority and police to act.

At first women got resources, especially whilst the murderer was still at large – housing, money (estimated at £7000 to £10,000 per woman) to pay off debt, childcare expenses, dental work, etc. But this was quickly replaced by a policy of zero tolerance of prostitution which claimed to banish sex workers from the city. Instead, women told us that they moved to outlying industrial areas and were deprived of the protection and support they had previously received from NHS outreach workers.<sup>39</sup>

## **Alleviating poverty -- “The elimination of poverty must be a priority for all those working for equal rights for women”<sup>40</sup>**

As acknowledged by this consultation the main driver of women into prostitution is poverty. Figures recently released show that 2.4 million people in the UK are destitute and this includes ½ million children.

A 2019 report<sup>41</sup> by the Joseph Rowntree Foundation found “Poverty in Scotland is rising, from an already unacceptably high level. More people are facing situations where they cannot afford the basics nor play a full role in society. Almost one in five people in Scotland live in poverty, and for children the situation is worse, with one in four in poverty.” It welcomes the Child Payment as one step towards addressing child poverty but says that much more needs to be done.

Women in the ECP network gave evidence<sup>42</sup> to the UN Rapporteur on Extreme Poverty during his recent visit. They told him about being destitute, homeless and being forced into exchanging sex for somewhere to live. His scathing report condemned the Government’s “punitive, mean-spirited, and often callous austerity policies which could have been designed by a “group of misogynists” in the way austerity affected women.

Cuts that impacted mothers also disproportionately impacted sex workers, In one report, 74% of sex workers cited the need to pay household expenses and support their children<sup>43</sup> as their reason for entering sex work.

In practical terms, measures that should be taken to alleviate poverty are: an end to the five-week wait on Universal Credit payments, which pushes people into debt and leaves them without money for necessities like heating and food<sup>44</sup>; scrapping austerity measures that unfairly target single mothers, such as the two-child limit on Universal Credit and the bedroom tax; abolish benefits sanctions -- research in Doncaster found that a 60% rise in on-street prostitution was directly related to benefit sanctions<sup>45</sup>.

## **Addressing low pay and lack of pay equity for women would reduce prostitution.**

Zero-hours contract work is often highly exploitative, and workers have led campaigns for higher wages and better occupational health and safety. Sex worker led campaigns against poverty, exploitation, criminalisation, violence for collective bargaining and occupational health and safety, should be similarly supported.

We published research<sup>46</sup> that compared sex work with other jobs traditionally done by women and found that mothers were disparaged and taken advantage of by employers<sup>47 48</sup> – paid less<sup>49</sup> with little consideration or acknowledgement for their caring responsibilities. Sex work provides flexibility and a higher wage. Yet without worker status sex working mums are denied benefits like child tax credits. Horrifyingly some mothers who turned to sex work to make ends meet have had their children removed from their care by the state.<sup>50</sup>

We are outraged by the UK government’s intention to impose yet another pay cut on public sector workers, despite the sacrifices many of them have made to their mental and physical health throughout the pandemic. Again, these policies disproportionately impact women, and particularly those that are working class. We appreciate that the Scottish Government has so far refused to accept these measures in Scotland, and we ask that they stick to this promise as we emerge from the current health crisis.

## **Expunge criminal records**

Whilst many women are pushed into sex work by poverty, they may be kept there by criminalisation. Fines, cautions and criminal records for soliciting, loitering or brothel-keeping make finding alternative work incredibly difficult.

We welcome the amendment to Scottish law that has allowed women to not have to disclose spent convictions and we see this as a major step for both current and former sex workers. However, these convictions still need to be spent. With soliciting, loitering and brothel-keeping still illegal, women will still have to pay fines, face police harassment and deal with the anxiety and fear of arrest. 'Illegitimate' earnings can still be seized by the police and CPS,<sup>51</sup> and brothel raids can still take place, many of which result in "prostitute cautions" for sex workers, humiliating interviews, or even deportations.

Implementation of the Home Affairs Committee 2016 Inquiry<sup>52</sup> which recommended: "previous convictions and cautions for prostitution [to be deleted] from the record of sex workers", would address this.

Ultimately, these convictions should never be handed out in the first place. Criminalisation of prostitution is the criminalisation of women trying to survive, trying to feed their children. Arrests for brothel-keeping are arrests for women trying to keep themselves safe from violence, abuse and theft while they work. Fining women means women are in a vicious cycle of having to work to pay the fines which frankly makes the state the pimp.

It is inhumane that women are living in government induced destitution and then are being punished for one of the ways we have found to survive.

The Nordic model is often promoted as a way to get services and resources to women but in France, promises of exiting resources have not materialised -- in Paris only 57 women have been admitted to the programme and migrants are specifically excluded.<sup>53</sup>

### ***1. If there are any further comments you would like to make, which have not been addressed in the questions above, please use the space below to provide more detail.***

We include below our demands for change and testimonies from women in the ECP network in response to the proposal to criminalise men who purchase sex, and the issue of exiting sex work.

### **Demands:**

Decriminalise sex work using the New Zealand Prostitution Reform Act (2003) as a model. Specifically, we urge the Committee to back the 2016 Home Affairs Committee recommendation that: "... *the Home Office change existing legislation so that soliciting is no longer an offence and so that brothel-keeping provisions allow sex workers to share premises.*" It called for "*previous convictions and cautions for prostitution [to be deleted] from the record of sex workers*".<sup>54</sup>

### **Other necessary measures include:**

- Repeal civil orders that are used to arrest, exclude and evict sex workers.
- Expunge historical convictions for prostitution offences.
- Instruct police, the prosecution services and courts to prioritise safety by vigorously investigating and prosecuting violence.
- Ensure free, accessible, independent, non-discriminatory health services, regardless of immigration status.
- Provide economic and other support for those who want to leave prostitution.
- Reverse austerity cuts including sanctions, Universal Credit, bedroom tax, etc.
- Support for mothers and a care income.
- Ensure that sex workers and sex workers' organisations are centrally involved in the process of changing the law.

- Recognise and measure the contribution sex workers make to the survival of families, communities and the economy.

(Full demands [here](#))

## **Testimonies:**

### ***Jenny, Manchester***

I don't think there is any harm in buying or selling sex. The harm comes from the laws that they have. Having a record is a harm. These people not giving you time to figure out the type of people approaching you when you are working on the street because of the risk of being arrested. It's the working girls that are putting themselves at risk purely to avoid any confrontation with the police, rushing into transactions when they can't make sure they're safe.

People's view of the so-called prostitute is that selling sex is the lowest of the low - the dregs of society. We haven't got brains or families or feelings. We should just be pushed to the side. It affects every part of your life -- you can lose your housing, children, be imprisoned.

You report a crime when you are a known prostitute and it's "did that really happen or is it more that the customer didn't pay you?" Their attitude and other people's attitude about what you're doing impacts everything.

There's major difficulties for women who want to exit prostitution. If they've got convictions that goes against them in anything they're doing. The services don't address any of it. They can come up with ideas and courses for you to go on, but they cannot take away the charges for the work you've been doing. You can't get jobs or housing. It doesn't matter what qualifications you've got, there are jobs that are definitely not available to you because of what you've done. These services can put you in some kind of a half-way house but it's total discrimination. You can't get housing without proof of earnings or benefits, but you can't get benefits without an address. It's a vicious circle. So you're held back and forced to stay in prostitution because of these restrictions.

### ***Graziela – migrant sex worker from Romania, London***

I left Romania to escape domestic violence and to save my life. Of course people leave their home country for all kinds of reasons. For some of us we face destitution or starvation or war. For others we want a better life. We come to get an education or health care. Or we come to escape the discrimination and abuse we face as rape victims or as a single mother. Every reason is valid.

How we travel is influenced by how much power we have. So if we are fleeing starvation we have to go with anyone that will help us. But what is sure is that if we don't have papers, if we don't have language, if we can't rely on the police to protect us or even worse they are the ones that abuse us, if we face racism when we get there . . . then we are more likely to be forced into the hands of the traffickers or smugglers. If we can travel independently then we have more power to refuse and escape that violence and abuse.

Criminalisation makes it impossible for sex workers to fight back against these injustices. The harms we face caused by criminalisation include:

- Silencing of our voices by labelling us as victims of trafficking instead of workers with agency.
- This labelling enables raids (so-called welfare visits), arrests, and prosecutions.
- When we are picked up in police raids, our passports and IDs have been confiscated and we are told we can only have them back if we produce a one-way ticket back home.
- When we apply for asylum, sex workers have been disbelieved, rejected claims, and deportation.
- Brexit further degrades our rights by making it more difficult for us to work and live in the UK.

What we have done as migrants in the English Collective of Prostitutes is campaign against racism from the police and the authorities. This is crucial as discrimination and attacks increase in the wake of the Brexit decision. Many migrant sex workers are mothers supporting families or even the whole community back home. So we also press for benefits and other resources.



We also campaign against trafficking being used as an excuse to raid, arrest and deport migrant sex workers. In 2012 and 2013 there were mass raids against sex workers in London, but no victims of trafficking were found. I've been in a flat when the police have done a 'welfare visits' and it is exactly like a raid. The police search the flat and inspect our papers, while pretending they are concerned about our welfare. The evidence they find is then used to prosecute or deport sex workers.

Street based sex workers have been experiencing the police regularly come round with REMOVAL NOTICES claiming that sex workers are not exercising their "treaty rights" – that is aren't earning money or they can't prove how they are supporting themselves. This is outrageous considering how many families are being supported by sex workers.

We want decriminalisation so that we are not arrested for prostitution and cannot be deported for working in the sex industry.

### ***Louise, Doncaster***

I live and work in an area which has many problems. The community has been run down and neglected by the council. A lot of people have had their money cut by benefit sanctions. The council channels money away from our area into more salubrious zones.

I'd like to speak out about this locally, but I'm scared. The police don't protect us. If you're working in an area where the police demand freebies you're not going to speak out easily. And I think the police are too close to the people who control some of the prostitution here who are directly profiting from the prostitution and drug trade.

The biggest problem I face is the laws. If we didn't have to worry about the laws we could deal with the police and the pimps.

Some women have been dragged under the control of pimps. But criminalising everyone doesn't help that. We are migrant women and non-migrant women working together here. We try to stick together. When I was being harassed in my home I went to the specialised police unit – the one that says it deals with sex workers – and they did nothing. I see that the girls from Romania get it even worse.

What difference would decriminalisation make to us? We are boxed in by poverty. The woman who lives next door to me is working a straight job and so is her husband and after they paid their rent they had just over £100 to last them four weeks. They were so skint the daughter didn't have the money for the petrol to take her to the hospital.

Criminalising clients is a terrible idea. It is offensive to suggest that when hundreds and thousands of people around the country are living on the edge and women are expected to fill the gaps and make up when there is nothing.

I tried to apply for Universal Credit. What monster thought of a benefits system that leaves people without money for weeks? How long does it take for your life to unravel – a lot less time than five weeks. You get behind on your rent, you get behind on your heating, you start cutting down on food, you can't afford petrol if you're lucky or unlucky enough to have a car. You start borrowing first of all from family and then from the gangster types that start prowling around. None of this seems to matter to some so-called feminists when they propose to take away our only source of income by criminalising clients.

### ***Susie - EU migrant, Middlesbrough***

Within the next week if my situation doesn't change I am going to have to go back on the streets. So all I'm thinking about at the moment is that prostitution is the only way for me to get out of this really harmful situation I'm in.

I worked for years, from 2012, in Birmingham on the streets. It was very hard and harsh. I was attacked three times and nearly every other woman that I knew was also attacked. The police did little or nothing. The only time we saw them was when they were doing an action against clients.

It was a familiar story. There would be some horrible story in the local paper about the nuisance of prostitution and the police would come into the area saying they were arresting clients. They did sometimes comment that they were trying to help us exit prostitution but that came to nothing. No one paid attention to what we actually need to get out.

The police were very heavy, rude, often racist against girls like me. They told us to go home. They told one of the girls that they would send her home without her child. I'm from Portugal. I came to the UK because there is no money in Portugal. My son is back home with my mum and nearly all the money I made went back to support them. It's a big responsibility. People can't manage without the money we send. I ended up supporting other family members too. When people have got nothing in the fridge to eat you can't turn them down.

In the last six months my life has gone down the drain. I had got out of prostitution. I got help to apply for benefits and was just about managing. Then I was moved over to universal credit. I got less money but I still was managing. Then I got a letter in the post saying that I was no longer entitled to universal credit because I was an EU citizen and I had to apply for settled status. It's been one crisis after another since. I tried to apply for settled status myself and it was so complicated I just got refused. I got a woman from the CAB to help me and she took a record of all my documents sent them off to the authorities who said they never received them. I was back and forth with them for two weeks.

Meanwhile I have no money to live on. I went to the Universal Credit but they said they couldn't do anything until my application for status was agreed. I was really stuck. I run out of money completely my electricity and gas got cut off my landlord started threatening to evict me because I can't pay my rent. And it's been 3 1/2 months now. It's a disaster I wake up every morning wondering how I'm going to get through the day. Everywhere I go I'm begging for food or a little money just to stay alive. No one can live like this. So of course I'm starting selling sex again. Where I live now sometimes you only get a fiver. Girls are so desperate they're taking it out on each other. This is what we have been reduced to. Fighting our friends for a fiver. I am ashamed but what else can we do?

So I think my message is – don't talk to me about the harms of prostitution when under the circumstances prostitution is the only way for me to get any dignity and to survive.

### ***Jane, mother of a child with disabilities***

I am a mother with three children. I was married to my husband for over 10 years. He was violent to me over this time. In 2017 I told him to go. But I was left with three children on my own. One of them is autistic. Few people understand how much work and how difficult it is to raise a child with disabilities. I love my son but the work of caring for him is 24 seven, relentless, exhausting, physically and mentally. I get no support for the work that I do.

After my husband left I was living on benefits. I couldn't get to the end of the week on the money I got. I started stripping in a local club, doing webcam work and occasionally doing out calls with an agency and parties. It's a terrible dilemma. If I work I have to pay for childcare. Because my son is autistic childcare is expensive. If I let my ex take the children when I work I don't have to pay but he is abusive and calls me a whore. He says I'm worthless but I can't cut myself off from him because of the kids.

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<sup>1</sup> iai News, 5 June 2017. <https://iai.tv/articles/is-feminism-failing-sex-workers-aid-835>

<sup>2</sup> A systematic review of all sex work research conducted in 33 countries from 1990 to 2018, found that criminalisation of sex work is linked to 'extensive harms' among sex workers. Sex workers are three times more likely to experience sexual or physical violence where the trade is criminalised. Platt L, Grenfell P, Meiksin R, Elmes J, Sherman SG, Sanders T, Mwangi P, Crago AL. (2018). Associations between sex work laws and sex workers' health: a systematic review and meta-analysis of quantitative and qualitative studies.

<https://www.lshtm.ac.uk/newsevents/news/2018/criminalisation-and-repressive-policing-sex-work-linked-increased-risk>

<sup>3</sup> A 2014 survey found that only 5% of sex workers who were victims of a crime reported it. This compared to 46% of victims in areas where police adopted a harm reduction approach. Data provided by National Ugly Mugs (UKNSWP). (2012-2015).

<sup>4</sup> The Guardian, 3 August 2017. <https://www.theguardian.com/society/2017/aug/03/police-sex-workers-brothel-thieves-london-keir-starmer#img-1>

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- <sup>5</sup> For example: asking a friend to record licence plates, working in well-light areas with CCTV, sharing information about aggressive men, taking time to screen clients, by for example, ensuring that there are no hidden passengers, or settling the terms of the transaction before getting into a car.
- <sup>6</sup> Research in 2017 found that “hundreds of police officers were being accused of sexually abusing victims and suspects in what a senior inspector called “the most serious corruption issue facing the service”..” Officers had targeted vulnerable women described in one case as “including prostitutes and heroin addicts”. The Guardian, 5 October 2017. <https://www.theguardian.com/uk-news/2017/oct/05/police-sexual-abuse-officers-watchdog>
- <sup>7</sup> English Collective of Prostitutes. (2013). Not guilty of breaching an Anti-Social Behaviour Order. <http://prostitutescollective.net/2013/07/we-won-not-guilty-of-breaching-an-anti-social-behaviour-order/>
- <sup>8</sup> ICRSE (2020). Undeserving Victims? A community report on migrant sex worker victims of crime in Europe. <http://www.sexworkeurope.org/sites/default/files/userfiles/files/Undeserving%20victims%20-%20DIGITAL.pdf>
- <sup>9</sup> English Collective of Prostitutes (2014) Statement: The Soho Raids – what really happened. <https://prostitutescollective.net/the-soho-raids-what-really-happened>
- <sup>10</sup> English Collective of Prostitutes. (2019). Sex Workers are Getting Screwed by Brexit. <http://prostitutescollective.net/wp-content/uploads/2019/04/Brexit-is-screwing-sex-workers.pdf>
- <sup>11</sup> English Collective of Prostitutes. (2019). Make All Women Safe. <https://makeallwomensafe.org/>
- <sup>12</sup> Connelly, L. (2014) Violence against sex workers. Analysis of National Ugly Mugs.
- <sup>13</sup> I News, 4 September 2020. <https://inews.co.uk/opinion/sex-workers-are-relying-on-food-banks-to-feed-their-kids-covid-19-is-pushing-them-into-destitution-781142>
- <sup>14</sup> The Guardian, 14 April 2020. <https://www.theguardian.com/society/2020/apr/13/uk-sex-workers-in-dire-and-desperate-state-amid-coronavirus-lockdown>
- <sup>15</sup> Ministry of Justice. (2008). Report of the Prostitution Law Review Committee on the Prostitution Reform Act 2003. <https://prostitutescollective.net/wp-content/uploads/2016/10/report-of-the-nz-prostitution-law-committee-2008.pdf>
- <sup>16</sup> Abel, G; Fitzgerald, L; Brunton, C. (2018) The Impact of the Prostitution Reform Act on the Health and Safety Practices of Sex Workers.
- <sup>17</sup> Armstrong, L. (2014) Screening Clients in a Decriminalised Street-based Sex Industry: Insights into the Experiences of New Zealand Sex Workers
- <sup>18</sup> *Ibid.*
- <sup>19</sup> “There has been a remarkable shift in the balance of power between workers and brothel operators in the last 10 years. Sex workers are more able to refuse a client without management interference. Research carried out prior to decriminalization reported that 47 per cent of brothel workers had refused to see a client in the previous 12 months, yet research done after decriminalization has reported that 68 per cent of brothel workers had done this (Abel, 2010). Sex workers are utilizing their rights and have more freedom to govern their own sex work.” Abel, G. (2014). A Decade of Decriminalization: Sex Work 'Down Under' but not Underground. [https://www.researchgate.net/publication/280445933\\_A\\_decade\\_of\\_decriminalization\\_Sex\\_work\\_'down\\_under'\\_but\\_not\\_underground](https://www.researchgate.net/publication/280445933_A_decade_of_decriminalization_Sex_work_'down_under'_but_not_underground)
- <sup>20</sup> <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-N-S.pdf>
- <sup>21</sup> English Collective of Prostitutes. (2016). Decriminalisation of Prostitution: the Evidence. <https://prostitutescollective.net/wp-content/uploads/2017/01/Online-Symposium-Report.pdf>
- <sup>22</sup> Levy, J. and Jakobsson, P. (2014). Sweden’s abolitionist discourse and law: Effects on the dynamics of Swedish sex work on the lives of Sweden’s sex workers, *Criminology and Criminal Justice*. <http://lastradainternational.org/lsidocs/3049-Levy%20Sweden.pdf>
- <sup>23</sup> Levy, J. (2015). Criminalising the Purchase of Sex: Lessons from Sweden.
- <sup>24</sup> Fuckförbundet, (2019). Twenty Years of Failing Sex Workers – A community report on the impact of the 1999 Swedish Sex Purchase Act.
- <sup>25</sup> *ibid*
- <sup>26</sup> Levy, J. (2015). Criminalising the Purchase of Sex: Lessons from Sweden.
- <sup>27</sup> Research by The Nordic Institute for Women’s Studies and Gender Research that found a decrease in men saying they buy sexual services from 14% (1996) to 8% (2008), is unreliable because buying sex was not criminal in 1996 so there were fewer reasons for men to lie. The Swedish National Board of Health and Welfare found it was “difficult to discern any clear trend” up or down (2007). Evidence of an increase in Thai massage parlours in Stockholm is ignored (RPS Rapport, 2012). Plus: Levy, J. (2015). Criminalising the Purchase of Sex: Lessons from Sweden. <https://www.amazon.co.uk/Criminalising-Purchase-Sex-Lessons-Sweden/dp/0415739322>
- <sup>28</sup> Belfast Telegraph, 27 March 2019. <https://www.belfasttelegraph.co.uk/news/republic-of-ireland/crime-against-sex-workers-almost-doubles-since-law-change-37957334.html>
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- <sup>31</sup> Amnesty International. (2016). The Human Cost of ‘Crushing’ the Market: Criminalization of Sex Work in Norway. <https://www.amnesty.org/en/documents/eur36/4034/2016/en/>
- <sup>32</sup> Data from UglyMugs.ie suggests that reported assaults against sex workers have increased by 225% from 2016 to 2018. Ellison, G., Early, E., Ni Dhonail, C. (2019). Review of the Criminalisation of Paying for Sexual Services in Northern Ireland.

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<https://www.justice-ni.gov.uk/sites/default/files/publications/justice/assessment-of-impact-criminalisation-of-purchasing-sexual-services.pdf>

<sup>33</sup> Approximately 50% of street-based sex workers have been through the criminal justice system. Hough, J. & Rice, B. (2008) A Review of Services for Street-based Sex Working Women in Lambeth.

<sup>34</sup> Global Women's Strike, 2020. <https://globalwomenstrike.net/careincomenow/>

<sup>35</sup> Jeal, N. & Salisbury, C. (2007). Health Needs and Service use of Parlour-based Prostitutes Compared with Street-based Prostitutes: a cross-sectional survey.

<sup>36</sup> The Lancet. (2015). Keeping Sex Workers Safe. [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(15\)61460-X/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(15)61460-X/fulltext)

<sup>37</sup> Many of the current sex work projects came from the 1999 "Crime and Disorder Associated with Prostitution Initiative" which funded 11 pilot projects to address street-based prostitution. Less than a third provided outreach and 'drop in' facilities for women with the aim of "enabling them to exit".

<sup>38</sup> Introduced in the 2010 Policing and Crime Act.

<sup>39</sup> Ipswich Star, 16 March 2017. <https://www.ipswichstar.co.uk/news/sex-workers-return-to-the-streets-of-ipswich-while-off-street-prostitution-is-also-thriving-1-4933722>

<sup>40</sup> First US Congressionally mandated Conference on Women, 1977.

<sup>41</sup> Joseph Rowntree Foundation. Poverty in Scotland 2019. <https://www.jrf.org.uk/report/poverty-scotland-2019>

<sup>42</sup> English Collective of Prostitutes written submission to the United Nations Special Rapporteur on Extreme Poverty and Human Rights.

[https://www.ohchr.org/Documents/Issues/EPoverty/UnitedKingdom/2018/NGOS/English\\_CollectiveofProstitutes.pdf](https://www.ohchr.org/Documents/Issues/EPoverty/UnitedKingdom/2018/NGOS/English_CollectiveofProstitutes.pdf)

<sup>43</sup> Home Office. (2004). Paying the Price: A Consultation Paper on Prostitution.

<sup>44</sup> Citizens Advice. (2020) Coronavirus Claimants Facing Further Hardship in Wait for Universal Credit. <https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/coronavirus-claimants-facing-further-hardship-in-wait-for-universal-credit/>

<sup>45</sup> I News, 21 March 2019. <https://inews.co.uk/opinion/comment/universal-credit-sex-work-single-mothers-inquiry-271268>

<sup>46</sup> English Collective of Prostitutes. (2019). What's a Nice Girl Like You Doing in a Job Like This?

<http://prostitutescollective.net/2019/02/report-whats-a-nice-girl-like-you-doing-in-a-job-like-this-comparing-sex-work-with-other-jobs-traditionally-done-by-women/>

<sup>47</sup> One in nine mothers (11%) report being dismissed, made redundant, or treated so poorly they felt they had to leave their job. Equality and Human Rights Commission. (2018). Pregnancy and maternity discrimination research findings. 30,000 women a year are forced out of their jobs when they get pregnant. Independent, 2 February 2005.

<https://www.independent.co.uk/news/up-to-30000-women-forced-out-of-work-because-of-pregnancy-5385061.html>

<sup>48</sup> Single mothers were more likely to be trapped in precarious work. Gingerbread. (2018). One in four: A profile of single parents in the UK.

<sup>49</sup> Young mothers – those who give birth before the age of 33 – are paid 15% less than their childless peers.

Independent, 8 March 2016. <https://www.independent.co.uk/news/business/news/gender-inequality-young-mothers-paid-15-less-than-childless-colleagues-tuc-finds-a6918956.html>

<sup>50</sup> Neale, A., Lopez, N. (2017). Suffer the Little Children and their Mothers – a dossier on the unjust separation of children from their mothers. <http://legalactionforwomen.net/wp-content/uploads/2017/01/LAW-Dossier-18Jan17-final.pdf>

<sup>51</sup> Under the Proceeds of Crime Act 2002

<sup>52</sup> Third Report from The Home Affairs Select Committee Session. -17 HC 26: Prostitution. (2016). House of Commons.

<https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/26/2602.htm>

<sup>53</sup> OpenDemocracy, 27 May 2019. <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/searching-for-the-entrance-to-frances-prostitution-exit-programme/>

<sup>54</sup> Specifically, it recommended: ". . . the Home Office change existing legislation so that soliciting is no longer an offence and so that brothel-keeping provisions allow sex workers to share premises" and that legislation should be drafted to provide for the "deletion of previous convictions and cautions for prostitution from the record of sex workers." Third Report from The Home Affairs Select Committee Session 2016-17 HC 26: Prostitution.

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