19 January 2024

**Input for SR VAWG’S report on violence against women and prostitution**

**Written submission by UK Feminista**

[UK Feminista](https://ukfeminista.org.uk/) is a charitable organisation that supports individuals and organisations to take action for equality between women and men. One of our main programmes of work relates to combating commercial sexual exploitation, through working with survivors, policy makers and practitioners to undertake research and campaign for law reform. We provide the Secretariat for the UK Parliament’s [All-Party Parliamentary Group](https://www.appg-cse.uk/) (APPG) on Commercial Sexual Exploitation and [A Model For Scotland](https://www.amodelforscotland.org/).

Our submission relates to questions 1, 2, 4, 5, 7, 8, 9, 10, 11, 13 and 15, and will focus on adult commercial sexual exploitation. Commercial sexual exploitation is inclusive of both sex trafficking and prostitution, which are inherently connected phenomena.

**Question 1.**

Prostitution and sex trafficking increasingly take place indoors. In a 2018 report, the APPG on Prostitution and the Global Sex Trade found that the most common model of operation used by organised crime groups engaged in sexually exploiting women is moving victims between ‘pop-up’ brothels in residential properties, which serves to keep victims hidden from police detection and isolated from support.[[1]](#endnote-2) The hidden nature of sex trafficking requires proactive police investigation, however the inquiry found that only a minority of police forces work to identify all brothels in their area on a consistent, ongoing basis, with one police force reporting that there are too many brothels for the police to be able to visit all of them.[[2]](#endnote-3)

Moreover, the UK Parliament’s Home Affairs Committee’s 2023 inquiry on human trafficking heard that 75% of sex trafficking victims are now advertised online and that prostitution advertising websites are the most significant enabler of sex trafficking.[[3]](#endnote-4) The Scottish Parliament’s Cross-Party Group (CPG) on Commercial Sexual Exploitation’s 2021 Online Pimping inquiry found that these websites enable traffickers to advertise their victims with ease, and allow sex buyers to access the phone numbers of women advertised while remaining completely anonymous,[[4]](#endnote-5) which is more covert than kerb crawling for women in on-street prostitution.

There are claims that these websites enable police to identify otherwise hidden sex trafficking, which have led to law enforcement seeking to build partnerships with the websites. However the Home Affairs Committee’s inquiry concluded: “We found this public partnership working inexplicable, particularly given the total absence of evidence that it has led to a reduction in the scale of trafficking facilitated by these websites - and the flagrant facilitation of trafficking enabled by, for instance, single individuals being allowed to advertise multiple women for prostitution.”[[5]](#endnote-6) Moreover, the CPG’s inquiry concluded that “the scale of sex trafficking and sexual exploitation facilitated by Sexual Exploitation Advertising websites vastly outstrips policing capacity to respond to it.”[[6]](#endnote-7)

**Question 2 & 10.**

The UK Government does not collect statistics on the size of the sex trade or the number of people involved in prostitution.[[7]](#endnote-8) This lack of national data significantly impairs the ability to understand the impact that prostitution has on women’s rights.

In terms of sex trafficking victims in the UK, a large proportion are migrant women from Eastern European countries. Romania was a significant source countries of sexual exploitation victims in the UK for many years,[[8]](#endnote-9) and the UK’s National Referral Mechanism (NRM)[[9]](#footnote-2) statistics show that in England in 2022, Albanian nationals were most highly represented amongst potential victims for trafficking involving only sexual exploitation in England.[[10]](#endnote-10) The UK was the second most commonly recorded nationality. The nature of sex trafficking and barriers in relation to identifying it means that it is likely that NRM figures underestimate the scale of the problem.[[11]](#endnote-11) It is also not possible to identify the age, ethnicity or other protected characteristics of adult trafficking victims using available NRM data. The inability to identify which groups are particularly vulnerable to sex trafficking hinders the development of anti-trafficking measures.

The APPG on Commercial Sexual Exploitation found during its 2018 inquiry into organised sexual exploitation that individuals with pre-existing vulnerabilities are likely to be targeted by traffickers. These include vulnerabilities linked to economic factors such as unemployment and homelessness, medical vulnerabilities and childhood trauma.[[12]](#endnote-12)

It is also clear that women affected by conflict are at increased risk of being exploited in the sex trade. The OSCE has highlighted that in 2022 when the war in Ukraine began, searches on prostitution advertising websites for ‘Ukrainian escorts’ increased by 200% in the UK.[[13]](#endnote-13)

**Question 4, 5 & 8.**

Prostitution, whether third party coercion is present or not (such as that from traffickers and pimps), is a form of violence against women which reduces human beings to commodities. It is a system of inequality and discrimination based on sex, which impacts on our ability to achieve women’s equality. Individuals being sexually exploited by sex buyers are not freely consenting to participate in sex acts, but partake due to coercive circumstances such as poverty.[[14]](#endnote-14) The Scottish Government[[15]](#endnote-15) recognises prostitution as a form of violence against women.

The APPG on Commercial Sexual Exploitation’s Bust the Business Model report highlights how prostitution must be understood as a form of sexual exploitation, as meaningful consent cannot be present in transactional sex: “Healthy, non-abusive sexual relationships require both parties to mutually and freely want to have sex. Offering someone money - or accommodation, or other goods and services – in return for them performing sex acts is a form of sexual coercion.”[[16]](#endnote-16) It is also important to understand that the end result of prostitution and sex trafficking is often, by definition, rape, which is widely recognised as a form of violence against women.

As the CPG on Commercial Sexual Exploitation’s Online Pimping report concluded, “Sexual exploitation itself can never be made ‘safe’. Extensive evidence shows that having repeated unwanted sex in exchange for money… can have deeply harmful, wide-ranging and long-lasting psychological and physical consequences…”[[17]](#endnote-17) Moreover, an Irish study in 2021 found that “…women are experiencing multiple sexual, reproductive and mental health harms arising from their involvement in prostitution, which are linked to buyers’ demands for risky practices and the frequency with which multiple buyers have sexual access to their bodies.”[[18]](#endnote-18)

Prostitution advertising websites, sex traffickers, pimps and sex buyers are responsible for directly perpetrating or facilitating the exploitation of women in prostitution. Tsitsi Matekaire, End Sex Trafficking’s Global Lead at Equality Now, highlights sex buyers as the primary reason that women are exploited in the sex trade: “Without the demand of those that are buying, the sex trade would not exist and thrive.”[[19]](#endnote-19)

In addition to the prostitution itself, women involved in the sex trade experience high levels of additional violence, including from sex buyers, pimps and traffickers. US research found that women in prostitution are nearly 18 times more likely to be murdered than women not involved in prostitution.[[20]](#endnote-20) Stígamót, an Icelandic organisation providing support services for women in the sex trade, found that 92% of survivors of prostitution who sought their services had also been subjected to other types of sexual violence.[[21]](#endnote-21)

Mia de Faoite, a survivor of prostitution, said: “…In the six years that I was involved, I endured a gang rape and three separate rapes, including being raped twice on the same night, plus countless humiliations and numerous physical assaults...”[[22]](#endnote-22)

**Question 7.**

Pornography is filmed prostitution. As with non-filmed prostitution, sexual coercion is intrinsic to pornography. The APPG on Commercial Sexual Exploitation’s 2023 inquiry on pornography concluded that “legal and financial obligations constraints and pressures result in sexual coercion being inherent to commercial pornography production”[[23]](#endnote-23) and that “violence against women is prolific in mainstream pornography”.[[24]](#endnote-24)

**Question 9.**

At present, it is legal to pay for sex in England, Scotland and Wales under most circumstances.[[25]](#endnote-25) It is this legal landscape that fuels the demand for the sex trade, therefore it is ineffective in combating commercial sexual exploitation. This was highlighted by Dame Diana Johnson MP in the Bust the Business Model report: “Just 3.6% of men in the UK have paid for sex in the past five years, yet it is their demand that drives sexual exploitation…”[[26]](#endnote-26)

The UK is currently failing to meet its multiple obligations to reduce demand for sexual exploitation. In his 2022 UK visit report, the OSCE’s Special Representative and Co-ordinator for Combating Trafficking in Human Beings stated: “In general, the UK has not taken sufficient action to discourage the demand that fosters sexual exploitation in line with its international legal obligations. Demand is clearly a significant market force in the UK, as exemplified by the large online market for sexual services. Such large-scale demand creates a massive incentive for exploiters to traffic vulnerable persons in the UK.”[[27]](#endnote-27)

The legal situation is different in Northern Ireland, where it is illegal to pay for sex.[[28]](#endnote-28) Facilitating and profiting from the prostitution of others is also a criminal offence, whilst the law decriminalises people exploited in the sex trade. This legislation is designed to discourage and decrease the demand from sex buyers that drives the ‘supply’ of women into sexual exploitation. Other countries that adopt demand reduction approaches include Sweden, Iceland, Ireland, Norway, Israel and France.[[29]](#endnote-29)

There is significant evidence that demand reduction legislation is effective in disrupting sex buying activities and producing a powerful normative effect against this behaviour. Since its implementation in 1999, Sweden has seen a decrease in demand from sex buyers, with the proportion of men who reported paying for sex dropping from 13% to 8% between 1996 and 2008.[[30]](#endnote-30) Research conducted in 2016 found that 0.8% of men had paid for sex in the previous 12 months – the smallest proportion recorded in two decades and the lowest rate in Europe.[[31]](#endnote-31)

Sex traffickers are also being deterred in Sweden. A committee evaluating Sweden’s legislation in 2010 reported: “According to the Swedish Police, it is clear that the ban on the purchase of sexual services acts as a barrier to human traffickers and procurers who are considering establishing themselves in Sweden.”[[32]](#endnote-32)In order to reduce demand for sex trafficking, it is essential to reduce demand for prostitution in general. This is because the men who fuel the demand for the overall prostitution trade are the same cohort of individuals providing the demand for sex trafficking victims. As the European Commission highlights in its 2016 study, “…trafficked persons are located within existing sex industries... there is no separate or specific market for trafficked persons”.[[33]](#endnote-33)

Moreover, A Model For Scotland’s 2023 report on international experiences of combating commercial sexual exploitation found that Ireland’s demand reduction laws have resulted in women involved in the sex trade feeling more able to disclose additional violence against them to the police.[[34]](#endnote-34)

**Question 11.**

Women exploited in the sex trade often experience a plethora of barriers impacting their ability to leave sexual exploitation, including coercion from third parties.[[35]](#endnote-35) Therefore, the provision of specialist support and exiting services is crucial.

At present, the support available for people exploited in the sex trade in the UK who are not referred into the NRM is a ‘postcode lottery’, in that whether they are able to receive exiting services depends on their geographical location.[[36]](#endnote-36) Comprehensive and fully resourced exiting provision is not currently available nationally and this must be provided, whenever and for as long as the individual requires it, to enable them to recover, rebuild their lives and exit sustainably.

In contrast, the French legislation introduced the requirement of providing of exiting prostitution programmes and established a fund for providing support to victims of sexual exploitation. Support provision includes psychological support, monthly financial support, accommodation, residence permits where necessary and employment support.[[37]](#endnote-37)

It is also essential to ensure that convictions for soliciting are expunged, in order to remove this substantial barrier to exiting prostitution. Nia’s “I’m No Criminal” report on the impact of prostitution-specific criminal records highlights this issue: “Prostitution related convictions and fear of their disclosure can then act as a bar both to exit in the first place and to a sustained or complete transition out of prostitution in the long term…”[[38]](#endnote-38)

**Question 13.**In contrast to countries that have adopted demand reduction to stem the severe human rights violation represented by prostitution, some countries, including Germany, the Netherlands and New Zealand, have legalised or decriminalised prostitution. This has resulted in the substantial growth and normalisation of the sex trade, with an increase in trafficking to meet the increased demand. The Bust the Business Model report highlights: “Germany’s legalised prostitution trade is now worth an estimated €15 billion annually[sic]. The legalisation of the prostitution trade also led to a rise in ‘mega-brothels’. In 2019, the owner of a high-profile chain of mega-brothels – including Stuttgart Paradise - was imprisoned for aiding and abetting trafficking.”[[39]](#endnote-39)
 **Question 15.**

To effectively combat prostitution and sex trafficking, the UN should recommend that the following measures are introduced and effectively implemented in every Member State, if not already in place:

* 1. Recognise prostitution as commercial sexual exploitation and a form of violence against women and girls in policy. It must be formally acknowledged that prostitution is a severe human rights violation underpinned by the historical and systematic inequality and discrimination experienced by women and girls, and a barrier to achieving sex equality.
	2. Criminalise providing money or other material benefit in return for a person performing sex acts, with an appropriate penalty to reflect the severity of this sexual offence. This must include when perpetrators pay for sex whilst abroad, in order to prevent sex tourism.
	3. Remove all criminal sanctions currently applied to individuals exploited in the sex trade, for example for soliciting in a public place. Expunge previous convictions for soliciting from individual criminal records.
	4. Criminalise enabling and/or profiting from the prostitution of another person, whether it takes place online or offline. Penalties must enable relevant enforcement bodies to fine and block access to offending online platforms based anywhere in the world.
	5. Provide a comprehensive and resourced network of support and exiting services for all individuals in the sex trade wishing to access it. This must include residence permits where necessary and must be provided regardless of immigration status.
	6. Introduce education initiatives to prevent individuals from fuelling the demand for commercial sexual exploitation. This should include public awareness campaigns to deter men from paying for sex and mandatory education programmes in schools to combat sex inequality and educate students on why paying for sex is deeply harmful.
1. **Input for SR VAWG’S report on violence against women and prostitution**

**Annex to written submission by UK Feminista: References**

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