About the End Violence Against Women Coalition

The End Violence Against Women Coalition is a second-tier charity with a UK-wide membership of more than sixty women’s organisations and others working to end violence against women and girls in all its forms, including: sexual violence, domestic violence, forced marriage, sexual exploitation, FGM, stalking and harassment. We work to the UN definition of violence against women and girls (VAWG) as “violence directed at a woman because she is a woman or acts of violence which are suffered disproportionately by women”.

We campaign for strategic action to end all forms of violence against women and girls and challenge the wider cultural attitudes that tolerate and condone violence against women and girls. Our coalition members include many frontline organisations who provide survivors with specialist women-led support, advice, advocacy, refuge and therapeutic support and therefore have expert, practice-based knowledge of survivor experiences.

1. Executive Summary

1.1 EVAW supports the call for the ‘Sex Buyer Law’ in tackling the harms of prostitution and unequivocally supports the decriminalisation of those who sell sex, in order that support, including sexual and reproductive health care, can be legally and efficiently provided and security and dignity protected. Addressing the safety of women who sell sex and enabling those exploited in prostitution to exit is essential. As women involved in prostitution experience disproportionately high levels of sexual and physical violence and emotional abuse, specialised support and exiting services must be available and adequately resourced.

1.2 However, we believe that decriminalising the prostitution system, including exploitation, profiting from prostitution, as well as the purchasing of sexual acts, does not protect women’s equality or human rights. The prostitution system - as an institution of inequality and violence against women - is incompatible with human rights, and is indefensible in the context of human rights provisions and values.

1.3 We believe that clear and coherent direction from central government as to its aims and strategy around prostitution is much needed to support the many agencies that currently work under the UK’s existing fractured approach and hope to see this included in future cross-governmental VAWG Strategies.

2. Regarding: Whether criminal sanction in relation to prostitution should continue to fall more heavily on those who sell sex, rather than those who buy it.

2.1 EVAW supports the call for the Sex Buyer Law in tackling the harms of prostitution - decriminalising those who sell sex, criminalising those who exploit, profit from and pay for sex and providing support and exiting services for those exploited in prostitution. Where enacted, this approach has been shown to reduce demand for sexual exploitation, change public attitudes and make the country in question a more hostile definition for traffickers.

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2 The campaign for the Sex Buyer Law from End Demand: http://enddemand.uk/
3 See ‘What is the Sex Buyer Law?’ at End Demand: http://enddemand.uk/about/sex-buyer-law/
2.2 As laid out in the APPG Prostitution and the Global Sex Trade’s report from 2014, the
current legal burden of criminality in the UK is wholly inappropriate to address the harms
associated with prostitution.⁴ In their report, they found that “the law is incoherent at best
and detrimental at worst. The legal settlement around prostitution sends no clear signals
to women who sell sex, men who purchase it, courts and the criminal justice system, the
police or local authorities. In practice, those who sell sexual services carry the burden of
criminality despite being those who are most vulnerable coercion and violence. This
serves to normalise the purchase and stigmatise the sale of sexual services - and
undermines efforts to minimise entry into and promote exit from prostitution. Moreover,
legislation does not adequately address the gendered imbalance of harm within
prostitution, and as such is detrimental to wider strategies which pursue gender equality”.
The APPG recommended that Parliament adopt the Sex Buyer Law.

2.3 In response to industry-driven calls for full decriminalisation of prostitution, we believe any
policy developed on the acceptance of prostitution as ‘the selling and buying of
consensual sex between two adults’ to be developed upon a flawed premise. Prostitution
is not a myriad of individual acts of transactional sex. It operates on a vast scale and
ranges from a highly organised industry to individual men controlling and trading the
bodies of their partners. The reality of that industry globally is that men are
overwhelmingly the majority of those who buy sexual acts, and women and girls those
whose bodies are bought. It is not an exchange between ‘similarly situated individuals
who are making complementary choices: one to buy sex and the other to sell it⁵ as it
exploits the economic and other forms of inequality of the women involved. Intersecting
inequalities of gender and race/ethnicity are also hugely significant in women’s entry into,
and experiences of, the prostitution system. Studies consistently demonstrate the over-
representation of women and girls from minority communities in the prostitution system
and particularly in its most abusive contexts. ⁶

2.4 Recognising the discrimination and inequality of the system of prostitution means that it
can be viewed as a violation of women’s human rights because it is built on and
perpetuates women’s social, economic and cultural inferiority to men. Accepting the
‘inevitability’ of prostitution means accepting the fiction that it is natural for men to buy
access to women and children’s bodies for sexual release. The longevity of the
institutions of prostitution should not be confused with inevitability. As the great liberal
writer John Stuart Mill recognised 150 years ago, prostitution is not a profession but a
system of violence and inequality, which is analogous to slavery, and is sustained by the
acceptance of male sexual entitlement as natural.⁷

2.5 Any moves to decriminalise, and thus legitimise, the purchase of access to women’s
bodies send a powerful social message to women and girls that they are sexual
commodities. The consequences of any such a moves affect the status of all women and
girls.

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3. Regarding: What the implications are for prostitution-related offences of the Crown Prosecution Service’s recognition of prostitution as violence against women.

3.1 EVAW very much welcomes the CPS approach that recognises the profoundly “gendered nature” of prostitution and its associated harms including trafficking, exploitation, violence, and abuse. While we are unsure as to whether a “victim-centred” approach is consistently employed in practice by CPS and Police, we are pleased to see acknowledgement of the vast extent of crime those in prostitution can be subjected to.

3.2 We also greatly welcome the charging practice advice aiming “to deter those who create the demand” for prostitution and the focus on “non-criminal justice interventions to help address the issues that may have caused [those involved] to enter prostitution and to ultimately find routes out”.

3.3 While we recognise that some people involved in the sex industry object to the framing of prostitution as a form of violence against women, we believe such a framing provides the most comprehensive understanding of the factors that fuel and perpetuate this global industry and allows the most effective and coherent approach to addressing the whole continuum of violence against women and girls.

3.4 We have, however, deep dismay at the (since amended) reference to “child prostitutes” in the CPS legal guidance referring to the sexual exploitation (abuse) of under 18s and we would profoundly challenge the idea that “genuine choice” can be operated by those involved in prostitution aged 16 and 17 (and, of course, younger). We therefore find these guidelines around prosecution of under 18s wholly wrong, and believe that age of entry into prostitution needs particular attention to understand the high levels of vulnerability exploited by those driving the industry, particularly given the growing body of evidence about alarming levels of child sexual exploitation in the UK.

3.5 In the annual CPS VAWG Crime Reports, we have also noted that statistics on some prostitution related-offences have decreased in the previous few years. While we understand that this may partly reflect the move to non-criminal justice interventions for those involved, we do have concerns that it may also reflect a lack of proactive work by CPS and Police to investigate and prosecute those exploiting, coercing, profiting from and creating demand for prostitution. We believe that clear direction from government will support and encourage more proactive work of this kind.

4. Regarding: What impact the Modern Slavery Act 2015 has had to date on trafficking for purposes of prostitution, what further action is planned, and how effectively the impact is being measured.

No evidence submitted.

5. Regarding: Whether further measures are necessary, including legal reforms, to: assist those involved in prostitution to exit from it; increase the extent to which exploiters are held to account; and discourage demand which drives commercial sexual exploitation

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8 CPS legal guidance: Prostitution and Exploitation of Prostitution,
5.1 As stated previously, EVAW supports the call for the ‘Sex Buyer Law’ which
decriminalises those who sell sex, criminalises those who profit from, exploit and pay for
sex and provides support and exiting services for those exploited in prostitution.

5.2 Enabling women to leave prostitution is crucial; one global study of 854 people in
prostitution found that 89 per cent wanted to stop selling sex, but had no way of doing so.9
UK research has also highlighted the importance of specialist support in creating options
for women to exit prostitution.10

5.3 Many specialist violence against women support organisations (including some of our
member organisations) already provide practical and therapeutic support to women
involved in and trying to exit prostitution. These organisations, which provide vital
services that women and girls experiencing abuse have rights to under the EU Victims’
Directive and the Istanbul Convention,11 are currently in crisis due to funding cuts and
competitive tendering. Solutions to resolve this crisis are urgently needed.

5.4 We welcome work that challenges the normalisation of prostitution, and were pleased to
see the then Minister of State for Employment ban sex industry jobs from Jobcentres, in
recognition that such a move could lead to exploitation and acknowledging that
prostitution should not be treated as a job like any other.12

5.5 We believe that clear and coherent direction from central government as to its aims and
strategy around prostitution would be of great benefit to the many agencies that currently
work under the existing fractured approach that the APPG report so clearly highlighted.
We hope to see this included in future cross-governmental VAWG Strategies.

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trafficking in nine countries: Update on violence and posttraumatic stress Journal of Trauma Practice 2(3/4):33-74
women exit prostitution London: Eaves and London South Bank University (LSBU)
11 End Violence Against Women Coalition: Protecting Women’s Services:
http://www.endviolenceagainstwomen.org.uk/protecting-women-s-services
12 Department for Work and Pensions press release: Grayling: We’ll stop sex jobs being advertised in Jobcentres: Sex
industry jobs which could lead to exploitation will be banned from Jobcentres, 2 August 2010: