

NMN submission to the NPCC on their ‘NPCC Sex Work Guidance’

31 June 2024

This is a response from Nordic Model Now! (NMN) to DCC Dan Vajzovic’s letter dated 29 April 2024 calling for input on the NPCC ‘Sex Work National Police Guidance’.

About us

NMN is a secular feminist grassroots women’s group campaigning for the abolition of prostitution and related practices (including pornography, lap dancing and surrogacy) and for the Nordic Model (also known as the Equality Model or Sex Buyer Law). All our members are unpaid activists and about one third have lived experience of the sex trade. We receive no public or institutional funding and rely entirely on donations (mostly small) from supporters. See <https://nordicmodelnow.org> for more information.

General issues

Public Sector Equality Duty

We are dismayed that DCC Vajzovic does not mention in his letter that the police are bound under the Equality Act 2010 by the Public Sector Equality Duty (PSED) and the need to ensure that the guidance is fully compliant with the PSED.

We know from FOI requests that **no steps** were taken to ensure that previous versions of the guidance were compliant with the PSED. The irony of the police failing to comply with the law is not lost on us – and we would urge the NPCC to ensure that this does not happen again.

The general duty of the PSED has three aims. EHRC guidance explains that these are to ensure that when developing policies:

“public authorities have due regard to the need to:

- 1. put an end to unlawful behaviour that is banned by the Equality Act 2010, including discrimination, harassment and victimisation*
- 2. advance equal opportunities between people who have a protected characteristic and those who do not*
- 3. foster good relations between people who have a protected characteristic and those who do not.”*

The guidance goes on to explain:

“Having due regard means that you have made yourself fully aware of – and understood – what the PSED requires, and that you have put this knowledge into practice. There is no standard legal definition of ‘due regard’, although various court cases have clarified the general duty and what ‘due regard’ means.

Advancing equal opportunities means:

- *removing or reducing the disadvantage that people with protected characteristics face*
- *taking steps to meet the specific needs of people with protected characteristics*
- *encouraging people with protected characteristic to participate fully in all activities, especially where they are underrepresented*

Fostering good relations means you are taking action to reduce prejudice and increase understanding between different groups of people.”

Government guidance explains that an appropriate response to the PSED depends on the function under development and should be proportionate to the “*seriousness of the potential equality impacts on those with protected characteristics*”.

This suggests that, as the NPCC ‘sex work’ guidance is likely to have the widest impact and is a response to the highly gendered institution of prostitution, very serious consideration must be given to the potential equality impacts of the guidance.

And yes, prostitution is an extremely gendered issue: more than 99% of clients (punters) are male and upwards of 80% of those selling sex are female – meaning that prostitution is something that men do to (mostly) women and girls. Being female comes under the protected characteristic of sex, which is therefore particularly relevant when considering prostitution policy. However, some of the other protected characteristics are also relevant because young, disabled, LGBT people, and people from minority ethnic groups are also disproportionately vulnerable to being drawn into prostitution and harmed within it.

There is a considerable body of research that shows that men’s prostitution-buying is associated with sexual misconduct, domestic violence and rape – as we explain in FACT: Buying sex makes men more prone to violence against women.

This suggests that the more prostitution that takes place, the more male violence against women and girls (VAWG) we can expect to see in the general community – meaning that unrestricted prostitution is likely to lead to more sexual violence and harassment against women and a worsening of general relationships between women and men in the wider community – in contravention of the Equality Act. This is highly relevant given that VAWG is now understood to be so widespread and serious that the Home Secretary has recognised it to be as grave a threat to the country as terrorism.

There is also evidence to suggest that sex industry venues (such as brothels and lap dancing clubs) and kerb crawling create a hostile environment for women and girls. A report into the Holbeck scheme, where kerb crawling was officially tolerated, showed that kerb crawling caused very real danger and distress to local women and children. Kerb crawlers frequently propositioned women going about their daily business and even girls in school uniform. Some kerb crawlers raped local women and subsequently used the defence that they thought it was acceptable because they believed she was a “prostitute”. As a result women felt so unsafe that many were reluctant to go out after dark – thus impacting their ability to participate in public life on an equal footing with men – again contrary to the Equality Act.

The impact of sex industry venues was summed up by a young woman who contacted us to tell us her experience:

“I was a student at University College London, and my campus was right next to Spearmint Rhino. Every day as I passed it, I had to endure vile comments from the male clients. Not only that – many times I’d get approached by the personnel who worked there telling me about all the money I could make. It was horrible.

My grandmother lives in Stuttgart. They have this place called The Paradise Club. It’s a large brothel owned by two rich men. It’s famous. I’ve been in that part of the town and you get harassed there. Also – and this is the nasty bit – the men who use them are vile. If you’re blonde like I am, you get real sleezebags come on to you. Their attitude to women is appalling. They take it from the clubs and strip joints out onto the street.”

Let’s think about what prostitution actually involves. While there may be some “service” elements involved, the main part of it is a man using a woman’s body for his gratification. Andrea Dworkin, who was herself in prostitution, describes it like this:

“Prostitution is the mouth, the vagina, the rectum, penetrated usually by a penis, sometimes hands, sometimes objects, by one man and then another and then another and then another.”

Prostitution is one-sided sex. He does not need to consider her pleasure or even wellbeing. He is paying to be in control. This has been confirmed by academic research. When we think of the reality of prostitution like this – rather than the widespread euphemisms – it really is no surprise that men tend to behave in predatory ways around venues and locations where prostitution is officially condoned. When the authorities condone prostitution and associated activities (like kerb crawling and lap dancing clubs), it sends out a signal to men that treating women as commodities they can rent for sexual use is acceptable, normal even.

To comply with the PSED, when considering policy on brothels and kerb crawling, the NPCC therefore needs to consider not just the impact on those directly involved but also the impact on the **whole community**, particularly women and children and other marginalised groups.

The NPCC needs to consider questions like: Is the presence of a brothel, commercial sex website, or large numbers of kerb crawlers likely to lead to an increase in men harassing

women in the community and other behaviour proscribed by the Equality Act 2010? Is it likely to put children in danger? Is it likely to make it more difficult for women and other under-represented groups to participate in public life on equal terms with men? Is it likely to lead to more men considering women to be objects for their sexual consumption as if they are not full human beings? Is it going to negatively impact the general relationships between women and men? Is it likely to increase men's abuse of women in the home? Is the policy likely to normalise and legitimise prostitution and so lead marginalised girls and young women to think that entering prostitution might be a viable option? Is it likely to lead to men thinking that paying to use and abuse women in prostitution is of no more consequence than paying for a haircut?

If the answer to any of these and similar questions is yes, then to comply with the PSED, the NPCC would need to reconsider the policy.

Collapse in prosecutions

Last year, we analysed the government's data on prosecutions and convictions for prostitution-related offences in England and Wales. The results were more extreme than even our worst fears. We found that there has been an almost **total collapse** in prosecutions for prostitution-related offences. The following chart shows the average number of prosecutions for all the prostitution-related offences over the five years to 2022.

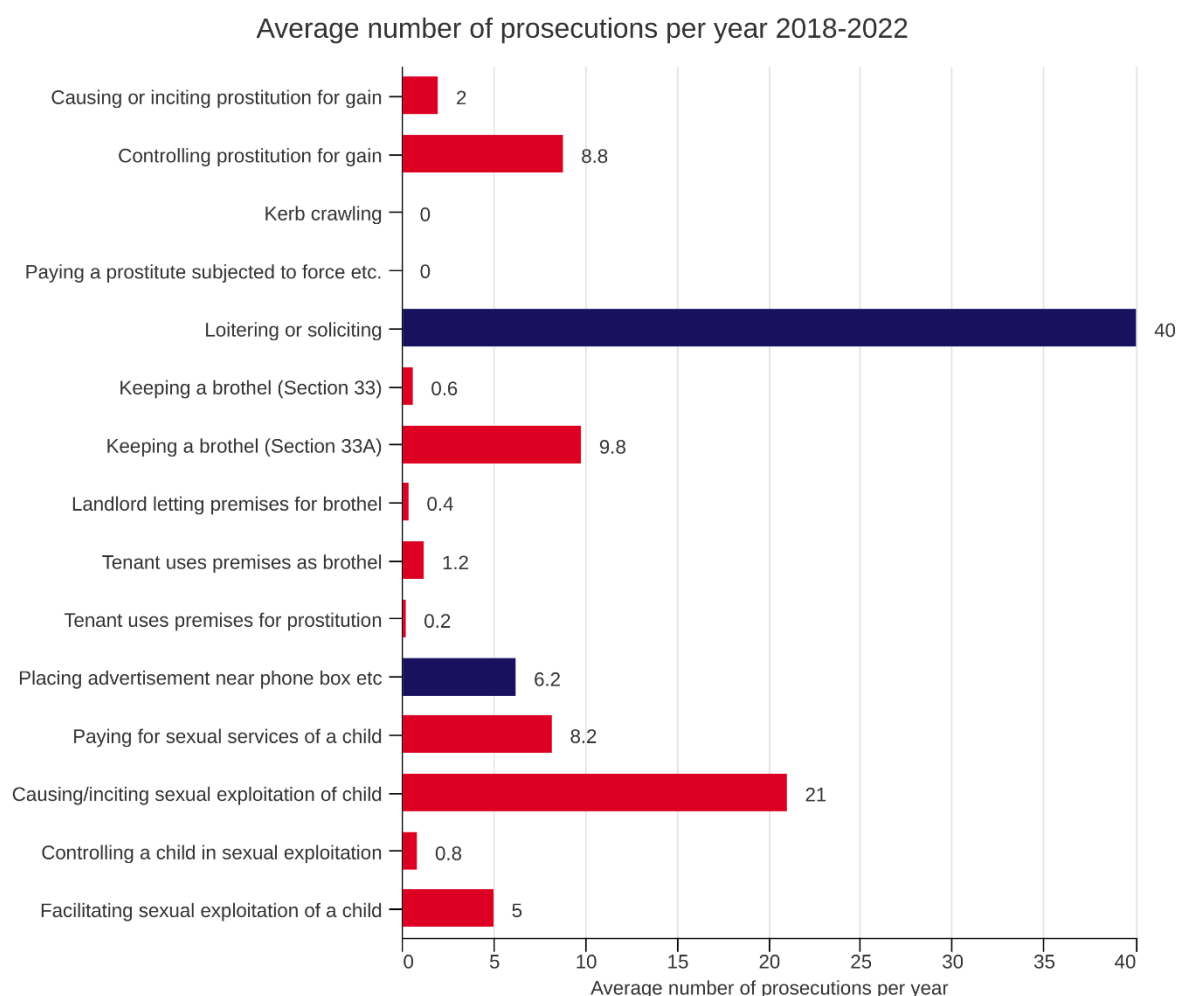


Figure 1: Average number of prosecutions for prostitution-related offences per year 2018-2022

There were **no prosecutions** whatsoever over those five years for kerb crawling or paying for sex with someone who has been coerced and **only a handful** of prosecutions on average per year for the pimping and brothel keeping offences. This means that all these offences are in practical terms more or less decriminalised. But, shamefully, there were a significant number of prosecutions of women for loitering and soliciting to sell sex.

This suggests that current police practice goes far beyond their remit and is usurping the role of parliament in deciding the criminal law – including for the indictable offences. This is untenable. We believe that this is at least partly down to the NPCC guidance. It is therefore of the utmost importance that the NPCC address the serious shortcomings in the guidance as a matter of urgency.

For our analysis of the data on prosecutions and convictions, see [Has prostitution effectively been decriminalised in England and Wales while we weren't looking?](#)

Obligations under international law

The UK has ratified a number of international treaties that are relevant to prostitution policy. While some or all of these treaties have not been incorporated into UK law, they are still

binding under international law (under the Vienna Convention on the Law of Treaties). We know from FOI requests that the NPCC did not consider the UK's obligations under these laws when developing previous versions of the guidance. This must not be allowed to happen again.

Of particular relevance are:

- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol).
- Council of Europe Convention on Action against Trafficking in Human Beings (the CoE Convention).
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC optional protocol on the sale of children).
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Convention against Torture).

Each of these treaties was the result of work by experts and international negotiation. When the UK government ratified them, it agreed to implement their measures. While their implementation in national legislation is the responsibility of parliament, they provide important frameworks for understanding the issues they address and we argue that police need to understand and respect these treaties and to ensure that they do not adopt policies that **contravene their measures** or that recommend **not enforcing** such legislation that parliament has put in place to comply with the treaties.

Of particular relevance to police policy on prostitution are:

- CEDAW Article 6
- The Palermo Protocol Article 9
- The CoE Convention Article 17

We provide further information about each of these below.

CEDAW Article 6

CEDAW Article 6 is as follows:

*“States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and **exploitation of prostitution of women**.” [Emphasis added]*

“Exploitation of prostitution of women” does not mean treating women involved in prostitution unfairly, as some sex industry lobbyists suggest. Rather it means **third parties profiting or benefiting in other ways from women’s prostitution**. This obviously includes pimping and brothel keeping – meaning that the UK has a binding obligation to suppress pimping and brothel keeping.

That CEDAW places an obligation on nations to suppress third parties profiting from women’s prostitution is an implicit recognition that prostitution is inherently harmful. There is no such obligation to suppress third parties profiting from women’s sewing, farming or catering for example – because these are not inherently harmful activities.

The NPCC should keep this firmly in mind when developing policy around enforcing the legislation against pimping and brothel keeping that parliament has passed. Parliament has created indictable offences for these, and they need to be enforced to comply with the UK’s obligation under Article 6. It is therefore doubly wrong for the NPCC to make policy advising police forces up and down the country to **not enforce** these laws.

Palermo Protocol Article 9

Article 9 of the Palermo Protocol is about **prevention** of human trafficking and the **protection of victims** of human trafficking, especially women and children. Some of the detail is outside the remit of the police – for example, the need for measures to address poverty. However, point 5 requires ratifying states to adopt measures to “*discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking*”.

Human trafficking for the purpose of exploiting (i.e. profiting from) women’s prostitution is the most lucrative and prevalent form of human trafficking. Recent Research found that sex traffickers in the UK make around **£20,000 per month per woman** whose prostitution they are exploiting. No other type of human trafficking leads to such vast profits.

Pimps and sex traffickers can make these eye-watering profits because a large number of men in the UK are prepared to pay to use and abuse women in prostitution. If men were not prepared to pay for prostitution, the main incentive for trafficking – its vast profits – would disappear.

Research shows that the biggest disincentive to any offence is a real risk of being caught and exposed. But this is even more so with prostitution buyers, who invariably do not want their wives, girlfriends, employers, and community to know that they pay to sexually use women, the vast majority of whom are marginalised and often desperate.

As a response to ratifying the Palermo Protocol, parliament introduced measures in the Policing and Crime Act 2009 to address men’s demand for prostitution as required by Article 9 – specifically sections 51A and 53A of the Sexual Offences Act 2003. These are the kerb crawling and paying for sex with someone who has been coerced offences. It is quite wrong

therefore for NPCC guidance to implicitly or explicitly encourage the non-enforcement of these offences even though they are both summary offences.

The police have an obligation under international law to enforce laws that send out a clear message that prostitution buying is wrong and that penalise pimps, brothel keepers, kerb crawlers and men who pay for sex from someone who has been coerced – and also to apply the law creatively against commercial sex websites, which normalise prostitution and encourage men’s demand for it.

Another aspect of Article 9 is that it calls for ratifying states “*To protect victims of trafficking in persons, especially women and children, from revictimization*”.

Most pimping meets the international definition of human trafficking. This means that the UK has an obligation under international law to protect women and children from being re-victimised by pimps (aka human traffickers). Pimps are one of the key factors preventing women exiting prostitution and escaping being pimped/trafficked – so the lack of enforcement of the pimping and brothel keeping legislation by the police means that tens of thousands of women in the UK are trapped in sex trafficking situations with little hope of escape.

In not enforcing the pimping legislation, the police are leaving women in a situation of re-victimisation in direct contravention of Article 9.

They are quite possibly also leaving her in a state of cruel and degrading treatment, if not outright torture, as defined in the Convention against Torture. (Think of the Andrea Dworkin quote above and then tell us that being penetrated multiple times a day by random men is not cruel and degrading.) By making the non-enforcement of the laws against pimping national policy, the police as agents of the UK state, are contravening this convention.

See What I Learnt at the UN Committee Against Torture’s Review of the UK for background on this.

The CoE Convention Article 17

Article 17 of the CoE Convention requires ratifying states to aim to “*use gender mainstreaming in the development, implementation and assessment of the measures*”.

This is how the CoE defines gender mainstreaming:

“Gender mainstreaming means integrating a gender equality perspective at all stages and levels of policies, programmes and projects. Women and men have different needs and living conditions and circumstances, including unequal access to and control over power, resources, human rights and institutions, including the justice system. The situations of women and men also differ according to country, region, age, ethnic or social origin, or other factors. The aim of gender mainstreaming is to take into account these differences when designing, implementing and evaluating policies, programmes and projects, so that they benefit both women and men and do not increase inequality

but enhance gender equality. Gender mainstreaming aims to solve –sometimes hidden- gender inequalities. It is therefore a tool for achieving gender equality.”

This means that it's not enough for the NPCC to claim their policy is gender neutral – that they treat all kerb crawlers the same regardless whether they are male or female, for example. There are many reasons why kerb crawling is a uniquely male behaviour and why women are extremely unlikely to do it – and the implications of prevalent kerb crawling in a community is very different for women than men – not least because women are almost always the target of kerb crawling.

So when considering whether to enforce the kerb crawling legislation, for example, the NPCC needs to consider the impact on women and children in the community. Similarly when considering whether to enforce the pimping and brothel keeping legislation and the response to commercial sex websites.

The UN Special Rapporteur on VAW's report to the UN Human Rights Council.

Reem Alsalem, the UN Special Rapporteur on VAWG, has recently released a comprehensive report on prostitution to the 56th regular session of the UN Human Rights Council. We urge you to read it in full. You can [download it here](#).

Our response to the NPCC guidance

We posted responses to the latest NPCC guidance and the previous guidance on our website. We urge you to read them in full:

- [The New National Police Sex Work Guidance: The good, the bad and the downright shameful](#)
- [A Sexist Prism: National Police Guidance on Policing Prostitution](#)

1. Use of the term 'sex work' for the working group

There are many reasons why we oppose the use of the 'sex work' term by the NPCC as a synonym for 'prostitution'.

Unlike the term 'prostitution', there is no legal definition of 'sex work' and many of the activities covered by this term are not covered by legislation. For example, the annual [student money survey](#) includes the following activities in the 'sex work' term: selling intimate photos, selling soiled underwear, phone sex, OnlyFans, nude modelling, lap dancing, webcamming, acting in porn films, sugar dating, escorting, and 'sex services via social media'. Of these, only the last three – sugar dating, escorting and 'sex services via social media' come under the prostitution legislation, on which the NPCC is providing guidance.

All of these activities have different risks – although we argue that they are all damaging to women and girls and to society more generally because they position women as commodities for men's sexual entertainment and ego massage. They all therefore contribute to a culture of

inequality between the sexes that feeds men's entitlement and sense of superiority – the very attitudes that are well documented to underly male sexual violence and misconduct.

The 'sex worker' term is used to describe people engaging in any of these activities and there are many known cases of people who are pimps or brothel keepers describing themselves as 'sex workers'. This means that many people who claim to be 'sex workers' have never experienced prostitution as it is legally defined and may be profiting from someone else's prostitution. This leads to confusion, misunderstanding and the obfuscation of vested interests. It is therefore wrong for the NPCC to endorse this terminology in this way.

When listening to someone claiming to be a 'sex worker', it is vital that the NPCC is clear what that person's experience in the industry actually involved – and to consider what vested interests there might be. For example, does the person have a financial interest in the success and expansion of the sex industry – either directly or indirectly? Directly might be because they openly or clandestinely profit from other people's prostitution (by 'managing' one or more women involved in prostitution or a website that advertises other people for example). Indirectly might be because they have built a career in academia, politics, NGOs or the media predicated on the notion that "sex work" is real work. In our experience, many of the loudest voices arguing for full decriminalisation of the industry fall into these categories and do not represent the vast majority of women involved in prostitution in the UK and globally.

The NPCC needs to listen carefully to all sides of the arguments and to critique claims by those who have vested interests and research funded and promoted by those with vested interests. For example, sex industry lobbyists frequently claim that "all sex worker-led groups" around the world support the full decriminalisation of the industry and they point to the NSW website as the proof. This is an outright lie.

While the NSW does indeed have an impressively long list of member organisations from around the world, it is important to understand the inequality of arms between organisations that promote full decriminalisation and those that promote alternatives like the Nordic Model.

Most of the large funding bodies that fund women's organisations (such as the Open Society Foundation, Bill and Melinda Gates Foundation, Mama Cash, and many of the UN subsidiaries) have been captured by sex industry lobbyists and do not generally provide funding to organisations working in this arena that do **not** support full decriminalisation. This means that women's organisations that do not support full decriminalisation are typically starved of funding and those in the global South in particular often do not have the resources for a website and are therefore more or less unknown internationally.

According to Companies House, NSW had an income of nearly £2 million in 2022. We are not aware of any equivalent organisation in Europe whose main activity is lobbying for the Nordic Model that has anywhere near this amount of funding.

We know of a number of organisations internationally led by women who have lived experience of prostitution that support the Nordic Model approach and are vehemently

against full decriminalisation. But generally, like Nordic Model Now! they run on a shoestring and don't have resources for big marketing campaigns.

There are many obstacles to women who have lived experience of prostitution speaking out publicly about their experiences. For example, we know of a woman who successfully exited prostitution after escaping her pimp and managed to get a good job with a large employer – but one of her old punters recognised her and contacted her employer. It was only after securing a lawyer that she was able to retain her job. Other women have told us that their children were bullied at school when it came out that their mum had previously been in prostitution. This is not to mention the appalling harassment that survivors who speak out against the sex trade get on social media from sex industry promoters – to the point that many of them delete their accounts. For these and similar reasons, women know that speaking out about the reality of their experiences in the sex trade is fraught with danger.

The NPCC needs to understand this reality and make a serious effort to listen to and hear the most marginalised voices, rather than relying on the loudest voices especially those with conflicts of interests, which may not immediately be obvious.

The NPCC also needs to understand that the introduction and promotion of the “sex work” and “sex worker” terminology was part of a deliberate attempt by international sex industry lobbyists to change the image of prostitution from seedy and exploitative to something apparently wholesome and healthy. Their success has been a catastrophe, not only for the reasons explained above, but because the term “sex work” implicitly positions prostitution as a normal job, which suggests that it is ethical and harmless. As a result, many marginalised girls and young women consider prostitution a viable option, typically with disastrous personal results, and men are more likely to buy sex because they see it as not fundamentally different from paying for a haircut. It is no surprise therefore that there has been a rapid increase in the size of the prostitution industry in recent years.

The NPCC using the “sex work” term could be seen as a violation of Article 9 of the Palermo Protocol, because it normalises and trivialises prostitution, which inevitably increases men's demand for it and therefore inexorably leads to more sex trafficking.

We therefore suggest that the NPCC reverts to using the prostitution term. This does not mean they have to use the “prostitute” term, which does have negative connotations. Alternatives are: woman (or man) involved in prostitution, woman (or man or child) exploited through prostitution, sex trafficking victim, or woman (or man) who sells sex, etc. But for the activity itself, we are clear that the correct term is prostitution.

As prostitution survivor Rachel Moran once memorably said, prostitution is an ugly word, but prostitution is an ugly institution so this is not a bad thing. Everyone knows what it means: someone (almost always a man) pays for the sexual use (and often abuse) of someone else (usually a woman or child) and some or all of the money goes into the pocket of a third party (the pimp). This is all conveyed in the prostitution term. Using a euphemism like “sex

work” does not change the reality – but it does reduce people’s ability to understand it and therefore to respond appropriately.

What does the evidence tell us about...

... the different contexts in which the exchange of sex for money or other resources between adults take place?

The 2019 Home Office-funded study carried out by Bristol University, ‘The nature and prevalence of prostitution and sex work in England and Wales today’, lists the following fourteen settings and services:

- Bar-based sex work and hostess bars
- BDSM, kink and fetish
- Brothels, parlours, saunas
- Erotic and exotic dance
- Erotic massage
- Escort: independent
- Escort: agency
- Pornography, Glamour and Erotica
- Sex parties
- Street and outdoor
- Sugar arrangements
- Telephone, text-based, TV-based, Live voyeurism
- Therapeutic services
- Webcamming

The study provides interesting detail on each one of these. We would like to add to this with personal testimonies that we have collected from women, mostly in the UK, which provide important insights into the reality of some of these options. We urge you to read them in full.

- BDSM: Miseducation – This is not a love song
- Brothels: ‘If I had known the truth about what awaited me in that brothel, I would never have been there’
- Erotic dance: ‘I do not believe that by decriminalising this violent and horrific patriarchal institution that we make women safer’
- Escort (agency): Megan King
- Escort (independent): Harriet
- Pornography: Suzzan Blac discusses her life, trauma and extraordinary art
- Sex parties: Supporting the pimp lobby so it doesn’t come for your children
- Street and outdoor: Anna’s Story
- Sugar arrangements: The toxic world of ‘sugar dating’
- Telephone: My NIGHTMARE as a PSO on Niteflirt
- Webcamming: Three Dangerous Myths About Webcamming, Debunked

... the pathways into sex work?

Studies of prostituted women and girls in the UK published by the Home Office in 2004, and a research study published by Eaves in 2012, found that:

- 33% had been “looked after” children.
- 50% started before they were 18.
- 72% had been abused as children.
- 50% were or had been homeless.
- 50% were coerced into prostitution.
- 39% had no formal qualifications.
- 83% disclosed current or former problematic substance or alcohol use. 30% became involved in prostitution before commencing substance or alcohol use. For others, their substance use increased after entry into prostitution.
- 50% were coerced into continuing.
- 52% had debts which make it difficult to leave.
- 49% had a criminal record relating to prostitution and 67% for non-prostitution-related offences.

Research mapping of commercial sex in London published in 2004 found that women from 93 different ethnicities were involved in prostitution from flats, massage parlours and saunas in London. Only 19% of the women were from the UK.

Since these studies, there has been a sharp rise in the number of women entering prostitution for a variety of reasons, including:

- **Poverty.** Increasing poverty caused by more than a decade of government austerity policies, and benefit cuts and sanctions has led to large numbers of women entering prostitution as a last resort against destitution. Being pushed into prostitution through extreme poverty is sometimes termed ‘survival sex’. In 2019, the government acknowledged that this was a problem after evidence uncovered by the Work and Pensions Select Committee. See our Statement on Universal Credit and ‘survival sex’ for more on this.
- **Students.** Changes in student funding have left large numbers of students in near destitution. Many universities (for example, Surrey University) produce “student sex worker toolkits” which purport to keep students safe but present the sex industry as a viable option for students experiencing financial difficulties and therefore lead to more students entering the sex industry and being harmed there. Often these toolkits don’t provide information about organisations that support women to exit prostitution – meaning that students have nowhere to turn if they wish to leave the sex industry. For more on this, see The Nordic Model Now! Handbook for Universities.
- **Porn and “sex work” propaganda.** Our porn-saturated culture and “sex work is real work” propaganda mislead women and girls about the true nature of prostitution, and grooms them to accept sexual objectification and prioritising men’s needs rather than their own. This increases women and girls’ likelihood of entering the sex industry “voluntarily”

but without informed consent – and also makes them easy targets for pimps and traffickers. Sandra Norak’s testimony explains how the normalisation of prostitution in Germany facilitated a pimp grooming her into prostitution. The increasing normalisation of prostitution and the effective decriminalisation of pimping and brothel-keeping in the UK are similarly facilitating pimping and sex trafficking.

- **Child sexual abuse.** High rates of child sexual abuse, the exposure of children to hardcore pornography (which is itself a form of child sexual abuse) and the increase in boys’ and young men’s sexual misconduct and aggression, make many girls and young women feel that as they are being sexually abused anyway, they may as well get paid for it – as Sarah explains.
- **Webcamming, lapdancing and “sugar dating”.** Webcamming, lapdancing and “sugar dating” are all gateways to prostitution. The rise of “sugar dating” platforms is also luring girls and young women into prostitution, as Mila’s testimony explains.
- **Social media.** There is evidence that social media platforms like Instagram and Snapchat are funnelling girls towards OnlyFans, which in turn tends to funnel women into prostitution because most women do not make the amount of money on OnlyFans they have been led to believe and men hassle them for private in-person meetings for paid sex.
- **“Looked after” children.** The number of children in the care of the state has skyrocketed over the last decade. Children, particularly girls, in care are especially vulnerable to being pimped and sex trafficked, as ‘Alice’ explains.
- **Pimping/sex trafficking.** The “sex work is real work” ideology, new technologies (such as the large commercial sex websites), and the practical decriminalisation of pimping and brothel keeping in England and Wales have all led to an increase in pimping. Research from 2012 based on in-depth interviews with more than 100 UK women involved in, or exited from, prostitution found that 50% had suffered some form of coercion. There is no reason to believe that the proportion of women involved in prostitution who are coerced is any lower now and in fact it is likely to be even higher due to social, cultural and technological changes over the last decade.
- **Migrants.** “Hostile environment” policies, draconian immigration legislation, and no recourse to public funds policies have all increased migrant women’s poverty, precariousness, and levels of destitution – making them even more vulnerable to entry into prostitution than women who are British citizens or have secure immigration status.
- **Domestic abuse.** There is a relationship between domestic abuse and entry into prostitution. Firstly, many women are coerced into prostitution by their male partners, who act as their pimps. The relationship between pimping and domestic abuse/coercive control is often unrecognised – but needs to be understood by the police. Secondly, women leaving abusive relationships are at high risk of being sucked into prostitution – due to debt, poverty, and/or a lack of alternative options. This has got worse over the past

decade due to increased levels of domestic abuse combined with austerity policies that have led to the closure and erosion of services, benefit cuts, and the loss of women's jobs, etc.

- **Homelessness.** Homelessness pushes large numbers of women into prostitution. Homeless women are less visible than homeless men, because they are less likely to be sleeping on the street due to the serious risk of violence. Many sofa-surf, accept "sex for rent" arrangements, stay in crack dens, and/or turn to prostitution, as Harriet explains. Many are pimped and many have substance use issues. Services for these women are generally inadequate and patchy. Many women-only hostels have closed, while the provision of mixed accommodation and hostels for homeless men has increased. Mixed sex provision is generally unsuitable for these women. Most drug rehabilitation schemes are also geared more towards men and are often inappropriate.
- **Drug dealers.** Drug dealers are known to deliberately get girls and women hooked on drugs and then force them into prostitution to pay for them. This is a not uncommon route into prostitution and drug addiction is one of the key factors that trap women in prostitution. Suitable drug rehabilitation services for women who have experienced prostitution are scarce.
- **Child sexual exploitation.** The exploitation of children's prostitution is now referred to as child sexual exploitation, but this does not change the fact that pimps/traffickers coerce children into prostitution for gain and that the money that men pay for sexual use of a child is a key driver of this heinous crime. It is not possible to separate the prostitution of children and adults – rather it is a continuum, with many adult women involved in prostitution having been pimped into it as children. The notion that on her 18th birthday she is suddenly transformed into an adult "sex worker" making a free and informed choice is as absurd as it is damaging. We recommend reading Sian's story for a harrowing insight into the reality of child sexual exploitation.

All of this suggests that involvement in prostitution is not a free and fully informed choice out of multiple viable options but rather that most women enter prostitution as a result of poverty, inequality, disadvantage and marginalisation, coercion by individuals, and grooming by our pornified culture and the promotion of the misleading idea that prostitution is a normal and viable job.

There is much evidence that getting out of prostitution once embedded in it is difficult. Services that provide these women with meaningful support to exit and rebuild their lives are few and far between. We recommend this article from Alice Glass for an insightful account of the issues.

... the experience of those described as being engaged in 'sex work'?

For the reasons that we have explained above, this question is confused and confusing. Does it mean women and others engaged in prostitution (i.e. "full-service sex work") or women

and others who sell their soiled underwear to random men on the internet? Or women engaged in “phone sex”, stripping, webcamming, or selling intimate photos? Or a dominatrix who does not remove her clothing or engage in intimate contact with clients?

This illustrates one of the drawbacks of the “sex work” term. These activities are all referred to as “sex work” but most do not come under the criminal law, which begs the question how they are relevant to a consultation on national guidance on policing prostitution, which does come under the criminal law. And why would asking this question that potentially covers so many different activities, most of which are outside the criminal law, be likely to provide accurate and focused data relevant to the issue at hand – developing national guidance on policing prostitution?

We will respond to this question **as if it were referring to prostitution *per se***.

Multiple studies of women involved in prostitution have found that around 85-90% want to get out of prostitution but don’t know how.¹ Dr Vednita Carter illuminated this when she was in London in 2019. Carter was herself involved in prostitution for a couple of years as a teenager and went on to set up a not-for-profit, Breaking Free, to help other women and girls get out of the industry.

She talked about the group work she does with young women, some still in prostitution, some taking their first steps out of it. When you ask them what they like about prostitution, she said they talk about how good it feels to have money. But when asked how they feel when they get down on all fours and take his dick into their mouth, they all start to cry. This graphically illustrates that the reality of prostitution – the actual embodied reality – is humiliating and distressing – before even considering that it’s also fraught with violence.

Recent research into women who have experienced prostitution found that survivors “reported long-term negative alterations in feelings about the body, sex, and physical touch” after they had escaped the situation and that “these negative outcomes did not differ across women who self-perceived as consenting and women who self-perceived as forced”. This is further evidence that prostitution is **inherently damaging** to the individuals concerned, regardless whether they apparently entered it freely or through outright coercion.

Many women who have experienced prostitution talk about how when they were in it, they vehemently defended it and refused to countenance the idea it was anything other than a free choice and a normal job. However, when they’d exited and succeeded in building a life outside the industry and looked back, they realised that the entire experience had been little short of a nightmare.

¹ For example, https://www.tandfonline.com/doi/abs/10.1300/J189v02n03_03. Also see Lynda M. Baker et al., Exiting Prostitution: An Integrated Model, 16 VIOLENCE AGAINST WOMEN 579, 588–90 (2010) (summarizing studies of barriers); Janice G Raymond, Not a Choice, Not a Job; and Monica O’Connor, The Sex Economy. An American physician writing nearly a century ago observed nearly universally, “[w]hen once engaged in prostitution, it is difficult for the woman to escape from it unless powerful social forces are brought to bear.” James P. Warbasse, The Causes of Prostitution, TWENTIETH CENTURY MAG., July 1912, at 219.

A woman who we know but who wishes to remain anonymous explained this very brilliantly in her piece entitled 'Why I defended the sex industry'. Here is a short extract, but we urge you to read the piece in full.

“If you imagine a situation to be inescapable you do whatever you can to make that situation agreeable. Coming to accommodate misery, in this way, is an insidious process.

With specific regards to prostitution, if those who enter it have for years previous been emotionally or socially neglected, treated with ambivalence or indifference, and/or outright abuse (particularly) the psychological groundwork of ‘low personal expectations’ has been well and thoroughly set. [...]

It took me a while to stand objectively back from the industry, to see it more clearly.
But like an in-denial addict, things had to get really bad first. Eventually I became forced to see, that whilst involved in prostitution I had begun to reject life outside of it...friends, hobbies, values and opinions. I saw how I had become anxious, depressed, self-hating, panicky. I saw how my life became nothing more than me oscillating between being drunk to cope with working, and working to afford being drunk. I saw that I no longer cared about myself at all.

I saw friends who had previously been reasonably stable have mental breakdowns, and run in to rages at the smallest perceived slight or discomfort. Increasing deficits in social coping, it seemed to me, were the result of years of having little boundary between them and the ‘outside’ world. Of having almost no ability to discriminate in who could touch them, who could use them. One friend poured bleach into her vagina, thought daggers were coming out of the pupils in her ‘client’s’ eyes and eventually just disappeared. Confronting these distresses meant confronting my own. The distresses of the industry, covered in its supposed ‘glamour’, ‘sexual liberty’ and ‘freedom’.

After slipping closer to thoughts of suicide I decided to try and escape. It was my ‘back against the wall’ moment. However I had an apartment I had to pay for, debts mounting up, anxiety so severe I could not even get on a bus or go in a shop. Out of desperation I rang a charity that aimed to support women in getting off the streets, but to their own frustration, they did not have the funding or the facilities to do anything more than listen to me cry down the phone...” [Emphasis added]

Many other women have echoed similar things. Michelle Kelly writes very lucidly about these forces. Again we urge you to read her piece in full. Here is a short extract:

“I was initially trafficked into an area of the sex trade that is often assumed to be ‘high end’. More palatable. Less dangerous. My experiences taught me those assumptions are wrong. I worked alongside women who had been trafficked as minors. I worked alongside women who suffered horrific abuse and exploitation daily. I have never, either within the industry or without met a woman involved in prostitution who

wanted to be there. And yet had you asked me that question at the time I would have lied to you. I would have told you I was making a choice and gone to great lengths to hide the reality of my abusive partner, my drug addiction and the depth of trauma I was experiencing. Lying to others helped me to lie to myself.

Of course, I cannot claim that is true of other prostituted women (or men, though we are overwhelmingly talking about women). Nevertheless it is interesting how many survivors of the sex trade talk about the need to deny what they were really experiencing, while they were experiencing it. Again, this is another tactic that is similar to that of someone experiencing abuse. A certain amount of denial and disassociation is often necessary just to survive.” [Emphasis added]

The police need to understand these dynamics when listening to “sex workers” and devising policy around prostitution.

There also needs to be recognition that prostitution involves a huge amount of outright violence – and that online pornography, by normalising violent, abusive and often dangerous sexual practices, has led to an increase in violence in prostitution. It is well known that a key reason many men use prostitution is to engage in sexual practices that their wives or girlfriends won’t put up with. Strangulation, fisting, anal sex, and ejaculation, urination and even defaecation on the woman’s body are all now increasingly common expectations in prostitution. All of these practices come with significant dangers, including loss of life. However, the power imbalance inherent to prostitution means that most of the women have little choice but to acquiesce to such requests and expectations whether they want to or not.

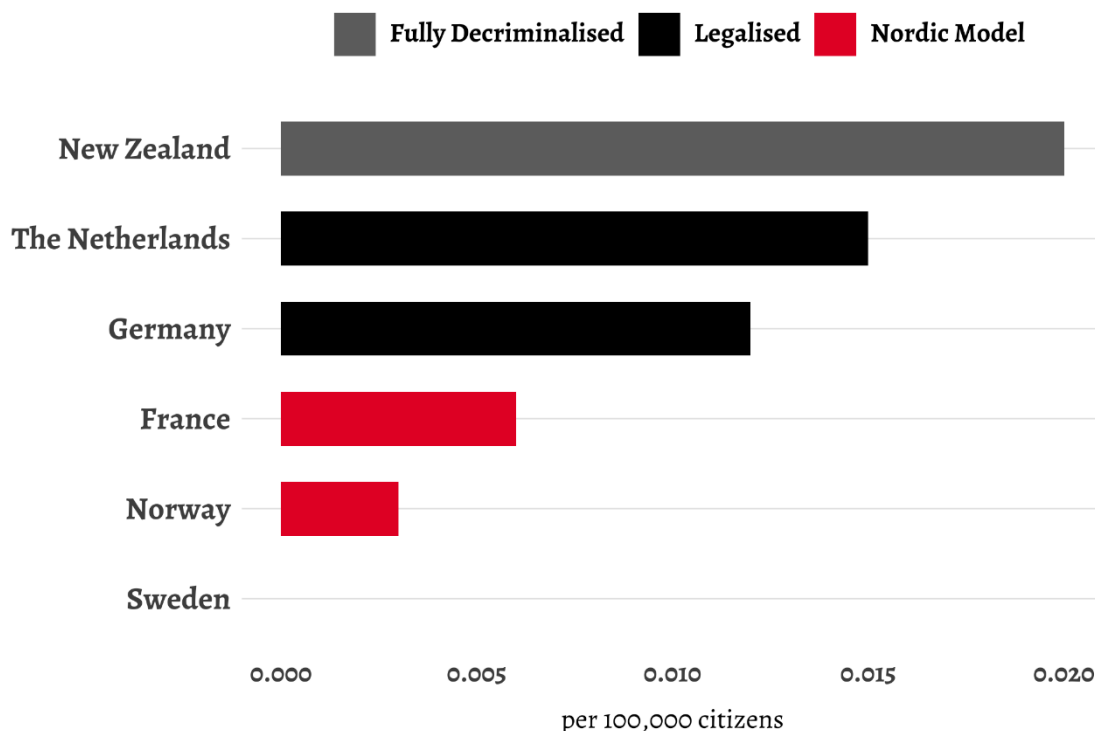
The more prostitution is normalised and the bigger the industry, the less power women have within it, as we have seen in Germany.

Many academic studies of women involved in prostitution have found staggering levels of violence within prostitution. For example:

- A study of 854 people involved in prostitution in nine countries found that 71% had been physically assaulted in prostitution, 63% had been raped (which in this context means sex for which she wasn’t paid), 64% had been threatened with a weapon, and 89% wanted to escape prostitution but didn’t have other options for survival.
- Research conducted by the UCL Institute of Health found that violence is a prominent feature in the lives of women involved in prostitution regardless of setting; a single year of engagement is likely to have the same impact on mental health as an entire life of experiences prior to involvement; and social exclusion is the leading cause of entrance and is **often deepened** as a result of engaging in it.
- The Eaves study mentioned earlier found that “61% of women in the sample reported experiences of violence from buyers of sexual services”.

- A Swiss study conducted a standardised assessment of the mental health of women involved in prostitution in a variety of settings. It found **very high rates of mental disorders** and that these were correlated with the high levels of violence from pimps and punters.
- A recent study in Iran found “sex workers had extensive experience in five forms of violence: physical, barbaric, psychological, sexual, deception and robbery. Moreover, violence was deep-rooted in their previous experiences prior to becoming a prostitute, leading to the formation of yet another type of violence, called hidden slavery with male or female pimps.”
- Multiple peer-reviewed studies² have found a **very high incidence of PTSD symptoms** among women with lived experience of prostitution – ranging from 47-68%. This is double the rate that you would expect to find in soldiers returning from active service in a war zone. In addition, the PTSD that these women suffer is typically more complex than that found in combat veterans.
- A US study found not only **extremely high mortality rates** in women involved in prostitution but also a homicide rate of 229 per 100,000, which is many times higher than the highest workplace homicide rates of any regular occupation, and about 10 times higher than US soldiers killed in combat. A British study also found a **very high murder rate** among women involved in prostitution. A US academic made the astute comment that this shows that prostitution is “not ‘work,’ but in fact a form of socially sanctioned violence”.
- Legal scholar, Catharine MacKinnon, explained the lack of civil rights commonly experienced by women involved in prostitution.
- A data scientist we work with analysed the homicide data of women involved in prostitution in six countries with different legal approaches to prostitution – Sweden, Norway and France as examples of the Nordic Model, and New Zealand, Germany and the Netherlands as examples of full decriminalisation and legalisation. They found that the homicide rates were much higher in New Zealand, Germany and the Netherlands than the Nordic Model countries. This supports our position that nothing can make prostitution safe and the more prostitution that happens, the more homicide of the women involved there will inevitably be. This suggests that policy and legislation should be focused on reducing the size of the industry, preventing marginalised young people’s entry into the industry, and providing genuine routes out for those trapped there.

² <https://pubmed.ncbi.nlm.nih.gov/31679445/>
https://www.researchgate.net/publication/286750917_Violence_and_post_traumatic_stress_disorder_in_a_sample_of_inner_city_street_prostitutes
https://www.tandfonline.com/doi/abs/10.1300/J189v02n03_03
https://www.researchgate.net/publication/289782226_Posttraumatic_stress_disorders_in_prostitutes_Results_of_a_study_in_Hamburg_in_the_context_of_an_international_project



Data source: <http://www.sexindustry-kills.de>; Female citizens

Figure 2: Average annual rate of homicide of women involved in prostitution per 100,000 female population

All of the above suggests that prostitution is not a neutral or individual act. Rather it is a form of male violence against women and girls and a key part of the institutional and structural system that maintains male supremacy and female subordination. It is violence against the women and others it is used against and it normalises and legitimises male sexual entitlement and violence against women and children more generally.

We believe that it is therefore irrational for the NPCC to maintain its stance that prostitution is not necessarily violent and that men's use of prostitution must be respected and their "privacy" to use it must be upheld.

2. Should police continue to work with Adult Service Websites?

Absolutely not. We set out our reasoning why we believe these websites should be closed in the text of [our petition](#), which we urge you to read in full. We also urge you to read the [report of the Scottish Cross Party Group into Commercial Sexual Exploitation's inquiry](#) into commercial sex websites in full.

But for avoidance of doubt, our reasons for recommending that the police end all partnership with commercial sex websites include:

- Commercial sex websites enable and profit off the prostitution of the women being advertised. In other words, the websites themselves are pimping. Allowing these websites free rein is therefore contrary to CEDAW Article 6 and is arguably an offence under Section 52 of the Sexual Offences Act 2003.
- The police partnering with these websites enables the companies that run them to use this to enhance their status and market share, and to gain credibility – and to lobby for legislation and policy to their benefit.
- These websites hire retired police officers in part at least in order to access to the intelligence gained during their police career. The police therefore also have a personal conflict of interests in partnering with these websites.
- Commercial sex websites are today's red-light district and mega-brothel. They have made buying women for sexual use and abuse easier than ever before. Instead of going out to a physical brothel or street prostitution location, men can now browse an online catalogue of women and order one up as if she were a pizza.
- Prostitution-buying is opportunistic. When it is blatantly in front of us and we are surrounded by adverts that are condoned and tolerated by the authorities, it normalises prostitution-buying and sends out the message that it is acceptable. This leads to more men succumbing to this behaviour and it grooms girls to accept a life of being used for men's sexual use and abuse. Allowing these websites to flourish is therefore contrary to the Palermo Protocol Article 9.
- Contrary to claims by the current NPCC guidance, these websites **do not** make prostitution safer for the women being advertised. The idea that they enable women to effectively screen punters is a fallacy. In fact these websites provide no robust mechanisms for screening punters – because (a) unlike advertisers, punters are not required to register and show government photo ID (meaning that if he is violent, it is difficult, if not impossible, to trace him – and if he gets a bad review, he can simply make a new profile and start afresh); (b) many of the adverts provide contact details on the first screen that is accessible to anyone on the internet regardless whether they are logged in or not; and (c) although these websites might handle financial transactions for viewing private photo and video collections, they **do not** handle financial transactions for in-person prostitution – which are usually made in cash. All of this means that features for screening punters are weak to non-existent.
- The ineffectiveness of the screening options was demonstrated a couple of years ago when Mark Brown was convicted of the murder of two women he met through AdultWork, where he was a registered user.

- The ongoing claims by the police and their advisors that these websites make prostitution safer for women, that the websites can screen “exploitative” ads, and that punters’ privacy must be prioritised are evidence that the NPCC and NCA have been dangerously influenced by their partnership with these websites and by advisors with extreme ideological positions. As a result it would seem that the impartiality of NPCC and NCA has been compromised and they have absorbed the website companies’ commercial concerns and advisors’ goals as if they are legitimate. There’s more in this in Hubris and hypocrisy: Leicester University research into ‘adult services’ websites.
- These websites facilitate pimping and sex trafficking. In the UK, the vast majority of online prostitution adverts are concentrated on just a few big commercial sex sites. This enables advertisers to quickly reach huge numbers of potential customers. A single advertiser can post adverts for multiple women, and while photo ID is required for each person being advertised, checks are lax and there is no way to ensure the ID belongs to the actual woman being sold behind the advert. There are confirmed cases of pimps selling children behind adverts purporting to show adult women.
- This makes it easier than ever before for someone to set himself up as a pimp and to make a huge profit quickly and easily. He simply needs to find a marginalised girl or young woman and place an advert and watch the money roll in. And there’s nothing to stop him pimping multiple women and selling them multiple times a day and night. The scale of pimping and sex trafficking that takes place through these websites vastly outstrips the capacity of any police force to deal with appropriately.
- Because commercial sex websites facilitate third parties bringing new women and girls into the sex industry with very little risk, there has been a huge expansion of the sex trade in the UK, coinciding with the development and expansion of these sites over the last 15 years or so.
- The ongoing claim that the websites can effectively distinguish adverts from pimps and traffickers is another fallacy – as we explain below.
- We cannot see how these websites can be considered compatible with the PSED and obligations under CEDAW and the Palermo Protocol and other binding international treaties. They should therefore be shut down.
- Evidence from the US shows that when effective laws against these websites are introduced, the size of the industry **decreases significantly**.
- However, short of closing them down, there are some measures that could be taken that might improve things for women; for example, requiring punters to register using government approved photo ID and proof of address, and to log in before they can see any of the advertisers’ contact details. This would mean that punters could be traced and held to account if they overstep boundaries or become violent, and it would make it difficult for them to create a new profile if they get a bad review. This is standard

procedure in websites like Airbnb for example and would go some way to redressing the imbalance of power between the women and the punters.

- That the police have not recommended this, suggests that they have been influenced by the commercial objectives of the websites and the ideological objectives of advisers who understand that this would drastically reduce the number of punters – because research shows that punters want complete secrecy so their employers, partners and community don't find out about their seedy habit. Failure to recommend such a measure suggests that the NPCC and the NCA are putting the needs of men for privacy above women's need for safety and right to life – which must be seen as discrimination against women and a failure to comply with the PSED and the Human Rights Act 1998 Article 14.
- Partnering with these websites places the police and NCA in a compromising position and violates the fundamental principle of British policing to act independently without fear or favour.

What does the evidence tell us about...

... the extent to which ASWs enable child and adult exploitation?

Evidence suggests that commercial sex websites are **major facilitators and enablers** of the sexual exploitation of both adults and children. For evidence on this, please see the [report of the Scottish Cross Party Group into Commercial Sexual Exploitation's inquiry](#) into commercial sex websites, which we urge you to read in full.

Furthermore, the review system on these websites provides a mechanism that pimps and traffickers can use to control those whose prostitution they exploit. For more on this, see [Online Pimping: A New Dystopia](#).

... how effective ASWs are at screening and monitoring exploitative and illegal activity through risk assessment?

Commercial sex websites are **not** effective at screening and monitoring exploitative and illegal activity. There are several reasons for this.

Firstly, adverts for sex trafficked/exploited women are not necessarily distinguishable from supposedly “independent” women. The idea that things like poor English and grammar indicate trafficking or exploitation is naive at best.

Megan King, one of our members, was sex trafficked by a man who created a profile for her on Adultwork using someone else's photo ID. It was written in excellent English. There was nothing in the advert to suggest that she was being ruthlessly exploited and trafficked.

Esther, another of our members, who was “independent” found that punters who contacted her by phone were often surprised that she could speak perfect English – because clearly, they often paid to use women whose adverts were written in perfect English but who had little or no grasp of English themselves. This suggests that either their traffickers had good English

skills or they subcontracted the writing of the adverts to someone who did. This reality did not deter the punters.

So clearly most pimps and traffickers quickly learn how to cover their tracks. Attempting to screen adverts based on poor English and similar flaws is likely to lead only to less-experienced and less-successful pimps and traffickers.

Secondly, there is nothing to stop pimps and traffickers creating an ad based on one woman's photo ID and selling another woman behind that ad as happened to Megan. Similarly there is nothing to stop them selling multiple women or even children behind that ad. By definition, the prostitution encounter takes place at a physical location that the website and law enforcement have no control over.

Commercial sex websites could reduce the amount of exploitation that takes place by vetoing one person posting multiple adverts. This could be done by requiring each advert to be associated with a unique user who has registered using government-approved photo ID and proof of address, and a unique email address and phone number, as already required by many commercial websites.

This is likely to be unpopular with the websites because it would inevitably drive many of the big pimps and traffickers away and therefore negatively impact profits.

For more on this, please see [Hubris and hypocrisy: Leicester University research into 'adult services' websites](#).

... the impact of different policing approaches on tackling exploitation in the context of ASWs?

As mentioned above, the scale of exploitation (pimping and sex trafficking) that takes place on commercial sex websites is simply too large for the police to do anything more than scratch the surface. This is one reason that we recommend that these websites are closed down.

It appears that the current policy of the police is to focus on "intelligence gathering" and the largest organised criminal networks rather than enforcement of the pimping legislation against smaller pimps and traffickers or using the current law creatively to close down the websites themselves.

This and because bringing prosecutions against the large criminal networks is difficult and can take years, means that there is now a culture of almost total impunity for pimps and exploiters in the UK, as evidenced by the prosecution data – which shows an average of about 10 prosecutions a year for the two pimping offences over the last five years in a country where there are tens of thousands of pimps. As a result tens of thousands of women are effectively trapped in a situation of exploitation that conforms to the international definition of human trafficking. This is a total failure of the police's responsibility to uphold and enforce the law and to protect victims.

Partnership with the websites has led to the police being influenced by the website's commercial objectives and failure to recognise that these websites are themselves in breach of the law against causing or inciting prostitution for gain.

The impacts on sex workers (within the context of ASWs) of different approaches/responses to sex work (e.g. criminalisation, economic aspects, health, wellbeing, safety, family, support networks, access to justice, marginalisation etc.)?

It is hubris for the police to think that anything can make prostitution safe for women. As we have shown above, even in the best of circumstances and when the woman is ostensibly making a free choice. But most prostitution does not take place in the best of circumstances and most women do not make a free and fully informed choice to do it out of a number of viable options. And once embedded in prostitution, it is usually very hard to escape. The enduring finding that upwards of 85% of women involved in prostitution want to leave it³ but don't know how to speaks for itself.

We are unequivocal that no one should be penalised for their own prostitution. However, the law of this country is clear – it is an offence for third parties to control women's prostitution or to incite others to enter prostitution for gain. These are indictable offences that the police are required to enforce. And yet for many years now, the police have systematically not enforced them and as a result pimping is rife and tens of thousands of women in this country are trapped in intolerable situations in violation of multiple human rights laws and in violation of the police's obligation to protect victims.

By relying on a very narrow range of advisors who are mostly ideologically committed to the full decriminalisation of the entire prostitution system, the police have accepted some unhelpful tropes as fact – for example, the notion that closing the big commercial sex websites would “drive it underground”. In other words, that the level of demand from men would be unchanged and the industry would simply move its operations elsewhere – to the dark web, for example – and this would put the women in additional danger.

Valiant Richey explained to the Scottish inquiry why this claim is false:

“The problem with that argument is that it assumes a constant size of the market. When the street moved to the internet the market grew because it's easier. It is not correct to assume that when you shut down the sites the entire market is going to move back to the streets. That's just not how it goes, because there is so much [of a] barrier to using other methods. The market is going to shrink in the same way that it expanded when it went to the internet. That's why this argument is again fallacious.”

³ For example, https://www.tandfonline.com/doi/abs/10.1300/J189v02n03_03. Also see Lynda M. Baker et al., Exiting Prostitution: An Integrated Model, 16 VIOLENCE AGAINST WOMEN 579, 588–90 (2010) (summarizing studies of barriers); Janice G Raymond, Not a Choice, Not a Job; and Monica O'Connor, The Sex Economy. An American physician writing nearly a century ago observed nearly universally, “[w]hen once engaged in prostitution, it is difficult for the woman to escape from it unless powerful social forces are brought to bear.” James P. Warbasse, The Causes of Prostitution, TWENTIETH CENTURY MAG., July 1912, at 219.

The dark web is less accessible than the open web – so even if some adverts did move there, there would not be the same scale effect that there is on the big websites on the open web. Law enforcement and support services would still be able to find them just as the punters can – but as the scale would be smaller, they would have a better chance of dealing with them appropriately.

Prostitution-buying is in many ways opportunistic. When it is blatantly in front of us and we are surrounded by adverts that are condoned and tolerated by the authorities, it normalises prostitution-buying and sends out the message that it is acceptable – which leads to more men succumbing to this behaviour.

If advertising didn't work to change our behaviour, we would not be exposed to around 4,000 to 10,000 adverts each and every day.

Lorraine Questiaux of Mouvement du Nid told the Scottish inquiry that after the law was introduced in France to shut down online prostitution adverts:

“It was demonstrated that there was a huge withdrawal of the demand, a huge withdrawal of the activity in prostitution ... The market is really impacted by those huge shut-downs.”

Valiant Richey said of the US:

“Governments should really be considering policy options to shut down these sites as quickly as possible. SESTA-FOSTA, the bill in the United States, is the best example of that. That bill passed and the market declined by 80% in 72 hours. We documented the data. 80% decline in 72 hours. I'm not aware of any anti-trafficking legislation anywhere in the history of the world that had such an impact on the market in such a short time.”

Of course, this would need to be combined with support and help for those caught up in the industry to secure genuine routes out of the industry and viable alternatives. This is the aim of the Nordic Model approach, which has been successful where it has been implemented well.

There is a considerable body of research that claims that the Nordic Model approach to prostitution “doesn't work” or is “more dangerous” for women, but much of this research does not hold up to close scrutiny, as explained in the following articles:

- A Reanalysis of the Equality Model in Northern Ireland
- Bending reality to match ideology: A critique of ‘Criminalising the Sex Buyer: Experiences from the Nordic Region’
- Critique of the Médecins du Monde study into the Nordic Model law in France
- Do prostitution laws in Europe affect the incidence of rape? – Analysis of a recent study
- MYTH: The Nordic Model hinders the global fight against HIV

- MYTH: Amnesty’s research in Norway has proved the Nordic Model is harmful to “sex workers”

Similarly, there are many claims about the success of New Zealand’s fully decriminalised system. A data scientist we work closely with looked at the New Zealand government’s own assessments and found that not one of these claims stand up to scrutiny:

- What REALLY happened in New Zealand after prostitution was decriminalised?

3. In regard to brothel keeping legislation, is the current focus on exploitation rather than prosecuting individuals operating out of the same premises the right approach?

This is a curious question, given that selling sex out of a brothel is not an offence and the legislation and CPS guidance is clear. Section 33A of the Sexual Offences Act 1956 makes it an indictable offence for a person “to keep, or to manage, or act or assist in the management of, a brothel”. CPS guidance explains that parliament considers indictable offences to be serious and it is therefore generally in the public interest to prosecute offenders – although it recommends **not** prosecuting those who are themselves engaged in prostitution and have a **minor role** in running a brothel.

This question therefore appears to go beyond the remit of the police. It is not part of the police role to usurp parliament or the CPS guidance.

The prosecution data shows that there were less than 10 prosecutions under Section 33A per year on average over the five years to 2022.

In 2016, a Police Foundation study into organised crime in indoor prostitution identified 65 brothels in Bristol. Of these, 14 operated from commercial properties under the guise of massage parlours. We have found no evidence that there has been any systematic attempt to crack down on the identified brothels since the report was published, even though 77 per cent “displayed links to organised crime groups” and tackling organised crime is a priority under the government’s serious and organised crime strategy.

There is no evidence that Bristol is unique. Other cities and towns across England and Wales also have many brothels, many well-established and operating in plain sight for many years, some more temporary (sometimes referred to as “pop-up brothels”). We would therefore suggest that there are several thousand brothels in England and Wales at any one time and yet there were only about 10 prosecutions a year under Section 33A. This can only be considered a very serious failure by the police to enforce the law.

Like kerb crawling, the police tolerating a brothel in a community sends out a message to men that paying to use a woman sexually is acceptable behaviour. This contravenes the UK’s obligations under Article 9 of the Palermo Protocol to discourage men’s demand for prostitution that leads to sex trafficking. At the same time, it sends out a message to women

and girls that they are second class citizens – that men’s so-called right to buy women for sex is more important than women’s right to dignity and safety. This contravenes the police’s obligations under the PSED and the Human Rights Act 1998 Article 14.

We agree with the CPS guidelines that women – particularly those who have a history of prostitution – and who have minor or relatively minor roles in assisting in the running of a brothel should not be the target of the criminal law. However, brothel-keeping is a form pimping and like pimping and sex trafficking, it is extremely lucrative. For example, David Archer made **£1.6 million a year** from the exploitation of the prostitution of women in his brothels. Similar fortunes are being made by the owners of brothels in cities and towns throughout the UK and yet the police generally condone them and systematically refuse to enforce the law. **This must stop.**

The women we know who have been involved in brothel prostitution say that brothel owners rarely step foot in their brothels and delegate the day-to-day management of the brothel to someone else, typically a woman who has herself been involved in prostitution. It would be wrong of the police to prosecute such managers while letting the actual owners off scot-free.

For more on this, see The problem with “safety in numbers”.

What does the evidence tell us about...

... the impacts on sex workers (within the context of brothels) of different policing approaches/responses to sex work (e.g. criminalisation, economic aspects, health, wellbeing, safety, family, support networks, access to justice, marginalisation etc.)?

We are unequivocal that women and others involved in prostitution should not be criminalised for their own prostitution and that the police should always treat them with the utmost respect and assure their dignity at all times.

We have heard anecdotal evidence of women being treated horrifically by the police – including during so called welfare or safeguarding visits. We have heard of multiple male uniformed officers bursting without warning into brothels even when they are ostensibly conducting welfare or safeguarding visits. This is utterly terrifying for the women inside – particularly as some of them are likely to be unclear about the law and/or are migrants from countries where police have even worse reputations than here in the UK. Credible witnesses have told us of the police forcing women out of brothels in their underwear and making them wait in a state of undress in the street, sometimes in freezing weather. Again, this under the guise of a welfare or safeguarding visit. This is totally unacceptable and would inevitably cause the women devastating traumatic responses.

We are **opposed to the police conducting routine so-called welfare and safeguarding visits** to brothels for a number of reasons, including

- Anecdotal evidence suggests that the police are more interested in catching women for immigration violations than actually improving their welfare.

- When the police conduct these visits, they are implicitly condoning the operation of the brothel and this is likely to interfere with the possibility of bringing successful prosecutions against the owner in the future.
- The police do not have sufficient expertise in the welfare of this population of marginalised women. We believe that welfare and safeguarding visits should be conducted by well trained workers from specialist organisations that provide holistic support and exit services to women involved in prostitution.

As we explained earlier, most women who have successfully exited prostitution say that while they were in it, they defended the institution of prostitution and claimed their entry was a free choice. However, after exiting and building a new life outside of prostitution, they often look back and see that no, their entry was fraught with coercion, grooming and inaccurate expectations and that the experience was violent, degrading and traumatising. For these and other reasons, most women found inside a brothel during, for example, a police raid or “welfare” visit, will not tell a random police officer the truth about her situation.

But if she does disclose that she is being exploited, for example, what can the police officer do to “safeguard” her?

The NPCC guidance mentions “safeguarding” 21 times, but its practical advice on what this means in practice is more or less non-existent. Page 37, the main page on safeguarding advises: “Safe working practices should always be encouraged in preference to less safe practices” and recommends promoting national and local support services. Page 46 explains that the National Ugly Mugs (NUM) website has an area on their website specifically for “sex workers” which provides “safety suggestions” and NUM also “offers victim support case work, reporting and alerting services and other tools (including the NUM checker for sex workers to search phone numbers, email addresses, profile names and vehicle registrations) to reduce the likelihood of sex workers meeting with potentially dangerous clients”.

The NUM safety suggestions are now password protected, but a previous version included advice to not wear a scarf or other clothing or bag that could be used to strangle you and taking a course in de-escalation techniques similar to those the police might use in a hostage situation. It includes the following: “[Y]ou may have to submit in order to preserve your life. Some people are sometimes physically stronger than you. DO NOT try to fight unless you are certain you can win or you are convinced they intend to kill you.”

This is evidence that prostitution is **not** a normal job. In no other job is a woman required to be alone and naked behind closed doors with man and to accept his sexual use of her body including penetrating her orifices. This situation is by definition fraught with danger to body and mind – regardless whether she is wearing a scarf or is proficient in hostage negotiation.

It is pure hubris for the police to think that recommending a few safety tips or indoor over street prostitution is in any meaningful way “safeguarding” women in this situation. Rather it

is colluding with one of the most brutal and sexist institutions and condoning the sex buyers who sustain the system and the pimps and brothel owners who profit from it. This is unacceptable and a violation to the principles of policing independently and without fear or favour.

Nothing can make prostitution safe either for the women and others directly involved or for the wider community.

The police should instead focus on enforcing the law against pimping and brothel keeping, kerb crawling and paying for sex from someone who has been coerced, and using the powers available to them to close down brothels and commercial sex websites.

The women and others directly involved should be treated with dignity and respect and referred to services that provide support and genuine routes out of the industry.

Evidence from Ipswich shows that this sort of approach can be effective and save public money in the medium to long term. For more on this, see: [How a Nordic Model approach to tackling prostitution was implemented in Ipswich](#).

What evidence is there...

... for the rate of prosecutions under brothel-keeping legislations?

Government data shows that prosecutions under brothel-keeping legislation have been **practically non-existent** in recent years. For our analysis of the data, see [Has prostitution effectively been decriminalised in England and Wales while we weren't looking?](#)

... the negative or positive outcomes of prosecution?

Prosecuting pimps and brothel owners has the advantage that it sends out a message that these activities are illegal and won't be tolerated and will therefore reduce the likelihood that others will take up pimping and brothel keeping.

For women under the control of a pimp, her chances of escape and building a life outside prostitution increase if her pimp is convicted and given a prison sentence.