



RE: Home Office Proposals on Prostitution & Lap Dancing Legislation

The international legislative context – Violence against women and international human rights law

The historical failure of states, including the UK, to deal with the human rights implications of prostitution and trafficking has had profound implications on the ability of those states to prosecute and punish perpetrators of these types of criminal activity. Consequently, Eaves and Rights of Women welcomes current government plans to develop the legislation on prostitution in a way that is more consistent with a human rights based approach. However, before engaging in the substantive questions asked by this consultation Eaves and Rights of Women believe that it is important to discuss measures intended to combat prostitution within the international framework for tackling violence against women

Any measures proposed to tackle prostitution must be in line with the UK's obligations under the following international instruments:

- UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)
- Universal Declaration of Human Rights (1948)
- UN Slavery Convention (1926)
- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (1956)
- European Convention of Human Rights (1950) (the ECHR)
- The International Convention on Civil and Political Rights (1966)
- UN Working Group on Contemporary Forms of Slavery (est. 1975)
- UN Declaration on the Elimination of Violence against Women (1994)
- UN Forth Conference on Women (1995) Platform for Action
- UN Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (known as the Palermo Protocol) (1998)
- The Convention on the Elimination of All Forms of Discrimination Against Women (1971) and the Optional Protocol to the Convention (1999) (CEDAW)
- The European Union Council Framework Decision on Combating Trafficking in Human Beings (the Framework Decision).
- Council of Europe's Convention on Action against Trafficking in Human Beings (the Trafficking Convention).



The UN Declaration on the Elimination of Violence against Women defines violence against women in Article 1 as: “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

Article 2 of the Declaration further states that violence against women encompasses, but is not limited to:

- (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

The 1995 UN Fourth Conference on Women (1995) Platform for Action went further in recognising sexual violence, trafficking and forced prostitution as forms of violence against women which required positive state action.

“Strategic objective D.3. Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking

Actions to be taken

- 130. By Governments of countries of origin, transit and destination, regional and international organizations, as appropriate:
 - a. Consider the ratification and enforcement of international conventions on trafficking in persons and on slavery;
 - b. Take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;
 - c. Step up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;
 - d. Allocate resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care, and take measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;

- e. Develop educational and training programmes and policies and consider enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children”.

The UK also has clear legal obligations under CEDAW, article 6 of which requires states to take “all appropriate legislative and other measures” to deal with trafficking and the “exploitation of the prostitution of women”. General Recommendation No. 19¹ goes further in describing the positive obligations on states to eliminate gender based violence (including sexual violence, forced prostitution and trafficking) and makes clear that states may be responsible for private acts if they fail to act with due diligence to prevent the violation of rights or to investigate and punish acts of violence. The recommendation also states that trafficking is a violation on the prohibition on sex based discrimination.

In addition to looking at specific measures aimed at dealing with violence against women, it is also important to understand the positive obligations the Government has under the ECHR. Under Article 1 of the ECHR the UK is required to secure the Convention rights and fundamental freedoms of “everyone within their jurisdiction”. A failure to effectively protect a woman from violence may be a breach of:

- Art 2 ECHR (her right to life);
- Art 3 ECHR (her right to be free of inhuman and degrading treatment);
- Art 4 (her right to be free from slavery and servitude);
- Art 12 ECHR (her right to marry and found a family); and
- Art 13 ECHR (her right to an effective remedy).²

Finally, on 23rd March 2007 the Government signed the Council of Europe’s Trafficking Convention. While the UK has not yet ratified the Convention,³ as a matter of international law, the UK is required to respect the Convention and not to take any action that would frustrate its objects and purposes.

The above discussion of international human rights law is important because it outlines the myriad of positive obligations on states to tackle prostitution, trafficking and sexual violence. Positive obligations require states to do more than simply exercise due diligence in the investigation of criminal activity. Rather, they require states to analyse and respond to the causes of violence against women which in this case are the causes of prostitution, trafficking and sexual violence.

Fulfilling positive obligations may require legislative action, such as the proposals made in this consultation, but they also involve non-legal measures, such as the development of safe exit strategies for women who wish to leave prostitution. Both legislative and non-legislative measures are necessary if the Government wishes to fulfil its international obligations in this area as paragraph 130 of the Beijing Platform for Action makes clear.

In the next section of our response Eaves and Rights of Women will address the four issues raised by the consultation.

¹ General Recommendation No. 19 (11th Session, 1992) on Violence against women.

² See for example **Kontrova v Slovakia [2007]** Application no 7510/04 31st May 2007.

³ Ratification is expected by January 2009.



(a) A new criminal offence of paying for sex with a person controlled for gain.

Background

Public opinion

- There is clear evidence that Swedish legislation which criminalised the purchase of sex in 1999, and the concurrent education and awareness-raising campaign have significantly shifted public perception about prostitution. Prior to enactment, only 49% of the population supported the proposals, rocketing to 82% by 2003 (also Ekberg, 2004; Mansson, 2007).

In January 2008, the BBC1 Politics Show commissioned an ICM survey on prostitution,⁴ and reported the following findings:

- 52% of respondents said they thought that paying for sex should be made illegal.
- Overall 65% felt that buying sex is an act which exploits women
- Scottish respondents were the most in favour, with 60% agreeing that buying sex should be made illegal. This is perhaps a reflection of satisfaction with a recent toughening of kerb-crawling measures there.
- But real differences in attitudes emerged in different age groups, with 65% of young respondents between the ages of 18 and 24 being the most enthusiastic supporters of criminalising the punters.⁵

Buyers' Profile

In December 2005, a medical study conducted by Imperial College found that:

"It is very difficult to identify clients as a distinct group – the behaviour occurs across ages, social classes and ethnic groups, and is increasing....Paying for sex was more frequent in men aged between 25 years and 34 years, who were never or previously married, and who lived in London. There was no association with ethnicity, social class, homosexual contact, or injecting drug use." CONCLUSION: The proportion of men who reported paying for heterosexual sex has increased, and these men have multiple commercial and non-commercial partners. Their higher rates of STI and low level of HIV testing suggest the need for prevention interventions for clients as well as sex workers.⁶

⁴ ICM Research interviewed a random sample of 1,023 adults, aged 18+, by telephone between 16-17 January 2008. Interviews were conducted across the country and the results have been weighted to the profile of all adults.

⁵ Buonadonna, P. (2008). *Sex survey - law to change?* London: BBC News. Accessed October 2008 at: http://news.bbc.co.uk/1/hi/programmes/politics_show/7192273.stm

⁶ Ward, H. et al (2005). *Who Pays for Sex? An analysis of the increasing prevalence of female commercial sex contacts among men in Britain.* Sexually Transmitted Infections 2005; doi:10.1136/sti.2005.014985. <http://sti.bmj.com/cgi/content/abstract/81/6/467>.



Increase in demand

- Multi-media ubiquity of highly sexualised images (from giant billboards featuring near-naked women to sell products, to extreme pornography online), disposable incomes, along with disagreement and confusion over the ethics surrounding sexual exploitation and sexual empowerment, have all contributed to the rising numbers of people buying sex, predominantly men.
- The demand for prostitution does not represent a biological need, nor a predisposition; rather, it indicates a sense of entitlement, the desire to 'consume.' Due to the normalisation of the sex industry,⁷ buying sex is seen as a legitimate leisure activity whereby women are selected and purchased, like shopping for groceries⁸.

In 2006, one pro-sex work academic and lobbyist⁹ listed the following reasons for an increase in demand:

- *Increase in divorce / decline in marriage*
- *Growth in adult entertainment industry*
- *Availability & visibility*
- *Growth of internet and global communications*
- *Increase in travel*
- *Increase in amount of adult time spent alone*
- *Increased cultural acceptance / less stigma*
- *Change in sexual morality attitudes?*
- *High condemnation for extra-marital affairs*

Conveying the Message

- In May 2008, the Home Office launched a pilot poster campaign which ran with the strapline 'Walk in a punter, walk out a rapist.' Such a message suggests that it is quite possible to unwittingly have sex with a trafficked woman. But the implication is that a sex buyer's responsibility to do no harm begins and ends with checking for bruises or asking the woman if she has been trafficked.
- The POPPY Project's expertise with women who have been trafficked into prostitution, in line with the global body of evidence on working with victims of trafficking consistently indicate that self-identification of trafficking is uncommon, as is early disclosure of coercion and abuse, particularly in the absence of time to establish a position of trust.

⁷ Mahoney, K. (1993). Destruction of Women's Rights through Mass Media Proliferation of Pornography.

⁸ Coy, M., Horvath, M. & Kelly, L. (2007). *'It's just like going to the supermarket': Men buying sex in East London. Report for Safe Exit Tower Hamlets.* London: Child and Women Abuse Studies Unit, London Metropolitan University.

⁹ Sanders, T. (2006). *What we know about men who buy sex.* UKNSWP Annual Conference, 6 October 2006. Manchester.



- The West Yorkshire pilot project, Kerb Crawlers' Re-education Programme, which was piloted for one year in 1998, offered the option of a course as a form of court diversion. The money the men paid to attend the course was given to support services for women in prostitution in West Yorkshire. This model proved an effective method of tackling some common assumptions and was cited as good practice the Home Office's 2006 strategy. It has since been developed into the 'Change Course' which is conducted in parts of the UK, providing a one-day course for kerb crawlers, although no monitoring or evaluation is in place to measure the effectiveness, beyond recidivism in the area of arrest.

However, a 2008 study of men who buy sex in Scotland found that only 56% would be deterred by re-education,¹⁰ compared to:

▪ Being added to sex offender register	89%
▪ Photo / name on billboard	86%
▪ Photo / name in local paper	84%
▪ Custodial sentence	79%
▪ Photo / name on internet	78%
▪ Letter to family	77%
▪ Higher monetary fine	79%

Co-ordinating Strategy

- It is imperative that the realities of prostitution and sex trafficking are impressed upon current and potential sex buyers, as well as the public at large, in order to offset the saturation of commercial sex and sexual exploitation in society.
- The issue of demand in the 21st century is unparalleled in the history of prostitution; it is fuelled by instant gratification through multi-media access. Censorship is not the answer; legislative reform is essential, but must be accompanied with social reform.

Support Provision

- The effect of expanding sanctions on demand is likely to act as a deterrent for some buyers, therefore removing immediate income for some people selling sex.
- As the Swedish law was introduced, the Swedish government released €800,000 (£539,000) to services to assist women to leave the sex industry. This was thought by many to be insufficient for 25,000 people in prostitution. In July 2008, the Swedish government announced new funding of 210 million kroner (£20 million) for prostitution services, including expansion of direct support, and public sector training.
- The UK government must fulfil its responsibilities under national and international legislation, as discussed at the beginning of this response, by ensuring viable alternatives are accessible to support those involved in prostitution who seek to exit, including supported accommodation, specialist healthcare, and economic options.

¹⁰ Macleod, J et al (2008). *Challenging Men's Demand for Prostitution: A Research Report Based on Interviews with 110 Men Who Bought Women in Prostitution*. Glasgow: Women's Support Project.



Global Developments on Demand

The Netherlands

- Having legalised prostitution in 2000, Amsterdam became a hub for sex tourists, stag weekends, organised criminal networks, including money launderers and human traffickers.
- Since 2006, large swathes of the red light district, particularly window brothels, have been closed down and bought up by public housing authorities (Associated Press, 2007; Associated Press, 2008; Dutch News, 2007; Independent, 2007).
- The Dutch government is reviewing its prostitution legislation, contemplating a major policy reversal, including proposals to criminalise the purchase of sex from unlicensed people - about 95% of people selling sex (Reuters, 2008), and to raise the minimum age of prostitution to 21 years old, from 18 (Newsweek, 2008).

New Zealand

- Whilst 'empowered sex workers' may have benefitted from the ability to work on the streets or at home without criminalisation, introduced by the Prostitution Reform Act 2003, there have also been significant negative effects.
- Recent information from New Zealand reports a rise in the number of children exploited through commercial sex and dramatic increases in the number of paedophiles being arrested (New Zealand Herald, 2008; Radio New Zealand, 2008).
- Migrant women with irregular status from Asia form a significant portion of people in prostitution in New Zealand, who are not accorded rights under the Prostitution Reform Act 2003 since they are not recognised citizens. Legalisation has affected them adversely with no recourse for protection, justice or means to exit.

Australia

- In Australia, the head of the adult business association in Victoria has pleaded for a change in the law, having watched the illicit sex market evolve and flourish, untrammelled – as the legal industry flounders, stunted by taxation and undercut by its covert counterpart (Courier Mail, 2007).
- Grassroots efforts to tackle demand are gathering pace. In September 2008, the council of Yarra introduced a bylaw requiring brothels to display signs informing visitors that sex trafficking is a serious offence, indicators of exploitation, and how to access help. The Adult Entertainment Industry has complained, saying the signs will damage the 'sophistication' of brothel design (Melbourne Leader, 2008).

Other countries either considering or in the process of implementing demand sanctions include: Cambodia, Finland, Germany, Lithuania, Norway, South Africa, and South Korea (*inter alia*).



International law

As the brief discussion of the relevant international law at the beginning of this response shows, there are clear positive obligations on the Government in relation to prostitution, trafficking and sexual violence (in terms of tacking demand) that are not fulfilled by the current legislative framework.

The proposed criminal offence

For all the practical and legal issues discussed the Eaves and Rights of Women support the introduction of a new criminal offence of paying for sex with a person controlled for gain. However, we do have the some concerns about the proposal.

Paying for sex and controlled for gain

It is unclear from the proposal what activity would be covered by the offence, what the *mens rea* would be and how it would fit in with existing offences under the Sexual Offences Act 2003 (the SOA 2003). Given the diverse groups of men who pay for sex and the range of sexual activities that may be paid for, Eaves and Rights of Women believes that the offence should cover not just sexual intercourse (as the current proposal appears to) but instead to any form of sexual activity.

Eaves and Rights of Women believe that the new offence should be introduced through the amendment of the SOA 2003 to ensure legislative and interpretative consistency. Such an approach would be beneficial because:

- It would facilitate the use of the existing definition of “sexual” in section 78 SOA 2003 enabling the offence to cover all forms sexual activity.
- It would enable the use of the existing definition of “for gain” as outlined in sections 52-54 of the SOA 2003.
- It would enable the courts to use existing definitions and case law on issues, including consent and capacity, in order to ascertain whether a person was or was not controlled for gain and whether the defendant knew or could reasonably have known she was.

From the proposal it appears that one of the most difficult issues that will arise at any trial will be establishing the state of the defendant’s knowledge at the time the offence was committed. Consequently, Eaves and Rights of Women believes that the determination of whether a defendant knew or could reasonably be expected to know whether or not a person was or was not controlled for gain may be assisted by the development of a presumption (similar to the rebuttable or evidential presumptions in section 75 SOA 2003). The presumption could cover issues including whether the woman concerned had any injuries or expressed fear as well as considering what steps, if any, the defendant took to ensure that the woman concerned was not controlled for gain.



Sentencing

The proposal does not give any indication as to what sentence the proposed new offence would attract. However, in line with other offences in the SOA 2003 Eaves and Rights of Women believes that this offence should be a “mirror offence” to that of causing someone to engage in sexual activity without consent and therefore have two different levels of seriousness, depending on whether or not there was vaginal or anal penetration or penile penetration of the mouth. Where there was such penetration, we believe that the offence should be triable only on indictment with the maximum sentence of life imprisonment. Where there is no such penetration the offence should be an ‘either way’ offence with a maximum sentence of 10 years’ imprisonment.

Appropriate charging

Finally, Eaves and Rights of Women believe that the introduction of this offence would have to be accompanied by the development of appropriate charging standards as this offence should be charged in addition to (rather than instead of) any other relevant sexual offences. Thus where it is alleged that the defendant had non-consensual sexual intercourse with a woman who was controlled for gain the appropriate charges should be rape and sexual activity with someone controlled for gain, not just the latter offence on its own.



(b) A new civil order to enable police to close brothels

Current investigative practice of the police is to only enter brothels where there is information suggesting:

- the exploitation of children;
 - trafficking;
 - extreme violence and/or coercion;
 - organised crime; or,
 - serious financial gain.
-
- In Eaves' experience, brothels which do not obviously indicate any of the above are likely to be left to operate without disturbance, despite their fundamental illegality and exploitative premise.
 - The POPPY Project receives around one-third of all referrals from the police, most of whom are trafficked women who were found in brothel raids in London. *Big Brothel*,¹¹ an Eaves report published in August 2008 found that four out of five brothels which advertise in London's local newspapers explicitly offer penetrative sex on the premises. The willingness of surveyed brothels to provide information over the phone about their illegal operations indicates a prevalent culture of impunity. The only information which was not routinely disclosed was the availability of underage girls, although 'very young girls' were periodically offered to the researchers.
 - Currently, local authorities routinely issue special treatment licences to brothels which operate under a thinly disguised veil as saunas or massage parlours. As such, the state directly profits from prostitution through licence fees.
 - Consequently, Eaves and Rights of Women believe that the development of a new power that would enable the police to close a brothel using a civil order would be a useful tool that could form part of a more coordinated response to prostitution. We also believe that such an order would enable the police to respond to the needs of local residents who are affected by the criminal activity and harassment that goes hand-in-hand with the commercial sex industry.
 - However, Eaves and Rights of Women would want to see this power exercised alongside measures intended to assist women who have been sexually exploited. If an order was not enforced alongside measures aimed at assisting women exit prostitution there would be the danger that those individuals would be moved to other premises where their sexual exploitation would continue.

¹¹ Bindel, J. & Atkins, H (2008). *Big Brothel: A Survey into the Off-Street Industry in London*. London: Eaves / POPPY Project.

(c) Amendments to the Sexual Offences Act 1985, to remove the requirements of persistence, annoyance and nuisance from the offence of kerb-crawling.

- The range of people involved in the sex industry includes those of all social statuses, ethnicities, cultures and faiths. However, the motivations of the many men who buy sex are markedly different to the reasons why most women sell sex. Research conducted in the UK in 2007 identified the desire to ‘consume’ as the main construct motivating men to pay for sex¹².
- Current global research shows that buying sex is not driven by biological need, but by compulsions embedded within psychological attitudes and behaviours, often influenced by notions of masculinity, power and control¹³.
- Men who buy sex must take a share of the responsibility for the harms caused by prostitution. Despite proactive cross-sector partnership working on the issue, sex buyers are consistently absent from the debate, both in person and in consideration.
- With the advent of the internet, CCTV and ASBOs the prevalence of street prostitution and consequently, kerb-crawling has decreased significantly in recent years. However, it is notable that the murderer who brutally killed five women involved in street prostitution in Ipswich used kerb-crawling to access those women and his car was repeatedly recorded on CCTV.
- With the health and safety of people with no option but to offer prostitution services from the street being of paramount importance, the current policy of tolerating a “first time” kerb-crawler but not a “repeat offender” is illogical and dangerous. Consequently, Eaves and Rights of Women welcome a focus on demand that focuses on the harm caused by men who buy sex.
- The legislative focus at present appears to be concerned only with the effects of kerb crawling on the public, rather than on those who are directly exploited and harmed by prostitution. Eaves and Rights of Women believes that the removal of persistence, annoyance and nuisance from the offence of kerb crawling would bring it in line with the reforms brought in by the SOA 2003 which focus on protecting vulnerable people rather than public morality.

¹² Coy, M., Horvath, M. & Kelly, L. (2007). *‘It’s just like going to the supermarket’: Men buying sex in East London. Report for Safe Exit Tower Hamlets.* London: Child and Women Abuse Studies Unit, London Metropolitan University.

¹³ Macleod, J et al (2008). *Challenging Men’s Demand for Prostitution: A Research Report Based on Interviews with 110 Men Who Bought Women in Prostitution.* Glasgow: Women’s Support Project. Also, Durchslag & Goswami (2008). *Deconstructing the Demand for Prostitution: Preliminary Insights from Interviews with Chicago Men Who Buy Sex.* Chicago: Chicago Alliance Against Sexual Exploitation.



The powers of local authorities and lap-dancing

- Eaves and Rights of Women believes that giving local authorities the power to deal effectively with lap-dancing clubs and the anti-social behaviour and nuisance that they cause is a vital part of any strategy aimed at combating the sexual exploitation of women.

Currently, grounds for complaint or closure must meet one of the following criteria:

- Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
- Recent de-regulation following the Licensing Act 2003 has led to a major increase in the number of lap-dancing clubs across England and Wales, which are currently classified alongside coffee shops and karaoke bars.
 - Some estimates suggest the number has doubled since 2004.¹⁴ The aim of freeing up the night-time economy and encouraging tourism has backfired spectacularly, with significantly increased demands upon police time and resources as result of corresponding increases in anti-social behaviour.
 - Local authorities 'must' grant such applications unless there are sustained objections relating to the aforementioned criteria, and such concerns can only be upheld if they are submitted before a club opens.
 - Furthermore, the effects of the 2007 smoking ban have encouraged some ailing pubs to seek to offer female nudity, along with more traditional pub fare, with the knowledge that 'sex always sells.'
 - Despite many clubs having clear no-contact rules, such regulations are routinely flouted - from touching to onsite prostitution - according to women formerly and currently employed by clubs, managers, customers, campaign organisations, online reviews/blogs, and journalists.¹⁵
 - Research has consistently linked lap-dancing with other forms of sexual exploitation including trafficking, prostitution and an increase in sexual violence towards women (Eden, 2003; Bindel, 2004; Eden, 2007).¹⁶
 - Consequently, Eaves and Rights of Women support the proposal that lap-dancing clubs be redefined as 'sex encounter establishments' and brought under Sch 3 of the Local Government (Misc Provisions) Act 1982.

¹⁴ OBJECT citing industry sources. <http://www.object.org.uk/>

¹⁵ To hear a selection of current commentators:

<http://www.channel4.com/news/articles/dispatches/the+hidden+world+of+lap+dancing/2483062>

¹⁶ Eden, I. (2003). *Lap Dancing and Striptease in the Borough of Camden*. London: Eaves Housing for Women.



Conclusion and Recommendations

In addition to the above comments and in line with the obligations on states described in paragraph 130 of the Beijing Platform for Action (see above), Eaves and Rights of Women would like to take this opportunity to call for the following changes to law and practice, as we believe that they are vital to any development of a coordinated response to prostitution, sexual exploitation and trafficking:

- The criminalisation of those who buy sex following the Swedish model.
- The decriminalisation of those who sell sex, including the removal of the term 'common prostitute' from the statute book.
- The re-categorisation of commercial sexual exploitation, including prostitution and trafficking for the purposes of sexual exploitation, into a key performance indicator for the police.
- Further changes to the current legislative framework for dealing with prostitution to ensure that those who sell sex are not criminalised (through ASBOs, fines, imprisonment etc.) but are instead offered support and alternatives to prostitution.
- The development of clear pathways for those who want to leave prostitution, at a local and national level.
- The allocation of dedicated funding for support and accommodation that assists those who are seeking to exit prostitution.
- Research into 'digital demand' followed by the development of suitable legislative measures and other responses to it.

Eaves and Rights of Women welcomes the opportunity to comment on these issues and urges the Home Office to consider the issues outlined above.

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BIBLIOGRAPHY & REFERENCES

- ❖ ACPO (2006). *Operation Pentameter: Operational Overview*. Association of Chief Police Officers. London: Association of Chief Police Officers.
- ❖ Alertnet (2008). *Norway proposes jail, fines for buying sex*, 18 April 2008. London: Reuters.
- ❖ Avenell (2008). *Home Office Research Report 07 - Trafficking for Sexual Exploitation: A process review of Operation Pentameter*. London: Home Office
- ❖ Associated Press (2007). *Amsterdam says it will crack down on pimps and others to stop exploitation of prostitutes*. Amsterdam, 14 December 2007.
- ❖ Associated Press (2008). *Escort services in Amsterdam's famed red light district order to apply for licenses*. Amsterdam, 13 February 2008.
- ❖ Barry, K (1979). *Female Sexual Slavery*. New York: New York University Press.
- ❖ Bindel, J. (2004). *Profitable Exploits: Lap Dancing in the UK*. Child & Woman Abuse Studies Unit. Glasgow: Glasgow City Council.
- ❖ Bindel, J., and L. Kelly (2003). *A Critical Examination of Responses to Prostitution in Four Countries: Victoria, Australia; Ireland; the Netherlands; and Sweden*. London: London Metropolitan University.
- ❖ Bindman, J. (1995). *Redefining Prostitution as Commercial Sex Work on the International Agenda*. London: Anti-Slavery International.
- ❖ Bureau of Public Affairs (2008). *Trafficking in Persons Report, June 2008*. Publication 11407. Washington: US Department of State.
- ❖ Cameron, D. (2007). *The need to end sexual violence against women*, 12 November 2007, addressing the Conservative Women's Organisation. London: Conservative Party.
- ❖ CEOP: Child Exploitation Online Protection (2007). *A Scoping Project on Child Trafficking in the UK*. London: Home Office.
- ❖ Coaker, V. (2008). *Human Trafficking*. Written Answers, 4 March 2008. London: Hansard.
- ❖ Council of Europe (2005). *Convention on Action Against Trafficking in Human Beings*. Warsaw: Council of Europe.
- ❖ Coy, M., Horvath, M. & Kelly, L. (2007). *'It's just like going to the supermarket': Men buying sex in East London. Report for Safe Exit Tower Hamlets*. London: Child and Women Abuse Studies Unit, London Metropolitan University.
- ❖ Dickson, S. (2004). *Sex in the City: Mapping Commercial Sex Across London, The POPPY Project*. London: Eaves Housing for Women.
- ❖ Durchslag & Goswami (2008). *Deconstructing the Demand for Prostitution: Preliminary Insights from Interviews with Chicago Men Who Buy Sex*. Chicago: Chicago Alliance Against Sexual Exploitation.
- ❖ Dutch News (2007). *Banking on prostitution*. 3 January 2007. Dutch News.
- ❖ Eaves (2008). *POPPY Project: Monthly Cumulative Statistics*. London: Eaves Housing for Women.
- ❖ Eden, I. (2007). *Inappropriate Behaviour: Adult Venues and Licensing in London*. The Lilith Project. London: Eaves Housing for Women.
- ❖ Eden, I. (2003). *Lap Dancing and Striptease in the Borough of Camden*. The Lilith Project. London: Eaves Housing for Women.
- ❖ Ekberg, G. (2004). *The Swedish Law That Prohibits the Purchase of Sexual Services*. Violence Against Women 10(10):1187-1218.
- ❖ Farley, M. et al. (1998). *Prostitution in Five Countries: Violence and Posttraumatic Stress Disorder*. Feminism & Psychology 8 (4): 405-426 (1998).
- ❖ Farley, M. (2003). *Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder*. Journal of Trauma Practice, Vol. 2, No. 3/4, 2003, pp.33-74. Philadelphia: The Haworth Press Inc.



- ❖ Farley, M. (ed.) (2004). *Prostitution, Trafficking and Traumatic Stress*. Abingdon: Routledge.
- ❖ Fawcett Society (2008). *Sexism in the City: What's rotten in the workplace, and what we can do about it*. London: Fawcett Society.
- ❖ Groom, T. M. & Nandwani, R. (2006). *Characteristics of Men Who Pay for Sex: a UK Sexual Health Clinic Survey*. Glasgow: Sandyford Initiative.
- ❖ Guardian (2005). *Sex with trafficked women is rape, says minister*. 16 October 2005. London: Guardian.
- ❖ Healy, G. & O'Connor, M. (2006). *The Links between Prostitution and Sex Trafficking: A Briefing Handbook*. Brussels: Coalition Against Trafficking in Women & European Women's Lobby.
- ❖ Hester, M. & Westmarland, N. (2004). *Tackling Street Prostitution: Towards an Holistic Approach*. Home Office Research Paper 279, July 2004. Home Office Research, Development and Statistics Directorate. London: Home Office.
- ❖ Home Office (2004). *Paying the Price: A Consultation Paper on Prostitution*. London: Home Office.
- ❖ Home Office (2006). *A Coordinated Prostitution Strategy and a Summary of Responses to 'Paying the Price'*. London: Home Office.
- ❖ Home Office (2007). *UK Action Plan on Tackling Human Trafficking*. London: Home Office.
- ❖ Huda, S. (2006). *Report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children*. Geneva: Commission on Human Rights.
- ❖ Hughes, D. (2001). *The Transnational Political Criminal Nexus of Trafficking in Women from Ukraine*. Trends in Organized Crime, Volume 6, No. 3-4. Bloomington: International Association for the Study of Organized Crime.
- ❖ Hughes, D. (2004). *Best Practices To Address the Demand Side of Sex Trafficking*. Kingston (Rhode Island): University of Rhode Island, Women's Studies Program.
- ❖ Hughes, D. (2005). *The Demand for Victims of Sex Trafficking*. Kingston (Rhode Island): University of Rhode Island, Women's Studies Program.
- ❖ ICM Research (2008). *Sex & Exploitation Survey. CATI Fieldwork: January 16th-17th 2008*. Prepared on behalf of The Politics Show. London: BBC1 Television.
- ❖ Independent (2007). *Red lights go out as Amsterdam mayor cleans up his city*. Amsterdam, 22 September 2007.
- ❖ Jeffreys, S. (1997). *The Idea of Prostitution*. North Melbourne: Spinifex Press.
- ❖ Jeffreys, S. (2004). *The Legalisation of Prostitution: A Failed Social Experiment*. New York: United Nations (Commission on the Status of Women, 5 March 2003).
- ❖ Kelly, L. & Regan, L. (2000). *Stopping Traffick: Exploring the Extent of, and Responses to, Trafficking in Women for Sexual Exploitation in the UK*. Police Research Series Papers 125. London: Home Office.
- ❖ Kempadoo, K. (ed.) (2005). *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights*. Colorado: Paradigm Publishers.
- ❖ Macleod, J et al (2008). *Challenging Men's Demand for Prostitution: A Research Report Based on Interviews with 110 Men Who Bought Women in Prostitution*. Glasgow: Women's Support Project.
- ❖ Mahoney, K. (1993). *Destruction of Women's Rights through Mass Media Proliferation of Pornography*.
- ❖ Mansson, S-A. (1995). *International Prostitution and Traffic in Persons from a Swedish Perspective*.
- ❖ Matthews, R. (2008). *Prostitution, Politics and Policy*. Abingdon: Routledge.
- ❖ Matthews, R. (2005). *Policing Prostitution: Ten Years On*. British Journal of Criminology
- ❖ Morawska, E. (2003). *Transnational Migration in the Enlarged European Union: A Perspective from East Central Europe*. In Zielonka, J. (ed.) Europe Unbound. Oxford: Oxford University Press.



- ❖ Newsweek (2008). *Turn out the red light?* 8 February 2008. New York: Newsweek.
- ❖ New Zealand Herald (2008). *25 arrested over underage prostitution.* 24 January 2008. Auckland: New Zealand Herald.
- ❖ O'Connell Davidson, J. & Anderson, B. (2003). *Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study.* Geneva: International Organisation for Migration.
- ❖ O'Connell Davidson, J. (2006). *Men, middlemen, and migrants: The demand side of sex trafficking,* 27 July 2007, Osteuropa. Wien: Eurozine.
- ❖ Outshorn, J. (2005), *The Political Debates on Prostitution and Trafficking of Women.* Social Politics, Volume 12, Number 1, 2005. Oxford: Oxford University Press
- ❖ Parker, J. (1998). *How Prostitution Works.* Oregon: Lola Greene Baldwin Foundation.
- ❖ Prostitution Law Reform Committee (2008). *Report of the Prostitution Law Review Committee on the Operation of the Prostitution Reform Act 2003.* Wellington: Ministry of Justice.
- ❖ Radio New Zealand (2008). *Underage sex arrests prove prostitution law works – Government.* 25 January 2008. Wellington: Radio New Zealand.
- ❖ Raymond, J. (1999). *Health Effects of Prostitution.* Norwegian Agency for Development Cooperation & Coalition Against Trafficking in Women.
- ❖ Raymond, J. (1998). *Prostitution as Violence Against Women.* Women's Studies International Forum, Vol. 21, No. 1, pp. 1-9, 1998. New York: Elsevier.
- ❖ Reuters (2008). *Clients of prostitutes in the Netherlands may soon need to check for a sex licence.* Amsterdam, 16 May 2008.
- ❖ Rosca, N. (1998). *Marginal millions,* Women's Review of Books. Philadelphia: Old City Publishing.
- ❖ Sanders, T. (2006). *What we know about men who buy sex.* UKNSWP Annual Conference, 6 October 2006. Manchester.
- ❖ United Nations (1948). *Universal Declaration of Human Rights.* New York: United Nations.
- ❖ United Nations (2000). *Optional Protocol to Prevent, Suppress & Punish Trafficking in Persons, Especially Women & Children, Supplementing the United Nations Convention Against Transnational Organized Crime.* New York: United Nations.
- ❖ US Department of State (2004). *The Link Between Prostitution & Trafficking.* Washington DC: Bureau of Public Affairs.
- ❖ Ward H et al. (1999). *Risky business: health and safety in the sex industry over a 9 year period.* Sexually Transmitted Infections, 75:340-343, 1999.
- ❖ Ward, H. et al (2005). *Who Pays for Sex? An analysis of the increasing prevalence of female commercial sex contacts among men in Britain.* Sexually Transmitted Infections 2005;81:467-471.
- ❖ Weeks, J. (1981). *Sex, Politics and Society: The Regulation of Sexuality since 1800.* Harlow: Longman



RIGHTS OF WOMEN aims to achieve equality, justice and respect for all women.

Rights of Women advises, educates and empowers women by:

- Providing women with free, confidential legal advice by specialist women solicitors and barristers¹⁷.
- Enabling women to understand and benefit from their legal rights through accessible and timely publications and training.
- Campaigning to ensure that women's voices are heard and law and policy meets all women's needs.

Rights of Women provides specialist legal advice to women who have experienced sexual violence as well as to those who support them. The issues we raise in this consultation come directly from the experiences of the women we support.

For further information visit www.rightsofwomen.org.uk or telephone 020 7251 6575/6576.

EAVES is a London-based charity that provides high quality housing and support to vulnerable women. We also carry out research, advocacy and campaigning to prevent all forms of violence against women. At Eaves, we put the needs of women first. We are determined and committed to give a voice to the most excluded women in society and provide direct, innovative services to support and empower women to help themselves.

POPPY Project: The **Support** team provides frontline supported housing and complex, holistic support for women who have been trafficked into the UK for the purposes of prostitution. The **Outreach** team works to improve the safety and wellbeing of women across the UK who have been trafficked and who are in need of short term support and advocacy. The **Research** team conducts policy, advocacy and development work along with education and training to raise awareness about trafficking and exiting prostitution.

The Lilith Project: provides second-tier research, education, campaigning and training to combat all forms of violence against women.

Eaves Women's Aid: provides support for women and children in order to escape domestic violence.

For more information, visit: www.eaves4women.co.uk or call 020 7735 2062 for referrals.

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¹⁷ For advice on family law, domestic violence and relationship breakdown telephone 020 7251 6577 (lines open Tuesday to Thursday 2-4pm and 7-9pm, Friday 12-2pm). For advice about sexual violence, immigration or asylum law telephone 020 7251 8887 (lines open Monday 11am - 1pm and Tuesday 10am - 12noon).