

Women at The Well

54-55 Birkenhead Street, Kings Cross, London, WC1H 8BB, UK; Tel +44 (0)20 7520 1710
<https://www.watw.org.uk/>

Registered charity: 1118613

Contact: Jo Thompson, email: jo.thompson@watw.org.uk Tel:07854539945

Word count (minus titles and questions text): 2,085

Submission to the UN Special Rapporteur on VAWG call for input on prostitution and violence against women and girls

January 2024

About Us

Women@thewell is a frontline service provider of trauma informed support and exiting services in London. We work with women whose lives are affected by prostitution and sexual exploitation, including women who have been trafficked into the sex trade. In 2023 Women@thewell supported 593 women with basic needs assistance and advocacy at our central London premises and through our outreach services across the city.

1. Provide examples of the hidden forms of prostitution, and explain to what extent they are recognised and dealt with as such.

We have seventeen years' experience providing trauma informed exiting services and see that when basic material needs such as secure housing, food, advice on welfare and finances, and support around addictions are unavailable, a woman's vulnerability to prostitution and sexual exploitation is heightened significantly. Last year there were 1347 visits by women to our central London premises with basic needs requests (including food, clothing, access to single sex washing and showering facilities and laundry), and our team of support workers identified direct linkages between these basic needs and exploitation in the local sex trade. Our outreach street team communicated with an additional 357 women at serious risk of and experiencing exploitation through prostitution in locations across the city, and identified the same, especially as women are a small minority (estimated 20% in London) of the rough sleeping and temporarily housed population.

This prostitution and sexual exploitation is "hidden" in the sense that community leaders, policy makers and onlookers tend to perceive these women in terms of how they present to public services – in housing need, welfare need, health needs – but not in terms of their exposure to and high risk of prostitution and sexual exploitation and their harms. There is also a significant blurring of the so-called lines (if they ever neatly existed) between the single incident 'exchange' of sex acts for cash, and a large cluster of harmful sexual exploitation practices. These include so-called "survival sex" where women are described as 'exchanging' sex for somewhere to stay, food and other material needs, safety/protection, or drugs; and 'grooming' and the associated phenomenon of 'cuckooing', which is huge in London, where predatory men, often involved in criminal activity, occupy the flats or rooms of women with disadvantages, and where sexual deception or coercion can feature.

2. Describe the profile of women and girls affected by prostitution in your country, and provide disaggregated data where possible.

The women we work with in London face severe and multiple disadvantages including homelessness and insecure housing (100% of the women we worked with last year),

addictions, mental health problems, histories of sexual and domestic abuse, criminalisation and social and cultural exclusion. Around 40% of the women using our service are from minority ethnic backgrounds; many have diagnosed and undiagnosed physical or learning disabilities and other health conditions (we supported more than 40% of our clients to access the public health system last year); the large majority have lower than average levels of education and many notably experience loneliness and fewer social connections than others.

Sexual and domestic abuse are very significant in these women's histories. A 2016 study ([McManus & Scott](#)) found that while women as a whole in the UK experience domestic and sexual abuse at rates similar to women around the world (ie one in four experience domestic abuse; more than one in ten experience rape: [ONS March 2022](#) and [March 2023](#)), there is a subset of women who experience repeated and extensive sexual and physical abuse, as girls and as adults, by the same and different perpetrators, with an enormous lifetime toll. This is estimated to be 1.2 million or 5% of adult women. These women have very high rates of homelessness, mental health problems, addictions and poverty; more than half have a common mental disorder, a third have attempted suicide, a third have an alcohol problem, a fifth have been homeless.

Our experience in central London confirms that women with the 'severe and multiple disadvantage' profile (housing problems, addictions, mental health, poverty) very commonly have histories of sexual and domestic abuse (80% report this to us), and we witness their high risk of being drawn into prostitution and sexual exploitation in this location and in the context of their disadvantages and needs. This reality needs studied reflection because there is a tendency for some advocates to separate these very disadvantaged women from 'others' who experience less disadvantage and are said to exercise more agency in relation to the sex trade. It is an inescapable reality that the scale of demand for prostitution always brings 'sex buyers' and exploiters to this set of very disadvantaged women.

3. Describe the profile of those who solicit women in prostitution and whether such relations are regulated and provide supporting data, where possible

We refer to the research recently published by [Melissa Farley et al \(2022\)](#), a six-country study of 'sex buyers' which included 218 in-depth interviews with men in England and Scotland willing to be interviewed about paying for sex. It reveals that around one in ten men in the six countries have paid for sex during their lives, that these men commonly first do so as young adults, and that they hold more misogynistic attitudes towards women than other men.

In UK common law the exchange of sexual services for money is permitted (apart from in Northern Ireland where it is illegal to pay for sex), but some related activities are criminalized including: soliciting, brothel-keeping, and kerb-crawling. But while prosecution for these offences is possible, there is no coherent national policy framework around prostitution, no strategy or even aims; we have a '*laissez-faire*' reality which means that local areas can effectively choose to take very different on the ground approaches, from for example 'tolerance zones' like the "["managed approach" in Leeds](#) (now discontinued) to '[zero tolerance](#)' in [Ipswich](#) (recently reaffirmed, and which was instituted following a series of murders in 2006). These positions are often decided by police leaders, and may or may not involve public consultation and/or consideration of rights.

4. What forms of violence are prostituted women and girls subjected to (physical, psychological, sexual, economic, administrative, other)?

100% of the women we support have experienced one or all of these forms of violence, including physical violence, kidnap and being held prisoner; threats against themselves and loved ones; rape including gang rape; theft and deception; coercion related to their migration status. At the most grave end, the [Femicide Census](#) found that women affected by prostitution are very disproportionately among murdered women: 32 women known to be involved in prostitution were murdered between 2009 and 2018.

5. Who is responsible for the perpetration of violence against women and girls in prostitution?

The men who pay for sex, and the people who traffick and exploit women in prostitution, are principally responsible for the violence against women and girls in prostitution. But the drivers and incentives for this behaviour are complex and related to structural and systemic inequalities, making an appeal for individual desistance an unrealistic route to ending the harm. States are charged with the active protection and promotion of women's human rights and equality, and as prostitution is so harmful to women on an individual and collective basis, it is the duty of States to take action on it.

6. Describe the linkages between prostitution and the violation of the human rights of women and girls

Prostitution routinely includes the violation of women's most basic human rights: the right to life, the right not to be subject to torture or degrading treatment, rights to privacy and family life, and the right not to be discriminated against. We commend [CEDAW recommendation 19](#) whose definition of discrimination includes gender-based violence, and [CEDAW recommendation 39](#) which affirms that it is a priority duty of States to prevent women and girls from exposure to risk of being trafficked, and that they should also discourage demand.

Prostitution is a profoundly racialised phenomenon, from sex buyers' commonly expressed 'preferences' for women of different ethnic backgrounds to the exploitation of structural racial inequality in the 'grooming', predation on and trafficking of women from minority ethnic groups in the Global North and Global South. Women's right not to experience harm/discrimination for being a member of a group are violated in prostitution. The prostitution 'market' also features disturbing 'demand' for and interest in children, a specific violation of children's rights (CRC) which States have significant duties to uphold.

Women supported within our service have in all cases had serious impairment to their human rights and freedoms.

7. What are the links between pornography and/ or other forms of sexual exploitation and prostitution?

This is not an area of our expertise, but we hear from women anecdotally how pornography-based narratives influence the men who harm them. We co-hosted an event at [CSW New York](#) in 2023 with [Dr Gail Dines](#), a recognised expert on pornography, where the panel discussion highlighted pornography as a cog in the sex industry machine alongside prostitution and in many cases directly feeding demand.

8. How is the issue of consent dealt with? Is it possible to speak about meaningful consent for prostituted women and girls?

Our seventeen years of providing frontline services, alongside working with survivors of the sex trade through our joint work with [SPACE International](#), makes us conclude that the 'purchase' of sexual consent is a harmful fiction which serves to conceal abusive behavior.

A report we published with Dr Pat Jones 09/2019/20, based on interviews with women using our service and frontline workers, concluded, “...*the vast majority of women who ‘enter’ prostitution are not making a genuine choice and most describe feeling trapped rather than free whilst they remain involved. The sex of prostitution is not something to which they give ‘knowing and free’ consent.*”

The lives of the women we have described using our service and the contexts in which they are sexually exploited do not fall within the spirit of England and Wales law on rape which is consent based (Sex Offences Act 2003). In these contexts a woman’s ability to make a free and equal decision to consent to sex is eroded, as is arguably the reasonableness of a man’s understanding that truly free consent has been given.

9. How effective have legislative frameworks and policies been in preventing and responding to violence against women and girls in prostitution?

We refer to question 3 above where we set out how the largely *laissez-faire* approach to prostitution here and complete lack of a policy framework or strategy, given especially the characteristics of the women and children being harmed, is failing to protect women from violence in prostitution. We see tackling demand as imperative and are strong supporters of an abolitionist framework which includes law to criminalise the purchase of sex, and the provision of sound exiting support and public awareness campaigns.

10. What measures are in place to collect and analyse data at the national level with a view to better understanding the impact that prostitution has on the rights of women and girls?

There is no routine collection of data related to prostitution and women’s rights here; the State does not have a reliable account of the scale and harms of prostitution and is not in a position to be able to claim there is no significant harm.

The most significant recent attempt to get a national picture of the scale and nature of prostitution was a national study commissioned by the Home Office ([Hester et al, 2019](#)) which made an exhaustive assessment of every available data source and concluded that it is not possible to estimate UK prevalence of prostitution or the number of ‘sex workers’, without a much deeper investigation than they were resourced to do.

**11. What measures are in place to assist and support women to exit prostitution?
12. What are the obstacles faced by frontline organisations to help women exit?**

Women facing multiple disadvantage routinely face the “revolving doors” of different state agencies which are inflexible and set up to meet only one need, but not to acknowledge the complexity, for example, of trying to address poor mental health, a lack of secure housing, family problems and an addiction at the same time. Those involved with the justice system, and those whose children might be under child protection plans, can face additional, punitive treatment from state agencies.

In the UK there are very few specialist exiting support services for women in prostitution. We are one of very few trauma informed services across the UK. Specialist exiting support is not a recognised duty and area of funding for government commissioners of social, health or justice services; most of our income for example is from voluntary sources. We worry that expertise in prostitution and in exiting provision is not being nurtured, and that the problem is compounded by some in the voluntary and public sectors avoiding an issue they find ‘difficult’.

13. What are some of the lessons learned about what works and what does not when it comes to stemming any negative human rights consequences from the prostitution of women and girls?

We have covered this already and would add only that so long as there is no clear recognition of the gendered drivers and harms to women, and especially to more marginalized women, of prostitution, and no consequent strategy or plan to disrupt demand, then initiatives like tertiary policing level pledges to take more seriously reports of assault by women in prostitution are destined to fail.

14. Are frontline organisations and survivor organisations sufficiently included in policy making at the national and international level?

No. In the UK there are few forums on policy making compared to other social policy areas, which is a consequence of the lack of national interest and strategy. Despite being located in central London and close to national government, we can cite few incidences of attempts to include frontline exiting organisations and/or survivor representatives in relevant processes.

15. What recommendations do you have to prevent and end violence associated with prostitution for women and girls?

We recommend that States adopt abolitionist legislation, commission well-funded women only, trauma informed exiting services, and launch public perception campaigns which identify prostitution as violence against women and girls. We champion the French model as the best version of abolition and best practice in commitment to exiting support services.