

1713 Standing Up For Sex Workers, Supporting Decriminalisation of Sex Work

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Council Notes:

1. Sex work refers to escorting, lap dancing, stripping, pole dancing, pornography, webcams, adult modelling, phone sex, and selling sex (on and off the street)[1].
2. Selling sex is not illegal in the UK – but it is criminalised [2]. Almost everything that sex workers do to stay safe is illegal [3].
3. Financial reasons, and any criminal record gain due to the criminalisation of sex work, are usually cited as the main reason for staying in sex work [4].
4. There are a disproportionate number of disabled people, migrants, especially undocumented or semi-documented migrants, LGBT people and single parents (the vast majority of whom are women) involved in sex work [5].
5. The financial cost of being disabled, the cost of childcare, the cost of medical transition and hormones, racism in the workplace, the vulnerability of undocumented migrants to exploitation in other forms of work and the prejudice faced by LGBT and disabled people undoubtedly contribute to this overrepresentation.
6. The criminalisation of sex workers' clients, known as the Swedish Model, was recently passed in the Northern Irish Assembly, despite government-commissioned research showing that 98% of sex workers working in Northern Ireland did not want this introduced [6].
7. Organisations that support the decriminalisation of sex work include the World Health Organisation [7], UN Women [8], the Global Commission on HIV and the Law [9], Human Rights Watch, the National Union of Students and the Royal College of Nurses [10].
8. The Global Alliance against Traffic in Women opposes introducing criminal penalties against the clients of sex workers. Their research found that criminalising clients does not reduce sex work or trafficking, but infringes on sex workers' rights & obstructs anti-trafficking efforts [11].
9. The decriminalisation of prostitution was introduced in New Zealand in 2003 [12] by Labour MP Tim Barnett, who called the debate on decriminalisation the most significant debate on a moral issue since the decriminalisation of homosexuality [13].
10. The criminalisation of sex workers' clients has been proven to lead to further distrust of the police amongst sex workers, a willingness of sex workers to

engage in more risky behaviour/safety procedures out of desperation, and does not reduce overall levels of prostitution [14].

Council Believes:

1. Sex work is work. Sex work is the exchange of money for labour, like any other job. It is different because it is currently criminalised and stigmatised.
2. People should be free to choose what they do with their time, their labour and their bodies. If they have fewer choices, our solution should be to expand their choices, not take options away through further criminalisation.
3. The right of consenting adults to engage in sexual relations is of no business to anyone but the people involved.
4. The moral panic around sex work and prostitution echoes the moral panic that was present when homosexuality was in the process of being decriminalised. It is no coincidence that many who argue for harsh anti-prostitution laws under the guise of feminism also voted against equal marriage and similar civil rights measures.
5. With the rise in living costs, the increase in tuition fees, and the slashing of benefits for disabled people, it is highly likely that some students do sex work alongside their studies.
6. The lack of funding for postgraduate education makes it likely that some students use sex work as a means to fund their postgraduate degrees.
7. Stigma against sex work means that sex workers are less likely to seek out help and support if and when they need it.
8. Regardless of their reasons for entering into sex work, all sex workers deserve to have their rights protected and to be able to do their jobs safely. This includes sex workers who do not find their job 'empowering'. Whether or not you enjoy a job should have no bearing on the rights you deserve while you do it.
9. Legislation targeted at combatting poverty, austerity, universalising childcare and a living wage, sufficient social housing, and accessible education funding and living grants, is more likely to ensure those who do not wish to work in the sex industry do not feel forced to by economic circumstances.
10. Decriminalisation would ensure that sex workers feel able to report unsafe clients or violence at work without the worry of criminal repercussions, that several sex workers can work together for safety and that those who wish to leave the sex industry are not left with criminal records as a result of their job.
11. The pushes for legislation which would criminalise the purchase of sex are often spearheaded by anti-choice, anti-LGBT right-wing fundamentalists, working with radical feminists [15].

12. Legislation of this kind is often brought forward in the name of anti-trafficking programmes – in reality it is primarily being used to target immigrant sex workers for raids and deportations.

13. The ILO estimates that over 75% of trafficking globally is into industries such as fisheries, agriculture and domestic work - not into sex work [16]. An effective anti-trafficking strategy would strengthen the rights of all migrant workers in order to crack down on exploitation by managers. Treating the sex industry as exceptional leaves the majority of exploited migrant workers out in the cold - and the police aren't the allies of migrant workers, whether they're sex workers or agricultural workers.

14. A recent example of how simplistic 'anti-trafficking' policies harm migrant sex workers was the Soho raids – 250 police broke down doors of brothels operating in Soho, dragging handcuffed immigrant sex workers in their underwear out on the street. No evidence of trafficking was found and the flats have now been reopened, but women were deported against their will as 'trafficking victims'.

15. The Joint Committee on Human Rights report on Human Trafficking confirmed that "victims often find themselves treated as immigration offenders" and face detention and removals [16].

19. Criminalising the purchase of sex puts sex workers, especially those who work on the street, in danger. It is impossible to criminalise an aspect of someone's job without it having a negative impact on the person at work [17].

Council Resolves:

1. To mandate the student officer committee to support and campaign for the full decriminalisation of sex work.
2. To mandate the student officer committee to campaign against any attempt to introduce the Nordic Model into the UK.
3. To support sex worker led organisations, such as the English Collective of Prostitutes, Sex Worker Open University and SCOT-PEP, who work to improve the lives of sex workers across the UK.

[1] From here on, references are made to 'sex work' in this motion refer to full service sex work – escorting, prostitution, etc. Other strands of sex work are stigmatised, but not criminalised in the way that full service sex work is criminalised.

[2] Similar laws operate in Scotland, Wales & England. Prostitution (the exchange of sexual services for money) is not illegal, but associated activities (soliciting in a public place, kerb crawling, operating a brothel) are. The main laws around sex work in the UK are: the Vagrancy Act of 1824; the Sexual Offences Act of 1956 and the Street Offences Act of 1959 (England and Wales);

the Burgh Police (Scotland) Act of 1892 and the Sexual Offences (Scotland) Act of 1976, Sexual Offences Act 2003, Policing and Crime Act 2009, Crime and Disorder Act 1998, Anti-Social Behaviour Act 2002, Proceeds of Crime Act 2002.

[3] See <http://www.theguardian.com/commentisfree/2012/jan/06/prostitutes-criminalised> & <http://sabotagetimes.com/people/sheila-farmer-and-the-brothel-that-never-was/>. Sheila Farmer is a disabled sex worker who entered the industry after her disability left her unable to work – working with friends for safety after being raped, she was charged with brothel keeping but the charges were eventually dropped after she began to campaign publicly about what she had been put through by attackers, the police and the authorities. Her experiences are not uncommon.

[4] <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/prostitution-report-nov-update.pdf>, p.8;
<http://www.justice.govt.nz/policy/commercial-property-and-regulatory/prostitution/prostitution-law-review-committee/publications/plrc-report/documents/report.pdf>, p.15

[5] Safety First Coalition

[6] <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/prostitution-report-nov-update.pdf>, p.11

[7] http://www.who.int/hiv/mediacentre/feature_story/sti_guidelines/en/

[8] <http://sexualrightsinitiative.com/2013/sri-partners/sri-welcomes-un-womens-strong-position-on-sex-work-sexual-exploitation-and-trafficking-in-persons/>

[9] <http://www.unaids.org/en/resources/presscentre/featurestories/2012/july/20120711lawcommission>

[10] <http://www.theguardian.com/society/2005/apr/27/health.crime>

[11]

http://www.gaatw.org/publications/MovingBeyond_SupplyandDemand_GAATW2011.pdf

[12] Prostitution Reform Act 2003

[13] http://www.parliament.nz/en-nz/pb/debates/debates/47HansD_20030625_00001319/prostitution-reform-bill-%E2%80%94-procedure-third-reading

[14] <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/prostitution-report-nov-update.pdf>;
http://www.parliament.nz/en-nz/pb/debates/debates/47HansD_20030625_00001319/prostitution-reform-bill-%E2%80%94-procedure-third-reading;
<http://prostitutescollective.net/2014/11/05/victory-amendment-criminalise-sex-workers-clients-defeated/>; <http://prostitutescollective.net/2009/02/04/letter-from-tim-barnett-former-new-zealand-mp-on-the-policing-and-crime-bill-2/>;

<http://prostitutescollective.net/2014/10/30/urgent-mps-trying-criminalise-clients/>; The National Board of Health & Welfare, 2008

[15] <http://prostitutescollective.net/2009/02/04/letter-from-tim-barnett-former-new-zealand-mp-on-the-policing-and-crime-bill-2/>

[16] E.g. the Democratic Unionist Party, CARE, Ruhama, End Demand.

[17] http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_214472.pdf [19]

<http://prostitutescollective.net/2014/10/30/urgent-mps-trying-criminalise-clients/>; Twenty-Sixth report of session, 2005-6, Vol. 1 [20] Safety First Coalition