



# ENGLISH COLLECTIVE OF PROSTITUTES

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## **Call for input to the report of the Special Rapporteur on violence against women and girls to the Human Rights Council on prostitution and violence against women and girls**

### **English Collective of Prostitutes, 2024.**

*The English Collective of Prostitutes (ECP) is a self-help organisation of sex workers, working both on the street and in premises, with a national network throughout the UK. Since 1975, the ECP has campaigned to end the criminalisation of prostitution -- which makes sex workers more vulnerable to violence – along with campaigning for housing, higher benefits and other resources to enable sex workers to get out of prostitution if they want to. The ECP provides information and support to sex workers on a wide range of issues. We work closely with Women Against Rape to help victims of rape and other violence, including trafficking, get justice and protection. Our work has set legal precedents including the first successful private prosecution<sup>1</sup> for rape in England.*

### **WE OBJECT TO THE TERMS OF REFERENCE FOR THIS CONSULTATION**

We do not agree with references in this consultation that prostitution is inherently a form of violence. To claim this is patronising and disparaging of sex workers. It denies that sex workers, the majority of whom are women, cannot distinguish between the sex we consent to for whatever reason, including for money, and that which violates our bodies and our will.

Research<sup>2</sup> in Sweden, Norway and Finland found that an “understanding of prostitution as violence that needs to be abolished has led to repressive practices that perpetuate violence and stigma towards people who sell sex especially”.

Denying that women can give consent gives powers to the police to take action regardless of the victim's wishes. This is dangerous considering the outpouring of information about how the police are institutionally misogynistic, racist, homophobic and criminally corrupt.<sup>3</sup>

We see the UN Rapporteur makes reference to poverty as a reason that women go into prostitution along with acknowledgement that:

*“ . . . prostitution as a phenomenon rooted in structural, sex-based discrimination, constituting gender-based violence, which is often exacerbated in the context of displacement, migration, the increased globalization of economic activities, including global supply chains, the extractive and offshore industries, increased militarism, foreign occupation, armed conflict, violent extremism and terrorism.”*

We would suggest that addressing the factors listed above should be the focus for the UN Rapporteur.

### **UK GOVERNMENT POLICIES WHICH PROMOTE PROSTITUTION WHICH MUST BE ADDRESSED.**

The UN Rapporteur asks about actions that states should take to address violence against women and prostitution.

Governments should be held responsible for their laws and policies which have increased poverty, homelessness and debt, have exacerbated a hostile immigration environment and for foreign policy which promotes war and displacement.

Successive UK governments have failed to protect women and girls from violence and have implemented and upheld laws and policies that increase women and girl's risk of rape and other violence, including trafficking as well as increasing and promoting prostitution.

*Government policies and laws have deliberately increased poverty.* Poverty puts women at greater risk of exploitation and violence as they are forced into dependency on men and are deprived of the resources to escape. Poverty is a form of violence, and sex work is a response to it and a way to escape it. Prostitution is increasing throughout the UK because poverty is increasing. The majority of sex workers in the UK are mothers working to support families. Approximately, 86% of austerity cuts have targeted women<sup>4</sup>. Government policies of benefit sanctions and the introduction of Universal Credit<sup>5</sup> have deliberately caused destitution and pushed more women, particularly single mothers<sup>6</sup>, into "survival sex" to feed themselves and their families.

The UN's special rapporteur on extreme poverty and human rights said the UK is 'in violation of international law' over poverty levels<sup>7</sup>.

*The criminalisation of sex work exacerbates the harms sex workers suffer.* Sex workers face high levels of violence.<sup>8,9</sup> However, research overwhelmingly shows that it is not sex work itself which is violent, but the criminalisation of it which exacerbates the harms sex workers suffer.<sup>10,11</sup> It is much safer for sex workers to work indoors<sup>12</sup> and with others but brothel keeping and controlling prostitution laws makes this illegal.<sup>13</sup> Research shows that where arrests of sex workers and clients were high, fewer women report the violence they experience.<sup>14</sup> When women do report violence, they often face prosecution for sex work while little is done to catch their attackers.<sup>15</sup>

*Police prioritise prosecution for prostitution offences over protection from violence.* Violent men are therefore given impunity to attack again. [Women Against Rape](#) point to the fact that rape has been effectively decriminalised. Sex workers face additional discrimination with only 25% of those suffering attacks reporting this to the police.<sup>16,17</sup> Violence by police is a significant problem. A 2022 study of 197 sex workers in East London found that 42% of street workers had suffered violence from the police.<sup>18</sup> The violence that sex workers experience cannot be countered through criminalising them as the police are a main driver of violence and harm.

*State violence against sex workers includes them losing custody of their children* causing lifelong grief and trauma. Sex workers are frequently labelled bad mothers by discriminatory social workers and the family court and poverty is labelled as neglect.

*Immigration law denies safe routes for women to cross international borders* pushing women into the hands of traffickers.

*"We have been spied on, arrested, cut off from our families, had our savings confiscated, interrogated, imprisoned and placed into the hands of the men with guns, in order for them to send us home... all in the name of "protection against trafficking". It's rubbing salt into the wound that this is called helping us. We are grateful for those who are genuinely concerned with our welfare ... but we ask you to listen to us and think in new ways..."* Empower Foundation, Thailand

## **TRAFFICKING**

The UN Rapporteur asserts that male sexual entitlement, coercion and control drives the demand for sexual exploitation of women and girls and wrongly focuses on "demand" which the Rapporteur's claims "fosters all form of exploitation of persons, especially women in children that leads to trafficking."

In reality, trafficking is driven by poverty and women's determination to escape it as well as the hostile immigration environment<sup>19</sup> that makes it impossible for most migrants, including asylum seekers and victims of rape and other violence, to cross international borders unaided.

Evidence published by *The Lancet*<sup>20</sup>, credible research institutions and practitioners indicates that there is no causal relationship between the criminalisation of sex work and a reduction in trafficking or sexual exploitation.<sup>21,22</sup>

Trafficking law, policy and police enforcement actions primarily result in raids, arrests and deportation of migrant sex workers. Figures show that few police raids find victims of trafficking, and when victims are found, seven in 10 are given no support.<sup>23</sup>

The ECP has a wide experience of helping women prevent, escape and get justice for violence including trafficking. Women survivors come to us because of fear of the authorities and of being deported. They believe that the police are not to be trusted to provide protection.

## RECOMMENDATIONS FOR ACTION.

We ask that the UN Rapporteur demand that the UK government take action to reduce and prevent violence and allow women to leave prostitution if they choose by eliminating poverty among women and girls. In addition, we ask that you recommend the decriminalisation of sex work as a strategy to protect women from violence.

The decriminalisation of sex work is rooted in the principles of promoting safety, reducing harm and enhancing the well-being of those engaged in sex work. Decriminalisation is supported by organisations on a national and international level, including the [Royal College of Nursing](#), [Joint Council for the Welfare of Immigrants](#), [Freedom United](#), [Women Against Rape](#) in the UK and internationally [Amnesty International](#), [the World Health Organization](#), [UN Special Rapporteur on health](#), [Human Rights Watch](#), [UNAIDS](#), [International Lesbian, Gay, Bisexual, Trans and Intersex Association](#), [Global Alliance Against Traffic in Women](#).

Evidence<sup>24</sup> from New Zealand where decriminalisation was introduced in 2003 has shown the following: no increase in the numbers of those involved in prostitution; sex workers feeling more able to report violence without fear of arrest; attacks against sex workers responded to more quickly; sex workers more able to leave prostitution as convictions are cleared from their records.

Therefore, as an immediate first step, the recommendations<sup>25</sup> from the 2016 parliamentary Home Affairs Committee could be implemented. These include decriminalising street-based sex workers as well as decriminalising those who work together indoors, in addition to expunging their criminal records.

We suggest the UN Rapporteur pays close attention to Amnesty International's policy<sup>26</sup> on sex work which outlines the obligations and actions states should take to respect the human rights of sex workers.

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<sup>1</sup> <https://prostitutescollective.net/private-prosecution/>

<sup>2</sup> Preventing Violence Against Women or Violence Work? -- The Swedish Model of Prostitution, Vuolajärvi, 2018

<sup>3</sup> [Police Federation chair accepts Met is institutionally racist, sexist and homophobic | Police Federation | The Guardian](#)

<sup>4</sup> [Women bearing 86% of austerity burden, Commons figures reveal | Gender | The Guardian](#)

<sup>5</sup> [Universal credit hardship 'linked to prostitution' | Universal credit | The Guardian](#)

<sup>6</sup> [Benefit cap: single mothers make up 85% of those affected, data shows | Benefits | The Guardian](#)

<sup>7</sup> [UK 'in violation of international law' over poverty levels, says UN envoy | Poverty | The Guardian](#)

<sup>8</sup> A global systemic review reported that 45-75% of sex workers experienced workplace violence over a lifetime. Deering K, N., Amin, A., Shoveller, J., Nesbitt, A., Garcia-Moreno, C., Duff, P., Argento. E., Shannon, K. (2014). A Systemic Review of the Correlates of Violence Against Sex Workers. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3987574/>

<sup>9</sup> At least 180 prostitute women have been killed in the UK since 1990. The Independent, 17 December 2017. <https://www.independent.co.uk/voices/international-day-to-end-violence-against-sex-workers-right-to-be-free-from-violence-a8115241.html>

<sup>10</sup> A systematic review of all sex work research conducted in 33 countries from 1990 to 2018, found that criminalisation of sex work is linked to 'extensive harms' among sex workers. Sex workers are three times more likely to experience sexual or physical violence where the trade is criminalised. Platt L, Grenfell P, Meiksin R, Elmes J, Sherman SG, Sanders T, Mwangi P, Crago AL. (2018). Associations between sex work laws and sex workers' health: a systematic review and meta-analysis of quantitative and qualitative studies. <https://www.lshtm.ac.uk/newsevents/news/2018/criminalisation-and-repressive-policing-sex-work-linked-increased-risk>.

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- <sup>11</sup> Sanders (2016): <https://eprints.whiterose.ac.uk/87959/3/Inevitably%2520violentFINAL7.7.%5B1%5D.pdf>
- <sup>12</sup> A 2014 study found that 77% of violent incidents were experienced by street-based sex workers, 11% by inside solo sex workers and 6% by sex workers in brothels, parlours or saunas. Connelly, L. (2014) Violence against sex workers. Analysis of National Ugly Mugs.
- <sup>13</sup> The law makes it illegal for women to work together with a friend in premises, so sex workers are forced to choose between possible arrest and keeping themselves safe or avoiding a criminal record and putting themselves in danger. <https://prostitutescollective.net/petition/>
- <sup>14</sup> A 2014 survey found that where arrests were high only 5% of sex workers who were victims of a crime reported it. This compared to 46% of victims in areas where police adopted a harm reduction approach. Data provided by National Ugly Mugs (UKNSWP). (2012-2015).  
<https://www.theguardian.com/society/2017/aug/03/police-sex-workers-brothel-thieves-london-keir-starmer#img-1>
- <sup>15</sup> <https://www.theguardian.com/society/2017/aug/03/police-sex-workers-brothel-thieves-london-keir-starmer#img-1>
- <sup>16</sup> Connelly, C. (2014). Violence Against Sex Workers: Analysis of National Ugly Mugs (NUM) Reports. [https://s3.eu-west3.amazonaws.com/observatoirebdd/2014\\_Violence\\_against\\_sex\\_workers\\_UK\\_Executive\\_Summary\\_CONNELLY\\_NUM\\_ENG.pdf](https://s3.eu-west3.amazonaws.com/observatoirebdd/2014_Violence_against_sex_workers_UK_Executive_Summary_CONNELLY_NUM_ENG.pdf)
- <sup>17</sup> Holt and Gott (2022): The Limits of Vulnerability: Arguments Against the Inclusion of Sex Workers Within Hate Crime Policy in England and Wales.  
<https://www.northumbriajournals.co.uk/index.php/ijgsl/article/view/1266>
- <sup>18</sup> Elmes J, Stuart R, Grenfell P, *et al.* Effect of police enforcement and extreme social inequalities on violence and mental health among women who sell sex: findings from a cohort study in London, UK.  
<https://sti.bmj.com/content/sextrans/98/5/323.full.pdf>
- <sup>19</sup> <https://www.redpepper.org.uk/criminalising-sex-work-wont-help-trafficked-women/>
- <sup>20</sup> [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(15\)61460-X/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(15)61460-X/fulltext)
- <sup>21</sup> The UNAIDS Advisory group on HIV and Sex Work also notes that criminalising clients has not been shown to be effective in reducing trafficking<sup>21</sup>. UNAIDS, Guidance note on HIV and sex work, Annex 2: Shifting the strategic focus from reduction of demand for sex work to reduction of demand for unprotected paid sex, p 12, 2012
- <sup>22</sup> The Organisation for Security and Cooperation in Europe has stated that in Sweden there is no empirical evidence to date that the criminalisation of clients has reduced human trafficking for sexual exploitation in the country . OCSE, Analysing The Business Model Of Trafficking In Human Beings To Better Prevent The Crime, p 70, 2010 available at <https://www.osce.org/cthb/69028?download=true>
- <sup>23</sup> <https://www.independent.co.uk/news/uk/home-news/sex-work-trafficking-victims-raids-police-b2244505.html>
- <sup>24</sup> Dame Catherine Healy (2020): <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/decriminalise-sex-work-prevent-trafficking-and-abuse/>
- <sup>25</sup> [Decriminalise sex workers, says Home Affairs Committee - Committees - UK Parliament](#)
- <sup>26</sup> [Policy on state obligations to respect the human rights of sex workers \(amnesty.org.uk\).](#)