

***Criminalisation:
the price women &
children pay***

**A response to the government's
review of the prostitution laws,
presented at the Conference
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Just Bad Laws*
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English Collective of Prostitutes



Criminalisation: the price women and children pay

Contents

Summary	3
Response to the government review of prostitution	7
Proposals for the safety and protection of sex workers	30
Effects of criminalisation, licensing & decriminalisation:	32
Sweden	
The Netherlands	
New Zealand	
Notes	39
Women speak out:	42
<i>Banned by an Anti-Social Behaviour Order.</i>	
<i>I'm a docker's daughter. We're fighting eviction.</i>	
<i>I was deported. But my son was here so I'm back.</i>	
<i>I'm 16, I was trafficked. The Home Office was hostile.</i>	
<i>I was sold and raped, but was refused asylum.</i>	
<i>A conviction for brothel-keeping ruined my life.</i>	
Appendix on poverty: Circumstances force decisions. <i>Rev Paul Nicolson, Zacchaeus 2000</i>	52



Summary

The report hides the impact of the prostitution laws on women's and children's safety, protection and welfare, and makes way for more criminalisation.

The Consultation paper "Paying the Price" claims to aim "towards a co-ordinated strategy" and to "focus on three key issues:



- ◆ **prevention** – alleviating the circumstances which make young people vulnerable to exploitation and coercion into prostitution;
- ◆ **protection and support** – providing help and advice for those involved, and a pathway out; and
- ◆ **justice** – bringing pimps, traffickers and exploiters to justice, and delivering justice to those affected, including the families of young people coerced into prostitution and the communities blighted by prostitution."

But behind declarations of protection and support we found a strong bias against sex workers.

The report has nine chapters and six annexes, including a list of questions for those who are being consulted.

Despite acknowledgement that 60 prostitute women have been murdered in the last 10 years (a conservative figure in our view), **there is no proposal to end the criminalisation that makes sex workers more vulnerable to violence.**

There is no acknowledgement that criminalization makes it harder for women to get the protection we deserve, and that it institutionalises us in prostitution. Because it is harder for us to speak in our own name, we are taken advantage of in all sorts of ways. Sex workers may not report violence, or apply for a job or be turned down because we have a record for prostitution. For those of us who are women of colour, such discrimination is compounded by racism.



The discrimination that labels a woman a “common prostitute” before trial (guilty before proven innocent) continues and sentences for brothel-keeping have been increased from six months to seven years against women working together (and more safely) from premises.

The law which criminalises child prostitutes remains despite opposition from children’s charities, the Magistrates Association and many others.

Anti-trafficking legislation, which has resulted in the deportation of many women, is promoted and extended. Experience from Soho and other areas shows that far from protecting women from violence and exploitation, these laws are primarily used as sexed-up immigration controls to deport sex workers.

Domestic violence, homelessness, poverty and debt are acknowledged as major factors suggesting “survival to be the overriding motivation” in driving women and children into prostitution. **But none of the questions in the report address the issues of domestic violence, poverty and debt**, and only one that of homelessness. The report hides the impact of government policies of privatisation and cuts in benefits and services which have increased poverty and forced more women and young people into prostitution. Where projects or services exist or are proposed, it is research and counselling that is put forward rather than concrete resources.

Poverty in Britain, whilst less obvious than in Third World countries, is nonetheless severe, but it is often hidden. The gap between the haves and have-nots, the North and the South, has continued to widen, and many women and children live on or below the so-called poverty line.¹ With the excuse of helping the poor out of poverty and into work, and of preventing benefit fraud, benefits are cut, single mothers are labelled ‘workless’ and forced into the lowest-paid jobs, asylum seekers (including pregnant women and women with young children) are made destitute and their children denied school education, the poorest regions continue to lose jobs, and young people running away from violence face homelessness, zero benefits and only the lowest minimum wage, while most abusers go unpunished. No wonder many turn to drugs and prostitution to survive.

We estimate that 70% of prostitute women are mothers, mostly single mothers, struggling to support themselves and their families.² While we condemn the often tragic circumstances that have

forced us into prostitution, we are not ashamed of anything we have had to do to support ourselves and our children.

The English Collective of Prostitutes has never glamorised prostitution. Neither do we glamorise other jobs women have to do to feed and protect our families, which are exploitative, unhealthy and soul-destroying but do not carry the stigma of criminalisation.

Women, the unrecognised and unvalued carers everywhere, do 2/3 of the world's work for 5% of the income and 1% of the assets.³ This conservative UN figure spells out the basic truth about prostitution internationally – the unrelenting violence of poverty and overwork. It explains why it is generally women who are the sellers to men who are the buyers. It would be easy to blame only men for this injustice, and those who do hide the responsibility of governments for an economic system that does not prioritise survival and welfare.

The consultation paper appears to target men (“the demand”), rather than women and children (“the suppliers”), appealing to many women’s dislike of the sex industry: “Prostitution may be driven by economic necessity but it can only exist because there is a demand for it. A co-ordinated strategy . . . must address demand as well as tackle the factors that lead individuals to become involved in supply.”

Far from benefiting from this approach, women are the first to pay. In Sweden, where legislation criminalizing the buying of sex has been introduced, the law has had a devastating effect on sex workers.

New Zealand, which decriminalised prostitution over a year ago and has the least regulations attached to it, is dismissed in the report as “too early to assess.”

There is no evaluation and therefore no criticism of existing legislation, either the old 1956 Sexual Offences Act and 1959 Street Offences Act, or the recent 2003 Sexual Offences Act, 2001 Police and Criminal Justice Act and the Anti-Social Behaviour Orders (ASBOs). All have used highly emotive language about victims of crime to increase the criminalisation of women and children.

Instead of recommending protection for sex workers who face violence on the job, it is the “communities” that need “protecting” – from us!

Statistics are used selectively. The figure that 74% of off-street sex workers “cited the need to pay household expenses and support their children” is mentioned in passing then ignored. But claims that 80-95% of street prostitutes are drug users frame many of the recommendations. Yet this figure is a distortion.

Women who work on the street and do not use drugs, rarely go to the Home Office funded projects on which this figure is based because they do not want to compromise their anonymity for the sake of free condoms. The figure on drug use implies that sex workers have a unique problem with drug addiction. No comparison is made with people in other jobs. And whatever the particular circumstances responsible for individual women and children working as prostitutes, no woman or child is merely “a helpless victim”. To reduce any of us in this way, is to ignore or attempt to ignore what we say, if it does not fit assumptions and conclusions that are politically expedient.

When the report was released, Home Secretary David Blunkett made clear that his mind was already made up. He stated his commitment to ASBOs, in line with the bullying and punitive approach this government has followed, both on foreign policy and on criminal justice issues. He expressed no intention to decriminalise any aspect of prostitution. Since then, other punitive measures against children have emerged. It is proposed that children as young as six should be taken to army-style boot camps!⁴ Protection or militarisation?

Spin did not start with justifying an unpopular war on Iraq. It is traditionally used to sex up reports justifying draconian policies against prostitute women and children. Far from “liberating” us from violence and exploitation, these policies get us deported or imprisoned – and some of us even lose our lives as a result.

It is time that those who truly support women’s and children’s human rights and our right to protection, take a stand against criminalisation.

Response to the government review

1. Opening the debate on false premises

In chapters one and two (“Opening up the debate” and “Key issues”), the report acknowledges that there are no hard figures for women and children working as prostitutes. Figures of 80,000 are given, which we believe to be a gross underestimate if we take account of off-street, part-time and casual prostitution. We also believe the “8.9% of men reporting to having paid for sex in the past five years” to be a gross underestimate.



“Time spent in care . . . domestic violence, child abuse, rape . . .” are repeatedly mentioned. But such violence and “the increasing stigmatisation and social exclusion of those involved in prostitution” are put down to “problems caused by the existence of a ‘sex trade’”, rather than to criminalisation.

The report claims that 80-95% of street prostitutes are drug users. This is a distortion. Women who work on the street and do not use drugs rarely use the Home Office funded projects on which this figure is based. They do not need the services on offer and do not want to compromise their anonymity for the sake of free condoms.

“I went on the street out of a desperate need for money, I had no other option. My partner left me and my four-year old child with nothing. We had to go into a women’s refuge and then rebuild our lives, starting again from scratch. You can’t buy what’s needed on Income Support, and I had to find something where I could earn money and spend time with my child – or put her in care which was not an option for me. If the police are out on the streets, I go back home until they are gone. I’d rather wait until the coast is clear than risk getting arrested.”

The figure on drug use implies that sex workers have a unique problem with drug addiction. No comparison is made with people in other jobs. Yet addiction to different types of drugs is widespread – it is well-known that a high proportion of artists and journalists, to name but a few, are regular cocaine users.

By targeting women and young people who work on the street for removal (often referred to as ‘rehabilitation’), the government seems



interested in removing the visible signs of the poverty caused by its economic policies.¹ No reference is made to the cuts in benefits, wages and resources that ensure that 12 million people live below the poverty line.²

And while the report acknowledges that many sex workers are single mothers, there is no mention of the effects of the Child Support Act and its Agency in impoverishing single mother families already on low incomes.³ Yet it is well-known that the Agency is on the verge of collapse because it owes £720 million⁴ in maintenance money after writing off £1 billion – money single mothers were entitled to and never got.

There is no mention of the effects of recent immigration and asylum laws which deliberately make asylum seekers destitute with no other option than begging or prostitution – a return to Dickensian times.⁵

Under government action, some recent laws like the Sexual Offences Act 2003 and proposed laws like The Children Bill are uncritically listed, as are a number of government-funded projects – £850,000 has gone to 11 multi-agency projects. Have they increased safety or reduced poverty? The report does not say. It assumes that any government action must be good.

2. Victimisation and prosecution

Chapters three and four: “Routes into prostitution” and “Protection and support for children abused through prostitution”. All proposals on children are discredited by the government’s refusal to decriminalise child prostitution, going against recommendations from all major children’s charities and the Magistrates Association, among others. What is the point of consulting when the advice is disregarded? Is consultation an aim in itself? Or is it aimed at giving legitimacy to proposals that do not deserve it?

It is well known that criminalisation institutionalises young people in prostitution and makes it harder for those of us in that situation to report attack and exploitation. Guidance to the police and other authorities, that young people should be treated as victims not criminals means nothing while the criminal offence of loitering and soliciting is retained for under-18s.

"I'm afraid the police have been contributing to the abuse of these children by not seeing the big picture. I know I have been responsible for criminalising children who have been sexually and physically abused." Det Sgt Whitehouse, Wolverhampton Vice Squad, The Sunday Telegraph 14 March 1999

"It is vital that children know that they won't be in any trouble if they ask for help, but so long as they run any risk of prosecution, they are trapped in a dreadful situation. A year ago, the Home Secretary promised that child prostitution would no longer be a criminal offence, but that was simply untrue." Terri Dowty, Action on Rights for Children

Young people report that, far from criminalisation being a last resort, it is used to target those who refuse the services on offer even when those services are punitive and inappropriate. How can government initiatives be trusted when young people are being witch-hunted to the tune of 1,000 Anti-Social Behaviour Orders being served against children between the ages of 10 and 18⁶ at an average cost of £5,350⁷ and up to £100,000⁸ when the order is breached (one in three are)? Wouldn't that money be better spent on resources for young people? Every day we hear the Home Secretary complain that courts are not using ASBOs often enough. But we hear little from him when young people commit suicide because they're being bullied in care, at school or in juvenile prisons — 27 children aged between 10-17 have died in prison since 1990.⁹

Figures that 50 -75% of women and men got into prostitution before they were 18 (blaming this on adults 'grooming' young people into prostitution) grossly distort reality. Of the 15,000 children who run away each year, many leave because of rape or other violence in children's homes or in the family. Once on the street, homelessness, denial of benefits and protection, persecution and criminalisation force children and young people into prostitution as a "survival strategy" and institutionalise us there – making us vulnerable to anyone who may want to exploit us.¹⁰ If the government wants to " . . . underline the message that prostitution involving children and young people is wholly unacceptable" it should reinstate and increase benefits, raise the minimum wage¹¹ and provide adequate refuges¹² to ensure that no child or young person is forced into the sex industry to survive.

"We find that delays of weeks, sometimes months, in processing benefit applications or reinstating benefits cut because of failure to attend job interview or take up job offers, leave many young people with no income at all." Paul Nicolson, Zaccheus Trust, 2004

Young people in our network have long opposed proposals in the report to house children who leave care away from the people they know. Such proposals are based on local authorities and the police wanting to clear us off the streets at whatever cost. We are picked up and placed in foster homes or institutions miles away. One young woman who was moved to Cardiff from Bradford ran away and came back to be with her friends. She said that because she was under 16, any man she knew, even her 14 and 16-year-old friends were threatened with being charged for pimping.¹³ Yet others living on the street may be the only people who have shown concern and who can be relied on for affection and support.

The "information-sharing databases" cited in the report as a response to the tragic death of Victoria Climbié, are vigorously opposed by children's organisations. They warn that "confidential information about your child will be shared amongst a lot of people and organisations . . . people must report their concerns about your child and you . . . the information does not have to be "facts" . . . there does not have to be evidence to report a concern . . . you won't be able to correct mistakes . . . the database will be hackable."¹⁴ A database wouldn't have helped Victoria Climbié when a consultant paediatrician said she had scabies instead of recognising deliberate injuries, when Brent Council's senior child protection worker closed an investigation into suspected abuse without seeing her, and the police child protection officer assigned to investigate her injuries refused to visit her home "out of fear of catching scabies".¹⁵

Assigning the Home Office and Dept. of Education to support unaccompanied children entering the country, will do nothing to reduce the hostility and disbelief young asylum seekers face, or the HO policy of challenging young people's age in order to find a pretext to deny them support.¹⁶

3. Ignoring the needs of victims of violence

Chapter 5, “Supporting adults involved in prostitution”, confirms the horrendously high level of rape and other violence sex workers face, and the difficulty in reporting that violence to the police. Yet no mention is made of how criminalisation makes women more vulnerable to violence. As we told the government on many occasions:

Prostitute women are vulnerable to violence first of all because we are women [with less economic and social power than men], and secondly because we are women who have been criminalised and labelled immoral by the law. This enables whoever wants to, to presume we are unworthy of protection. Attacks on sex workers are common not because prostitution is intrinsically a violent job but because violent men know they are more likely to get away with physical attacks on a woman who is a prostitute. These attackers are hardly ever arrested or prosecuted, and even when they are, they are often let off. Black sex workers who face racism at every stage of the criminal justice process are even less likely to get protection or any form of redress against rape, racist sexual assault or other violence.¹⁷

Of the services listed, most provide advice rather than concrete help, and few are independent of the police. Nine out of 11 of the Home Office-funded Crime Reduction Projects (which the report promotes as “multi-agency” projects and relies on for statistics, information and proposals for action) have the police on their management board.¹⁸ No one in these projects is likely to oppose the police view. The fact that many police have often prioritised prosecution over protection and have dismissed attacks on sex workers as “part of the job” is not mentioned.¹⁹ Neither is the widespread evidence of police sexism and racism, or the way in which criminalisation encourages police violence and corruption. A critical approach would confirm what we say, as well as give visibility to those officers who do not agree with criminalisation and who do their best to catch violent men despite a climate in which such attacks are not thought worthy of police time.

While collaborative projects between police and outreach services producing “dodgy punters” lists are cited, evidence is ignored

that these disproportionately target Black men and are used by the police to gather information about the community for unrelated purposes.

Our long-held view that “pimps are nothing more than violent partners who benefit financially from their violence”²⁰ is taken up in the report. It states that where prostitute women have violent partners, this should be “classed as domestic violence” and the woman “afforded the same protection . . . as any other victim of domestic violence.”

Yet sex workers won’t get the “same protection” unless the charge of pimping, which mystifies the reality of domestic violence, is abolished:

*“The charge of pimping often hides the violence of which pimps are guilty. Instead of being charged with rape, sexual assault, kidnapping, false imprisonment, coercion, GBH, theft, extortion or other crimes against women, they are only charged with pimping – on the rare occasions when they are charged at all. The charge of pimping labels the victim as a prostitute which devalues her rights to be protected and defended as other victims. He may be bad but after all she’s bad too.”*²¹

Figures show that, on average, it takes 35 domestic assaults before a case comes to court,²² up to 98% of domestic violence is not reported to police,²³ and more than 50,000 women and children flee their homes each year to seek shelter in refuges but up to three-quarters find there is nowhere to go.²⁴

In this context, Women Against Rape commented recently on new government initiatives on domestic violence:

“In the past two years, significant Home Office funds have been put into domestic violence, though not into providing the alternative housing or benefits that would enable women to leave violent partners. Some NGO domestic violence projects, like most voluntary sector anti-violence groups, have chosen to bypass the issue of injustice, increasingly restricting their services to counselling and referrals. Almost none offer independent advocacy to women whose attempts to get their attacker prosecuted have been frustrated by the police or CPS.

“Increasingly, the police and CPS have themselves set up domestic violence units and special courts. But there are many dangers in

setting up an entirely separate facility, treating domestic violence as unconnected from all other violence, and where only a few officers have been instructed how to respond to such violence. While a tiny proportion of cases may be dealt with well under special projects, in the majority of cases the same officers are sent to investigate and follow the same policies of refusal to arrest the violent man. Treating domestic violence as separate allows the authorities to continue to regard these crimes as unique and unconnected with any other violence. It leaves intact the basic underlying sexism and other prejudices women face which have always resulted in domestic violence being treated as less serious. Without addressing the fundamental problems of investigation and prosecution²⁵, will the conviction rate of less than 5%, actually improve?

“Sexual Assault Referral Centres (SARCs), hospital services that specialise in gathering forensic evidence from victims of sexual violence, are promoted in the report. Yet again there is no evidence that these specialist centres have brought an increase in successful prosecutions. No improvement in the conviction rate was seen with the “rape suites” launched in 1985, or with any other specialised initiative announced since then, such as Sexual Offences Investigation Technique teams. The police and Crown Prosecution Service drop the vast majority of rape cases. Women report that SARCs put more emphasis on counselling victims to come to terms with not getting justice, than on helping us to get justice.”

4. The criminal law encourages exploitation of women and children

Chapter six lists various legal initiatives supposedly aimed at protecting primarily children but also adults from exploitation. These include new offences in the Sexual Offences Act 2003 against people who have sex, and pay to have sex, with children. But these offences won't protect children and young people whilst the poverty, homelessness and criminalisation which make them vulnerable to rape and other violence and exploitation are not addressed. Or whilst rape survivors who seek justice – especially if

we are children or prostitutes, let alone if we are child prostitutes – face systematic discrimination from the police, the Crown Prosecution Service and the courts.

New offences aren't needed to ensure that rapists and sexual attackers are brought to justice. For years, Women Against Rape has been spelling out why there is a low conviction rate, most recently to the public inquiry following the conviction of Ian Huntley, who murdered Holly Wells and Jessica Chapman in Soham, after years of rape, sexual assault and physical assault against other young women and girls. The Bichard Inquiry was limited to investigating record-keeping and child protection procedures. In their evidence to the Inquiry, WAR raised some crucial issues:

“Why did Huntley’s previous nine sexual assaults go unprosecuted . . . time after time the police ignored evidence or failed to make further investigations. This shocking policing is not unusual. Hundreds of girls and women each year come to us when prosecutions are dropped by the police or CPS. Challenging those decisions, we often find that key evidence was inaccurately recorded, misinterpreted or destroyed. No wonder just 5% of recorded cases of domestic violence and less than 6% of reported rapes end in conviction.”

“There is a pattern with many serial murderers and rapists, where their earlier attacks against women and girls (and boys), often by partners or other family members, are not prosecuted at all, allowing the violence to continue and spread. The cases of the most notorious serial rapists and murderers reveal the same pattern, including the Yorkshire Ripper, Fred & Rosemary West, and Dr Shipman.”

Anthony Hardy, the “Camden Ripper” convicted of murdering two women last year, is believed to have killed many others. He had previously attempted to murder his wife; a dead woman with a head injury was found in his flat; and he was known by doctors to hate women, especially sex workers. Yet he was not previously prosecuted or detained in a secure psychiatric hospital. Hardy’s ex-partner of ten years told the police, a year before he murdered the two women in Camden, about his abusive relationship with her and warned them that he was capable of murder:

“He had been violent on a number of occasions to me and I knew

*how vicious he could be. . . . But it was like the police didn't want to know."*²⁶



The overwhelming majority of rapists are never convicted and therefore are never on the sex offenders' register. Ian Huntley did not have a single conviction before going on to kill Holly Wells and Jessica Chapman. But women convicted of prostitution-related offences, who have never been a threat to anyone, are categorised as "sex offenders" in the same category as serial rapists! This practice must stop. It prevents us from leaving prostitution, singling us out for discrimination when looking for another job.

And compassionate women who help young people may also face prosecution. Young sex workers have often said that older sex workers go to great lengths to protect them. Some police know this and used to rely on it. Maids working in Soho have said that for many years when the police found girls working on the street, they would bring them to their flats so they would be out of harm's way. Now people offering refuge places to young people are threatened with charges of harbouring a minor.

Proposals to prosecute without the victim having to give evidence are justified in the report as gathering evidence "without placing the child at further risk". Yet such prosecutions would not apply only to cases where the victim is a child. Why dishonestly play on children's vulnerability to undermine the basic right to a fair trial? Why not address the systematic sexism and other discrimination in the criminal justice system which deters both children and adults from reporting? Why allow anyone to be convicted on the word of the police alone? This is an invitation to corruption and a very dangerous precedent.

The existing pimping laws criminalise all consenting relationships which prostitute women have with men, including sons over 18. They are mainly used against husbands, boyfriends, relatives or friends, rather than against those whom women would report as violent. Black partners are particular targeted.

The new offence in the Sexual Offences Act 2003 "to cause or incite another person into prostitution in the expectation of gain" is based on this discredited law. According to the report, the law "will allow action to be taken against those who recruit others into prostitution, whether by force or otherwise", yet the offence is worded



to ensure that force will not be needed to prove the offence, and once again the law will interfere in women's relationships, making no distinction between violent crime and the right to associate with whomever we choose.

The report acknowledges that "Off-street prostitution is generally considered to be safer than street-based work but only where there is more than one person on the premises so that they can look out for each other." But it makes no comment on the sentence for brothel-keeping having been raised from six months to seven years in 2003. In our experience, this law is used against women who play some minor organisational role in the running of premises, working with others who are glad for the arrangement. Women in our network in Portsmouth who work collectively "maiding" for each other were charged with "controlling the movements of a prostitute" and then finally convicted of brothel-keeping. How can the government justify increasing the sentence against women who work in the safest way? Why was it necessary to rush this legislation through in 2003, pre-empting this review?

There is a feeble attempt to imply that working from premises is particularly exploitative on the grounds that women only "make money from their private transactions . . ." and "will usually be required to pay the owner/manager for the use of their premises." How is this different from an artist who rents studio space or an organisation which rents office space?

The report considers the licensing of brothels on the grounds that it would break the link between legitimate businesses and those offering sexual services. Many, including the Liberal Democrats, agree with us that women working together should not require a licence. Licensing is easily used to keep criminalisation or to make money off sex workers. In Birmingham, the Council tricked women working from premises into applying for licences in the hope that they could work legitimately. As soon as women filled in forms admitting to sex work, the licence was refused and eviction proceedings were initiated on the grounds that the premises were for residential use only. They were also recommended for prosecution.

In India, prostitute women spoke for all of us when they spelt out their opposition to licensing:

"It will be an opportunity for further exploitation. There will be bribing and corruption. Licences will be given only to those who serve powerful people. The authorities will give licence only to those women whom they like. Those who do not have a licence will be considered criminals. There are many traps in licensing . . . Many of the women in our society are engaged in this for livelihood. Some also take it up as a short-term alternative. Licensing will stigmatise women forever, now we have to cope with social stigma, licensing will document that stigma."²⁷

5. Dividing the community

Poverty and criminalisation

Chapter 7 on "Protecting communities" talks about agencies "working in partnership", "tackling deprivation" and "initiatives . . . to enlist . . . strong commitment from public sector bodies and voluntary agencies to tackle poverty, poor housing and the lack of access to health services and education." Yet when it comes to concrete action it focuses solely on repressive measures against sex workers: Anti-Social Behaviour Orders (ASBOs), barring the phones of those who advertise with cards in phone boxes, fencing off parts of neighbourhoods, installing more CCTVs. And against clients: kerb-crawling legislation, driver disqualification and re-education programmes.

There is the assumption that poverty leads to prostitution not by causing material difficulties but by lowering self-esteem. A street worker from Leeds refutes this:

"I went out on the street after my boyfriend cleaned out my flat leaving me with nothing. It was just before Xmas and I wasn't ready to have nothing to give my daughter on Xmas day. I've stayed on the game because benefits don't cover the cost of raising my daughter especially as she has a disability. Selling sex doesn't destroy my self-esteem but I am often sick with worry at being arrested and having a record, which would mean I could never get out of this business. I'm not ashamed of myself or of what I've done. I'm proud that I've gotten out of the situation I was in. I shouldn't have had to do it to get us a normal standard of living but I was a victim before, not now. This job gives me choices I didn't

have before.”

Women accused of loitering and soliciting are labelled as “common prostitutes” by two police cautions before they appear in court – “guilty until proven innocent”. The report speak of this, the core injustice of the prostitution laws, as a “brief administrative process” which “should be used as an opportunity for the police to provide individuals with details of the support services available locally.” Yet it is well-known that a woman accused of loitering or soliciting cannot get a fair trial when the court clerk asks “How do you as a common prostitute plead to the charge of . . . ?” Many women in our network have been convicted on the basis of police evidence which amounted to: “she was standing in a doorway looking in the direction of several men” or of conversations between the police and supposed clients who were never brought to court to testify.

The vulnerability caused by criminalisation and its resulting stigmatisation, prevents most prostitute women from getting access to services, and saying what services are needed and how to make existing services accessible and relevant. How can services be effective if those of us who live and/or work on the streets are not involved in shaping them?

It comes as no surprise to find out from this report that women will be forced to accept services. Those who refuse will be prosecuted, either by attaching a condition to a caution “conducive to restoration or rehabilitation” or “under a staged approach to referral” described as: cautions, arrest, referral to services, community orders and if the woman doesn’t comply, prosecution. This is not protection. It is punitive, abusive and judgmental treatment. In the US where this approach is widespread, women complain bitterly at the brutality and racism of hostel workers who commonly tell women that their children are better off without them because they are worthless mothers.

South Korean sex workers, protesting against a government crack-down on the sex industry, spelt out their opposition to “rehabilitation” which included new laws offering legal aid and shelter:

*“Those shelters are worse than a prison, and they kick you out only after three months of rehab,” a protester said. “I’d rather go to a jail than to the shelter.”*²⁸

Given that women's wages are lower than men's (70% of men's, even less for those of us who are Black or immigrant), and that jobs offered to ex-cons are usually low-waged, "rehabilitation" is a way to force us to accept a standard of living that others would find unacceptable.²⁹ Projects in Doncaster recently boasted of diverting sex workers into jobs in supermarkets and holiday camps. Who is to say that working 50 hours a week for the minimum wage with no pension, holiday or sick pay is less exploitative than turning tricks that pay enough to afford you time and money to spend with your children? Are those who suggest such exploitation jealous that sex work potentially pays more than most "respectable" jobs done by women? Are they anxious to help multinationals by closing all other employment options open to women? Why not campaign for higher benefits, pay equity, a higher minimum wage and a shorter working day so that women don't have to resort to prostitution in the first place?

Scapegoating sex workers

Problems of red-light areas listed in the report include the harassment of local residents by kerb-crawlers, noise, litter, drug dealing and a reduction in property values which "leads to a decline of public order and an increase in theft". Our Centre was based for many years in King's Cross, a red-light area. We faced constant manipulation by politicians and the media anxious to deflect any criticism of the impact of successive governments' economic policies. Even the police would privately admit that poverty is at the source of many of the problems of run-down inner-city areas starved of resources for decades. But illegal workers, whether prostitutes, immigrants or both, are a convenient scapegoat.

This hides that in many red-light areas, prostitute women have been an integral part of the community. In Soho (London), the Soho Society, the local residents' association, supports sex workers' right to live and work there and has spoken out against Westminster Council attempts to evict us. In multiracial Balsall Heath (Birmingham), all lived side by side until property values divided the community. The Council and the police encouraged and legitimised a vigilante "clean-up" campaign. 450 sex workers were hounded out of the area with threats and beatings, including firebombing women's houses and firing air guns through their win-

dows. One local woman protested in the press:

"I have never felt threatened by prostitutes in my street, the same is not true of 'pickers' who gather on street corners. Obscenities have been shouted in my direction; lewd suggestions addressed to me."

Yet Balsall Heath is mentioned in the report as a place where "local residents transformed a traditional red light area into a safe and attractive neighbourhood with increased legitimate business activity, reduced insurance premiums and increased property values."

And while the report acknowledges that initiatives which bring prostitute women and other residents together have had good results, it tells us nothing about them. Why can't they be the model, rather than division and repression?

If the problem is litter then surely one immediate solution would be for local authorities to provide more bins and collect the rubbish more often. But simple measures like these, which don't provide a chance for opportunistic politicians to promote themselves as being "tough on crime" are bypassed in favour of persecuting sex workers.

Anti-Social Behaviour Orders – a breach of human rights

Anti-Social Behaviour Orders (ASBOs) ban people from an area under threat of a five-year prison sentence. They are listed in the report as the way to deter loitering, soliciting and kerb-crawling. The government promotes them widely. The report says nothing of how ASBOs, which rely on police evidence alone (including hearsay evidence), have fuelled a climate of hostility against children and young people, sex workers, Black people and immigrant people. They have encouraged abuse of power by the police and re-introduced prison sentences for women working on the street.

ASBOs use civil courts with a civil (lower) standard of proof to impose criminal penalties. New criminal ASBOs don't require evidence at all but are based on a woman's criminal record and an assumption that she will re-offend. Women taken to court for loitering and soliciting, leave the court not knowing that a criminal ASBO may be served on them. Often their case is heard in their absence.

ASBOs are even being used by the police to intimidate women working from premises. Women from North London were visited by the police at their flat, bullied and threatened that their landlord would be informed and that they would be sent to prison under an ASBO, despite there being no evidence of nuisance. Our letter of complaint to the police pointed out that:

“There is no legal basis for the ASBO . . . nothing that the occupants are doing is unlawful . . . we think the public would be interested to know that the police seem to have the time and resources to bully, threaten and intimidate women in their own premises, yet plead lack of resources when it comes to dealing with matters such as violent crime, which the public consider a far greater priority.”

Another woman was threatened by police that they would come back and break her door down. When she said she would sue them for harassment, they threatened her saying “there is more than way to skin a cat, get out now, get off our patch.” Again, they were only stopped by a letter from us. Yet her maid was so terrified, she left, and the woman now works (much less safely) on her own.

Those of us who work on the street have been devastated by ASBOs. We are forced to work in darker side streets and are therefore more vulnerable to violence. ASBOs prevent us accessing health services – even speaking to project workers can attract police attention. Solicitors report that people they represent have been convicted of breaching an order by entering the “exclusion zone” to visit boyfriends, a drug agency, collect methadone or property. No new offence was committed, but on each occasion the court imposed a prison sentence despite the Home Office guidelines saying that sentences should be “proportionate and reflect the impact of the anti-social behaviour”.³⁰ Women are being banned from increasingly wide areas – one woman who never worked anywhere but in her local area has been banned from working anywhere in the UK.

When they were introduced, Blunkett claimed that “ASBOs will be used mainly against adults” and only against children in “exceptional circumstances”. But ASBOs are being used widely against children between the age of 10 and 18. Young people face six months imprisonment for breaching an order. In what conditions

and with what consequences? Sir David Ramsbotham, when he was Chief Inspector of Prisons described the regime in some youth prisons as “institutionalised child abuse”.

“In recent years, we have witnessed the expansion of the youth justice estate as greater numbers of young people are incarcerated in spite of a reduction in youth crime. Coupled with this we have witnessed the closure of provision such as local authority secure accommodation and safe houses for under 16s. Policy that encourages low trust and high surveillance will sadly miss the mark in creating a society based on the values and principles of social inclusion.” Nushra Mapstone, British Association of Social Workers

The number of women in prison has doubled in the last ten years.³¹ Yet it is well-known that imprisoning women, who as society’s primary carers are most likely to be caring for children or other dependants, has a particularly devastating effect – on women, families and the whole community. More than 60% of women in prison are mothers and 45% had children living with them when they were imprisoned. It is estimated that 8,000 children every year are affected by their mother’s imprisonment. Racism ensures that Black women are disproportionately sent to prison, including for prostitution offences (almost one in five of female prisoners are Black and therefore Black families are particularly affected). One third of women in prison lose their homes as a result of their incarceration. An increasing number of young people and women in custody are committing suicide every year.

We write as five grieving mothers, whose daughters were imprisoned for non-violent offences, but who died in the so-called care of the Prison Service: Sarah Campbell (Styal, January 2003); Jennifer Clifford (Bullwood Hall, February 2003); Sheena Kotecha (Brockhill, April 2004); Paige Tapp (Send, April 2004); Rebecca Turner (Low Newton, July 2004).

*The Prison Service has now reported the death of yet another woman prisoner, (Record female jail suicides feared, October 14), Mandy Pearson, 37, at New Hall, in West Yorkshire. She is the 12th woman to die this year and the third inmate to die at New Hall in the past six months. Lessons are not being learned, and the crisis in women’s prisons continues. Insufficient regard is being paid to the legal duty of care owed to these vulnerable women.*³²

Proposals to extend ASBOs to Northern Ireland face judicial review³³, and some organisations are questioning what really constitutes anti-social behaviour and who is responsible for it:

“When it comes to young people, the label antisocial behaviour can mean anything that contradicts the interests of other, usually older, people. It is rarely applied to what communities and organisations do that is antisocial in the eyes of some people: privatising city centres; selling off playing fields; not creating adequate youth facilities; resisting local residences for homeless people.” Anthony Lawton, chief executive, Centrepont

Services for drug users

Drug users need services, but specialist agencies report that there is a six-month wait for referral to drug services and that far from being expanded, drug services are being cut. Being referred by police after arrest is often the only way to get into a drug rehabilitation scheme but these *“arrest referral schemes”* far from improving the relationship between sex workers and the police as claimed by the report, were discredited as not working in previous Home Office research, *“Tackling Street Prostitution: towards a holistic approach”*. Drug agencies complain that money for drugs resources isn’t going into health and social services but into the criminal justice system so that people who want services can’t get them, and those who don’t are forced to have them.

Advertising in phone boxes

The report’s description of the joint initiative by Westminster Council, British Telecom, the Immigration Service and the Metropolitan Police to clamp down on cards in phone boxes omits some crucial facts. This initiative was premised on a supposed community outcry. At a 1992 House of Lords hearing into cards in phone boxes, we pressed Westminster Council and BT to provide evidence of this public outcry. They produced none. It was them, rather than the public, who were annoyed by the cards, primarily because they were not profiting from it. The House of Lords dismissed their attempts and ruled in favour of women’s rights to advertise in phone boxes. Unfortunately it was a short-lived victory. This industry-driven government changed the law and some women who used to

work indoors were forced onto the streets, with tragic consequences. Westminster Council is now pressing for new legislation to further criminalise people who put cards in phone boxes.

Health services

Despite acknowledging that prostitute women are not high risk for “spreading AIDS”, and against all medical evidence*, the report suggests a national campaign to warn kerb-crawlers that “going to prostitutes contributes to the spread of HIV/AIDS & STIs”. Blunkett is already talking about compulsory health checks. This would take us back to the 19th century Contagious Diseases Acts when thousands of women, prostitute or not, were rounded up, subjected to compulsory checks for sexually transmitted diseases and locked up in segregated hospitals until “cured”. Josephine Butler and others fought bitterly against this attack on working class women until the laws were finally repealed.

“Re-educating” clients or letting rapist and murderers off the hook?

Client “re-education programmes” like the “Johns School” where men are given the option of attending a course for which they must pay a fee, instead of being prosecuted, have been used in the US for years. Far from being “effective” as the report claims, they are universally acknowledged to have been a flop in “rehabilitation”. But they have a hidden, dishonest function. In San Francisco, as decriminalisation gained public support, those opposed to it used the Johns School to divert attention from it. While the public thought that men were being “helped”, women were being arrested. The trainers at the School, including feminists, have built their careers on posing as experts in prostitute women’s suffering, while attacking prostitutes’ rights organisations.

The client re-education programmes reduce power relations between the sexes to an attitude problem. They say nothing about men’s greater economic power and therefore their expectation that women will take care of their needs, including sexually. Nor do they mention young people’s homelessness and destitution, women’s low pay, and our greater responsibility for supporting our families, especially if we are single mothers.

And while non-violent clients are lectured about their “bad attitude”, most rapists and murderers roam free. Catching them by conducting thorough investigations is not a police priority – too time-consuming compared with arresting clients, any client. If the Yorkshire Ripper, convicted of 13 murders and many other attacks on women, was the product of a bad attitude, how much did laws and policing aimed at “cleaning up the streets” contribute to it? The chief of police wasn’t so sorry when he killed prostitutes or other “loose” women, only when he went on to kill “respectable women”.

Most people agree that safety and protection is a priority over prostitution offences involving consenting sex. In 1996 The Prostitution Task Force set up by the city of San Francisco, which included sex worker organisations as well as lawyers, academics, community and residents representatives, recommended that City departments:

“Immediately stop enforcing and prosecuting misdemeanor and felony [prostitution] laws. Dismiss all current prosecutions in order to begin immediately reallocating resources.

“Vigorously enforce laws against coercion, blackmail, kidnapping, restraining individual’s freedom of movement, fraud, rape and violence regardless of the victim’s status as a sex worker

“Redirect resources currently allocated to police investigation, incarceration, prosecution and defense of sex workers to augment resources for housing , outreach and other services for these populations.”³⁴

6. Anti-trafficking legislation – sexed up immigration controls

Chapter eight repeats police claims that street prostitution is associated with drug markets, people trafficking and a gun culture. Such claims are often based on myths rather than fact. But a lie repeated often enough becomes a truth, especially if it’s a big lie.

These false assumptions, along with others in the following chapter that “the most serious exploitation, including children abused through prostitution and trafficked women kept in debt bondage,

takes place in off-street premises”, seem aimed at discrediting the popular demand for decriminalisation of off-street prostitution which would allow women to work together in company and greater safety.

It is our experience of almost 30 years that most prostitute women work independently to support ourselves and our families. Most of us do not have pimps (unless all men are considered pimps since so many take advantage of women in one way or another, including financially). Most of us have not been trafficked. Most of us are not on drugs more than any other sector of the population.

Police claims that 80% of Soho sex workers are victims of traffickers and that the “Albanian mafia is controlling around 70% of massage parlours”³⁵ were proven to be untrue when the police raided in 2000 and again in 2003:

“. . . In February 2003, the Metropolitan Police’s Vice Unit and immigration officers raided the flats of 60 immigrant women working in Soho. They had fled war and devastation – including in Iraq and Kosovo. Some were mothers of young children and had pending asylum claims with the Home Office. They were dragged from their flats in front of TV cameras, arrested and summarily deported.

The raids were publicly condemned and their legality challenged by women’s groups, prominent lawyers, MPs and church people. Not expecting to be called to account, the Vice Unit attempted to justify the raids. First, it claimed to be “protecting underage children”. None were found. It then said it was “liberating victims of trafficking”. No pimps or traffickers were discovered. Next, it said the raids were “part of a wider initiative to support Westminster residents”. The Soho Society, which represents residents, condemned the raids.”

Whoever we are, if we face violence we need protection not deportation. But whatever we say in our own name is ignored. A number of Albanian and Kosovan working women told the police repeatedly and publicly at a press conference, that they were not victims of trafficking:

“All this talk of Balkan gangs running the Soho girls is rubbish. We are freelances, working for ourselves. Apart from what I need to live on, I send all my money back home. I take nothing from the state over here. I pay my way by selling my body and I just want to be left alone.”³⁶

They were dismissed and told they must be too scared to tell the truth.

Conveniently every immigrant sex worker is now assumed to have been trafficked. Some academics have parroted the Home Office, putting forward figures that do not distinguish between women coerced into prostitution, and immigrant women who work for themselves.³⁷

Trafficking is not prostitution, it is forced or bonded labour for the profit of individuals and industry. Many industries benefit from it. Sex workers, domestic workers, agricultural workers, sweatshop workers who are being kept in forced or bonded labour have said that the biggest deterrent to reporting violence is fear of arrest and deportation. Surely the best way to help victims of pimps or traffickers and make sure we can report our persecutors and see them arrested and convicted, is to offer a place of safety, ongoing protection, resources and the right to stay.

The Home Office has shown little interest in protecting women from forced labour, but they are very interested in deportation. What better than to deport under the guise of protecting women from traffickers and get women's organisations to back it!

As Abhijit Dasgupta, former coordinator of the anti-trafficking programme at Action Aid International, said:

"We quickly found that anti-trafficking measures were being used internationally to prevent the migration of people, especially women who are driven by poverty and globalisation to move country. Governments claim that millions of women are being trafficked by a billion-dollar sex industry, but the UNHCR and others have pointed out that because of tightening immigration controls, paying an agent is often the only way to migrate. Governments and most NGOs only focus on sexual exploitation, ignoring the horrendous exploitation in sweatshops and agricultural labour, including here in the UK. We work very closely with sex workers' organisations as we have found this to be the most effective way to help victims of trafficking."

Home Office research confirms that "'get tough' asylum policies lead to more illegal immigration and people trafficking."³⁸

Wars and the resulting poverty, destruction and persecution that force thousands to risk their lives crossing international borders,

merit only a passing acknowledgement: the “effects of economic and political disruption in Eastern Europe” create a situation where people want to leave their home country. No mention of Africa, Asia, Latin America, the Middle East . . . Yet we work with women from all these continents who left their homes and work as prostitutes.³⁹

Despite professing concern for victims of trafficking, women who escape rape and forced labour can find no help. Two Moldavian sisters aged 17 and 18, fleeing men who were holding them prisoner and who raped them repeatedly, were brought to us by a kindly stranger who found them on the streets. He had rung all the agencies in London looking for a safe place to stay. He found none. Every organisation refused to help because the women had no documents – they had left with just the clothes they wore. We eventually found them temporary housing with some nuns.

The Home Office-funded Poppy Project, a hostel for victims of trafficking, has very restrictive criteria. Initially they forced women to sign an agreement to return to their country of origin. This was dropped following protest by asylum seekers. But other conditions have remained. Women can stay only up to four weeks until they decide whether or not they want to report to the police and give evidence against their attackers. If they decide not to, they are no longer entitled to accommodation. Women must have been doing sex work in the last 30 days, so women who are abused and exploited through domestic work or some other bonded labour are not eligible. They must have been “trafficked”, so the two young women who came to us for help who came into the country willingly but were then imprisoned and raped by many men for money, would not be eligible. Women complain that this sole official resource for trafficked women is run by an organization well-known for its hostility towards sex workers. Only women taken there by police, probably against their will, are likely to end up there.



Why should women only have the right to stay in the UK if they cooperate with the police and only for as long as criminal proceedings last? The police have dismissed witness protection as too expensive, so why should women trust that they will be safe?⁴⁰ Why should women come forward if they are going to face deportation and reprisals and possible death back home, where they may be disowned by their families or even returned to traffickers? Why

shouldn't a woman who has escaped rape and other violence have the right to stay in the UK?

Behind high-profile successful prosecutions of traffickers, there is often another story. A Thai woman in our network was threatened with prosecution for trafficking, and eventually convicted of brothel-keeping. She was sentenced to community service, plus costs and had a £31,000 fine imposed which meant that she had to sell her home. Her case was accompanied with the usual press coverage about how police had broken up a trafficking ring. Abundant evidence that she was a victim of domestic violence and played no part in bringing other women into the country was never raised in court. She didn't even know that some of the business was in her name, and didn't have the power to go against her violent partner. As happens quite frequently, the arresting officer was an ex-client. Her violent partner who had a "close relationship" with the police was given a more lenient sentence.

The Guardian has published evidence that the Proceeds of Crime Act 2002, which dictates that courts, when considering a confiscation order, "must assume that all assets derive from criminal conduct unless it can be proved otherwise", is being abused.⁴¹ The Act is rarely used against people who make "lucrative profits" by exploiting others, and some suspect that their links with the police may be "close". But the women are targeted and their life savings stolen. A woman in our network who worked as a maid until she was in her 50s, had the £7,000 savings she kept under her bed confiscated, along with a couple of thousand she was keeping for another woman so that the woman's violent boyfriend couldn't get his hands on it.

People caught by a new offence under the Anti-Social Behaviour Act 2003, which "enable premises to be closed within 48 hours where there is Class A drug production, supply, or use and disorder or serious nuisance", report that the process is so fast that it is almost impossible to get legal advice and representation to prevent eviction. Most court decisions, especially in magistrates courts, rubber-stamp the police version of events, and many people who had no connection with drug use, have found themselves out on the streets. Local authorities refuse to rehouse them, on the grounds that they made themselves "intentionally homeless". What better way to increase the numbers of women forced to sell sex to survive!



Why aren't existing offences of kidnapping, rape, sexual assault, false imprisonment, grievous bodily harm, extortion, etc., used to prosecute the assailants of women and children, whatever work they are being forced into? Traffickers escape prosecution not because of a lack of applicable laws, but because, as with domestic violence and rape, protecting women is not the priority.⁴²

7. The listed options

Chapter nine claims to be considering the options by looking at legislation in other countries. Sweden, which criminalises clients, is given privileged space and a favourable write-up, indicating the government's preference. New Zealand, which decriminalised prostitution over a year ago and has the least regulations attached to it, is dismissed with "too early to assess".

A thorough examination should have been conducted of the effects of legislation and its enforcement on women's and children's safety and protection in other countries, and on the views of sex workers and others in the community. It was not.

None of the accounts say whether there has been a decrease in violence or an improved police and court response to violence against women and children. However, there is a clear indication that where voluntary health services are available they are widely used, while registration and compulsion drive women underground and away from services.

8. Our proposals: What must be done for the safety and protection of sex workers and for all women and children

- ◆ An end to the government, police and social services treating children like criminals when they survive by begging or prostitution. The reinstatement and increase of benefits and safe housing for under-18s. An increase in the minimum wage.
- ◆ An end to the criminalisation of sex workers which increases all women's vulnerability to violence. The prostitution laws also pre-

vent women from advertising and working from premises with other women, which would make working conditions safer. Women must be able to work together without facing charges of brothel-keeping or “controlling” when their working arrangements are entirely consensual.

- ◆ Abolition of the term “common prostitute” which labels sex workers as guilty, and of charges of loitering and soliciting which institutionalise women in prostitution.

- ◆ Abolition of ASBOs which target, criminalise and breach the human rights of prostitute women and young people in particular, and have resulted in increasing numbers of vulnerable people being sent to prison.

- ◆ Repeal of anti-trafficking legislation which is primarily used to deport women. Human, legal, civil and economic rights, including protection from police and courts, health care, welfare benefits and the right to stay and to seek employment, for immigrant and refugee women facing violence and exploitation.

- ◆ Time and resources now spent arresting and prosecuting sex workers (and non-violent clients) should be redirected towards protecting prostitute women and children from violence including rape, sexual assault, kidnapping/false imprisonment and coercion. Violent men, not their victims, must be arrested. This would increase safety for all women and children, as rape and other violent crimes could no longer be dismissed on the grounds that the woman or child was “asking for it” because she was “not innocent”, “loose” or working as a prostitute.

- ◆ Laws against rape, domestic and other violence should be vigorously enforced, whoever is the victim. The charge of pimping should be abolished and men who exploit prostitute women or children should be charged with kidnapping, false imprisonment, rape, sexual assaults, GBH, coercion, threatening behaviour, theft, extortion or whatever combination of charges is appropriate in each case.

- ◆ An end to irrelevant and prejudicial questions about a woman’s sexual history being raised as a defence in rape trials.

- ◆ Abolition of Clause 6 of the Criminal Injuries Compensation Authority guidelines, which is used to deny compensation to prosti-

tute women, children and men (and many other victims) who suffer rape or other violence, on the grounds of “character and conduct”, whether or not we have a criminal record.

- ◆ An end to the Home Office categorising women who are convicted of prostitution-related offences as “sex offenders”. This classes women who have never been a threat to anyone with rapists, and prevents us from leaving prostitution since it singles us out for discrimination when looking for another job.

- ◆ An end to kerb-crawling legislation which makes it more dangerous for prostitute women to work, as we have less time to check out clients.

- ◆ Recognition that every mother is a working mother, doing valuable work for society and deserving of society’s support. Abolition of the 40% benefit penalty introduced by the Child Support Act which penalises families. Reinstatement of Lone Parent Premium and One Parent Benefit – the cut to these benefits has increased women’s poverty and therefore pushed more women into prostitution.

- ◆ Recognition of sex workers’ contribution to the survival of families and communities.

- ◆ Services and viable economic alternatives so that anyone who wants to leave prostitution has the help and support to do it.

- ◆ Pay equity, higher wages and an end to loan sharks.

9. Effects of criminalisation, licensing and decriminalisation.

Sweden – Criminalisation

Rosinha Sambo, Taipei Sex Worker Conference 2001

“To be a sex worker in Sweden is dangerous. We don’t know anymore, what, or how to do it. It’s a law which doesn’t do us any good, and doesn’t give us any choice. A lot of Swedish hookers get killed because they can’t call the police anymore. If they do, the word goes around and they lose all their customers. So a lot of women have got killed. Just like me. Just like many of us. The

usual regular customers leave because they are more paranoid about the police and don't want to get caught. This is a big problem.

Other women have lost their children. Three years ago, before this law came in, I was living with my two children, and now, I'm not. I have to send my children to Portugal before the welfare comes and takes them away. It's very easy for a prostitute to lose her children now in Sweden. If they know you are prostitute, they have their eyes on you. If you get some problem, they take your children away immediately. So this law is splitting up families too, because I am not the only one who is separated from their children right now.

Another consequence of this law is that many Swedish sex workers now go to Norway, the neighbouring country. It's only a few hours by train. But if a woman lives five, six or seven hours, away she has to have a baby-sitter. I can only go home in the weekends, and not every weekend. But it's very difficult to leave your children with a stranger for a week, or for two weeks because you have to go to another country to work. And also it overloads the Norwegian sex market. The sex worker in Norway, who has children and bills to pay resents it very much because she doesn't get enough money. A lot of people go there, make the market much cheaper and her customers disappear. All the neighbouring countries, Denmark, Finland, Norway, they want the Swedish to change this law.

I want to make a huge SOS, because there are countries trying to copy Sweden in this terrible, worthless and fruitless law. Sweden is a very strong example of where so-called law and order can bring us to. Every country that knows of Sweden, should know that they are trying to hound us from the face of the earth and they should see that this law doesn't work."

Sex workers' Critique of Swedish Prostitution Policy, by Petra Östergren*, 6 Feb 2004

"The law against procurement of sexual services (promotion or deriving profit from prostitution) and a recent law prohibiting the purchase of sexual services introduced in 1999 are the two main ways the Swedish state sees itself as "combating" prostitution. Swedish politicians and feminists are proud of the state's prostitution policy. They insist that it has positive effects. Sex workers are of a differ-

ent view. . . . They feel discriminated against, endangered by the very laws that seek to protect them, and they feel under severe emotional stress as a result of the laws.

The law against procurement

The law against procurement renders it illegal to work indoors, work with others, to profit from the sexual labour of others, and advertise. . . sex workers are forced to lie in order to rent premises, or alternatively they have to pay exorbitant rent. Either way, they constantly worry about being discovered. They also report often having to move (when discovered) and being treated badly by landlords and “rent pimps”. . . .

Most of the women I have spoken to wish to be able to work together with others. This is to ensure safety and to support each other. . . . This law also makes it difficult for sex workers to cohabit with a partner since it is illegal to receive any of a sex worker’s income. It is hard for a sex worker to have a family at all since sex workers are considered to be unfit parents and therefore can lose custody of their children if it emerges that they sell sex . . .

The law against purchasing sexual services

The effect of the law is mostly negative for the sex worker. Some point out that even if a few men might get fined, the majority will continue buying sexual services as usual – and as usual it is women and sex workers who will be the most adversely affected.

. . . sex workers say it is now harder for them to assess the clients. The clients are more stressed and scared and negotiation outdoors must be done in a more rapid manner. The likelihood of ending up with a dangerous client is thereby greater.

. . . sex workers feel hunted by the police, social workers, media and sometimes even anti-prostitution activists on the streets . . . sex workers are now more apprehensive about seeking help from the police when they have had problems with an abusive customer. They do not want to be forced to report the client.

Since the number of sex workers on the streets has decreased and they are more scared, previous informal networks amongst the sex workers have weakened. The result is that they are no longer able to warn each other about dangerous clients or give each other the same support.

Women also report that another consequence of the law is lower prices on the streets since there are less customers and more competition. This means that women in more desperate need of money will engage in unsafe sex and sexual activity they usually would not perform . . . The more vulnerable sex workers seem to be the ones most negatively affected by the law.



Women working on the streets in some bigger cities claim that there is now a greater percentage of “perverted” customers and that the “nice and kind” customers have disappeared. A “perverted” customer is someone who demands more violent forms of sex, sex with faeces and urine and who is more prone to humiliate, degrade and violate the sex worker. He also more often refuses to use condoms. Since there are fewer customers on the streets, many women who sell sex in order to finance a drug habit can no longer refuse these customers, as they were previously able to. These women say the “kind” customers have either turned to the Internet to find sexual services or have been arrested by the police. But the “perverted” customers know what to do not to be arrested and fined – they just have to deny it since there is rarely hard evidence.

Societal treatment

. . . All sex workers I have spoken to mention the stigma attached to prostitution where the sex worker is seen as weak, dirty, mentally ill, addicted to drugs and alcohol and viewed as a victim. Along with the difficult legal situation, this makes the sex workers afraid that it will be brought to public attention that they sell sex, so they do all they can to ensure their anonymity. This includes for some women lying to friends, family and neighbours.

. . . Several of them state that they are an important part of society, that they contribute to it, but that they are actively excluded from it. They also think sex workers are denied the benefits of the welfare state - something that is granted all other Swedish citizens.

Several sex workers say that they feel used by politicians, feminists and the media. They think that sex workers are only listened to and being paid attention to if they say the correct things, i.e. that they find prostitution appalling, that they are victims, that they have stopped selling sex and will never go back, and that they are grateful to the current prostitution policy and to the policy makers. . . .



Sex workers express anger about Swedish politicians who, in their opinion, brag and tell lies about the effect of the new law vis-à-vis other countries. They wish that other countries might find out “the truth” about the effects of the law. They also strongly discourage other countries from adopting similar legislation.”

The Netherlands – licensing

Gisela Dutting, Women’s Global Network for Reproductive Rights newsletter, no.3, 2000

“A two tier system has developed where premises can be licensed but street work, except in the few ‘tipplezones’ remains illegal. Police use their powers to clamp down even harder on those who do not work in the legalised areas. Women who hoped to be able to work collectively, legally and more safely from premises, find they are unable to do so.

Illegal prostitutes are worse off. Administrative and legal controls have been intensified by the Dutch police in order to ban and deport illegals, in line with the overall stricter control of illegal migrants. Many women have moved from publicly visible display windows and brothels to escort services and to the ‘tipplezone’. Several persons reported increased presence of organised crime at the tipplezone. It is known that wages and working conditions for illegal prostitutes are deteriorating.

Many brothel owners are taking advantage of the ignorance of prostitutes about their rights. . . [charging] . . . a higher percentage of the prostitute’s income for tax purposes. Practically all local councils . . . have physically pushed prostitution to the edges of towns . . . [and] have restricted the expansion of the numbers of prostitution businesses. This means that there is no space for new initiatives like prostitutes’ co-ops.”

New Zealand – decriminalisation

Catherine Healey, New Zealand Prostitutes Collective July 2004

“The stated purpose of the new law is to decriminalise prostitution (while not endorsing or morally sanctioning prostitution or its use) and to create a framework that: (a) safeguards human rights of sex

workers and protects them from exploitation; (b) promotes the welfare and occupational health and safety of sex workers; (c) is conducive to public health; (d) prohibits the use in prostitution of persons under 18 years of age." *Prostitution Reform Act 2003, Part 1, section 3.*

"The key thing about the 2003 Prostitution Reform Act (PRA) is that decriminalisation included decriminalising prostitution on the street. This was a real milestone and the New Zealand Prostitutes Collective's (NZPC) bottom line. Decriminalisation allows for women to work from their own home. Some women have come off the street and advertise using their mobile phones. There has been no increase in numbers of women working as prostitutes.



Decriminalisation has made a big difference to whether women feel able to report rape and other violence. We have made substantial gains and in some cases have turned police and courts around. Women can now question police actions. Police have to get a warrant to come into premises. Before they could just go into parlours. Some police are unhappy to relinquish the right of access to brothels and to have to extend the same human rights to sex workers as anyone else.

NZPC insisted that to deal with the exploitation in brothels so that women can move in and out of brothels and are not stuck in them, sex workers must be able to work independently. Up to four women can work without having to register or be certificated, as brothel managers are required to. 80% of prostitute women work for themselves. Brothel managers still set petty rules and regulations but women now feel they can challenge them. Before PRA brothel managers took advantage of women because the work was illegal.

Whilst there is now one national law (unlike Australia) that says you can work on the street, city councils cannot decide where street work can take place. However, in some places, while there is no zoning, some local councils have prohibited brothels from operating in certain areas.

NZPC vigorously opposed an amendment to stop immigrant sex workers setting up brothels. It was brought in at last minute because of pressure from the religious right.

As in most places, in New Zealand most women work independently of pimps. There are gangs and opportunistic people, but sex



workers unite at a moment's notice against gang members and don't allow gangs to come down on the street.

Social security benefits are low in New Zealand and sex workers don't get priority for housing but if you step down from sex work you can go immediately onto benefits, whereas with other jobs you have to wait six months before you are eligible.

We had wide support for this law from MPs, rape crisis organisations, the Young Women's Christian Association (YWCA), Women's Electoral Lobby, the National Council of Women, Business & Professional Women's Federation, Maori Women's Welfare League, Public Health Unit, NZ AIDS Foundation."

18 November 2004

Notes

¹ 3.9 million children are living in poverty, that is, 30% of children, one of the highest poverty levels in Europe, The Independent, 12 April 2002

² 62% of single mothers live in poverty. A single mother with two children on Income Support receives £156 a week.

³ Office for Women Workers' Questions, ILO (International Labour Office), Geneva, 1980

⁴ These, like many UK government policies, are modelled on the US, the country with the biggest prison population (disproportionately of people of African descent and other people of colour), with the death penalty in use against teenagers, and with the biggest military budget.

⁵ "Government poverty thresholds compared with the Income Support/Job Seekers Allowance show that no unemployed household has been lifted out of poverty. Shortfalls range from £84.70 a week for a childless couple to £17.13 a week for a single parent with one child." Paul Nicolson, Zacchaeus Trust, 2004. Government claims that poverty has decreased, ignore that thousands of people are outside the formal job market working for whatever wages they can get. "272,000 people are earning less than the minimum wage. Most of those receiving low pay were women, particularly part-time female workers, who made up 110,000 of those being paid below the minimum wage." Office of National Statistics, 28 Oct 2004

⁶ A single mother on Income Support with two children receives £156 a week. Women in Dialogue, Crossroads Women's Centre.

⁷ CSA "on point of collapse" The Independent, 14 October 2004

⁸ "Despite the repeal of Section 55 of the Nationality, Immigration & Asylum Act, many women asylum seekers are still destitute. Some are rape victims, some pregnant or mothers of young children and some are very young themselves. They are

living on the street, sleeping on night buses, in the A&E departments of hospitals, or moving nightly from place to place, cold, hungry and ill, scavenging for restaurant leftovers to stay alive."

Legal Action for Women, correspondence, 2004

⁹ The Independent 31 October 2004.

¹⁰ Home Office figures

¹¹ Liberty's evidence to Home Affairs Committee on Anti-Social Behaviour, Sept 2004

¹² Independent 4 November 2004

¹³ "15,000 children in the UK a year are forced to leave home by their parents or carers before they are 16. These young people have little or no access to emergency accommodation and no legitimate means of surviving independently. Some are even forced to beg, steal, deal drugs or to become involved in prostitution to survive. More girls (58%) than boys are forced to leave home." Thrown Away, the Experiences of Children Forced to Leave Home, Children's Society February, 2004.

¹⁴ The minimum wage for 18-21 year olds is £4.10 an hour, for 16 & 17-year-olds it is even less at £3 an hour

¹⁵ Promises in the report of £2 million for "community-based refuge services" are long overdue considering that children's charities have been demanding this since at least 1995 and "there is currently only one refuge in the country."

¹⁶ Research by Tamara Chimiak, social work student, Wolverhampton 1998

¹⁷ Action on Rights for Children leaflet

¹⁸ The Guardian, 10 December 2001

¹⁹ "A 17-year-old Rwandan girl was harangued and shouted at by Home Office security guards and receptionist demanding to know where she was from and why she was claiming asylum — in an effort to deter her." Black Women's Rape Action Project, files, 10 November 2004

²⁰ Some Mother's Daughter, International Prostitutes Collective, Crossroads Books, 1999

²¹ Joseph Rowntree Foundation, annual report 2003

²² Home Office News Release, 18 Dec 2000 Tackling Prostitution: What Works

²³ In 1995, we helped two women bring the first private prosecution for rape in England after the Crown Prosecution Service refused to prosecute — one of the women was told "You are a prostitute, you won't be believed". But the jury convicted on the same evidence deemed "insufficient". In February 2000, police in Bradford commented in the press, in response to another woman being murdered: "These girls know the dangers, but sometimes they need reminding." In Soho, where the police boasted of a good relationship with working women "supervisory visits" were used to gather information which was then used as evidence by Westminster Council in eviction proceedings and by the immigration authorities for deportation.

²⁴ "Pimping and domestic violence are two sides of the same coin." Some Mothers' Daughter 1999

²⁵ *ibid*

²⁶ Home Secretary Jack Straw; The Guardian, 3 June 1999, p9.

²⁷ The Hidden Victims, Children and Domestic Violence, NCH Action for Children, 1994

²⁸ The Guardian, 8 Jan 2000, p12

²⁹ "A woman we helped in 2003 had suffered two years of violence from her ex-partner, including rape at knifepoint and attempted arson. She had reported each incident, but each had been dealt with without reference to the others. The police accepted his version of events despite his history of violence against her and he was never charged with rape or any other offence. When he smashed the window of the car, with her and their baby inside, showering them with glass, eye-witnesses were not questioned.

He was charged not with assault, but with criminal damage, and fined. It was the destruction of property, not the violence against woman and child, that was the crime." Women Against Rape, Independent, 6 Jan 2004

³⁰ Camden New Journal 27 May 2004

³¹ Kerala Sexworkers Forum, India

³² Seoul, South Korea, Associated Press, 7 October 2004

³³ More than half the children living in poverty in the UK, have a parent in waged work. For over a million parents a job has not been a way out of poverty. The Guardian, 11 October 2004. In 2000-1, women's average wage was £191 per week. On average women receive 52% of men's income. Black women earn as low as 32% less than white women.

³⁴ ASBOS crush liberties but won't stop crime, James Skelsey, solicitor, Camden New Journal, 9 Sept 2004.

³⁵ 194% increase in the numbers of women in prison in the last ten years. Fawcett Society's Commission on Women and the Criminal Justice System, 2004

³⁶ Letters Friday October 15, 2004, The Guardian

³⁷ "We believe that the views of children and young people have not been fully taken into consideration. If children as young as 10 are expected to understand an anti social behaviour order, they should also be consulted on their introduction. We are very concerned at how little the draft legislation has taken account of our concerns that ASBOs will be counter productive in tackling anti social behaviour." Linda Kerr, Head of Legal and Complaints for the Northern Ireland Commissioner for Children and Young People. www.niccy.org

³⁸ "Economist, SoHopeless", June 23rd 2001

³⁹ "Soho sex workers say claims they are being pimped by organised gangs are part of an underhand plot to discredit them and clean up the notorious red light district." Jon Silverman, BBC Online, February 2003.

⁴⁰ *Stopping Traffic: Exploring the extent of, and responses to, trafficking in women for sexual exploitation in the UK*, Liz Kelly, Linda Regan. Police Research Series Paper 125, May 2000.

⁴¹ Tough asylum laws 'boost trafficking' Alan Travis, Tuesday June 24, 2003, The Guardian

⁴² Poverty has increased in Africa by 43% in the last decade from 1987 to 2003, UN Economic Commission Africa, 22 May 2004

⁴³ Insp Paul Holmes, Home Office, Trafficking and Sexual Exploitation seminar, 15 October 2000

⁴⁴ 7 October 2004

⁴⁵ Our views are shared by prostitute women internationally: "Systems based on [anti-trafficking] laws, enforced by immigrations officials, grant extraordinary powers to the police and immigration officials. . . . Prostitutes' rights advocates from many countries propose several alternatives including the enforcement of laws against abuse, kidnapping, etc. enforced against all those who abuse prostitutes, including traffickers." Prostitutes' Rights Demonstration in South Asia, Rupam Banerjee, Reuters



Women speak out:

Banned by an Anti-Social Behaviour Order.

I have been working on the streets for years. I have a few convictions for loitering and soliciting. A few months ago I was given an Anti-Social Behaviour Order (ASBO) banning me from Westminster and Islington. Up until then I was doing ok, I was still working but I was using a project in Islington and I had friends in the area who were not the kind of people that would get you into trouble. Now I'm banned and I have to start all over again.

I went down to South London to work and it really scared me. When the police come the girls run off the road onto the Common to work. Working places like that mean that some women aren't going to come out alive. I've had more bad punters since I had to move to work down here.



It's more dangerous because I don't know my way around.

The police have a points system so that after you get a few charges for soliciting you automatically get an ASBO. No matter what you are trying to do with your life. One woman back in Islington got sent down for 10 months. She lost her flat, and now because she is homeless it's harder for her to get her kid back.

A lot of the girls have been forced off the streets and into the flats to work, so the prices in the flats have gone down. By the time you have paid expenses, you can come out with less than half the money you made. And you have to work longer hours. At least on the street you can decide when you are going home and you keep all the money you make.

I would always try to report an attack because if a man attacks me and I do nothing, then next time it could be my daughter or someone else I know and I couldn't live with myself. But I've reported in the past and the police just laughed at me. I gave them a description of the man and part of his car registration and they never even looked into it. If women have warrants out on them they won't report violence or even rape because they know the police will arrest them.

About a year ago I tried to sort my life out and I was determined to get out. I got a cleaning job but it only just covered what I had to



pay for someone to look after my daughter. I would have had to work two jobs to have enough to support us. This job can destroy you. But other jobs destroy you just as good.

I'm a docker's daughter. We're fighting eviction.

I have worked as a maid for about 15 years. I'm a docker's daughter and there is no work where I come from. A lot of people have got into drugs because there is nothing there for anyone.

I've been married for twenty years. I have four children and it was so hard to make ends meet as the kids were growing up. I used to have two jobs. I worked in a snack bar while the kids were in school, then rushed to pick them up then fed them and then went off to do the 5-9pm shift at a factory. When the ferry boats or cruise liners came into the docks we would get a few days work cleaning them. It's no wonder that women shoplift to get stuff for their kids.

I don't earn a lot working in Soho. Once I've paid my train fare and paid for food and other stuff for the time I'm in London, I don't take home much. But it's better than I could get back home. I own my house, it's in my name and I pay the mortgage from what I make working in Soho.

The council has closed down some of the flats by putting compulsory purchase orders on them. They say the flats have to be done up and that they want to use them to house people. But we have seen how other flats and small corner shops get bought up by the property developers.

The women in the Peter's Street flats tried to fight the Compulsory Purchase Order. They had been there 25 years. The ECP found lawyers and a lot of us went to the public inquiry. But we are always at a disadvantage because we can't be public about what we do. We lost and the flats in Peter's Street are now closed.

I'm scared that we will be next. If I lose my job, I can't pay the mortgage and I will lose my house.

I was deported. But my son was here so I'm back.

I've heard what they say about the Albanian mafia controlling Soho and it makes me furious. Some of us are Albanian but that doesn't mean we are being controlled by anyone. I have a five year old son and I work for myself and for him. I have worked for about five years in Soho on and off. No-one forces me. I wouldn't put up with it.

The Albanian girls come here to work because the economy in Albania is no good. I have four sisters. My mother is on her own and is sick. Two of my sisters have come to London, two stayed home with my mother. My sisters who stayed home earn so little. There is no point in even getting married because life is no better. Everything is expensive, even food. Albania is beautiful but the government ruins everything.

The police here aren't interested in whether women are being forced to work.

They come round the flats quite regularly, but they come in a group of about seven with immigration officers. One of them comes to the door, and when we open it the others come up the stairs and come in. They don't ask us anything about our situation, not that we would trust them if they did. They treat us badly and it's worse if the maid isn't there. They are only looking for girls who have no papers. They take those girls away and deport them.

There have been more visits this year than last year. Before I got my papers, I got caught twice. One time they held me in a detention centre near Heathrow for days. I was in a terrible state and got really ill. I was sick with worry about my son. My mind was only on him, and the immigration officer was shouting at me. One of the women officers was the worse. She was really evil. I have seen her since when she comes round the flats.

I think they drugged me because they gave me tablets that made me go to sleep very heavily. The next thing I knew I was being put on a plane back to Albania without my son.

I had to come back. I couldn't live without my son and couldn't support him back home.

I'm 16, I was trafficked. The Home Office was hostile.

I am 16 years old. I come from a country in Africa suffering war and violence. My parents died and relatives sent me to a family friend who promised them he would find me a job. But he locked me up and forced me to sleep with men, and to go out to do domestic work: cleaning, washing, ironing, etc. He kept all the money, I don't know how much he was paid, but he seemed to be doing well.

It's hard to explain my thoughts at the time. I felt sick inside, and often thought about dying or trying to escape, but I feared the man might kill me.

There were several other girls, all from different countries, speaking different languages so we couldn't talk to each other. For several months we were taken to different countries in Africa, then he brought two of us to London. I don't know what happened to my younger brothers, if they are alive or if they died. It's very worrying to me.

I didn't know anyone in London. I was locked up again in a house. There were other girls there, I don't know how many, as we were kept in separate rooms and not allowed to speak to each other. The man who brought us to London brought men to the house and forced us to have sex with them. Sometimes he would take us to someone's house and we would be forced to have sex.

One time I found the car door had been accidentally left open and I jumped out. I didn't know where I was but I ran down many streets, and finally got to a bus stop. I begged people to help me; someone gave me a little money for my fare. I traveled as far as I could, then I slept outside for the night. I was so frightened. I didn't know what area I was in, or where to go. I thought I might be attacked or that the man I escaped from would be chasing me and find me. I thought about my parents and felt sick. I thought about trying to walk and walk to my home country, but I didn't know how to get there.

At first I was too scared to ask for help but when I did, I didn't know what to say about what had happened to me or how to put it in words. I was crying with fear. Even though I had learned English

at school, I was unfamiliar with speaking to people in that language. I never considered going to the police because I didn't know how they would treat me. In many places, if you go to the police they just lock you up.

Eventually someone asked me what was wrong because by that time I was desperate and crying. It was very cold. The person made some phone calls and brought me to the Women's Centre.



The Black Women's Rape Action Project listened to what had happened to me and got me a temporary place to stay for a week, and some warm clothing and food. They spent days trying to find me a lawyer. The lawyer wrote to social services to find me housing and money to live on. It was very upsetting to have to talk to the lawyer about what had happened to me. I was crying and distressed but there was no other way.

Social services offered emergency housing but it was very far from the Centre where I was getting help. I was frightened it might be near the place I'd escaped from, so I decided to stay where I was and where I felt safe, for another week.

I went to the Home Office with one of the women from the Centre. As soon as we arrived at the door, the security guard very rudely asked how old I was, where did I come from, when did I arrive, where had I been, and why I didn't come in earlier. The man spoke to me in such a hostile way, and he was only a security man. I was fearful it would be even worse when I went inside. The receptionist was the same, asking the same questions very rudely.

We were there for hours. They would make me wait then take me somewhere and ask me questions, then make me wait again. At some point they were asking me questions in a big room with many other desks and people who could hear everything I said. I could hear an interviewer shouting at another young girl, accusing her of lying about her parents being dead. The girl just sat and cried. I was afraid that I would also be accused of not telling the truth. When they asked me about my parents I was so upset I broke down crying and I couldn't speak.

After many hours, they said I should come back the next day, to fill out the forms because they had visitors and were short staffed. The next day we waited for an hour and a half just to be told to come back in three weeks and bring a letter.



My lawyer had to threaten to take social services to court before they would house me. What happens to people who don't have someone like BWRAP to help them or whose lawyer is no good? Now I have a hostel room and a little money every week to live on but it's not enough to get all the things I need: I fled with only the clothes I had on. I had nothing, no money, no clothes, no coat or winter shoes. Without the Centre helping me with clothing, food and other things I would be in terrible trouble. I now have a bus pass but for two weeks I was dependent on women at the Centre paying my fares to everywhere I needed to go, even to my lawyer.

It's now five weeks since I escaped and I'm feeling a little better, because I have support and a place to live. But I am still fearful of going to the police. Would they send me back or put me in prison? I don't think it's possible for the police to find my attacker, and if they did find him I'm frightened I would be in danger. He might find me and kill me. Who would protect me? I can't afford to risk my life.

I have some serious health problems from the violence I suffered. I need time and help to get over what I have been through. At one hostel you can only stay five weeks. That's not long enough to recover and not to feel frightened for your life. I don't want to be sent back – there is no one left back home who will help or support me, at least here I am with women who understand what I've suffered and help me survive.

I was sold and raped, but was refused asylum.

Victims of trafficking find that the rape and other violence we suffer is not taken seriously by the Home Office. We are treated with hostility and disbelieved when we claim asylum, and told to go back to the country where we were first kidnapped.

I was 17 when my father sold me to some men in Albania. They were part of a well-known gang. They kept me locked in a house where I was raped over and over.

After a few months I was sold to another gang who took me to another country in Europe and made me work on the street. The police arrested me and locked me up for a short while, but then sent me back to Albania. When I arrived in Albania the police

handed me over to the relatives of the first gang. They took me to Germany where I worked on the streets until I became really ill from the cold and the beatings. Once I was so badly beaten I nearly lost my sight in one eye. I was forced to make an asylum claim but it was refused, and I was again returned to Albania.

This time the gang members took me to the UK in a lorry. I arrived four years ago. Some of the men travelled with me and made me make a false asylum claim. I was kept for a while in a detention centre and then released. I worked for nearly two years in a flat. I managed to keep a tiny amount of the money I earned but I had to hide it.

They would take me to work and be there outside to pick me up. I was beaten and kicked all the time. My shoulder and back are still painful from the beatings. I couldn't escape. They watched us all the time. We saw that some girls disappeared. I was terrified. I didn't know anyone, I didn't know where I was, I didn't speak hardly any English. Also, I thought the relatives of the men who were holding me had kidnapped my sister and taken her to Paris.

One day I decided to try and escape. I had a little money by then and ran away while I was supposed to be working in the flat. The maid in the flat helped me. She took me to the English Collective of Prostitutes. They found me a lawyer.

I fell in love with a man I met and got pregnant. We planned to get married, but he was ill and turned violent after our child was born, so I had to leave. I was lucky because his sister took me in. She knew that her brother had been violent to me, and didn't want me and my child to be out on the street.

The Home Office have rejected my asylum claim. They say it's because I'm not with my baby's father anymore. Do I have to stay with him even though he beat me? His mother wrote to the Home Office saying that she knew I loved him and wanted to stay with him and raise our daughter together but had to leave when the violence got too bad. She is helping me to raise her grandchild and doesn't want to lose us.

But the Home Office says I could go back to a different area in Albania. They have no idea what it's like to be hunted in this way. These gangs are in charge of many areas in Albania. They have

many contacts. If they found us they could kill us. There is no way I am going to risk my life and my child's life. My appeal comes up soon.

A conviction for brothel-keeping ruined my life.



The way I got into this job was that my aunt was an immigrant and couldn't get a job. She started working as a maid in a flat looking out for the working girl and making sure she was safe. I was 18 at the time and pregnant. The father of my baby wasn't around and I was hard up. My family really didn't want me to start in this kind of job but I begged them to let me to tide me over for a while. I told them that it wouldn't be forever. Before I got pregnant I was doing well at school. My parents encouraged me.

I started working as a maid for a working girl in a flat, and had only been there four months before the police raided. They had been observing the flat for three months, and during that time saw me go in and out and saw that I had keys. I wasn't there on the day of the raid, but the other maid was arrested and held for 48 hours. The police told her to tell me that I had to come into West End Central Police Station for questioning, and if I didn't they would come and get me.

When I got there they interviewed me for eight hours and told me that if I didn't give them information about the landlord they would charge me with brothel-keeping. I didn't have any information to give. I was young and scared, and they threatened me saying "we know more than you think". My solicitor was useless. He told me to plead guilty and didn't raise anything in my favour. I was charged, found guilty and given a conditional discharge.

That conviction has ruined my life. I have tried for all kinds of jobs since then and it has always come up. A few years ago I applied to be a security guard and to work in a youth centre, and again was rejected. Sometimes they don't tell me outright it's because of my record, but I can tell by the way they look at me. And everyone assumes that because I was young at the time of the conviction that I was working as a prostitute even though I've never worked like that.

It's also affected other things in my life. My niece's six year old daughter was sexually abused by a family friend. She reported it



and instead of them investigating the man who abused her they started investigating my niece. They're now interfering in all parts of her life accusing her of being a bad mother. My niece loves her daughter so much and is really devoted. But she is being picked on by social services, the school and everyone. She is terrified to lose custody of her daughter, and she's put me down as the guardian so that her girl would come to me if anything happened. But now of course they're looking into my background and the brothel-keeping conviction is going to come up. That's going to cause all kinds of trouble for us.

Working as a maid is hard work, long hours and for not that much money. I would have liked to do something else with my life. I never know from one day to the next whether my job will be here tomorrow. The police could come at any time and close us down, and then I would have nothing.



Appendix on poverty

Circumstances force decisions.

Rev Paul Nicolson, Zacchaeus 2000

Home Office admits economic necessity drives prostitution

1. The Home Office consultation paper confirms that “Prostitution may be driven by economic necessity”. It also reports “survival to be the overriding motivation” and that 74% of off street sex workers “cited the need to pay household expenses and support their children”. The lack of money to live a healthy life and participate as citizens in Britain forces choices many women would rather not consider. Survival is a powerful motivator. There are several different strategies to cope when employment with adequate pay is not available.
2. Buying the things that most people consider necessary can become impossible at the lowest levels of income in the UK without deciding to buy cheap, filling and fattening food, borrow from a loan shark, burglary, shoplift, bend the benefit rules, carrying drugs from A to B at £50 a time or, for some, enter prostitution. To understand the debilitating circumstances of poverty in the UK is not to condone such decisions. Most of all it is impossible to condone the failures of all the political parties fully to address the inadequacy of the lowest incomes in the fourth largest economy in the world.
3. The Office for National Statistics reported in 2000 that almost 7.5 million people are too poor to engage in common social activities considered necessary by the majority of the population, such as visiting friends and family, attending weddings and funerals or having celebrations on special occasions. About 33% of British children go without at least one of the things they need, like three meals a day, toys, out of school activities or adequate clothing. Until publicly shamed the Banks at Canary Wharf did not provide a living wage, a pension, holiday or sick pay to their cleaners, many of whom were doing two jobs and working long hours to pay the rent and council tax without threats of enforcement. There are

no holidays.

Draconian and complex structures.

4. The structures created by many government departments oppress households with low incomes. A chaotic housing market in which private landlords are buying to rent for the capital increase on the property, and in which housing associations have stopped providing social housing to become commercial landlords, will continue to increase rents that eat into low incomes in manner that undoes the increases in National Minimum Wage and tax credits.

5. The high cost of all private and some social housing results in the rent being higher than the housing benefit which in turn results households receiving income after rent and tax in work that is less than it would be receiving income support out of work.

6. The tax credit/housing benefit/council tax benefit jungle involving the call centres/jobcentres/benefit processing centres/inland revenue/and two local authority departments, one for council tax benefit and the for other housing benefit, and sometimes two outsourced agents and the bailiffs, the county court (repossession) and the magistrates courts (council tax arrears) can become a nightmare in households trapped in it all. Over payments of benefits by the authorities become unrepayable debts and have led to eviction. There is an understandable desire to be freed from this oppressive regime. The circumstances that force debt are among those that lead to decisions about entering prostitution.

Debt unavoidable

7. In July 2002 the Economic and Social Research Council published the report How People on Low Incomes Manage their Finances. The report featured seven papers by leading researchers on aspects of financial management in low-income groups. The main findings published by the ESRC were:

a. In general, low income people manage their finances with care, skill and resourcefulness. There is no evidence to suggest that there are two types of low income families - those who can cope and those who can't (work by Kempson and Middleton).

b. People adopt various strategies when incomes are low, but no money management strategy can be sustained if income is too low to make ends meet (work by Kempson).

c. The vast majority of people on low incomes are borrowing money regularly for essential items and to make ends meet. The last resort is the Loan Shark (work by Jones).

d. Borrowing from the Social Fund is, on the whole, seen as second best, largely because there is a reluctance to ask for money from the Government. Borrowing in the alternative credit market is usually the main option for people unable to raise the money they need more cheaply (work by Kempson).

e. Financial hardship and debt is unavoidable for many, particularly lone parents. Children inevitably suffer the consequences in terms of their behaviour, aspirations and longer-term outcomes. However hard parents try, the consequences for children of long-term poverty remain severe, not simply as a result of material deprivation but also because they grow up without the financial skills and knowledge that are an increasingly important part of life (work by Middleton).

f. Households with lower incomes have less confidence in using the new technology. They seem to be increasingly at a disadvantage, which is reproducing, and in some cases reinforcing, traditional inequalities between and within households (work by Pahl).

The figures

8. Table A below shows that the threshold used by the Department of Work and Pensions (DWP) to determine whether a household has been "lifted out of poverty". The government measures poverty BHC and AHC.

a. Before housing costs (BHC) means that council tax, income tax and national insurance contributions have been deducted but not housing costs.

b. After housing costs (AHC) means all that those direct taxes and housing costs have all been deducted.

9. AHC income is therefore directly comparable to IS/JSA, which is paid after 100% housing and council tax benefits. AHC income is the true measure of poverty because it has to pay for all other necessities such as food, clothing, utilities, transport, exercise and recreation etc., in an economy where the constant increase in housing costs and council tax use up ever higher proportion of the national minimum wage, tax credits and state pensions.

10. Table A shows that no unemployed household has been lifted out of poverty when the government's AHC poverty thresholds are compared with the actual IS/JSA levels paid to them. Shortfalls range from £84.70 a week for a childless couple to £17.13 a week for a single parent with one child. Empirical evidence and grass roots experience suggest that in reality poverty is worse than the figures show.

Weekly cash values for the relative low income threshold by illustrative household type at 2002-03 prices Household type	Before housing costs BHC	After housing costs AHC (IS/JSA 2004)
Couple with no children (equivalised income benchmark)	194	172 (87.30)
Couple with two children aged 5 and 11	283	253 (187.79)
Single with two children aged 5 and 11	207	175 (156.14)
Couple with one child aged 5	235	208 (145.52)
Single with one child aged 5	159	131 (113.87)

The BHC and AHC information was provided by the DWP in an answer to a Parliamentary Question. IS/JSA payments by the DWP.

Single childless adults the poorest

11. The Income support/ Jobseekers allowance (IS/JSA) of unemployed single childless women aged 18 – 24 is currently £44.05 a week; aged 25 + it is £55.65 a week. Work at the London School of Hygiene and Tropical Medicine has shown that the bare minimum AHC income for healthy living should be at least £91 a week but rising to £125 in London. The Family Budget Unit at the University of York latest research estimates the minimum at £131 a week AHC. Clearly any childless single woman with no assets receiving current levels of unemployment benefits in the UK is in serious pov-

erty. There has been no increase in these benefits since 1970.

12. Asylum seekers are allowed 70% of these already inadequate incomes as measured by the government's poverty thresholds. A single adult receives £38.96 a week and a couple £61.11, while parents get £42.27 added for each child under 16.

13. So an asylum seeking single parent with one child receives £81.23 a week, and a UK resident £113.87 while the government's poverty line is £131, all AHC.

National Minimum Wage too low

14. The Family Budget Unit calculate that a single earner with a partner and two children needs to earn £7.75 an hour to have a 'Low Cost but Acceptable' budget. A single adult with no dependants needs £5.82 an hour. It is in fact £4.85 per hour for workers aged 22 years and older. £3.00 per hour applies to all 16 year olds who are no longer of compulsory school age, and 17 year olds.

Unavoidable debt consumes emotional energy

15. Repaying unavoidable debt reduces these already deeply inadequate incomes. Debts and the threats of, or actual, eviction for mortgage or rent arrears, and prison for council tax arrears create ill health and the kind of stress that leads to domestic violence, break down of marriage/partnerships and suicide. .

16. A study Brighton and Hastings of debt as a barrier to employment by Peter Ambrose and Liz Cunningham at Brighton University, just completed, shows that debt was given as a barrier to work by nearly 38% of survey respondents. Those interviewed identified the three main barriers to employment as debt, childcare and the 'poverty trap'. It was a barrier in terms of the amount of emotional energy the issue took and a fear of earnings being 'attached' by creditors:

A fault in the statistics

17. On the 12th July Andy King MP asked the following PQ. "What the most recent weekly income thresholds are over which the Government judge children to be lifted out of poverty in the United Kingdom (a) before housing costs and (b) after housing costs (shown above); and in each case, (i) how many children remain in poverty and (ii) how many children would be judged to have been lifted

out of poverty if each of these thresholds were increased by (A) £20, (B) £30 and (C) £40 a week." [180944]

18.Reply; The available information is in the tables.

Table B.

Number of children in low income if the threshold were raised by the following amounts	Million	Million
Threshold raised by:	Before Housing Costs BHC	After Housing costs AHC
£0	2.6	3.6
£20	3.5	4.4
£30	4.0	4.8
£40	4.4	5.2

19.The reason this question was asked is that the government's BHC threshold over which families are deemed to have been lifted out of poverty excludes council tax, national insurance contributions and income tax. But the actual incomes households receive have to pay them all. Therefore a government threshold that excludes them all has to be too low. Assuming average Council tax to be about £20 a week then the threshold is at least that amount too low. Table B shows that if the threshold is increased by £20 then 900,000 fewer children have been lifted out of poverty than has been claimed.

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The Zacchaeus 2000 Trust works at the grass roots with families and individuals facing threats of eviction for rent arrears and prison for council tax arrears and summons to court for debt. We train people to do this and we run a coalition of 67 Non Governmental Organisations calling on government to set up research into the minimum incomes needed for healthy living to be taken into account when the levels of benefit, tax credits and state pensions are being set.



Who we are

The English Collective of Prostitutes (ECP) is a self-help group formed in 1975 to defend prostitute women's right to protection, safety and recognition as workers. We campaign for the abolition of the prostitution laws which criminalize sex workers and our families making us more vulnerable to violence and exploitation, and dividing us from other women. We also campaign for economic alternatives in the form of higher benefits, pay equity and increased resources. No woman, child or man should be forced by poverty or other violence into sex with anyone.

We provide information, help and support to individual prostitute women and others concerned with sex workers' human, civil, legal and economic rights. Our network includes women in most towns and cities across the country. In 1982 we initiated Legal Action for Women, a grassroots legal service for all women based at the Crossroads Women's Centre, which has developed a network of reliable and committed lawyers.

The ECP and the US PROStitutes Collective are part of the International Prostitutes Collective which is in touch with women and organizations all over the world. Most sex workers are mothers, often single mothers, with families to support. We demand recognition for the contribution sex workers make to the survival of families and communities, beginning in the Global South.

About this pamphlet

In July 2004, as part of a review of the prostitution laws, the first in half a century, the government issued *Paying the Price*, a consultation paper. In November we submitted the following response to which statements by individual women, and an appendix on poverty have been added.



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