

SEXUAL FREEDOM COALITION

RESPONSE

TO THE HOME OFFICE

Consultation Paper on Prostitution

PAYING THE PRICE

25th November 2004

Introduction

From early times, Christianity has accepted prostitution. Saint Augustine of Hippo said it was a necessity. Brothels have always been a feature of European life. A new book *The Age of Napoleon* by Alistair Horne records that in 1806 as many as 75,000 prostitutes were roaming the streets of Paris. Brothels were licensed in English garrison towns in the 19th Century until they were abolished, after a Grundyist campaign by Josephine Butler. Brothels continue to exist legally in many European countries including Germany, Greece, the Netherlands, Switzerland and Turkey. They are also legal in Japan, Australia and New Zealand.

Today the issue is complicated by the fact that it is shrouded in hypocrisy – few men will admit to visiting sex workers and most women deny any knowledge of the subject. Heterosexual men feel it is they who are abused by prostitution, asking why should they (and not females) have to pay for sex, which should be freely given? They suffer doubly since it can be used as a weapon. US President Richard Nixon, for instance, had Hubert Humprey's visit to a sex worker bugged and publicised in order to help prevent the latter winning the Presidential election. Rumour has it that both Joe Ashton MP and Sir

Allan Green, the Director of Public Prosecutions were forced to resign after they were set up after police tip-offs exposing their use of sex workers (Sir Allan Green was kerb-crawling in Kings Cross).

In any event, treating adult sex workers as victims and not allowing them freedom of action will result in tyranny because the law will try to protect them from themselves on the assumption that they have no right to chose this way of earning a living.

If paying for sex becomes illegal, there will be serious consequences. Will gifts to a lover render a man guilty? Will the law apply to women who finance toy boys? There may also be trouble with the Asian communities who have arranged marriages where money changes hands. In Hindu marriages the bride's father pays a dowry to the bridegroom and in Moslem marriages the bridegroom pays a bride price.

Prostitution exists even in countries where it is punishable by the death penalty, for example in the People's Republic of China and Saudi Arabia. There is no solution other than to decriminalize the trade and deal effectively with the difficult issue surrounding street workers on crack and heroin.

Once the trade has been decriminalized, the SFC proposes that responsibility for sex work is taken on by the Department of Health, with the relevant aspects being handled by the Department of Culture and the Department of Trade and Industry.

Overall Comments on the Consultation Paper

This Consultation paper is very confusing and contradictory.

All sections through from Chapter 1 to section 9 of chapter 11 discuss ways of dealing with drug dependent street walkers but refer to them as "people involved in prostitution". In other words they are lumping together all prostitutes as troublesome vulnerable victims, which is untrue. They are adult men and women who have chosen a career, and only some of them use drugs.

"It is essential that policy is formulated on clear thinking, but this Paper blurs the issues."

Dr Petra Boynton, University College, London

Once you substitute "drug dependent street walkers" for "people involved in prostitution", much of what this section of the Consultation Paper makes sense, in that nobody can argue that it's a good thing to have needle-sharing addicts who are desperate for the cash for the next hit to be selling sex. It is a sure-fire method of spreading HIV and hepatitis, and getting clients mugged. The Consultation Paper suggests that the answer to the problem is preventing young people from getting into drugs and prostitution through education in schools.

Obviously, every child should be taught how to deal with advances from strangers and people who attempt to groom, corrupt or abuse them. Every child needs to be taught about safer sex before they are likely to start engaging in it. The SFC also believes very strongly that a holistic sex education is essential for all young people, including those with physical and learning disabilities. However, we have learned that moralising against drug taking does not work and feel that the same will apply to sexuality.

Although drug addiction leads some people into prostitution, as a seemingly easy way to fund the habit, the SFC feels that drug

problems should be dealt with as a separate issue.

Sections 9.11 to 9.26 deal with off-street work as well as street work. They give a rudimentary description of systems in place in a few other parts of the world, but without much enthusiasm. The systems adopted in New South Wales (Sydney Australia) and New Zealand are by far the best - treating prostitution just like any other business - but the Consultation Paper expresses doubts over the success, based on a rise in gonorrhoea in Sydney. There has been a similar rise in gonorrhoea in London too, which disproves the point.

The Prostitution Law Reform Act passed in New Zealand in 2003 decriminalises prostitution, with the result that sex workers don't have to worry that the next client might be an under-cover policeman. Sex workers are legally bound to use condoms and have better access to health and safety information. The law is aimed to keep a tight rein on minors (anyone under 18) being involved in prostitution. It remains illegal to be a sex worker if you are under 18, and now it is illegal to hire anyone under 18 as well. The Act makes a provision for local Councils to zone brothels, but it also defines up to 4 girls working together from a private house where nobody is in charge as not being a brothel.

This Consultation Paper must be the only government discussion to date which does not give top priority to the health and safety of the client group. In fact, clients are referred to with a derogatory term "user", and are given no consideration whatsoever. Apart from a badly designed survey on the Internet, there has been little attempt to understand their needs. They do, after all, include politicians such as Joe Ashton, Lord Gowery, Lord Lambton and John Profumo as well as the former Director of Public Prosecutions, Sir Allan Green, who was cautioned in 1991 for kerb-crawling behind Kings Cross station.

The statistics quoted in this paper are highly questionable. Numbers are so low that they are not statistically valid and the samples are not properly defined. Surveys conducted on street-walkers who have been prosecuted are used to 'prove' facts about prostitutes in general. While admitting there are no statistics on trafficking, the Paper claims it is a highly lucrative global and local organized crime, the growth of which is of world-wide concern and that strategy to deal with it has already been set out in a White Paper.

The Sexual Freedom Coalition objects to the inaccuracy of the evidence quoted in the Consultation Paper and lack of attribution of source material. Reference is made to the cogent criticism contained in the Review by Linda Cusick submitted to the Home Office in July 2004 (extra copy available on request). It highlights the following failings in the Consultation Paper.

- 1) Quoting of flawed and unevaluated research
- 1) Lack of alternative explanations for conclusions drawn
- 1) Unjustified linking of sex work and violence (most domestic violence is perpetrated by spouses or co-habitees, not to or by prostitutes)
- 1) Failure to investigate the management of brothels in countries where they are lawful
- 1) Failure to differentiate between adult sex work and the abuse of minors
- 1) Failure to discuss the issues of indoor sex work
- 1) Failure to address the problems caused by overlapping piecemeal English laws on sex work, including Anti-Social Behaviour Orders
- 1) Failure to address sex workers' human right to privacy
- 1) Failure to address the need for sex workers to advertise

10)) Failure to investigate the reforms to sex work law abroad

The Consultation paper questions whether prostitution should be allowed to exist. Prostitution exists even in countries where it is punishable by the death penalty. It is not going away until there is no further need for it, which may be never. In any event, it is a human right to pay or be paid for sex.

The Consultation Paper reads as if it has been influenced by the work of Julie Bindel, who is not a qualified researcher. Her work on The John's School in Leeds was never evaluated or assessed. Numerous complaints have been made against her in the media and to her employers (London Metropolitan University) about her bad practice in research, and specifically bad treatment of research participants. Official complaints from UKNSWP have been made about her recent 'research' on lap dancing, which had no ethical approval, and numerous complaints of bad practice. The SFC is disturbed that this "feminist" academic is funded by public money to develop her anti-male views.

The SFC does not wish to follow France where obsessive feminists are making life for their prostitute sisters very difficult, resulting in increased coercion rather than increased liberty.

The Consultation Paper, like many government publications, seems to have been purposefully drafted to be unreadable, incomprehensible and confusing in order to make it difficult for critics such as ourselves to refute, in order to sneak legislation through without anybody noticing being able to object properly. For example, in paragraph 6.16, we learn that the Home Office is already working with Local Government Offices to increase regulation and licensing of massage parlours and saunas because they 'taint' the reputation of 'legitimate' massage and sauna businesses. The government itself makes it necessary to use pseudonyms because advertising prostitution is criminalized. Moreover, because the government suits

itself by providing the option for some parlours and saunas to be licensed, it is they who use the pseudonyms rather than being seen to condone brothels.

A Consultation Paper should clearly present the options on the issues without judgment, and the SFC was unhappy to learn that Home Office Minister Hazel Blears has already told journalists that decriminalization is an unlikely outcome.

This Consultation Paper claims the Home Office wishes to ensure that society understands all there is to know about prostitution, and the Home Office gets informed advice. From reading the Paper from cover to cover several times, it is evident that the Home Office itself is badly informed. We are disappointed that the Home Office has ignored evidence submitted by the SFC in January 2004. They have not even read the research, even though their team have been paid salaries to work on this project for two whole years.

"Providing a high quality service at reasonable prices, I run a very tight ship. I cannot afford to let ignorant people meddle with the laws which affect me."

Kay of Goodgirls Escort Agency, London

The SFC has done the job which the Home Office should have done, as we have studied the literature, spoken to sex workers and their clients and have addressed all the issues. Our proposal satisfies all the demands made by the International Union of Sex Workers.

Perhaps the saddest aspect is that the Paper talks of stigmatisation of sex workers in society, yet it serves to stigmatise them even further.

We fear that the Home Office Public Relations department is planting stories to sway public opinion. In particular, the media is currently full of scare stories about the kidnapping, trafficking and rape of "countless" women and children brought to this country, scaremongering similar to the time of the so-called White Slave

Trade. The SFC agrees that some agents who finance and make arrangements for immigrants to work in the sex trade in the UK are coercive and abusive and they should be prosecuted for coercion and rape, but these crimes should not have a long term influence on the legislation of sex work in the UK.

The Home Office project is not being run professionally. It is useful to compare it to the Home Office project on Self Injuring, where a group of people working in the area of young people and self harm, formed a committee who have listened to the information and evidence from young people, service users, health and medical groups, education sector and youth workers and other charities. They have done this alongside canvassing opinions from young people and parents through their website (qualitative comments. They did not shape the inquiry by setting the questions in advance).

The SFC interprets this comparison as totally disrespectful to the sex trade.

The selection of a sad and depressing painting for the front cover says it all. Why use a painting done by a sex worker who did not suit the work? It is like selecting a picture of a nurse covering her eyes rather than watch a needle being injected on the cover of a report on nursing. There are, after all, many joyful depictions of prostitution in the art folios of the world, e.g. Toulouse-Lautrec.

The title of the document is as incriminating as the picture. We should be aiming to revere the world's oldest profession with a sense of respect for the women and men who engage in it. At this stage in our society we need intelligent debate.

Many of the ideas in the Consultation Paper have been advanced without any practical solutions. The Sexual Freedom Coalition Proposal put to the Home Office in January 2004 suggests a model which could be used to put all the sensible ideas into practice. We draw your attention to this Proposal, the latest edition of which is

attached as Appendix 1.

Comments are now offered on those paragraphs of the Home Office Consultation Paper that fall within the remit of the Sexual Freedom Coalition.

Home Secretary's Forward

PARAGRAPH 1 Prostitution rarely has devastating consequences or involves the abuse of children or serious exploitation of adults. Prostitution is necessary in society and will continue to be so until each member is able to find sexual fulfillment without paying, which is unlikely in the near future considering the 40% divorce rate in this country.

PARAGRAPH 2 The links which prostitution has with crime are a direct result of it being criminalised.

"Compare the situation with food. If eating out were a crime, everyone would be scuttling around in seedy food joints run by criminals."

Jahnet deLight, Tantric Sex Worker, London

PARAGRAPH 3 If the Sexual Offences Act 2003 deals with exploitation, why do we need further legislation?

If current laws are outdated, confusing and ineffective, why not repeal them?

PARAGRAPH 4 Prostitution by underage people is already criminalized. It should not be used as an excuse to criminalise adult prostitution. Prostitution can be "in your bones" rather like politics, and young people who "sell a peek" to get favours, may be both

vulnerable and at the same scheming, manipulative monsters.

We agree that pimping should remain illegal when exploitative, but the terminology needs to be clarified and used correctly. See Glossary on Page 46. Sex workers are entitled to employ administrative assistants.

We agree that drug problems need to be addressed, but criminalizing prostitution makes it attractive to criminals. Those who take drugs are more likely to be attracted to illegal activity. However, this should not be an excuse to prohibit prostitution.

PARAGRAPH 5 A minority of prostitutes are abused at work. This should not be an excuse to prohibit prostitution. Violence is illegal irrespective of the profession of the victim.

PARAGRAPH 6 We agree that one of the best protections for those involved in prostitution is JUSTICE but we would include UNDERSTANDING and RESPECT.

PARAGRAPH 7 If this Consultation Paper is looking primarily at street prostitution, then it should say so on the cover. Otherwise it is unfair on the rest of prostitutes who receive work by telephone appointment – one would not condone a paper on politics based on research on the British National Party.

PARAGRAPH 8 The HO Report blurs prostitution and porn. Most prostitutes don't see themselves as porn stars, and most porn actors differentiate themselves from prostitutes. Blurring the two indicates how out of touch the HO are with the very people they are aiming to work with. This error could cause offense to different groups of sex workers.

Porn movies are a branch of the entertainment industry.

We agree that prostitution is often concealed behind the façade of legitimate business, but the Government actually encourages this by

granting local councils the power to sell exclusive licences to massage parlours, e.g. in Lambeth, around the National Exhibition Centre in Birmingham and to the Saunas in Edinburgh, etc.

PARAGRAPH 9 The Sexual Freedom Coalition is pleased that the Paper welcome views from outside the Home Office. As can be seen from our letterhead, the SFC represents a large number of campaign groups and we have tens of thousands of supporters. We have been collecting the views of sex workers and their clients since our inception in 1996, and have used their advice and quotes in drawing up this response. We say this because not many other informed responses may be received, as our members and affiliate organisations are relying on us to make a representative response on their behalf. Most prostitutes do not study turgid documents, especially when these documents are disrespectful to them.

The SFC also has the support of The Erotic Awards, a fund-raising organisation which, amongst other things, honours people who make a living with their bodies. We have the support and guidance of two lawyers, Edward Goodman a civil lawyer and former Borough Councilor, and John Blandford who is Britain's leading criminal lawyer specialising in prostitution. We also have the support and guidance of an academic specialising in the field, Dr Petra Boynton, from University College London.

This document represents the views of a large number of people whose views should be considered very seriously in any forthcoming legislation.

Unlike the American gambling industry and the American animal liberation groups, we have neither the funds nor the inclination to offer donations to sway the British government. We have however, donated thousands of hours of our time, at our own expense from very limited funds. For this we demand a respectful hearing.

Executive Summary

PARARAPH 2 The Consultation Paper does NOT demonstrate that prostitution damages the individuals involved. The paper is an example itself on social exclusion by excluding the views of prostitutes who run their lives responsibly, paying taxes and providing a good service, helping their clients in a wide variety of ways.

Your strategy needs to look at the business as a whole, instead of concentrating on the criminal element, which is caused by criminalisation.

PARAGRAPH 3 – The three issues the Paper is concentrating on

- PREVENTION – if young people are educated about prostitution it must be done as part of comprehensive sex education, taught by trained professional sex educators who are aware of the realities rather than academic theories.
- > PROTECTION AND SUPPORT - The SFC agrees that some sex workers need support and have included schemes to provide it on our Proposal sent to the Home Office in January 2004, now annexed to the end of this response. We do not, however, feel sex workers, apart from those who work on the street, need any more protection than other people who work alone with members of the public. Decriminalising sex work will mean that sex workers will at last enjoy the protection of the police and the law.
- > JUSTICE - pimps, traffickers and people who exploit prostitutes need to be criminalised (and already are) and the other laws relating to prostitution need to be repealed (as set out in Annex A) so that brothels, parlours and agencies are decriminalized, and areas of towns defined, where street work

can exist in safe surroundings without causing annoyance.

The Sexual Freedom Coalition agrees that sex workers and other people involved in prostitution must mould the strategy.

PARAGRAPH 4 – CHAPTER 1 The Sexual Freedom Coalition disputes that the realities of prostitution are always dreadful. They can be fun, fulfilling and rewarding for both parties. They also provide a necessary safety valve for sexually frustrated men and women.

We have already outlined a system to improve the realities of prostitution in our Proposal of January 2004 (copy annexed).

PARAGRAPH 5 – CHAPTER 2 The Sexual Freedom Coalition disputes that there is a spread of sexually transmitted infections through prostitution. Having sex with a prostitute is safer than having sex with any other kind of stranger you meet, e.g. in a nightclub or cruising area. Prostitutes make their clients use condoms, amateurs may not. There may be exceptions, see below.

The vast majority of STDs are spread by non-commercial casual sex.

The SFC finds it hypocritical of MPs to suggest that sex workers spread diseases by having unsafe sex, when they themselves engage in unsafe sex involving more than one partner. It has been reported that David Blunkett, Boris Johnson and Tim Yeo have had unsafe sex with their mistresses, thus risking the spread of sexually transmitted diseases. It's not just a case of "it is OK for them and not for us" – because the majority of sex workers take precautions by using condoms and engaging in safer sex practices.

We recommend that the intravenous and seriously addicted drug users on the streets (and only them) are prevented from selling sex because their drug dependency makes them more likely to be HIV positive from sharing needles and having poor health, and

being so desperate that they will be easily persuaded to engage in sex without using a condom and thus pose a health risk to the client group. Other sex workers are very careful to engage only in safer sex with clients and will never have sex without a condom with clients. The rights of non-intravenous drug users must be respected.

On this matter, it is imperative that the law continues to criminalise coercion, as some coercion includes forcing the sex worker to engage in sexual intercourse without a condom. Decriminalising sex work and removing the criminal element from the trade, encouraging contracts between employers and staff and unionizing the industry will help to ensure this practice is ended.

PARAGRAPH 8 – CHAPTER 5 The SFC agrees that some pimps use the threat of physical violence and drug dependency, but not all. Many sex workers like having a pimp. When they are off duty, they like a man who takes control and gives them good sex. You can argue that the female sex worker would be better off without him but then you could argue that lots of wives would be better off without their controlling husbands who squander their money. People have to make their own choices in life, and it is an authoritarian nanny state that decides to make choices on behalf of its adult citizens.

Mention is made of low self-esteem among prostitutes. The Sexual Freedom Coalition would like to point out that esteem is lowered when people are discriminated against and criminalised, and are forced to live a stigmatized existence, which is common in British society and advocated in this Consultation Paper.

PARAGRAPH 9 Chapter 6 Britain's Criminal Justice System is congested by sex workers being taken to court endlessly, wasting the courts' time.

PARAGRAPH 10 CHAPTER 7 The Sexual Freedom Coalition

agrees that red light districts within residential areas don't work. We also know that red light districts within isolated commercial areas don't work. Without stigma, street workers could happily trade in non-residential, non-isolated areas such as shopping malls and banking districts or central designated areas. Without the threat of arrest, insulting behaviour or attack, they could have the option of wearing some kind of identification, so that non-prostitutes are no longer approached by sex-hungry clients. Just as some gay men sometimes choose to wear colour-coded handkerchiefs in their pockets, so could sex workers.

Recognised red light districts devoted solely to prostitution are to be commended, especially those run with respectful support of the police and health workers.

While it remains difficult for a sex worker to find a flat to work from where neighbours do not complain, and many massage parlours are run by criminals, many sex workers are forced to make the choice to work from the street. Providing a satisfactory situation for street workers should be top priority.

PARAGRAPH 11 CHAPTER 8 Traffickers could be better policed if there were better liaison between the intelligence agencies in different countries, and prostitution laws in the European Union were harmonised.

Chapter 1 Opening up the Debate

- 1.1** The Sexual Freedom Coalition questions why the Consultation Paper quotes statistics on the population of sex workers when it admits elsewhere that it is impossible to measure the numbers of sex workers or study their population as a whole, when they are un-registered, hidden, and uncountable. Many sex workers don't even admit to themselves that they are "on the game", as

they think they are just earning a bit of money on the side by accepting cash for sexual favours. Others conceal their work from their friends and families by operating in total isolation.

The statistics quoted here are obviously from street workers who have been in trouble with the law – and are not representative of the men and women who take responsibility for themselves, keep out of trouble and work for themselves or for respectable agencies and establishments.

1.2 Having looked at the Useful Links on the Home Office prostitution Review webpage, we found it unhelpful. We suspect that most readers will be too lazy to look at the websites and assume that they contain mountains of evidence to prove that much is known about child prostitution and trafficked slaves.

In fact we were unable to find any mention of prostitution on the Barnados website. On the Childline website we learned that help for runaway children is under-funded, which seems shocking considering the millions of pounds controlled by children's charities. The Children's Society website is devoted to fundraising. The Home Office "People Trafficking Crime Reduction Toolkit" tells us, once more that there are no figures on the size of the crime, and the links are equally unuseful. Thinkuknow claims to tell young people how to enjoy the Internet but there is absolutely no joy – just warnings that when children find things upsetting they should tell their parents and the police. The basic guidelines such as not giving your phone numbers to people using chatrooms should be part of compulsory elementary education.

Terminology

1.1 The Sexual Freedom Coalition disputes the inference that most prostitutes are victims. Many are very strong, powerful, willful, brave individuals. To be naked with a stranger and help them

fulfill their deepest fantasies takes courage. The only sense that they are victims is through the social stigmatization they suffer by being criminalised.

"I identify very strongly with my disabled clients because we are both discriminated against – we both are scum in the eyes of polite society"

Polly, escort, London

1.4 The Sexual Freedom Coalition does not feel that the term "People involved in prostitution" is a suitable term for those who do sex work. The term could be used to include everyone from the advertising manager of *Loot*, a concierge at a hotel, the National Exhibition Centre, pimps and traffickers. "Sex Worker" was the term chosen by groups of prostitutes who have met and debated what they wanted to be called, and this was the end result of many such debates. It is insulting to them to select another term.

The Sexual Freedom Coalition has witnessed discussions between sex workers about how they identify themselves as individuals. What was interesting was the wide range of terminology – from "slut" to "therapist". When they described the work they do, they said that it ranged from kinky sex, through fantasy enactment, oral sex, intercourse, "dirty" talk, cuddling, massage, listening, counseling and allowing the client to cry in their arms. They learn how to deal with all these needs and provide a good service so they can take pride in and enjoy their work.

"People involved in prostitution" implies that they don't actually have sex. It sanitizes the profession, which does nothing to help anybody except people in the Home Office to feel less tainted by the matter in hand.

Commonly used terms for sex worker are listed in our Glossary.

A Survival Strategy

1.5 The Sexual Freedom Coalition considers that, like other workers, most sex workers are in control of their situation. Where there is abuse, homelessness, poverty and drug use, this is exacerbated by the criminalization of selling sex. Many sex workers work hard to solve their financial problems.

1.6 We agree that some street work involves problematic drug use and this should be dealt with. However, there are many non-drug users who work from the street, and most sex workers are not addicted to drugs. The two issues should not therefore be conjoined in an effort to taint all street sex workers.

1.9 The Sexual Freedom Coalition is not in favour of the arrest, prosecution or re-education programmes for kerb crawlers, as this implies that searching for a sex worker should be a criminal offence. What needs to be done is encouragement of street workers to move from residential street to places where both they and clients won't cause annoyance, ie recognised red light districts, brothels or flats.

1.10 The Sexual Freedom Coalition agrees that awareness about the realities of prostitution needs to be raised, both in the general population and more particularly in the Home Office.

CONSULTATION

How can awareness be improved and the common myths and misconceptions about prostitution be dispelled?

- 1. What is the role for schools in raising awareness of this issue? Do you have examples of good practice?**

Sex education in schools should be holistic and comprehensive,

teaching children to respect their own bodies and other people's bodies. All aspects of safer sex need to be taught clearly. The buying and selling of sex should be included in the syllabus. Students also need to be taught how to deal with approaches from people who may wish to exploit them, and not to give their address or phone number to strangers in Internet chatrooms.

However, moralizing and issuing warnings about sex work to young people will probably have as little success as moralizing and issuing warnings about illegal drugs, tobacco and alcohol.

"Forbidden fruit always taste sweeter."

Many children know little about prostitution and your proposal will put ideas into their heads, so we will end up with more child prostitutes, not fewer.

1. What can be done to ensure that those who go to prostitutes are fully aware of the implications of their activity

The Sexual Freedom Coalition presumes that you mean by this that clients should be made to feel guilty about visiting prostitutes, and we absolutely disagree with this. Clients should feel safe about making choices and confident about getting a good service from competent professionals rather than incompetent amateurs. Sex work provides a necessary outlet for sexually frustrated people and thus reduces sexual abuse.

1. How do we ensure that it is clearly understood that those using young people under 18 for sex are guilty of child abuse?

Firstly, it should be noted that sexual intercourse by persons over 16 is lawful. In any event, The Sexual Freedom Coalition feels this question is ambiguous. Clients who seek to have sex with underage sex workers are aware of the choice they are making

and are criminalised by guilty intent. On the other hand, clients who seek sex workers over 18 but are fooled into having sex with somebody under 18 should not be prosecuted, as they have no guilty intent.

Chapter 2 The Key Issues

What is Prostitution?

2.1 The Sexual Freedom Coalition questions why the Paper's definition excludes non-physical intimate contact, such as phone sex? What is the purpose of this? Phone sex workers consider themselves sex workers. In addition, this definition leaves out the dominatrix who may not touch his/her client yet gets paid for shutting him or her in a kennel overnight. This may also be done by phone.

2.2 The Sexual Freedom Coalition agrees with the Paper's definitions of the law.

How Prevalent is it?

2.3 The Sexual Freedom Coalition agrees that it is difficult to be precise about the scale of prostitution – in fact it is impossible.

At the International Conference on Prostitution in Los Angeles (1997) delegates learned that the male gay trade is far more weighted towards young sex workers than the heterosexual trade. Young men are past their sell-by-date by the time they reach the age of 20.

2.4 Criminal statistics never give indications on social impact – that is not what they are for. Using criminal statistics to understand an entire population is statistically invalid. They can only help the understanding of the people who have been apprehended doing something which they can be prosecuted for. It is like doing a survey

on electricians and only using information on those electricians convicted of burning down buildings through incompetent wiring.

2.5 The Sexual Freedom Coalition agrees that we need to be clear about the nature and scope of sex work, and would be happy to advise.

We would also like to see a professional statistician look at the figures presented in the various "surveys" and "research" to ensure that they are statistically valid and that samples and conclusions are defined properly, and see evidence of ethical clearance. We understand that the two Home Office surveys (one being sent to sex workers and the other on a website to be completed by clients) were designed by the Home Office's Public Relations Department and not by trained researchers. They are both very poorly conceived.

A consultation should involve taking views from the public, after which time research questions or studies can be developed. However, setting up a survey or questionnaire for people to answer will provide pre-determined answers and doesn't constitute a fair hearing.

The survey to sex workers is impossible to complete if you are a sex worker who enjoys your work. The UK Network of Sex Work Projects has complained about the 'survey' given out to prostitutes. The questions were highly detailed and personal, again no ethical approval was sought, and the time taken to answer the questions (estimated at least one hour) had been ignored by the research team.

The survey aimed at clients is on the Internet for anyone to complete. We noticed that it is impossible to read the questions on page two without completing page one, which means that many people will make up replies to the questions on page one in order to read the rest of the survey. In any event, most clients of sex workers are not prepared to answer any questions about this activity. With

this elemental error, the SFC holds no hope of any accuracy or truth coming out of the survey.

The clients' survey has been referred to an ethics committee, which has stated that the Home Office should have sought such approval before carrying it out. It hadn't been tested, piloted and was improperly designed. The research team pressured many groups to put up the survey but had no support systems in place to help anyone who answered the questions. The questions couldn't be completed without admitting one had paid for sex - meaning those with something to say about prostitution who hadn't paid for sex couldn't comment. Asking people to tick "yes" to the question "Have you paid for underage prostitutes?" is unrealistic. People will not freely admit to criminal activity. The survey was sent to a local research ethics committee in London. This group advised that it would not qualify for ethics approval, and should never have been distributed. They cast doubt over the quality of the research tool and the research team.

Were these questions to be repeated in a reputable, health or academic study, in their current form they would not be given permission to proceed. When the issue of ethics and piloting was pointed out to a member of the research team they said 'we don't want to have to go down that ethics route if we can avoid it, we just want to get people to answer our questions as quickly as we can'.

This option is denied anyone working on sex studies outside the Home Office - mainly because government guidelines specify ethical issues are paramount in research.

This means either the HO chooses to ignore government guidelines on research and good practice, or it employs staff who aren't skilled enough to complete sensitive research of this nature. The result is it wastes the time of sex workers and can cause distress to them or those who have paid for sex - which is unacceptable in research, and

unacceptable in an evaluation that claims to be working to help protect sex workers.

2.6 It is obvious that state care of young people is unsatisfactory, otherwise there wouldn't be so many of them running away and selling their bodies. This is not the fault of the sex trade.

2.8-10 CRP Projects

2.11 It would seem obvious that if the only reason an individual is selling sex is to finance a drug habit, then drug rehabilitation would result in them leaving the sex industry. However, many sex workers chose their profession or at least find it more attractive than other alternatives, and do not wish to exit.

The Pimp

2.12 - 13 Your "survey" on pimps was actually unrepresentative of all pimps, as it included only those who had received at least one custodial sentence. This fact, sitting in the middle of the paragraph makes the "survey" misleading, and likely to be misquoted. This is bad reportage and, the Sexual Freedom Coalition believes, deliberately done to misrepresent, rather than educate.

2.14 This paragraph is confusing and does not make sense. What evidence is there that pimps in establishments are linked to the drug markets? Are we talking about the pimps who supply call girls to royalty in the Middle East?

2.15 You speak of agencies becoming increasingly aware of more grooming by mobile phone and over the Internet, but it is not clear what type of agencies. Escort agencies? Law enforcement agencies? This needs clarifying. Where is the evidence to support this assertion? If it exists, it should be quoted.

It is nonsense that women choose to become sex workers because of the Internet. Sex workers have always existed. Even amongst chimpanzees, females exchange sex for food.

Sex workers cannot be on the bed and on the phone and at the desk at the same time, so need assistance in managing their schedules. Pimping needs redefining to exclude administration. Living off immoral earnings is too wide a definition (see Glossary). The only offence should be coercion.

The User

2.16 The Sexual Freedom Coalition is horrified (a) with this term, as it implies that the client is an abuser and (b) that the client only deserves seven lines of discussion out of the 114 pages in the Paper – after all, there are several million of them in the United Kingdom.

Making clients feel bad about paying for sex results in repression of feelings, known to be dangerous as it can lead to violence.

Many sex workers really like their clients. Clients come from all walks of life, are of all ages and come for many different reasons. These include:-

- needing intimacy after the death of a spouse
- needing the type of sex which is not to the taste of the spouse, or which the client does not want to perform with the spouse - or cannot because they are the wrong gender, or whatever
- needing to experience skin contact and sexual fun when single
- people in stressful careers may be too busy to keep relationships going and opt for paying instead
- married people far from home. Sex workers frequent truck stops and motorway service stations, unless they get moved on by the security staff. Lorry drivers get a night-out allowance for every night away from home, making them easy-pickings, especially the drivers called trampers who are on the road for up to 3 months at a time

before going home to their beloved. CB Radios are used to make the most of the services on offer

- needing a confidante to talk about sexual worries
- wanting good sex without having the worry about the other person's needs. Being the focus of a professional's attention can be very therapeutic.

Appendix 2 provides a statement from a client with very real needs.

If the Poppy Project are really suggesting that men who use trafficked women should be prosecuted for aiding/abetting trafficking upon the basis if there was less demand the supply would diminish, this begs all sorts of questions as to how is the client to know? The premise is that these women are duped into prostitution. John Blandford, Britains leading criminal lawyer in this area, has seen many examples where the women with no English or very little English knew exactly why they are coming to Britain and are quite prepared to work. Of course there are trafficked women who are duped, raped etc but, John Blandford asks, how will criminalising their clients help?

One of the questions which the Home Office fails to address is whether paying for sex is addictive. The SFC thinks the answer is "yes", rather like most people being addicted to love. It could also be compared with the situation where gay men become addicted to "cruising" because it has no emotional baggage and it can be highly exciting, yet leaves people feeling empty because the sex is impersonal.

Most people make their own choices but when people pay for sex out of desperation, because they suffer continual rejection, they might find themselves drawn to the easy option of paying for sex instead of braving another attempt at a date. Using sex workers all the time can make it difficult to return to the hard work and intricacies of forming sexual relationships. The Outsiders Trust advises that the SFC

Proposed Model should include workshops for such people, to provide awareness of such dangers, and support.

"Some very valuable relationships and interactions have been made as a result of commercial sex"

Cheryl Overs

Toby

Toby was bullied at public school. Having no sisters or friends, he had very little experience of girls. His penis failed to develop during adolescence and he has a micropenis. When he grew up he became socially phobic and afraid of women. At the age of thirty-five, he decided to lose his virginity with a sex worker. She spent time with him, telling him how nice looking he was and boosting his confidence. She encouraged him to go speed dating, where he met his current wife.

Gerald

Gerald is married with two children. He slowly realized that he was more turned on by S/M sex than vanilla. His wife was not willing to try it. He wanted to visit a dominatrix and this desire grew until he booked an appointment. He was very excited about going. Once he reached her door and was inside, the urge disappeared, and he left without enjoying himself. He found that this experience was repeated regularly until he eventually managed enjoy S/M sessions and felt far more fulfilled as a person.

The Sex and Disability Helpline gets calls from health care professionals asking how to deal with people with learning difficulties. The classic case is the male virgin in his mid 50's who is becoming violent and displaying sexually inappropriate behaviour towards his carers. His pent-up sexual frustration is causing serious problems and his health care professionals call up to ask (a) if it is legal for him to use a sex worker and (b) where to find one.

With such sex work already being provided on the National Health Service, it seems slightly strange that the Home Office is now casting doubts on whether it is acceptable for sex to be sold.

A forthcoming academic seminar will provide the opportunity for discussion on the practicalities and ethics of employing sex workers for adults with learning disabilities, for educational purposes and for sexual relief.

Not all sex work clients are male – increasingly females are paying for sex in order to have good sex without emotional commitment, and learn more about themselves without having to use lovers as part of their training. Couples are visiting sex workers as part of their lovemaking.

Problems Caused by the existence of the sex trade

2.17 The problems the Consultation Paper lists are bigoted and one-sided

- nuisance to neighborhoods through noise, litter and harassment – as already said, the solution is to remove street prostitution from residential areas and remove drug addicts from the streets through Treatment Testing Orders.
- Decriminalising sex work will increase job satisfaction and pride so that sex workers will care about their environment, and streets will become more attractive with fairy lights and hanging baskets. With the decriminalisation of brothels, most sex workers will hopefully chose to work indoors.

- undermining economic regeneration and neighborhood renewal - as already said, remove street prostitution from residential areas. It is bad practice to put economics above the quality of an individual's life.
- Intrusive advertising would not be necessary if the SFC Proposal were to be put in place. Most magazine advertising is confined to its own section: people looking for cars in *Loot* have their own section, just like people looking for sex workers.
- As already stated, most sex workers do not spread sexually transmitted diseases, and the IV drug users who do, need to be stopped. Most STDs are spread by unprotected casual sex.
- The Internet should not be censored. Sites can be encouraged to use Child Protection Policies. Children need educating on how to deal with approaches from potential abusers, and how to use the Net safely. Adults have a human right of freedom of expression.
- Drug addiction needs dealing with as a separate issue to prostitution.
- Once sex work is decriminalised, there will be fewer links with the underworld.
- Serious assaults against sex workers are far more frequent where it is criminalized. Compare the Edinburgh statistics after it dropped its tolerance zone policy.
- The Home Office Consultation Paper stigmatises sex workers but thanks to some TV documentaries about sex work, society is slowly becoming more accepting. More young men are visiting prostitutes and people are beginning to recognize that it can be an empowering experience.
- The abuse of children through prostitution is decreasing and is far less than in Victorian times. It could be reduced still further by giving children the right education on how to deal with approaches from people who might be abusive. In any event,

most child abuse is perpetrated by parents, relatives and carers. Once decriminalized, brothels can be issued with Child Protection Policies.

- Ditto for their families
- Statistics on trafficking that Sexual Freedom Coalition have seen appear to be exaggerated and probably concocted. Many women from Eastern Europe voluntarily come to the West to earn money from sex. Decriminalising the trade will allow the police more time to arrest traffickers who are coercive and abusive.
- What problems sex work inflicts on attitudes and gender equality is difficult to imagine. The fact that rent boys allow husbands to have sex and fool their wives and the rest of the world that they are exclusively heterosexual encourages hypocrisy.

Government Action

Sounds fine except there needs to be a more effective strategy on crack and heroin use.

Consultation

How do we ensure that our policies are soundly based and take into account the most recent information on models of prostitution?

Your research needs to look further. The numerous conferences on sex work in recent years are not mentioned. The models in New South Wales and New Zealand need to be more closely studied

- 2. Does this paper present an accurate picture of the models of prostitution in England and Wales in the 21st Century?**

No - it speaks mostly of problematic street prostitution, largely ignores off-street sex work and also ignores the fact that street work can be satisfactory for both parties and causes no nuisance. The Paper devotes a mere seven lines to describing the clients and their needs. It speaks of violence but does not describe how this violence is triggered nor how it is dealt with.

It speaks of exiting the profession but offers no practical solutions. It fails to mention the GMB Trade Union which now includes sex workers in its membership, and ignores the fact that conferences are frequently held at Universities and other establishments for sex workers to decide how they want to see their profession develop.

Is there further information, particularly on pimps and those to go to prostitutes, which could help inform policy and practice?

Speak to some of the barons who control patches of street work. They know how it works.

We have supplied some evidence from a client (see Appendix A.)

Also:

Sexual Freedom Coalition website www.sfc.org.uk

International Union of Sex Workers website

TLC website www.tlc-trust.org.uk

Prostitution by Jeremy Sandford

Pimp by Iceberg Slim

The Golden Bough by James George Frazer Oxford World Classics provides the historical links between prostitution and religion

Sex Havens produced for millionaires and banned because of its reference to underage sex

Sexwork Reassessed - Papers from the Conference at East London University 1998

International Conference on Prostitution Los Angeles 1997

My Body My Business TV programme (enclosed with Home Office copy, on request to others)

3. Is there further information on the numbers, ages, ethnicity and circumstances of children abused through prostitution, and methods of coercion, which could help form policy and practice?

SFC concerns itself only with the sexual freedom of consenting adults. Abuse of minors is already criminalized and should not be used as an excuse to prevent consensual copulation by adults.

Chapter 3 Routes into Prostitution

Traditionally, armies supplied prostitutes for the troops. Prostitutes also once worked in the temples. Classic routes into prostitution were thus through the State and through the Church. Today, most sex workers enter the business through friends. The trend is increasingly for University students to fund their studies with sex work and graduates to leave their conventional jobs where they were bored and disillusioned for a spicier life on the game. For example, Mistress Abby St Clair left a highly paid job as an engineer in the aviation industry to become a dominatrix.

Chastity Church's Story

Chastity was a college student and a friend got her a job attending parties as an escort abroad. She was not sure which country she was going to or who she would be working for until she arrived. She found herself working with seventy other women, all getting paid tens of thousands of dollars to be there. She quickly found

herself at the beck and call of her employer who preferred Chastity alone in one of his many opulent bedrooms. "We were very well cared for and we would receive envelopes with cash in. I got a watch worth \$20,000. They would send you with bags of cash on a private jet to go shopping. I would run from designer store to designer store and buy all the clothes and shoes I could in eight hours. It was so intense. He was a nice guy and liked me a lot because I was uninhibited." After this experience Chastity became a performance artist, "I loved prostitution. It was fun, I'm guilt-free because of conscious choices I've made to be that way." (Interview by Annie Sprinkle).

Julia's Story

Julia always loved to go out and at the end of every night out she brought a man home with her to enjoy sex with. When she became pregnant and had her son, she realized that the most convenient job from now on would be sex work. She could choose her own hours and earn enough to keep her and her son without leaving him alone too much. And she was getting paid for what she had previously been giving away.

The Sexual Freedom Coalition suggests that Chastity's story complements Cara's story but that Julia's story is far more common than either. Selecting an exploitative story is bound to give a biased picture. It is easy (and morally cheap) to get sad

stories from sex workers because that is all they are ever asked for by the media, and of course, when authorities are interested in your suffering, with a promise of relieving it, you will repeat the story over and over.

The Sexual Freedom Coalition begs this question,

If the Home Office sincerely wish to create more understanding, and base any future legislation on a precise picture of the subject, why is the consultation paper so biased?

- 1.1 Research figures are solely based on street prostitution but your text fails to tell us this.
- 1.2 After animals, children's charities are the richest, and many have more money than they know what to do with. If there is an increase in young people being forced or groomed into prostitution, how come these charities have not been able to reverse the situation?

3.4-7 It seems as if there are plenty of packages to educate children and now all it needs is the funding to ensure each child reaps the benefit. The majority of schools in Britain still provide no proper sex education at all.

Identifying the Risk Factors

- violence and abuse in the home tends to make individuals have low self-esteem, and this might encourage them to go into sex work. This step might be their salvation as sex work provides human contact, which can be respectful and rewarding.
- truancy and poor education – dislike of authority makes prostitution an obvious choice as it is outside the law
- running away – likely to be picked up by a client and find the happiness not found at home
- living in care – will meet others who do sex work as this seems a

good alternative to being in care

- homelessness ditto
- problematic drug and alcohol use – sex work merely provides the funds. It is not the problem.
- debt – people who wish to repay debts need to find lucrative means and sex work is one of the most popular.

The Sexual Freedom Coalition would like to stress that people – so long as they have not been kidnapped and imprisoned, do have a choice in all these matters. The state provides Job Seekers Allowance, tax credits and other benefits and there are job opportunities. People who do sex work have made that choice.

This section and Chapter 4 deals mainly with children so is outside the remit of the SFC, which protects the rights of adults in a supposedly free society. Child protection policies should be available to sex workers and brothels.

Chapter 5 – Supporting Adults involved in Prostitution

5.1-7 deals solely with street prostitution although this is not stated. The Sexual Freedom Coalition is pleased to learn about initiatives to help street sex workers who are addicted to drugs to sort themselves out.

The SFC Proposal (copy annexed), includes outreach and support groups.

5.1 Research shows that there is no added risk of HIV amongst sex workers except those who use drugs and are sharing injecting equipment. This complements the denial we made earlier when the Consultation Paper suggested that sex workers spread sexually transmitted diseases.

5.13 There is no medical evidence that repeated penetration causes

long-term harm.

5.18 Ugly Mugs also covered by the SFC Proposal (copy annexed).

5.23 The Sexual Freedom Coalition agrees that domestic violence suffered by sex workers should be treated the same as that suffered by non-sex workers.

The SFC commends the projects above-mentioned to deal with domestic violence.

Consultation

What can be done to provide men and women involved in prostitution with a real alternative?

Stop criminalising them so they can't find other jobs because they have a criminal record. Get drug addicts out of prostitution by providing heroin (not methadone) on prescription and using Treatment Testing Orders in court.

13 The SFC has no examples of other initiatives

14 Sexual health is high priority amongst sex workers. They are professionals and are experts at safer sex and condom use.

15 Tackle links between drugs and prostitution by arresting drug pushing pimps and using Treatment Testing Orders on addicted sex workers. Providing heroin (not methadone) on prescription.

16 SFC does not deal with housing but it should no longer be an offence to allow more than one sex worker to live in or operate from a building. This forces sex workers to live without mutual support.

17 Many different communities have different needs and these would be met by the models suggested in the SFC Proposal (copy annexed).

18 To increase confidence in the criminal justice system, make the laws more sensible, fair and intelligible.

19 To ensure the relevant agencies adopt a coordinated strategy, and the model suggested in the SFC Proposal (copy annexed).

Chapter 6

Exploitation – the role of the criminal law

Prosecuting the abuse of children through prostitution

6.1 – 6.10 The SFC does not concern itself with children. In any event, they are already protected by the current criminal law.

Prosecuting the exploitation of adults

6.11 Prosecuting the exploitation of adults – the SFC notes that the focus of the law will now be clearly on exploitation and wonder what the Home Office has in mind. Trying to “protect” consenting adults from prostitution would result in authoritarian laws trying to protect people from themselves, i.e. the prosecution of sex workers and their clients.

Prosecuting the classic pimp

6.12 Although the SFC commends the Sexual Offences Act 2003 for suggesting it should be an offence to cause or incite another person into prostitution, this was already an offence, and we see no reason to create a new law.

Keeping a Brothel

6.13 The SFC is unhappy about the Sexual Offences Act 2003 criminalising the keeping of a brothel and imposing a penalty of up to 7 years imprisonment. This is a backward step. Sex workers should be allowed to work communally for protection, as in other countries such as Australia, Belgium, Germany, Greece, Japan, New Zealand,

Switzerland and Turkey.

6.14 While most massage parlours and saunas are criminalised, they will be run by unscrupulous people, criminals and gangsters.

Once the law decriminalises brothels, the following improvements can be implemented

- they can be run like any other business using professional standards
- they can provide equal opportunities and good practice, including health and safety at work and the payment of tax
- employees can sign contracts approved by unions and obtain protection from the union. Sex workers require more autonomy than other workers, because they need, for example, to be able to make the final decision on whether or not to service a client.

“Some ‘customers’ should certainly be avoided at all costs. They might be rude, rough or drunk or want too much for their money, have an attitude problem, or just simply be jerks. I don’t think anyone should have to provide sexual services to a man like that. Nevada brothels put the burden of proof on the prostitute. She must justify her right to refuse business, even though she loses money herself by doing so. The prostitute is the best judge of who is eligible for her services, and she should be able to decide that without feeling pressured by a third party...”

Another problem with the Nevada system is the restrictions imposed on prostitutes’ freedom requiring us to work shifts which last two or three

weeks... Plus mandatory STD testing: the houses discourage and in many cases forbid prostitutes to see doctors of their own choosing. My own experience with the house doctors has often been rushed, inadequate exams and inflated prices...

Until the needs and desires of prostitutes are fully considered and included in any schemes legitimizing our profession, many of us will choose to work illegally rather than sacrifice values important to us like freedom, privacy and control over our work, lives and bodies. "

Laura Anderson

6.15 Obviously it is better for sex workers to work together for mutual support. The SFC does not think the Home Office should begin a numbers game. If a large group of sex workers want to work together in a stately home with 100 bedrooms, they should be allowed to enjoy this opportunity, just like two or three sex workers sharing the use of a flat

The SFC questions what impact a brothel has on the immediate neighborhood. If there is nuisance, noise or litter, these can be dealt with by the appropriate existing laws. A brothel is likely to cause far less disruption than a public house, a street festival or a football match.

6.16 The Sexual Freedom Coalition objects to the suggestion that 'legitimate businesses' are 'tainted' by association with prostitution. Non-sex saunas and massage services are not tainted by the sexual ones. We wonder what 'new regulations and appropriate controls' are being considered? We refute that sex taints anything, to the contrary it puts pleasure and excitement in the world. The Paper betrays an

infantile "No Sex Please We're British" attitude.

Supporting adult witnesses

6.17 The Sexual Freedom Coalition commends the support for adults who are witnesses to abuse and exploitation

6.18 The Sexual Freedom Coalition commends the support for adults who are witnesses to trafficking.

Consultation

How do we ensure that criminal justice is done to support the victims of exploitation through prostitution?

20 Are there new ways the criminal law could be used?

21 Are there models of good investigative practice to be adopted to ensure that users and abusers are brought to justice and victims supported further?

This suggests that clients should be criminalised, and the Sexual Freedom Coalition strongly disagrees with this proposal. It is perfectly acceptable for someone to pay for sex instead of trying to obtain it by coercion. Prostitutes are not abused. They are paid for providing sexual favours.

22 Do you have good models of support for (a) child and (b) adult witnesses to assist them through the criminal justice process ?

The SFC Model in our Proposal (copy annexed) would achieve this.

23 How do we ensure that illegal activity does not continue to take place behind the façade to legal businesses?

Decriminalise brothels.

Chapter 7 Protecting communities

Tackling deprivation

Not the remit of the SFC, but one obvious method would be to raise British income support to the European Union average.

The Impact of prostitution on the community

As with most things in life, there is the plus and the minus. Soho has been the traditional London red light district, full of colour and the buzz of "The Life". Plays, operas, paintings and novels have featured the erotic glory of red light districts and brothels. Balance this with the nuisance factor rather than leave it out altogether.

It is not good policy to force street workers out of their "patch" or traditional areas into places where they are unknown and put at danger, unless they are offered a safer alternative.

As already stated elsewhere, we need to find areas of town where street workers are safe but don't cause a nuisance, like banking districts and shopping areas, or designated red light districts.

7.19 Prostitutes cards do not cause any damage. They would probably be unnecessary if sex work were decriminalized and advertised in the normal way. In Japan phone boxes have their own sex worker albums. which is much more civilized.

7.20 Call barring is discriminating against sex workers. It can also put sex workers at risk by forcing them onto the street.

7.22 Kerb crawlers would not approach non-sex workers if identifying clothing were worn by sex workers, or if street workers operated in areas restricted to them. Kerb crawlers may be annoying to pedestrians but no more than pneumatic drills, car fumes or kerbs without ramps – a gross annoyance to wheelchairs users and people pushing prams or wheeling heavy luggage. Criminalising kerb

crawlers is completely unfair.

The Sexual Freedom Coalition considers it an intrusion on liberty to disqualify a kerb crawler from driving. Desire for sex with a prostitute does not effect the ability to drive.

7.26 If fining sex workers for soliciting and loitering does not deter them, why not abolish the laws which get them fined?

The average amount a street sex worker can owe in fines is between £500 and £5000. Most pay for the mounting fines through sex work, since they cannot envisage any other way to make enough money to pay their fines.

Consultation

What can be done to support communities to reclaim neighborhoods and how can we protect those who persist in street-based prostitution?

Move street work to safe non-residential areas

24 How is the nuisance associated with prostitution best dealt with? We are interested in examples of good practice from your communities

Look at models which work well in other countries e.g. Japan.

25 How can civil measures be used most effectively? E.g. ABCs and ASBOs?

ASBOs (Anti Social Behaviour Orders) should not be used on sex workers, but they are being used and more. The Government recently announced that it is going to make them even easier to obtain. Given the use of hearsay evidence, they are virtually impossible to resist and, as the Home Office refers to prostitution as a problem (and anti-social) ASBOs may be used more and more to "control" sex workers unfairly.

26 How can the criminal justice system support effect routes

to exit prostitution?

Stop prosecuting sex workers

27 What further support to local partnerships need to respond to the issues?

Avoid Grundyist kill-joys trying to drive sex work underground.

28 Role of criminal law in relation to children.

Not in SFC remit. In any event, sexual activity with children is already illegal.

Chapter 8 Links with Serious Crime

The SFC is delighted to read that the Home Office doesn't consider sex work to be serious crime. It is not a crime, nor should it be.

Sex and Drugs Market

8.2 Already discussed. Get drug addicts out of prostitution by providing heroin (not methadone) on prescription and use Treatment Testing Orders in court.

People Trafficking

Most of the young people brought into this country have already formed a debt contract and they know they will be paying it back through sex work. This scheme, however unpleasant, is the only way that these people can get to this country and start doing business.

Adults have a right to earn a living as prostitutes in any country. Why is international prostitution worse than national prostitution? Many British people choose to work as prostitutes abroad where they earn more money, e.g. in Switzerland and Dubai.

Twenty years ago, recruitment for London was done in the North of England. Girls were brought down for two weeks and had to repay the money for their clothes before they received anything. Girls went home with several hundred pounds. Debt contracts are not new but the figures are larger and the distances traveled have increased.

Trafficking goes on throughout the UK - not just sex workers being moved from other countries to here, but those who originate from the UK being moved around (particularly children). By increasing the controls on prostitution, trafficking is not going to go away, and it will become increasingly difficult to identify vulnerable women or children.

8.8 Where is the 'significant evidence' that national and international prostitution is inextricably linked?

The Scale of the Problem

8.9 The SFC suggests that it has always been the case that prostitutes are foreign. People go abroad to do it.

8.10 Which reports have suggested that children are being trafficked into Britain for sexual exploitation? Sources should always be quoted for credibility.

The Government's Response to People Trafficking

8.11 The SFC suggests it is premature to have a White Paper before any reliable statistics have been produced and analysed.

Legislation

8.12 With the Asylum Act 2002 and the Proceeds of Crime Act 2002 and the Sexual Offences Act 2003, there is no need for further legislation.

Operation Horsley – Three Thai nationals having been trafficked by three organizers, hardly represents the crime epidemic which this Consultation is painting on trafficking. Operation Maxim only had one case of living off the earnings of prostitution, which brings the total to four.

Enforcement

8.16 Anyone running a business needs to control their staff, and the law simply needs to protect sex workers from exploitation and abuse. It does not need to "control" or criminalise. Once brothels are decriminalized, good practice can be put in place, and there will be more choice. Exploitative and disrespectful bosses will no longer attract nor keep staff, and will go out of business.

8.18 If the Government has established an international network of Immigration Liaison Officers, why are they failing?

Protecting the victims of traffickers

The SFC looks forward to reading about the success of the POPPY Project, although we were shocked to hear of their proposal to criminalise clients who visit trafficked women for aiding and abetting the traffickers. We are pleased to learn of the Voluntary Assisted Returns Programme and hope that it will not leave trafficked people in serious debt and danger. We look forward to reading the Government's Best Practice Guide. We would like to know when all these findings and documents become available.

Consultation

What more can be done to crack down on international traffickers and support their victims?

See that the Immigration Liaison Officers effectively keep illegal immigrants out of the country. With the rest of the sex trade decriminalized, the police will have plenty of time to identify and charge traffickers who are coercive and abusive. The government needs to put in place methods of ascertaining whether or not the sex workers had chosen to come to Britain for sex work and whether or not they had been coerced or abused. Trafficked people should not be forced into more debt or danger. The model suggested in the SFC

Proposal (copy annexed) supports victims.

29 Trafficking is a highly organized international crime. How can we best coordinate international efforts to tackle it?

SFC questions the scale of it and suggest that the Immigration Liaison Officers and police do their job.

30 Further information?

No

31 How can we use intelligence led policing to investigate the links between prostitution and organized crime.

Decriminalise prostitution so that professional people rather than gangsters run it. Clamp down on coercive and abusive trafficking through international police collaboration.

Chapter 9 Considering the options

Shifting the focus onto prostitute users

9.3 The Sexual Freedom Coalition feels that clients need to be respected just like the clients of any other industry. Some need support, not prosecution.

A Pragmatic Approach

9.4 The SFC commends the suggestion that there should be acceptance of the sex trade.

Managed Areas

9.6 Designated non-residential areas and red light districts need drop-in centres and frequent police checks to ensure safety. Police also need to remove sex workers who are spreading HIV by operating whilst addicted to heroin or crack. Without protection, there is a risk

of violence.

9.7 The Sexual Freedom Coalition suggests that if prostitution is decriminalised, resources can be diverted to supporting tolerance zones. With brothels being decriminalised, more sex workers will choose to work indoors.

9.8 The Sexual Freedom Coalition agrees that it is very important not to force sex workers out of brothels into the streets.

9.9 Again, the SFC suggests that there are safe non-residential areas in towns such as banking districts and shopping areas. Red light districts can be created as in Holland, Germany and Japan.

9.10 Street prostitution will always exist, so it has to be accepted.

Regulating off-street Prostitution

9.11 The Sexual Freedom Coalition agrees that problems with off-street prostitution are much fewer than street prostitution

9.12 Prostitutes enjoy working together rather than in isolation.

9.13 Once prostitutes are working off street they need to advertise, so it doesn't take much police surveillance to locate them and find out if the brothel is run by traffickers with the sex workers in debt bondage, and coercion is or is not taking place.

Licensing Brothels

One aspect which the SFC is concerned about in the issue of licences, is the fee. It is very important that there is no fee, or that it is minimal. Sex Shop licenses cost an average of £18,000 – a sum prohibiting ordinary people from opening erotic boutiques which sell hard core videos.

The licensing system has not worked in Holland because clients prefer the unlicensed, illegal brothels, as they are cheaper. The only system that works is decriminalizing the unlicensed trade so that brothels can

be run like any other business.

Licensed brothels in Germany will shortly be required to offer work experience and apprenticeships if they employ more than ten staff members.

Since they provide a service, British licensed brothels would need to issue VAT invoices to clients. This makes decriminalization the obvious choice.

9.15 Responsible sex workers (not drug addicts) do not require health checks as they are ultra careful – this is their profession and, like any worker they do not want to be put at risk in the course of their employment.

Many sex workers are mothers and would not entertain underage people in their industry.

We would like to stress at this point that many sex workers are aware on how they are stigmatised by the law, the media, and their community. Most go to great pains to stress how they are good mothers, students etc, and object to being blamed as the ones who spread disease, break up marriages, or cause social problems.

Sex workers are experts at choosing their own locations and keeping control over their lives.

9.16 Growth of the trade may follow acceptability but not for long. When Denmark legalized hardcore pornography in 1965, there was an initial increase in sales followed by a slump, apart from purchases by tourists.

Licensing does not work and leads to criminality, i.e. evading licensing fees.

9.17 Organised crime needs to be dealt with. It only exists in places where activities are criminalized. Decriminalise prostitution and the professionals will take over (see SFC Proposal, annexed) and organized crime will be identified and disappear.

9.18 The German model with the state managed Eros Centres proved

twenty years ago that licensed brothels do not work.

9.19 Australia is very close to South East Asia and bound to be a target for traffickers. But they should have a system in place to deal with it. See Appendix 3.

9.20 The State of Victoria proved that licensed brothels under a legalized system do not work. Unlicensed decriminalisation is the answer.

9.21 There will always be a certain amount of drug taking in brothels and public houses. Brothel owners can be issued with guidelines on keeping to certain limits and recognizing danger signals, like publicans are. Decriminalised brothels would welcome advice on good practice and inclusivity.

9.22/3/4 The model adopted in New South Wales and New Zealand is close to what the SFC accepts and the rise in gonorrhoea matches the rise in the United Kingdom.

Attached is a video of a prize-winning documentary "My Body My Business" which was screened on Channel 4 in 2001. It demonstrates our point, that decriminalisation is the answer.

Registration

9.25/6 The Sexual Freedom Coalition is against compulsory registration. Our Proposal to the Home Office (copy annexed) invites registration for those sex workers who wish for referrals. This puts the onus on the sex worker to provide a good service.

Consultation

What lessons should we learn from experience around the world?

32 Should our response to street based prostitution involving adults accept or challenge its existence?

Prostitution will always exist – it even exists where there is a death penalty, e.g. in the People’s Republic of China and Saudi Arabia. Street workers stand at bus stops so how can the law prove they are not waiting for a bus and decide to accept a lift instead – apart from using entrapment techniques? The SFC suggested in our Proposal (copy annexed) that Safer Sex Centres in Health Centres employ outreach workers who stay in close contact with street workers to ensure they are not being pimped or addicted to drugs, and can put them into Compulsory Residential Rehab if they are.

33 Is there a case for designating managed areas at a local level? As already stated, we would like to see safe areas of towns being used for street work, as exist in the Australia, Germany, Greece, Japan, New Zealand, and Turkey.

34 Is it ever acceptable for sex to be sold from private premises? If so, what safeguards should be put in place?

It is acceptable and the private premises should have the same safeguards as other houses and businesses, e.g. wheelchair accessibility and health and safety at work.

35 Would registration help safeguard public health

No, the Sexual Freedom Coalition is against compulsory registration. Our Proposal to the Home Office (copy annexed) invites registration to those sex workers who wish for referrals. This puts the onus on the sex worker to provide a good service. Sex workers have a right of privacy.