



English Collective of Prostitutes

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CRIMINALISING CLIENTS UNDERMINES SEX WORKERS' SAFETY & OTHER RIGHTS

On 3 March 2014, the All-Party Parliamentary Group on Prostitution produced a report recommending the blanket criminalisation of men who buy sex.

- Criminalising sex workers' clients will not stop prostitution, nor will it stop the criminalisation of women. But it will make it more dangerous and stigmatising for sex workers.
- This APPG Inquiry is not independent and was deeply biased from the start. Its remit was to: *"develop proposals for government action with a focus on tackling demand for the sex trade."* Unsurprisingly therefore that the Inquiry's conclusion is to recommend the blanket criminalisation of sex workers' clients. There is no statistical analysis of the 413 responses to the inquiry. How many opposed the criminalisation of clients/Nordic model and how many supported it? And how many supported some form of decriminalisation? What is the group hiding?
- Proposals to increase criminalisation are led by an unholy alliance of feminist politicians and fundamentalist Christians. To its shame, this All-Party Parliamentary Group chose as its secretariat the [homophobic](#) charity CARE.ⁱ
- Claims that prostitution has reduced in Sweden (where clients were criminalised in 1999) are untrue.ⁱⁱ Women have moved to border towns or the internet. Are women driven underground safer or better paid? Considering that welfare in Sweden has been cut so that "a quarter of single mothers in Sweden now live in poverty, compared to 10% seven years ago" have mothers been forced into more dangerous and exploitative jobs to feed their families? How many are being threatened with having their children taken away as a result of increased stigmatisation?
- New Zealand decriminalised in 2003 with verifiable improvements in sex workers safety. Canada's Supreme Court threw out the prostitution laws in December 2013 for violating women's right to safety. Why are these examples being ignored?
- Existing laws already criminalise those who coerce anyone into the sex industry. Why extend it to consenting sex? False claimsⁱⁱⁱ about trafficking are used to justify these proposals. But trafficking law is primarily used to arrest and deport immigrant women; it has done little or nothing to protect victims of trafficking.
- Sex workers experience high levels of rape and other violence but this does not mean that prostitution is violence. To conflate the two implies that sex workers don't know the difference between consenting sex and rape. Domestic violence is the most common form of violence; two women a week are killed by their partner or former partner. But, no-one would sensibly propose banning marriage. Women Against Rape points out that only 6.5% of reported rapes result in convictions generally. Why then call for more police powers? Will they not be used to hound rather than protect sex workers?
- Those who demand increased criminalisation (often in the name of "gender equality") had nothing to say when 250 police, under the guise of freeing trafficking victims, broke down doors in Soho, central London last December, and dragged handcuffed women in their underwear on to the streets?
- At a time when unemployment, benefit cuts and sanctions, lowering wages, increased homelessness, and debt are forcing more women, particularly mothers, into prostitution, it is a scandal that the best that MPs can come up with is to increase criminalisation. Are women less degraded when we have to skip meals, beg or stay with a violent partner to keep a roof over our heads? Going into prostitution because of poverty is not "coercion" any more than taking any job for these reasons.

WHY DECRIMINALISATION:

1. Decriminalisation increases sex workers' safety by enabling women to work together from premises in a supportive environment. Brothel-keeping law expressly forbids two or more women working together, forcing women to work in isolation at risk of violence.
2. Police crackdowns on street prostitution break up women's safety networks, forcing women into isolated areas away from the protection of the community where the risk of attack is greater. A sex worker was murdered in Ilford on 28 October.^{iv} This killing occurred in the wake of a policing operation which resulted in over 200 "prostitute cautions" being issued to women in the area over the last year, and many arrests for loitering and soliciting. Senior police officers have since voiced concerns that "operations to tackle the trade are 'counterproductive' and likely to put the lives of women at risk."^v
3. Decriminalisation would enable sex workers to be recognised as workers with rights like other workers – this is crucial to tackling violence and exploitation. Currently many sex workers do not report attacks for fear of being arrested. Lorraine Morris who reported an arson attack was prosecuted while her attackers were left free to attack again. Violent men take advantage of this legal vulnerability and target sex workers.^{vi}
4. Consenting sex should not be a crime.^{vii} In the same way that gay sex was decriminalised in England in the 1960s, there is no justifiable reason for the continued criminalisation of consenting sex where money is exchanged. Any exploitation, abuse, rape and violence, including trafficking, can be tackled under existing UK laws. Police time and resources should go into investigating violence against sex workers rather than policing consenting sex.
5. New Zealand successfully decriminalised prostitution in 2003. A government review^{viii} has shown positive results: no rise in prostitution; women able to report violence without fear of arrest; attacks cleared up more quickly; sex workers more able to leave prostitution as convictions are cleared from their records; drug users treated as patients not criminals.^{ix} In addition, on 20 December 2013, Canada's Supreme Court unanimously struck down the prostitution laws because they make it "dangerous" for prostitute women and infringe their constitutional rights".^x
6. Decriminalisation enhances health. The Royal College of Nursing has consistently voted by over 90% of its membership in favour of decriminalisation on the grounds of health and safety.^{xi} The UN's Global Commission on HIV and the Law recently called for countries to "repeal laws that prohibit consenting adults to buy or sell sex"^{xii} and that ban "immoral earnings" and brothel-keeping, and also demands measures "to ensure safe conditions for sex workers". An UN AIDS statement said: "We do not view sex work as the same as trafficking or sexual exploitation, which are clear human rights abuses and crimes."
7. Decriminalisation would enable sex workers to leave prostitution if they want to. Currently criminal records make it very difficult for women to get alternative employment.

The English Collective of Prostitutes (ECP) is a network of women who work or have worked in different areas of the sex industry campaigning for decriminalisation and safety. The ECP provides daily support to sex workers on a range of issues including fighting legal cases which challenge discrimination and establish prostitute women's right to protection against violence.

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ⁱ <http://www.care.org.uk/news/impact-direct/blind-to-opposition-government-set-to-introduce-bill-to-legalise-same-sex-marriage>

ⁱⁱ "It is... difficult to discern any clear trend of development: has the extent of prostitution increased or decreased? The National Board of Health and Welfare 2008: 63

ⁱⁱⁱ Claims that 80% of sex workers were trafficked were shown to be false <http://www.theguardian.com/uk/2009/oct/20/trafficking-numbers-women-exaggerated>

^{iv} <http://www.standard.co.uk/news/crime/man-hunt-on-after-woman-24-is-stabbed-to-death-in-east-london-street-8921788.html>

^v <http://www.theguardian.com/society/2014/jan/19/woman-killed-prostitute-police-blame>

^{vi} <http://www.independent.co.uk/news/uk/crime/new-laws-put-prostitutes-at-risk-claim-escort-agencies-1852101.html>

^{vii} <http://prostitutescollective.net/2013/09/09/3171/>

^{viii} <http://www.justice.govt.nz/policy/commercial-property-and-regulatory/prostitution/prostitution-law-review-committee/prostitution-law-review-committee>

^{ix} <http://www.justice.govt.nz/policy/commercial-property-and-regulatory/prostitution/prostitution-law-review-committee/prostitution-law-review-committee>

^x <http://www.theglobeandmail.com/news/national/supreme-court-rules-on-prostitution-laws/article16067485/>

^{xi} <http://news.bbc.co.uk/1/hi/health/4487237.stm>

^{xii} http://www.un.org/apps/news/story.asp?html/story.asp?NewsID=42426&Cr=HIV/AIDS&Cr1=#.UxRXbfl_uSo