Submission from Nordic Model Now! to the Special Rapporteur on VAWG prior to her visit to the United Kingdom

**About us**: Nordic Model Now! (NMN) is a secular feminist grassroots women’s group based in the UK campaigning for the abolition of prostitution and related practices and for the [Nordic Model](https://nordicmodelnow.org/what-is-the-nordic-model/). All members are unpaid volunteers and about 30% have lived experience of the sex trade.

Except where stated otherwise, this submission is focused on England and Wales, where about 89% of the UK population live, and which have separate legislation from Scotland and Northern Ireland. We are focusing exclusively on prostitution and related matters.

Please also see the NMN and the NMN survivor panel’s submissions to the Special Rapporteur’s report on prostitution and VAWG.

## Key issues in England and Wales

**Policy capture**. In the early 2000s, the UK government ratified the [Palermo Protocol](https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons) and initially made a genuine attempt to implement it. However, those days are past, due to the [influence of sex industry lobbyists](https://nordicmodelnow.org/2024/01/27/how-the-british-establishment-was-captured-by-sex-work-lobbyists/).

**Trafficking legislation**. The [Modern Slavery Act 2015](https://legislation.gov.uk/ukpga/2015/30/contents/enacted) is **the** human trafficking legislation for England and Wales. Rather than use the Palermo Protocol definition it centres the definition on travel. If travel cannot be proved, human trafficking is not considered to have taken place, even if all the elements of the Palermo Protocol definition are met.

The 2015 Act frames forms of human trafficking to which males are more likely to fall victim, such as forced labour on a farm, as ‘modern slavery’ without the need for travel to be proved. But human trafficking for the purpose of sexual exploitation, to which females are more likely to fall victim, is excluded from the definition unless the sexual exploitation is positioned as a form of forced labour.

The definition of “sexual exploitation” in the 2015 Act refers to a long list of offences in other legislation, which must also be proved. This obscures the fact that the most common form of sexual exploitation is exploitation of a woman’s prostitution. The huge profits from this are what drives traffickers and to prevent this we need to reduce men’s demand for prostitution wherever the prostituted women come from.

The 2015 Act is not only profoundly sexist, but also implicitly normalises and trivialises prostitution, and positions it as a form of work.

This has affected who is seen as a victim and where enforcement is focused. Since the Act’s implementation there has been a sea change in who is recognised as a victim of human trafficking. Before the Act came into force, many more sex trafficking victims were identified than labour trafficking victims. This is now completely reversed.

The previous position was in line with international trends suggesting that 80% of human trafficking globally is for the purpose of sexual exploitation. Because of the 2015 Act, the vast majority of victims of sex trafficking in England & Wales are now unrecognised, perpetrators have impunity and victims are denied redress and restitution.

For more on this, see our [submission to the Home Affairs Committee’s inquiry on trafficking](https://nordicmodelnow.org/2023/10/01/submission-to-the-home-affairs-committees-inquiry-into-human-trafficking/).

**Commercial sex websites**. [Commercial sex websites](https://nordicmodelnow.org/myths-about-prostitution/myth-prostitution-advertising-websites-enable-women-to-screen-clients/) are the UK’s mega-brothels. They have made buying sex easier than ever before. Men no longer need to get into their car and cruise the streets looking for a woman to buy or make their way to the local brothel. They can simply browse an online catalogue of women and order one as if she were a pizza.

These websites also facilitate third parties bringing women and girls into the sex industry and have significantly lowered the barriers to starting out as a pimp. A pimp can set up a profile for a woman and have her out making money for him within hours as happened to NMN member, [Megan King](https://nordicmodelnow.org/testimonial/megan-king/).

Potential profits are huge, mostly with very little risk attached, so it is no surprise that massive expansion of the sex trade has coincided with the development of these websites over the last decades. The scale of pimping and human trafficking taking place through them is much greater than law enforcement agencies’ capacity to respond appropriately to the threat the websites pose. This is why we believe that, if we are to reduce the demand for prostitution that leads to trafficking, these websites must be closed.

UK law enforcement authorities do not attempt to make creative use of existing criminal law to limit the operation of these websites, or the scale of exploitation through prostitution they facilitate. They [consider them to be part of the solution](https://nordicmodelnow.org/2023/08/08/the-new-national-police-sex-work-guidance-the-good-the-bad-and-the-downright-shameful/) to sex trafficking and collaborate with them extensively. The companies running these websites use their relationship with law enforcement, which includes employing former law enforcement officers, to enhance their status, gain credibility and market dominance, and to lobby for legislative and policy changes for their own commercial benefit. The conflict of interest is not addressed.

**Services for women involved in prostitution**. Services for women in prostitution are mostly focused on ‘harm reduction’, but without genuine routes out, which would be options in other areas with a “harm reduction” focus, such as alcohol or substance use or smoking. As such they often serve to trap women in prostitution and maintain a thriving sex trade.

**Policing**. [National police guidance](https://nordicmodelnow.org/2023/08/08/the-new-national-police-sex-work-guidance-the-good-the-bad-and-the-downright-shameful/) now exclusively uses “sex work” terminology, states that “sex work” is not a VAWG issue, and emphasises **non-enforcement** of the law against pimping, brothel keeping, kerb crawling, and buying sex from someone who has been coerced. The guidance is not mandatory but is highly influential and makes it harder for local police forces to adopt different approaches. It is therefore no surprise that prosecutions for these crimes are [practically non-existent](https://nordicmodelnow.org/2023/10/24/has-prostitution-effectively-been-decriminalised-in-england-and-wales-while-we-werent-looking/). As a result, the prostitution industry is decriminalised in practice in the UK, provided it is discreet.

In February 2023 the Home Secretary formally recognised [VAWG as a national threat alongside terrorism](https://questions-statements.parliament.uk/written-statements/detail/2023-02-20/hcws565). In May 2023 the National Police Chiefs Council (NPCC) responded with a “[Strategic Threat Risk Assessment](https://www.npcc.police.uk/SysSiteAssets/media/downloads/our-work/vawg/violence-against-women-and-girls---strategic-threat-risk-assessment-2023.pdf)” document that fails to consider what may be causing the [extraordinary increase](https://nordicmodelnow.org/2023/12/11/why-we-need-to-look-at-the-links-between-male-violence-against-women-and-girls-and-porn-and-prostitution/) in VAWG we are witnessing, let alone what role the police could have in working to reduce those causes. There is no mention of the likelihood that the rise in VAWG is connected with the proliferation of porn and prostitution and not even a brief reference to the rapidly increasing body of evidence of connections between [internet porn use](https://link.springer.com/content/pdf/10.1007/s40429-021-00390-8.pdf), [prostitution buying](https://nordicmodelnow.org/facts-about-prostitution/fact-buying-sex-makes-men-more-prone-to-violence-against-women/), and men’s sexual misconduct.

Instead, the document says:

“There are large intelligence gaps around the exploitation of women for prostitution. Barriers to accurate identification include forces having limited resources to allow them to prioritise this issue, **particularly as victims are often adults**, with forces often prioritising resources towards the exploitation of children. Victims may not engage with an investigation because of distrust in the police, insecure immigration status, **fear of repercussions by those exploiting them** and because often this is a primary source of income for them.” [Our emphasis.]

This is an admission of serious state failure by law enforcement and other UK state agents, particularly given the profiles of women involved in prostitution we provide later in this submission, most of whom experienced abuse or exploitation before their 18th birthdays. From that day forward they are seen as exercising “free choice” and state agents consider them less deserving of support.

“Large intelligence gaps” did not deter the NPCC from claiming in the same document that “sex workers” could be divided into three categories – “survival sex”, “sex workers” and “sexual entrepreneurs”. In July 2023 the National Crime Agency (NCA) told the [House of Commons home affairs committee](https://committees.parliament.uk/writtenevidence/119857/pdf/):

There is a demand for sexual services in the UK which has created a sexual services marketplace where both autonomous, self-determined sex workers operate alongside traffickers exploiting victims of sexual exploitation. NCA does not aim to reduce the demand of legal sexual services however is undertaking work to tackle the demand for sexual exploitation.

When the committee chair, Dame Diana Johnson MP, asked for a [comparison of the percentages](https://committees.parliament.uk/oralevidence/13454/pdf/) of posts on Vivastreet (the commercial sex website with which the NCA is embedded) which were from autonomous women compared with trafficked women, the NCA’s director general of operations couldn’t provide this information.

The decision by national police organisations to put the UK government in a position where it is not complying with international treaty obligations is based on a claim they cannot evidence.

While claiming that “limited resources” is one of the barriers preventing police forces from prioritising the exploitation of women for prostitution, the NPCC’s claim in its revised national police guidance that prostitution is not necessarily violent may itself place further limitations on resources available to services supporting women to exit prostitution if they seek to access the additional state funding which is likely to follow designation of VAWG as a national strategic threat.

At the same time, claims of limited resources have not deterred police forces from [pursuing women over “illegal abortions”](https://www.msn.com/en-us/news/world/medics-told-not-to-report-illegal-abortions-to-police/ar-BB1h7JCG) including women who have suffered miscarriages with increasing vigour.

All the evidence suggests that the police are not being effective in policing the child sexual exploitation that is rife throughout the country (See [here for more on this](https://nordicmodelnow.org/2024/01/27/how-the-british-establishment-was-captured-by-sex-work-lobbyists/).) They do not acknowledge that the duties the state, whose agents they chose to be, owes under multiple international human rights treaties are duties towards individuals subjected to exploitation through prostitution, or inhuman and degrading treatment and other abuses, rather than duties to those who abuse and profit from them.

## Further information

The information in this section is based on questions for input to the Rapporteur’s report on prostitution.

**1. Examples of hidden forms of prostitution, and how they are dealt with**

The dominance of the “sex work is work” ideology has led to a lack of official recognition of prostitution as problematic. Instead, it is mostly seen as a free choice, even when the woman has been pimped and falls under the international definition of human trafficking. Most services for women involved in prostitution are run on this basis. Most prostitution is hidden as it is not recognised as a systemic human rights issue requiring an urgent holistic and joined up approach.

[Homelessness](https://www.bigissue.com/news/housing/the-number-of-women-sleeping-rough-could-be-as-much-as-seven-times-higher-than-the-official-count/) and [poverty](https://www.theguardian.com/society/2024/jan/02/families-with-single-parents-at-higher-risk-of-eviction-in-england-says-shelter), both of which push large numbers of women into prostitution, are huge problems in the UK.

Homeless women are less visible than homeless men, because they are less likely to be sleeping on the street due to the serious risk of violence. Many sofa surf, accept “sex for rent” arrangements, stay in crack dens, and/or turn to prostitution. Many are pimped and many have substance use issues. Services for these women are generally inadequate and patchy. Many women-only hostels have closed, while the provision of mixed accommodation and hostels for homeless men has increased. Mixed sex provision is generally unsuitable for these women. Most drug rehabilitation schemes are also geared more towards men and are inappropriate.

Significant numbers of young women are turning to OnlyFans, webcamming, lap dancing, “sugar dating” and prostitution – either because they are groomed into thinking of it as a viable option by individuals or the predominant culture, or because they are desperate for money. Again, this is seen as a free choice and not a problem that needs addressing. [Mila](https://nordicmodelnow.org/testimonial/mila/), a young woman we know, got involved in sugar dating when she was 16 after being introduced to it by a school friend. It is only now in hindsight that she can see the damage it caused her.

Many students turn to prostitution and other activities that come under the “sex work” umbrella for similar reasons – with the most marginalised and disadvantaged young women being most likely to get trapped there, with many dropping out of university (as happened to our member, [Emily](https://nordicmodelnow.org/testimonial/emily/)). As most universities are dominated by the “sex work is real work” ideology, they see students’ involvement as a free choice.

Many universities (for example, [Surrey University](https://nordicmodelnow.org/2023/08/25/surrey-university-students-union-publishes-safety-toolkit-for-student-sex-workers/)) produce “student sex worker toolkits” which purport to keep students safe but present the sex industry as a reasonable option for students experiencing financial difficulties and are therefore likely to lead to more students entering the sex industry and being harmed there. Often universities don’t include organisations which support women to exit prostitution when signposting students to resources. Many students have nowhere to turn if they wish to leave the sex industry.

We were so concerned about this trend that we produced a [Handbook for Universities](https://nordicmodelnow.org/the-nordic-model-now-handbook-for-universities/) presenting an alternative vision, which has been well received but has not changed the domination of the “sex work is real work” ideology in British universities.

**2. Profile of women and girls affected by prostitution**

Studies of prostituted women and girls in the UK published by the [Home Office in 2004](http://news.bbc.co.uk/nol/shared/bsp/hi/pdfs/16_07_04_paying.pdf), and the report of a research study published by [Eaves](https://i4.cmsfiles.com/eaves/2012/11/Breaking-down-the-barriers-a37d80.pdf) in 2012, found that:

* 33% had been “looked after” children.
* 50% started before they were 18.
* 72% were abused as children.
* 50% were homeless.
* 50% were coerced into prostitution.
* 39% had no formal qualifications.
* 83% disclosed current or former problematic substance or alcohol use. 30% became involved in prostitution before commencing substance or alcohol use. For others, their substance use increased after entry into prostitution.
* 50% were coerced into continuing.
* 52% had debts which make it difficult to leave.
* 49% had a criminal record relating to prostitution and 67% for non-prostitution-related offences.

Research [mapping of commercial sex](https://s3.eu-west-3.amazonaws.com/observatoirebdd/2004_Sex_in_the_City_London_Poppy_Project.pdf) in London published in 2004 found that women from 93 different ethnicities were involved in prostitution from flats, massage parlours and saunas in London. Only 19% of the women were from the UK.

Austerity budgets following the 2008 banking crisis, benefit cuts and student debt have pushed more women in the UK into prostitution. The dominance of the “sex work is work” ideology in academia and among research funding bodies in recent years is likely to deter many researchers from becoming involved in studies that would provide more up-to-date evidence of the UK’s ongoing failure to promote equality and support the flourishing of all women and girls.

**3. Profile of those who solicit women in prostitution**

Prostitution is very normalised in England and Wales, with men of all ages and social classes paying for sex with minimal consequences. There are three laws that can be used against sex buying in the Sexual Offences Act 2003:

* Section 51A: Soliciting to buy sex in a public place (aka kerb crawling).
* Section 53A: Paying for sexual services of a prostitute subjected to force etc.
* Section 47: Paying for sexual services of a child (under 18 years).

These laws are [hardly enforced](https://nordicmodelnow.org/2023/10/24/has-prostitution-effectively-been-decriminalised-in-england-and-wales-while-we-werent-looking/). In the last five years there have been zero prosecutions for Sections 51A and 53A and only eight a year on average for Section 47.

Most, but not all prostitution is now mediated online, with several large websites (e.g. Adultwork and Vivastreet) dominating the market but many smaller ones catering for every possible niche. Not only are these websites unregulated, but the [police consider them partners](https://nordicmodelnow.org/2023/08/08/the-new-national-police-sex-work-guidance-the-good-the-bad-and-the-downright-shameful/) “in the fight against crime” even though they are arguably in breach of pimping and human trafficking legislation.

Wealthy men pay young women to go on dates and have sex with them through “sugar dating” websites. The police appear to turn a blind eye to this, even when the women are minors.

Although brothel keeping is illegal, brothels thrive in most English cities. Most operate in plain sight without interruption from the police. On average there were only about [10 prosecutions per year](https://nordicmodelnow.org/2023/10/24/has-prostitution-effectively-been-decriminalised-in-england-and-wales-while-we-werent-looking/) for brothel-keeping over the past five years.

[Sex parties](https://nordicmodelnow.org/2022/07/14/supporting-the-pimp-lobby-so-it-doesnt-come-for-your-children/) are also common. Typically, these require men to bring a female partner. As few women want to do this, most men pay a woman to attend with them. Under English law they count as brothels which are illegal, but typically the police do not enforce the law against them.

Our planning system requires owners of residential premises seeking to change them to commercial premises to obtain permission for a change of use from the local council. Notice of this is publicly available to residents and anyone assessing the attractiveness of a location for property buyers, developers, or financial institutions providing mortgages and development loans. A council couldn’t grant a change of use for an unlawful purpose and could well face legal and electoral challenges even if this were not so. Lack of transparency about the true ownership of many properties in England & Wales has been [widely reported](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945411/NRA_2020_v1.2_FOR_PUBLICATION.pdf), an equivalent lack of transparency, supported by police forces, about the use being made of properties, and who benefits from this, less so.

There is significant street prostitution in many areas and, even though [kerb crawling](https://nordicmodelnow.org/2021/02/02/leeds-city-council-its-time-you-listened-well-to-holbeck/) causes huge problems for local women and children, the police seldom crack down on kerb crawlers. If they do, they sometimes use civil orders rather than the criminal law. These are used in the outer [London borough of Redbridge](https://www.redbridge.gov.uk/media/9929/refreshed-prostitution-strategy-2022-v2.pdf) and enable the police to fine the men without going through the difficulty of bringing a prosecution. However, this approach is unusual and [police national guidance](https://nordicmodelnow.org/2023/08/08/the-new-national-police-sex-work-guidance-the-good-the-bad-and-the-downright-shameful/) does not encourage targeting sex buyers.

In a private conversation, a female London police officer told us that in her experience men of all social classes are sex buyers, right down to newly arrived migrants on very low wages, who she’d seen propositioning homeless women for a blow-job for £5 on their way to work.

**5. Responsibility for perpetration of violence against women and girls in prostitution**

Pimps and sex buyers are responsible for the violence that they directly inflict on women and girls in prostitution. This is inevitable wherever prostitution takes place. However, the British state is complicit in this:

* By failing to take measures to address the poverty and inequality that makes people, especially women and children, vulnerable to being trafficked, in contravention of Article 9 of the Palermo Protocol. The [Women’s Budget Group](https://wbg.org.uk/category/analysis/uk-budget-assessments/) has shown that **every budget since 2010** has impacted unfairly on women, particularly lone mothers, and Black and Asian, and disabled women. As a result, large numbers of women are in [desperate poverty](https://nordicmodelnow.org/2018/11/07/submission-to-un-special-rapporteur-on-extreme-poverty-human-rights-in-the-uk/), making them vulnerable to being pimped and sex trafficked. Women’s poverty and inequality has also led to increasing numbers of women [turning to prostitution](https://nordicmodelnow.org/2019/05/26/statement-about-universal-credit-and-survival-sex/) as a last resort against destitution, and the same forces are making it increasingly difficult for women to leave prostitution.
* By failing to take measures to discourage the demand for prostitution that drives sex trafficking in contravention of Article 9 of the Palermo Protocol. For example, there have been [zero prosecutions](https://nordicmodelnow.org/2023/10/24/has-prostitution-effectively-been-decriminalised-in-england-and-wales-while-we-werent-looking/) of sex buyers in the past 5 years under the two laws that can be used against those buying or attempting to buy women for sex and only eight per year on average for men paying for sex with a child – even though prostitution and [child sexual exploitation](https://www.nspcc.org.uk/about-us/news-opinion/2022/child-sexual-exploitation-crimes-up-10-in-the-last-year/) are both rife.
* By [failing to enforce](https://nordicmodelnow.org/2023/10/24/has-prostitution-effectively-been-decriminalised-in-england-and-wales-while-we-werent-looking/) the laws against pimping and brothel keeping in contravention of [Article 6 of CEDAW](https://nordicmodelnow.org/facts-about-prostitution/fact-cedaw-requires-countries-to-fight-pimping/).
* By not [implementing the international definition of human trafficking](https://nordicmodelnow.org/2023/10/01/submission-to-the-home-affairs-committees-inquiry-into-human-trafficking/) for the purpose of the exploitation of prostitution and other forms of sexual exploitation, in contravention of the Palermo Protocol.
* Through the police policy of [partnering](https://nordicmodelnow.org/2023/08/08/the-new-national-police-sex-work-guidance-the-good-the-bad-and-the-downright-shameful/) with commercial sex websites rather than recognising them as active exploiters of women’s prostitution and that they also facilitate third parties who profit from women’s prostitution, and taking appropriate measures to shut them down. This is also a breach of Article 6 of CEDAW.
* By failing to recognise prostituted women and girls as victims of human rights abuse and failing to provide sufficient high-quality services to help them exit prostitution, build a successful life outside it, and to recover from the trauma they have suffered.

**Recommendations**

1. The pro-active implementation of the [Nordic Model](https://nordicmodelnow.org/what-is-the-nordic-model/) approach to prostitution – along with all the holistic measures that are needed for its success.
2. Measures to address women’s poverty and inequality.
3. Full implementation of the Palermo Protocol, and strong legislation against advertising prostitution and third parties profiting from the prostitution of others.
4. Strict age verification on all online pornography.
5. The outlawing of all pornography that involves violence and torture that would be illegal in any other context.