Written evidence submitted by the Women’s Equality Party

Executive Summary

- The Women’s Equality Party (WE) is a non-partisan political party whose members are drawn from right across the political spectrum.
- WE are currently the only political party in the United Kingdom that is committed to end the exploitation of women, men and children in the sex trade by using the law effectively to discourage the demand which drives commercial sexual exploitation.
- WE strongly believe that women, men and children who are sold in the sex trade or who sell access to their bodies should never be criminalised.
- The only way to end the purchase of human bodies for sex is to address the demand and remove the incentive for sex exploitation.
- A Sex Buyer Law puts the responsibilities on the shoulders of those who enjoy the freedom of choice: those who have the means to buy access to other people’s bodies.
- WE make the case for a managed process to end sex trafficking and other sex exploitation by robust legislation that first establishes and funds necessary support and exiting services and then criminalises the purchase of sex and establishes robust enforcement of the law against those who benefit from the sex trade.
Introduction

1. The Women’s Equality Party is a new collaborative force in British politics uniting people in the shared determination to see women enjoy the same rights and opportunities as men, so that all can flourish.

2. WE welcome the opportunity to provide evidence to the Home Affairs Select Committee as it considers changes to the prostitution legislation and whether the balance in the burden of criminality should shift to those who pay for sex rather than those who sell it.

3. WE believe the current legislation is ineffective and that it adds to the harms of those who are exploited through the sex trade.

Main arguments

4. Women do not enjoy equal opportunities in the UK. Forty-five years after the Equal Pay Act, for every hour they work, women still earn just 81p of every pound earned by men. Women are more likely than men to be living in poverty. Women are discriminated against in education and employment and underrepresented in all major decision making bodies.

5. The epidemic levels of violence against women and girls evident in this country reflect a society that systematically treats women as second-class citizens.

6. 70% of girls say they have suffered sexual harassment in school. Around 1.2 million women suffer domestic abuse a year and nearly half a million people are sexually assaulted. There are more than 250 rapes or attempted rapes every day.

7. The sex trade reflects wider gender inequalities: women and children are overwhelmingly those exploited, men are much more likely to be in the role of traffickers or others benefiting from the sex trade, and almost all sex buyers are men.

8. Women who sell sex are often faced with multiple forms of marginalisation. The idea of free choice, frequently referred to in debates about the sex trade, is barely applicable to the overwhelming majority of those exploited in the sex trade: Many women entering the sex trade are living in poverty and many more have been sexually abused as children\(^1\). Countless reports detail the harms both physically and psychologically to those in prostitution.\(^2\)

9. WE strongly believe that women, men and children who are sold in the sex trade or who sell access to their bodies should never be criminalised.

10. Freeing women from sexual exploitation also means providing safe alternatives for all those currently reliant on selling sex for their livelihood, including the small
percentage that work in the sex trade voluntarily and independently of pimps and drug abuse.

11. WE want to see funded support for victims of the sex industry – including a legal right for trafficked women from overseas to remain in the UK. Advice and support should be available regardless of intent to exit.

12. Barriers to accessing sexual health services need to be removed and services made widely available, regardless of immigration status.

13. WE are in agreement with the Crown Prosecution Service, which addresses prostitution as sexual exploitation and violence against women.

14. Traffickers and pimps operate and make a profit from exploiting women because there is demand for the sexual services their victims provide. Without that demand, there would be no sex trafficking and no sexual exploitation of women and children through the sex trade.

15. The only way to end the purchase of human bodies for sex is to address the demand and remove the incentive for sex exploitation.

16. The sex trade is not only harmful to those exploited by it. The expectation that women’s bodies can be bought and sold feeds into wider misogyny, which affects all women and the society as a whole.

17. The Women’s Equality Party is currently the only political party in the United Kingdom that is committed to end the exploitation of women, men and children in the sex trade by using the law effectively to discourage the demand which drives commercial sexual exploitation.

18. WE make the case for a managed process to end sex trafficking and other sex exploitation by robust legislation that first establishes and funds necessary support and exiting services and then criminalises the purchase of sex and establishes robust enforcement of the law against those who benefit from the sex trade.

19. In parallel, WE are committed to address the underlying roots of prostitution, violence against women and the wider gender inequalities. By pushing for equal representation, equal pay, equal parenting and caregiving, equal treatment of women in the media and an education system that creates opportunities for all children, WE can create a society where gender based violence, including prostitution, is only a tale of the past.

Further evidence

20. Whilst the CPS appropriately recognises prostitution as violence against women, the laws on prostitution do not reflect this. This normalises the violence and the perpetrators of this abuse, and enables the demand to grow.
21. The current law on prostitution is ineffective, as was established in the All-Party Parliamentary Group on Prostitution and the Global Sex Trade’s inquire in 2014. The group’s report found that:
   a. The current legislation is complicated and confusing: prostitution is legal but many associated activities are criminalised.
   b. Loopholes allow men to escape prosecution for abusing girls as young as 13 and women trafficked into the country to be repeatedly raped.
   c. There is no clear political strategy. The law simultaneously condones and condemns prostitution.
   d. The law fails to protect the vulnerable: individuals who solicit for the sale of sexual services tend to be the most visible and therefore bear the burden of criminality.
   e. Despite near pandemic levels of violence experienced by women in prostitution, the criminalisation of activities related to the sale of sex makes women reluctant to report incidences of violence.
   f. The law fails to target perpetrators.
   g. In practice, Section 14 of the Policing and Crime Act 2009 is ineffective in reflecting the complexity of coercion, meaning the level of prosecutions is low’.
22. The Modern Slavery Act 2015 was meant to simplify complex laws on exploitation and increase the maximum sentence to life, but the law is not working and fails to address the demand, which is the key driver for trafficking.
23. There has been an increase in sex trafficking and many women are forced into situations comparable to slavery. Women who sell sex are vulnerable to violent crimes, including assault, rape and murder, as well as sexually transmitted diseases which may pose a risk to their lives. They can often find it hard to access sexual health services when they need them.
24. Trafficking is not just cross-border activities, but refers to any recruitment for prostitution, forced labour, slavery or servitude as exploitation.
25. In the words of Liam Vernon, head of the National Crime Association’s human trafficking team: "With UK girls, we see them groomed, we see them recruited, we see them moved around, we see them kept by gangs for sexual exploitation, gratification, or financial gain".
26. In countries where sex buying is legalised, acts of abuse are ‘normalised’. A boom in prostitution business is then commonly seen, such as so-called ‘mega-brothels’, where dangerous and violent ‘brothel menus’ become part of standard ‘work’. Those prostituted are required to endure acts of degradation and torture, along with the consequent, often severe, health problems, with little or no legal framework to
reflect the nature of this harm.

27. On the other hand, countries that have recognised the sex trade exploitation as violence against women with legal sanctioning have seen a reduction in demand and a consequent decrease in trafficking.8

28. There is considerable evidence that those already marginalised by the need to sell sex are further marginalised through bearing the burden of criminal sanctioning, whilst those exploiting this are largely invisible and free of stigma. This demonstrates a glaring discrimination and imbalance of power. For example, since 2013 double the number of people have been charged with soliciting/loitering vs. kerb-crawling9, which demonstrates a clear lack of accountability for sex buyers. This is wrong, by any measure.

29. Commonly sex buyers foster attitudes of contempt, devaluing and dominance10, including in ‘dominatrix’ prostitution that requires compliance to act in ways that has been reported to be very damaging to some women involved in prostitution.

30. In the words of Rachel Moran, survivor of prostitution and author: “Notions of ‘agency’ and ‘choice’ here depict fantasy, not reality, and certainly not any reality that relates to the sex-trade. The sex-trade exists because of the male demand for paid sex, and that demand is accommodated precisely because of the lack of agency and choice in the lives of women and girls”11

31. The law should criminalise the exploiters, not those who are exploited.

32. A Sex Buyer Law puts the responsibilities on the shoulders of those who enjoy the freedom of choice: those who have the means to buy access to other people’s bodies.

33. A Sex Buyer Law would also help raise awareness of how exploitation creates vast power imbalances that drive the commercial sex industry. This can facilitate a national debate that raises awareness of the realities of the sex trade, so that anyone buying sex understands the likelihood that women who sell sex may well have been trafficked, forced or abused, and understands how the expectation that women and girls can be bought and sold feeds into wider misogyny.

34. Despite high numbers wishing to leave prostitution12 many barriers to exiting prevent them from doing so successfully. The nature of bought sex inevitably leads to desires to violate and transgress ‘normal’ boundaries. This commonly leads to dehumanisation and consequent PTSD and disassociation13 for those selling sex, alongside inter-related difficulties around housing, addiction, and education.

35. Exiting services need to offer: housing, childcare & legal support options; holistic health care, specialist counselling and addiction treatment; vocational training programmes and mentoring; and pathways and sponsorship for education.
On behalf of the Women’s Equality Party,
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Co-leaders of the Women’s Equality Party’s policy group on ending violence against women and girls

1 “The tendency of the victims of physical or sexual childhood abuse to become re-victimised in later life has been well documented empirically”. ‘Trauma Repetition and Re-victimization Following Physical and Sexual Abuse’ W.Wöller, 2004, p.83 via http://www.wolfgang-woeller.de/mediapool/88/887915/data/Aufsatz_Woeller_1_1_.pdf
2 Many of them have suffered physical abuse and have broken bones or traumatic brain injuries inflicted by pimps or clients. But most of the pain is a physical manifestation of chronic stress — migraines, irritable bowels and gnawing joint pain” “The Harms of the Sex Trade — A Conversation with the Founder of the Survivor Clinic, The World Post, Taina Bien-Aimé, CATW, July 14, 2015 via http://www.trauma-and-prostitution.eu/en/2015/07/19/the-harms-of-the-sex-trade-a-conversation-with-the-founder-of-the-survivor-clinic/
3 https://appgprostitution.files.wordpress.com/2014/04/shifting-the-burden.pdf
4 “National Crime Agency says 300 of about 3,300 potential victims in UK in 2014 were Britons, 55% more than previous year”, ‘Number of British trafficking victims more than doubles’, Press Association. Guardian December 2015 via http://www.theguardian.com/law/2015/dec/16/british-victims-human-trafficking-increase-2014-nca-report. The NCA also says there has been a surge in reports of sexually exploited children – from 38 – 128. Via http://www.bbc.co.uk/news/uk-29420184
5 Fear and control, Rise in UK trafficking, slavery and exploitation, Dominic Casciani, BBC News September 2014
6 “Since the law destroyed any questioning of the harm in men buying women for sex, the acts are becoming increasingly dangerous, violent and degrading. Buyers pick from a long list of sexual acts, most of which could easily be defined as torture” ‘Germany Wins the Title of ‘Bordello of Europe’. Why Doesn’t Angela Merkel Care?’ by: Taina Bien-Aimé, CATW, 2015 via http://www.trauma-and-prostitution.eu/en/2015/07/19/germany-wins-the-title-of-bordello-of-europe-why-doesnt-angela-merkel-care/
10 http://invisible-men-canada.tumblr.com/
12 ‘89% of these respondents wanted to escape prostitution but did not have other options for survival’, Prostitution and Trafficking in Nine Countries: An Update on Violence and Post-traumatic Stress Disorder, Melissa Farley PhD, Ann Cotton PsyD, Jacqueline Lynne MSW, Sybille Zumbeck PhD, Frida Spiwak PhD, Maria E. Reyes PhD*,Dinorah Alvarez BA & Ufuk Sezgin PhD, 2008. Via http://www.tandfonline.com/doi/abs/10.1300/J189v02n03_03
13 ‘Melissa Farley’s 2008 study found that 68% of women in prostitution situations had PTSD of an intensity similar to war veterans or victims of torture’, Trauma und Prostitution aus traumatherapeutischer Sicht, Michaela Huber, 2015 via http://www.trauma-and-prostitution.eu/en/2016/01/08/prostitution-is-incompatible-with-equality-between-men-and-women/#more-165