

Contemporary Issues in Criminal Justice

The Importance of the Protecting Sex Workers from Harm

Abstract

This chapter will outline the risk of harm that sex workers are subjected to and will subsequently critically analyse whether they are adequately protected from such harm. There are an estimated 80,000 female sex workers in Britain, selling sex means managing daily risks from clients and pimps. Those who work on the streets are significantly more susceptible to threats of physical, emotional and psychological violence than those who operate indoors. Policies lack an unrealistic approach due to their inherently punitive nature, criminalising already-vulnerable sex workers as a result of over-policing. Such criminalisation may consequently prevent sex workers from reporting violence from pimps and clients due to the barriers that enforcement approaches create between sex workers and police. It is apparent that policies are focused on removing the problem of prostitution, rather than finding wider solutions to tackle the issues. Drug addictions and violence from both pimps and clients are not a focus of such policies. Such lack of regard for the safety of sex workers has forced them to adopt their own protection measures, such as working in a pre-determined location or an area with CCTV. Other means of protective measures include telling a fellow sex worker where they are going and taking note of the client's car registrations. However, with the rise in welfare agencies and police forces working together to criminalise violent pimps and clients, it is clear that there is a shift towards prioritising the welfare of sex workers. Nonetheless, the issue of pushing prostitution further underground and leaving sex workers more vulnerable by criminalising the clients requires further addressing.

Chapter (8000 words including footnotes)

Introduction

Whilst selling sex in itself is legal in England and Wales, its quasi-criminalised nature has created disparity between legislation and law enforcement.¹ Thus, the issue of regulating sex work poses barriers for legal framework both nationally and internationally.² However, there

¹ Cunningham S, Sanders T, Platt R, Grenfell P and Maciotti P.G, 'Sex Work and Occupational Homicide: Analysis of a U.K. Murder Database' [2018] 22 *Homicide Studies* 321, 321.

² Klambauer E, 'Policing Roulette: Sex Worker's Perception of Encounters with Police Officers in the Indoor and Outdoor Sector in England' [2018] 18 *Criminology and Criminal Justice* 255, 255.

exists little consensus on how to effectively address the prostitution problem.³ It is estimated that approximately 11% of British men aged 16-74 have paid for sex on at least one occasion, amounting to 2.3 million individuals.⁴ Consequently, for the estimated 80,000 female sex workers in Britain,⁵ selling sex means managing daily risks from clients and pimps.⁶ Nonetheless, such risks ceased to take an interest from academics and the public prior to the 2000s,⁷ despite violence towards sex workers from clients and pimps being regarded a major public health issue.⁸ Current policies lack an unrealistic approach to prostitution due to their inherently punitive strategies, criminalising vulnerable sex workers as a result of over-policing.⁹ Such responses ignore empirical evidence surrounding sex workers' experiences with police¹⁰ which are often stigmatised.¹¹ It is this stigmatisation that may subsequently prevent sex workers from reporting violence they suffer due to the chasm between sex workers and police.¹² Subsequently, sex workers have been forced to find their own means of self-protection due to lack of adequate protection from the criminal justice system.¹³ Whilst welfare approaches, such as the Nation Ugly Mugs scheme,¹⁴ have had a positive impact on the safety of sex workers, it is evident that policing responses must adapt to support vulnerable sex workers from both violence and exploitation.

The Context of Prostitution in England and Wales

Historically, the purchase of sex was not criminalised, nor was the sale of sex. However, the law sought to criminalise certain behaviour conducted by prostitutes. For example, S.1 of the Street Offences Act 1959¹⁵ stated: "it shall be an offence for a [person] [aged 18 or over] [(whether male or female)] [persistently] to loiter or solicit in a street or public place for the

³ Benoit C, Smith M, Jansson M, Healey P and Magnuson D, "The Prostitution Problem": Claims, Evidence, and Policy Outcomes' [2019] 48 *Archives of Sexual Behaviour* 1905, 1905.

⁴ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016) 4.

⁵ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016) 4.

⁶ Church S, Henderson H, Barnard M and Hart G, 'Violence By Clients Towards Female Prostitutes in Difference Work Settings: Questionnaire Survey' [2001] 322 *British Medical Journal* 524. 524.s

⁷ Church S, Henderson H, Barnard M and Hart G, 'Violence By Clients Towards Female Prostitutes in Difference Work Settings: Questionnaire Survey' [2001] 322 *British Medical Journal* 524. 524.

⁸ Lowman J and Fraser L, *Violence Against Persons Who Prostitute: The Experience in British Columbia*. Vancouver. (Simon Fraser University, 1995), 40.

⁹ Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703, 1709.

¹⁰ Klambauer E, 'Policing Roulette: Sex Worker's Perception of Encounters with Police Officers in the Indoor and Outdoor Sector in England' [2017] 14 *Criminology and Criminal Justice* 255, 255.

¹¹ Krüsi A, Kerr T, Taylor C, Rhodes T and Shannon K, 'They Won't Change It Back in Their Heads That We're Trash': The Intersection of Sex Work-Related Stigma and Evolving Policing Strategies' [2016] 38 *Sociology of Health and Illness* 1137, 1137.

¹² Klambauer E, 'Policing Roulette: Sex Worker's Perception of Encounters with Police Officers in the Indoor and Outdoor Sector in England' [2017] 14 *Criminology and Criminal Justice* 255, 256.

¹³ Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703, 1710.

¹⁴ National Ugly Mugs, *National Ugly Mugs Impact Report 2016/17* (2017). Available at: <https://uglymugs.org/um/about/impact-report-201617/> (accessed 9th December 2020).

¹⁵ Street Offences Act 1959, S.1.

purpose of prostitution.” ‘Persistently’ was defined as “takes place on two or more occasions in any period of three months.”¹⁶ However, this legislation created issues for criminal justice responses, particularly as evidencing ‘persistence’ proved challenging. To catch just one prostitute soliciting on two or more occasions across a time period of three months requires a vast amount of police resources, notwithstanding that sex work generally lacks visibility.¹⁷

Selling sex has raised a number of concerns in England and Wales due to its exploitative nature. In 2014, the All-Party Parliamentary Group report on prostitution commented that there are ‘near pandemic levels of violence experienced by women in prostitution.’¹⁸ This comment is highlighted by the 1,080 potential victims of sex trafficking in 2015 alone that were identified by the National Referral Mechanism.¹⁹ Moreover, Kinnell suggested that from 1996-2006, 86 sex workers had been murdered, making them 12 times more likely to be killed whilst working compared to other women their age.²⁰ From 2006-2016, this statistic significantly reduced to 34 occupational homicide cases of sex workers.²¹ Whilst this statistic has reduced since the 2000s, the likelihood of sex workers being killed whilst working remains significant, highlighting the vast level of violence sex workers could be subjected to. Consequently, Platt and Sanders labelled sex work as the most dangerous profession.²² Thus, this chapter will attempt to demonstrate the severe levels of violence that sex workers are subjected to and will subsequently assess whether police and government responses have adequately protected such workers.

Whilst there exists a barrier to data collection due to a lack of visibility of sex work,²³ a Home Affairs Report in 2016 suggested that around 95% of sex workers are female, with an average of 25 clients per week.²⁴ Around 20-30% of such sex workers are believed to be

¹⁶ Street Offences Act 1959, S.1(4)(a).

¹⁷ Klambauer E, ‘Policing Roulette: Sex Worker’s Perception of Encounters with Police Officers in the Indoor and Outdoor Sector in England’ [2017] 14 *Criminology and Criminal Justice* 255, 256.

¹⁸ APPG on Prostitution and the Global Sex Trade, *Shifting the Burden* (2014), 5.

¹⁹ Home Affairs Select Committee, *The Government Response to the Third Report From the Home Affairs Select Committee Session 2016-17 HC 26: Prostitution* (2016) 4.

²⁰ Kinnell H, *Demonizing Clients: How Not to Promote Sex Workers’ Safety* in O’Neill M and Campbell R (ed.) *Sex Work Now* (Willan, 2006), 142.

²¹ Cunningham S, Sanders T, Platt R, Grenfell P and Maciotti P.G, ‘Sex Work and Occupational Homicide: Analysis of a U.K. Murder Database’ [2018] 22 *Homicide Studies* 321, 321.

²² London School of Hygiene and Tropical Medicine, Platt L and Sanders T, *Is Sex Work Still the Most Dangerous Profession? The Data Suggests So* (2017). Available at: <https://www.lshhtm.ac.uk/newsevents/expert-opinion/sex-work-still-most-dangerous-profession-data-suggests-so> (accessed 8th December 2020).

²³ University of Bristol, Hester M, Mulvihill N, Matolcsi A, Sanchez A and Walker S, *The Nature and Prevalence of Prostitution and Sex Work in England and Wales Today* (2019), 3.

²⁴ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016) 9.

migrants, with an average age of between 20 and 24-years-old.²⁵ It has been suggested that whilst the majority of sex workers were female, they have a diverse demographic with regards to characteristics; such as their mental and physical health, national or ethnic background, sexuality, social class and education level.²⁶ Such figures therefore demonstrate the complexity and diversity of selling sex in England and Wales and highlights the difficulty faced by the criminal justice system.

The Risks and Violence in Selling Sex

Research has established sex workers are subjected to high levels of violence both nationally and globally.²⁷ Sex workers that operate on streets are more susceptible to threats of physical, emotional and psychological violence than those who operate indoors.²⁸ Nonetheless, in the public space, sex workers fear violence from clients and the public, arrest from police and harassment from community members protesting against sex work.²⁹ Church, Henderson, Barnard and Hart found that those 81% of those working on the streets had been subjected to violence whilst working.³⁰ In 2019, it was suggested that between 32% and 55% of sex workers operating on the street had been subjected to violence in that year alone.³¹ Such violence has been argued to be the result of the criminalisation of sex work as it pushes sex work further underground, leaving sex workers reluctant to report such violence to authorities.³² Nonetheless, those who work indoors remain susceptible to violence despite the transferal from the street to an indoor setting. Church et al. found that 48% of indoor workers have also been subjected to violence in the commission of sex work.³³ Thus, it is evident that the shift from selling sex on the street to selling sex indoors has not significantly contributed to the harm reduction of sex workers.

²⁵ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016) 9.

²⁶ University of Bristol, Hester M, Mulvihill N, Matolcsi A, Sanchez A and Walker S, *The Nature and Prevalence of Prostitution and Sex Work in England and Wales Today* (2019), 11-12.

²⁷ Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703, 1705.

²⁸ O'Neill M, *Prostitution and Feminism* (Polity Press, 2001), 7.

²⁹ Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703, 1705.

³⁰ Church S, Henderson H, Barnard M and Hart G, 'Violence By Clients Towards Female Prostitutes in Difference Work Settings: Questionnaire Survey' [2001] 322 *British Medical Journal* 524. 524.

³¹ Deering K, Amin A, Shoveller K, Nesbitt A, Garcia-Moreno C, Duff P, Argento A and Shannon K, 'A Systematic Review of the Correlates of Violence Against Sex Workers' [2014] 104 *American Journal of Public Health* 42, 42.

³² Platt L, Grenfell P, Meiskin R, Elmes J, Sherman S, Sanders T, Mwangi P and Crago A, 'Associations Between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies' [2018] 15 *PLOS Medicine* 1, 1.

³³ Church S, Henderson H, Barnard M and Hart G, 'Violence By Clients Towards Female Prostitutes in Difference Work Settings: Questionnaire Survey' [2001] 322 *British Medical Journal* 524. 524.

Female respondents in a study conducted by Hester, Mulvihill, Matolcsi, Sanchez and Walker in 2018 reported both fear of and subjection to physical violence and sexual violence. In addition to physical and sexual violence, such harm amounted to stalking, psychological harm and self-harm as a direct result of selling sex. Moreover, whilst potential perpetrators were identified as clients both police and civilians were recognised as perpetrators of violence towards sex workers. Examples include police raids on indoor premises and the stigma received from the general public.³⁴ Furthermore, Sanders' study in 2004 provided an insight to the type of violence women are subjected to on the street by interviewing 15 sex workers.³⁵ The majority had been physically beaten, 7 had been raped, 5 had been held at knifepoint and 3 had even been kidnapped, highlighting the extreme levels of violence that women working on the street are subjected to by clients. This is demonstrated in a global context by Prior, Hubbard and Birch who maintained that sex workers 'experience relatively high levels of victimization including assault, rape, drugging, verbal abuse, theft, abduction, kidnapping, blackmail, harassment and persecution' in New South Wales, Australia.³⁶ Thus, it is evident that physical, sexual and emotional violence towards sex workers is not an issue exclusive to England and Wales. However, Day and Ward maintained that it is difficult to predict violence against sex workers as "occupational studies of, and service for, prostitutes cannot be confined to the risks posed directly by exchanges with customers."³⁷ Thus, this demonstrates the implications of managing risks and violence sex workers are subjected to, limiting the effectiveness of criminal justice responses which will be further discussed throughout this chapter.

Prostitution Policy

Debate regarding prostitution policy typically surrounds questions of morality and societal values.³⁸ For example, sex work is generally regarded as either "morally repugnant, an outcome of patriarchal oppression, an inevitable result of social inequalities, or as work freely chosen."³⁹ Benoit, Smith, Jansson, Healey and Magnuson maintain that policy regulating sex work is motivated by two different perspectives on social inequality; hierarchal gender

³⁴ University of Bristol, Hester M, Mulvihill N, Matolcsi A, Sanchez A and Walker S, *The Nature and Prevalence of Prostitution and Sex Work in England and Wales Today* (2019), 18-21.

³⁵ Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703, 1709.

³⁶ Prior J, Hubbard P and Birch P, 'Sex Worker Victimization, Modes of Working, and Location in New South Wales, Australia: A Geography of Victimization' [2013] 50 *Journal of Sex Research* 574, 574.

³⁷ Day S and Ward H, 'Violence Towards Female Prostitutes' [2001] 232 *British Medical Journal* 230, 230.

³⁸ Benson C and Matthews R, 'Street Prostitution: Ten Facts in Search of a Policy' [1995] 23 *International Journal of Sociology and Law* 395, 395.

³⁹ Abel G, 'The Problem with Sex Work Policies' [2019] 48 *Archives of Sexual Behaviour* 1925, 1925.

relations and multiple social inequalities (including class, gender, and race).⁴⁰ In order to overcome the impact that such oppressive have on the protection of sex workers, restrictive or integrative policies have been implemented across the globe which aim to reduce the inequalities subjected to those working in the sex industry. Restrictive policies entail understanding that sex work will exist despite its criminalisation and thus seek to “protect society, protect prostitutes and protect social order.”⁴¹ Examples of restrictive policies in practice include licensing sex work in particular areas and mandating health testing for sex workers which have been implemented in the Netherlands.⁴² Moreover, integrative policy refers to an understanding that whilst prostitution can be regarded as an autonomous consensual economic activity, it entails vulnerability and exploitation for some. This involves a multi-level government response, such as anti-stigma campaigns, employment and education support, and community initiatives.⁴³ Such policies seek to adequately protect sex workers from harm, yet there exists little literature which attempts to evaluate their success.

In addition to restrictive and integrative policies, there are 5 different models implemented across the globe in order to manage, control or regulate prostitution.⁴⁴ The first model surrounds the full criminalisation of prostitution, including all aspects of selling and buying sex. The second amounts to partial criminalisation, whereby some elements, such as a third-party involvement or running a brothel, are criminalised. The third refers to the criminalisation of the purchase of sex alone (also known as the sex-buyer model). The fourth model, encompasses the sale of sex in a licensed zone. Finally, the fifth model surrounds full decriminalisation of the sale and purchase of sex.⁴⁵ The United Kingdom currently operates the partial criminalisation models, whilst countries such as New Zealand have implemented full decriminalisation.⁴⁶ As a consequence, a global debate exists regarding how to regulate sex work. Whilst some maintain that sex work encompasses gender-based violence which

⁴⁰ Benoit C, Smith M, Jansson M, Healey P and Magnuson D, “‘The Prostitution Problem’: Claims, Evidence, and Policy Outcomes’ [2019] 48 *Archives of Sexual Behaviour* 1905, 1914.

⁴¹ Hayes-Smith R and Shekarkhar Z, ‘Why is Prostitution Criminalized? An Alternative Viewpoint on the Construction of Sex Work’ [2010] 43 *Contemporary Justice Review* 43, 44.

⁴² Weitzer R, *Legalising Prostitution From Illicit Vice to Lawful Business* (New York University Press, 2012), 39.

⁴³ Benoit C, Smith M, Jansson M, Healey P and Magnuson D, “‘The Prostitution Problem’: Claims, Evidence, and Policy Outcomes’ [2019] 48 *Archives of Sexual Behaviour* 1905, 1916.

⁴⁴ Platt L, Grenfell P, Meiskin R, Elmes J, Sherman S, Sanders T, Mwangi P and Crago A, ‘Associations Between Sex Work Laws and Sex Workers’ Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies’ [2018] 15 *PLOS Medicine* 1, 2.

⁴⁵ Phoenix J, *Regulating Sex For Sale: Prostitution Policy Reform in the UK* (Policy Press, 2009) 73.

⁴⁶ Benoit C, Smith M, Jansson M, Healey P and Magnuson D, “‘The Prostitution Problem’: Claims, Evidence, and Policy Outcomes’ [2019] 48 *Archives of Sexual Behaviour* 1905, 1916.

should therefore be repressed,⁴⁷ others suggest that the need for protection from violence must be balanced with the right to the autonomous and consensual selling of sex.⁴⁸

In 2016, the Home Affairs Select Committee made six recommendations in their report on prostitution. Such recommendations were: decriminalising soliciting; amending brothel-keeping legislation; deleting previous offences relating to prostitution; developing guidance for police and local authorities; policy changes to prevent trafficking and exploitation; and strengthening the evidence base on prostitution.⁴⁹ The Government agreed that research must be conducted in order to better-inform future policy and legislation. In 2018, the Home Office commissioned the University of Bristol to examine the prevalence and nature of sex work in England and Wales.⁵⁰ The findings suggested that it is difficult to comment on the prevalence and nature due to the lack of visibility and the pervasiveness of stigma within the sex industry.⁵¹ Thus, it was concluded that selling sex in England and Wales is an incredibly complex and diverse industry, posing barriers to protection from exploitation.⁵²

Legislation Governing Prostitution

England and Wales have adopted a partial criminalisation model to influence legislation governing the sex industry. Whilst it is not an offence to be a prostitute, S.54(2) of the Sexual Offences Act 2003⁵³ became the first piece of legislation to define what is meant by a ‘prostitute.’ It defines a ‘prostitute’ as :“a person (a) who, on at least one occasion and whether or not compelled to do so, offers or provides sexual services to another person in return for payment or a promise of payment to (a) or a third person; and “prostitution” is to be interpreted accordingly.”⁵⁴ The legal framework criminalises behaviour surrounding prostitution. In particular, current legislation seeks to punish those who use and exploit sex workers. In 2003, the legal framework which governed the selling of sexual services began to focus on the purchase of sexual service. S.51(a) of the Sexual Offences Act 2003⁵⁵ was

⁴⁷ Doezeema J, *Sex Slaves and Discourse Masters: The Construction of Trafficking* (Zed Books, 2010), 109.

⁴⁸ Ekberg G, ‘The Swedish Law That Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings’ [2004] 10 *Violence Against Women* 1187, 1187.

⁴⁹ Home Affairs Select Committee, *The Government Response to the Third Report From the Home Affairs Select Committee Session 2016-17 HC 26: Prostitution* (2016) 2-5.

⁵⁰ University of Bristol, Hester M, Mulvihill N, Matolcsi A, Sanchez A and Walker S, *The Nature and Prevalence of Prostitution and Sex Work in England and Wales Today* (2019), 2.

⁵¹ University of Bristol, Hester M, Mulvihill N, Matolcsi A, Sanchez A and Walker S, *The Nature and Prevalence of Prostitution and Sex Work in England and Wales Today* (2019), 3.

⁵² University of Bristol, Hester M, Mulvihill N, Matolcsi A, Sanchez A and Walker S, *The Nature and Prevalence of Prostitution and Sex Work in England and Wales Today* (2019), 4.

⁵³ Sexual Offences Act 2003, S.54(2).

⁵⁴ Sexual Offences Act 2003, S.54(2).

⁵⁵ S.51(a) of the Sexual Offences Act 2003.

introduced, which reads: “(1) it is an offence for a person in a street or public place to solicit another (b) for the purpose of obtaining b's sexual services as a prostitute. (2) ...includes a person in a vehicle in a street or public place.”⁵⁶

In addition to criminalising those who provide sexual services, the legislation attempted to criminalise those who control prostitution for personal gain, e.g. pimps and madams. Subsequently, legislation was able to adapt in response to new challenges arising as a result of the sex work industry. S.53 of the Sexual Offences Act 2003 illegalised the act of pimping. The act reads: “(1) a person commits an offence if – (a) he intentionally controls any of the activities of another person relating to that person’s prostitution in any part of the world, and (b) he does so for or in expectation of gain for himself or a third person.”⁵⁷ Thus, exploitative conduct of sex workers in pursuit of financial gain became criminalised.

The ruling in *R v Massey*⁵⁸ further outlined that the courts are not willing to provide a comprehensive definition of ‘control’ under the offence of controlling prostitution for gain to enable it to remain more flexible. Following this, coercing, bullying and forcing a person into selling sex can all be caught within the meaning of ‘control.’ Social isolation from others leaves sex workers particularly dependent on their pimp, particularly if their pimp is feeding their drug addiction. Moreover, the level of coercion is outlined in the case of *R v Bruschi and Horvat*,⁵⁹ where two vulnerable women with drug addictions were coerced into the UK from the Czech Republic on the promise of a visa and were forced into prostitution. As well use the threat and use of violence, the women’s phones were either removed or monitored as a means of further isolating them from society. Whilst the courts held that the women were not kidnapped and detained, the courts ruled ‘they were, if not detained, at least their liberty had [been] removed to such an extent that the distinction becomes largely illusory.’⁶⁰

Consequently, any customer who paid for sexual intercourse with a sex worker who had been exploited would be committing an offence under S.53 Sexual Offences Act 2003. Thus, it is evident that the current approach to prostitution has extended beyond sex workers and seeks to target those who exploit them.

⁵⁶ Sexual Offences Act 2003, S.54(a).

⁵⁷ Sexual Offences Act 2003, S.53.

⁵⁸ *R v Massey* [2007] EWCA Crim 2664.

⁵⁹ *R v Bruschi and Horvat* [2012] 1 Cr. App. 47.

⁶⁰ *R v Bruschi and Horvat* [2012] 1 Cr. App. 47.

Moreover, the Policing and Crime Act 2009⁶¹ subsequently amended the Sexual Offences Act 2003⁶² and made it an offence to purchase sexual services if the sex worker has been exploited. It reads: “a person (‘A’) commits an offence if: (a) ‘A’ makes or promises payment for the sexual services of a prostitute (‘B’), (b) a third person (‘C’) has engage in exploitative conduct of a kind likely to induce or encourage ‘B’ to provide the sexual services for which ‘A’ has made of promised payment, and (c) ‘C’ engaged in that conduct for or in the expectation of gain for ‘C’ or another person (apart from ‘A’ or ‘B’).” This legislation primarily sought to tackle sex trafficking. However, it is applied much more widely as it attempts to criminalise any purchase of sex from a sex worker that has been exploited by removing the requirement of the client possessing knowledge of such exploitation. In addition, this legal provision is applied globally. For example, if a man purchases sex from a local prostitute abroad, and the prostitute has been subjected to exploitative conduct, the man can be prosecuted under S.14 of the Policing and Crime Act 2009.⁶³ Thus, this criminalises those who seek to purchase sexual services in an attempt to reduce the demand for which sex workers are exploited.

Support for this new legislation was outlined by an American study which established that arresting a male for purchasing sex is likely to reduce the demand for prostitution by 70%.⁶⁴ However, obtaining a criminal conviction was only the biggest concern for just 28% of men, which indicates that the criminalisation of purchasing sex may act as a deterrent.⁶⁵ Nonetheless, Graham⁶⁶ remains critical of the criminalisation of sex work. Whilst the purchase of sex has been criminalised to an extent, there is a growing interest surrounding the total decriminalisation of sex work which will be further explored in this chapter. Subsequently, it appears that legislation alone does not suffice in attempting to protect sex workers from harm.

Policing Responses to Prostitution

The 1990s were pivotal in the development of police responses to prostitution as a result of approaches to street prostitution shifting the focus towards the client and the kerb-crawler.

⁶¹ Policing and Crime Act 2009.

⁶² Sexual Offences Act 2003.

⁶³ Policing and Crime Act 2009, S.14.

⁶⁴ National Institute of Justice, US Department of Justice, Brewer D, Muth S, Roberts J, Duduck K and Woodhouse D, *Clients of Prostitute Women: Deterrence, Prevalence, Characteristics and Violence* (2007) 1-13.

⁶⁵ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016) 25.

⁶⁶ Graham L, ‘Governing Sex Work Through Crime: Creating the Context for Violence and Exploitation’ [2016] 81 *Journal of Criminal Law* 201, 201.

Police gained greater powers to deter clients from seeking the purchase of sex, including arresting those that kerb-crawl in pursuit of soliciting sex workers.⁶⁷ In addition, approaches developed to feature a multi-agency response, including specialist agencies designed to support sex workers who operated on the streets.⁶⁸ Despite such police enforcement approaches, the public became dissatisfied, resulting in protests, lobbying and even vigilante behaviour directly towards sex workers, their clients and their pimps.⁶⁹ This supports the notion that society regards sex work as ‘morally repugnant,’⁷⁰ hindering criminal justice responses from police.

In 2000, specialist vice units which specifically police prostitution with a more comprehensive approach by developing clear ‘ownership’ of the issue of pimping were implemented across Britain. The Home Office Report outlined the team in Area 4 where each team member would have an area of expertise, from male sex workers to parlours to intelligence gathering.⁷¹ It was found that vice teams were more successful in prosecuting pimps but were dissatisfied with the pimping legislation as it is too reliant on the evidence of sex workers to secure a conviction. In comparison, non-specialist teams, which often have a tolerance to parlours, are more pro-active in the policing of street prostitution. The team in Area 1 designated women officers who undertook responsibility such as liaising with sex workers and offering them support whilst processing them through the criminal justice system. However, the team felt that they were ill-equipped to deal with cases that required a significant amount of expertise and sensitivity.⁷² Thus, this further demonstrates that police responses to sex work have ceased to adapt in order to adequately protect sex workers from violence.

In 2005, Matthews sought to identify developments in police responses to prostitution.⁷³ His findings illustrated that the number of vice squads which responded to prostitution-related matters had decreased from 30 in 1994 to 15 in 2004. This was concluded to be a result of more community-based responses. In fact, respondents indicated that such changes were a

⁶⁷ Sexual Offences Act 1985, S.1(1).

⁶⁸ Matthews M, ‘Policing Prostitution: Ten Years On’ [2005] 45 *British Journal of Criminology* 877-882.

⁶⁹ Benson C and Matthews R, ‘Street Prostitution: Ten Facts in Search of a Policy’ [1995] 23 *International Journal of Sociology and Law* 395, 395.

⁷⁰ Abel G, ‘The Problem with Sex Work Policies’ [2019] 48 *Archives of Sexual Behaviour* 1925, 1925.

⁷¹ Home Office, May T, Haracopos A and Hough M, *For Love or Money: Pimps and the Management of Sex Work* (2000).

⁷² Home Office, May T, Haracopos A and Hough M, *For Love or Money: Pimps and the Management of Sex Work* (2000) 30.

⁷³ Matthews M, ‘Policing Prostitution: Ten Years On’ [2005] 45 *British Journal of Criminology* 877, 877.

result of government targets – prostitution was not a concern. Despite the reduction in size of specialist vice squads, there was an increase in the number of prostitution-based support agencies across England and Wales. These centred around health and medical services in response to concerns of HIV and AIDS in the late 1980s, subsequently increasing public health.⁷⁴ Nonetheless, whilst this appears to be a proactive response to regulating prostitution, sex workers remain susceptible to punitive policing.⁷⁵

Platt, Grenfell, Meiksin, Elmes, Sherman, Sanders, Mwangi and Crago conducted a meta-analysis which reviewed a number of outcomes correlated with repressive policing practice.⁷⁶ One study in 2018 featured 5204 participants across 9 different studies and concluded that hostile police responses directly correlated with increased risks of sexual and physical violence from clients or other partners. In particular, another study, comprised of 12,506 participants, discovered that sex workers who had been subjected to repressive policing were at a higher risk of infection of STIs. Consequently, their qualitative research suggested that the criminalisation of sex work subsequently disrupted their work environments, support networks, safety, and access to health and justice.⁷⁷

Moreover, Sanders' 2004 study suggested that sex workers have been forced to use of geographical space as a means of protection from violent clients as a result of punitive policing, thus creating a dangerous environment.⁷⁸ She discovered that sex workers will operate in a pre-determined location, planning out an escape route and making sure that they are able to call for help. These locations will usually have CCTV which acts as a deterrent to the client. Other means of protective used include telling a fellow sex worker where they are going and taking note of the client's car registrations.⁷⁹ Moreover, Maher and Dixon argue that policing 'crackdowns' have created an unsafe environment for sex workers as they are not performing preliminary checks due to trying to escape the attention of police.⁸⁰

⁷⁴ Matthews M, 'Policing Prostitution: Ten Years On' [2005] 45 *British Journal of Criminology* 877, 878-880.

⁷⁵ Klambauer E, 'Policing Roulette: Sex Worker's Perception of Encounters with Police Officers in the Indoor and Outdoor Sector in England' [2018] 18 *Criminology and Criminal Justice* 255, 225

⁷⁶ Platt L, Grenfell P, Meiksin R, Elmes J, Sherman S, Sanders T, Mwangi P and Crago A, 'Associations Between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies' [2018] 15 *PLOS Medicine* 1, 3.

⁷⁷ Platt L, Grenfell P, Meiksin R, Elmes J, Sherman S, Sanders T, Mwangi P and Crago A, 'Associations Between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies' [2018] 15 *PLOS Medicine* 1, 3.

⁷⁸ Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703, 1703.

⁷⁹ Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703, 1703.

⁸⁰ Maher L and Dixon D, 'Policing and Public Health: Law Enforcement and Harm Minimization in a Street-Level Drug Market' [1999] 39 *British Journal of Criminology* 488, 503.

Sanctioning sex workers with ASBOs prohibits them from operating in a specific area and therefore heightens the level of danger for sex workers by displacing the issue into an environment that they are unfamiliar with. Maher and Dixon therefore maintain that ‘intensive policing may also produce harmful forms of social displacement.’⁸¹ Such self-protection and displacement exacerbates sex workers’ lack of trust in the police and demonstrates the absence of protection from the criminal justice system.⁸²

Consequently, it is evident that previous attempts to adopt a partial decriminalisation approach have ceased to be effective.⁸³ Whilst subjected to law enforcement approaches, literature suggests that stigmatisation towards sex workers is a result of gender dynamics, eroticization and social class dynamics.⁸⁴ For example, an article in *The Guardian* reads “... street sex workers from going out to earn enough money for their next fix of drugs.”⁸⁵ Such comments ignore the exploitative nature of sex work, stigmatising sex workers as drug addicts and further oppressing them. However, Krusi, Kerr, Taylor, Rhodes and Shannon’s study uncovered that despite increased support for sex workers through policing, some sex workers remain critical of such responses. Whilst this created a shift in attitude towards sex workers as victims rather than deviants, one participant argued “they haven’t really been harassing as much lately, but that attitude is still there. I don’t think they’ll change it back in their heads that we’re trash.”⁸⁶ It is therefore possible that police responses are influenced by stigma, thus hindering effective criminal justice responses to support sex workers.

A Comparative Approach: The Nordic Model

On 1st January 1999, Sweden attempted to abolish prostitution by tackling its demand – it completely criminalised the purchase of sex. Radical feminism influenced the introduction of

⁸¹ Maher L and Dixon D, ‘Policing and Public Health: Law Enforcement and Harm Minimization in a Street-Level Drug Market’ [1999] 39 *British Journal of Criminology* 488, 504.

⁸² Sanders T, ‘The Risks of Street Prostitution: Punters, Police and Protesters’ [2004] 41 *Urban Studies* 1703, 1710.

⁸³ Krusi A, Kerr T, Taylor C, Rhodes T and Shannon K, ‘They Won’t Change It Back in Their Heads That We’re Trash’: The Intersection of Sex Work-Related Stigma and Evolving Policing Strategies’ [2016] 38 *Sociology of Health and Illness* 1137, 1137.

⁸⁴ Krusi A, Kerr T, Taylor C, Rhodes T and Shannon K, ‘They Won’t Change It Back in Their Heads That We’re Trash’: The Intersection of Sex Work-Related Stigma and Evolving Policing Strategies’ [2016] 38 *Sociology of Health and Illness* 1137, 1139.

⁸⁵ Taylor D, *The Guardian*, *Merseyside Police: ‘Sex Workers Are Vulnerable. We Want to Protect Them’* (2010). Available at: <https://www.theguardian.com/society/2010/dec/22/merseyside-police-sex-workers-protect> (accessed 9th December 2020).

⁸⁶ Krusi A, Kerr T, Taylor C, Rhodes T and Shannon K, ‘They Won’t Change It Back in Their Heads That We’re Trash’: The Intersection of Sex Work-Related Stigma and Evolving Policing Strategies’ [2016] 38 *Sociology of Health and Illness* 1137, 1142.

the Nordic model, also known as the ‘sexköpslagen’ (the ‘sex purchase law’).⁸⁷ Through its understanding, prostitution is one of the ultimate forms of male violence against women,⁸⁸ particularly as sex workers are assumed to be female and clients are assumed to be male.⁸⁹ It viewed sex workers as victims of gender-based violence and so legislation sought to criminalise the ‘masculinized’ client whilst protecting the ‘feminized’ sex worker from legal action.⁹⁰ To achieve its goal of tackling the demand for the purchase of sex, its aim was to target those ‘deemed to possess power and choice: the clients as well as those profiting from the sex industry.’⁹¹ Consequently, the Nordic Model made the purchase of sex a criminal offence punishable by a fine or up to one year in custody. In addition, Sweden not only decriminalised sex workers but offered them support and advice on how to leave the sex industry. Cities such as Stockholm, Malmö and Gothenburg offered ‘prostitution units’, funded by local councils, providing welfare, employment and health services for sex workers.⁹² Thus, it not only criminalised those who buy sex but decriminalised those who sell it in a bid to protect sex workers from physical and sexual violence.⁹³

The Nordic model has been praised by jurisdictions across Europe for its response to tackling prostitution with regard to supporting gender equality.⁹⁴ Ireland considered the approach when debating their bill on prostitution,⁹⁵ Canada discussed the model before criminalising the purchase of sex,⁹⁶ and England and Wales identified the model as a possible approach to adopt.⁹⁷ In particular, an Irish democrat, Maurice Morrow, maintained: “[T]he evidence clearly suggests that the approach modelled by Sweden is the best available. It recognises the abuses involved in the prostitution industry and seeks to reduce the core driver for

⁸⁷ Kingston S and Thomas T, ‘No Model in Practice: A ‘Nordic Model’ To Respond To Prostitution?’ [2018] 71 *Crime, Law and Social Change* 423, 423.

⁸⁸ Jeffreys S, *The Idea of Prostitution* (Spinifex Press, 1997), 78.

⁸⁹ Kingston S and Thomas T, ‘No Model in Practice: A ‘Nordic Model’ To Respond To Prostitution?’ [2018] 71 *Crime, Law and Social Change* 423, 423.

⁹⁰ Ministry of Industry, Employment and Education, *Prostitution and Trafficking in Human Beings* (2008) available at: <http://www.sweden.gov.se/content/1/c6/04/28/96/88110928.pdf> (no longer available).

⁹¹ McMenzie L, Cook I and Laing M, ‘Criminological Policy Mobilities and Sex Work: Understanding the Movement of the ‘Swedish Model’ to Northern Ireland’ [2019] 59 *British Journal of Criminology* 1199, 1204.

⁹² Levy J, *Criminalising the Purchase of Sex: Lessons from Sweden* (Routledge, 2015), 63.

⁹³ Levy J and Jakobsson P, ‘Sweden’s Abolitionist Discourse and Law: Effects on the Dynamics of Swedish Sex Work and on the Lives of Sweden’s Sex Workers’ [2014] 14 *Criminology and Criminal* 593, 593.

⁹⁴ Kingston S and Thomas T, ‘No Model in Practice: A ‘Nordic Model’ To Respond To Prostitution?’ [2018] 71 *Crime, Law and Social Change* 423, 423.

⁹⁵ Department of Justice and Equality Republic of Ireland, *Turn Off the Red Light* (2017). Available at: <http://www.turnofftheredlight.ie/> (accessed 25th November 2020).

⁹⁶ Open Parliament Canada, *Bill C-36: Protection of Communities and Exploited Persons Act* (2014). Available at: <http://openparliament.ca/bills/41-2/C-36/> (accessed 25th November 2020).

⁹⁷ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016) 25.

prostitution—the demand for paid sex.”⁹⁸ Thus, the Nordic model has been highly influential in approaches to tackling violence against sex workers across the globe.

Nonetheless, whilst appealing across the globe in theory, evidence suggests that the law which seeks to criminalise the purchase of sexual services has failed to be implemented effectively in practice. In fact, Norway, Finland and Iceland confronted obstacles when adopting the Swedish approach as law enforcement agencies did not enforce the amended law.⁹⁹ Moreover, Levy and Jakobsson have criticised the Nordic model approach to prostitution as there is no reliable data which suggests a decline in the amount of prostitution.¹⁰⁰ Swedish government members have argued that there has been a ‘success’ since the 1999 amendment,¹⁰¹ however, such success refers to levels of prostitution have ‘at least’ not increased.¹⁰² In addition, it has been difficult to establish the effect of such legislation on the lives of sex workers.¹⁰³ Whilst Sweden attempts to encourage other countries to adopt the sexköpslagen, the lack of empirical evidence to support its success suggests its exportation ought be considered with caution. In addition, the Nordic model may not be enforceable in England and Wales, as there is a much larger network of prostitution compared to Sweden.¹⁰⁴ Subsequently, the final section of this chapter seeks to critically analyse current approaches to prostitution in England and Wales despite its reluctance to adopt the decriminalisation model.

Current Approaches to Prostitution in England and Wales

Despite punitive policing, there are a number of multi-agency responses across England and Wales. The Red Umbrella Project, in collaboration with Changing Lives and run by the Merseyside Police, recognises violence against sex workers as a hate crime.¹⁰⁵ Thus, it

⁹⁸ Northern Ireland Assembly, *Official Report (12 September)* (2014).

⁹⁹ Kingston S and Thomas T, ‘No Model in Practice: A ‘Nordic Model’ To Respond To Prostitution?’ [2018] 71 *Crime, Law and Social Change* 423, 424.

¹⁰⁰ Levy J and Jakobsson P, ‘Sweden’s Abolitionist Discourse and Law: Effects on the Dynamics of Swedish Sex Work and on the Lives of Sweden’s Sex Workers’ [2014] 14 *Criminology and Criminal* 593, 593.

¹⁰¹ Levy J and Jakobsson P, ‘Sweden’s Abolitionist Discourse and Law: Effects on the Dynamics of Swedish Sex Work and on the Lives of Sweden’s Sex Workers’ [2014] 14 *Criminology and Criminal* 593, 593

¹⁰² SOU, *Forbud mot kop av sexuell tjänst: En utvärdering 1999-2008*. 2010:49. Stockholm: Regeringskansliets *Farvaltningsavdelning* (2010). Extract available at:

<https://www.government.se/contentassets/8f0c2ccaa84e455f8bd2b7e9c557ff3e/english-translation-of-chapter-4-and-5-in-sou-2010-49.pdf>, 28 (accessed on 25th November 2020).

¹⁰³ Ostergren P and Dodillet S, *The Swedish Sex Purchase Act: Claimed success and documented effects. Presented at the 'International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges*, The Hague, 3-4 March (2001), 25.

¹⁰⁴ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016), 20.

¹⁰⁵ Changing Lives, *Red Umbrella Build on Partnership with Merseyside Police* (2019). Available at: <https://www.changing-lives.org.uk/general/red-umbrella-build-on-partnership-with-merseyside-police/> (accessed 9th December 2020).

encourages sex workers to report these incidents. It has become the first police force to assign a dedicated Police Sex Worker Liaison Officer who is focused on the victim. The officer aims to protect them from violence, trafficking and exploitation and improves gathering intelligence on violent clients and pimps. The scheme also provides additional support to sex workers such as mental health referrals and providing education and training in order to help them escape prostitution. However, there exists no research which examines the success of this project.

Moreover, welfare approaches have also sought to target those who purchase sexual services. Ugly Mug schemes were first used at a local level in Victoria, Australia in 1986 which sought to protect prostitutes from violent clients by sharing information with prostitutes about violent clients through emails and texts. In 2012, the National Ugly Mugs scheme in the UK became the first scheme of its kind to be rolled out nationally, with funding from the Home Office. It pays particular focus to the rights to live free from violence, intimidation, coercion and exploitation. Although the scheme does not require police involvement, it helps to gather intelligence for the police without the need for sex workers to have a direct involvement with the criminal justice system.¹⁰⁶ The Impact Report 2016/17 suggested that 96% of sex workers surveyed across the UK reported feeling safer as a result of the scheme. In addition, 32% recounted avoiding a particular client as a result of the information available. However, despite its success in aiding the safety of sex workers, only 25% of participants were willing to report violence from clients or pimps to the police.¹⁰⁷ Thus, such findings suggest that whilst this welfare approach is adequately protecting sex workers from harm, there remains a reluctance from sex workers to engage with the criminal justice system.

In addition, The Merseyside Police introduced the Merseyside Model which places an emphasis on the protection of sex workers from harm and also treats all violence against them as a hate crime.¹⁰⁸ Its aim is to build trust and relationships with sex workers, whilst providing healthcare checks and medical care to help treat against disease and addictions. One sex worker believed she was going to die during an attack from a client and has praised

¹⁰⁶ National Ugly Mugs, *About* (2020). Available at: <https://uglymugs.org/um/about/> (accessed 9th December 2020).

¹⁰⁷ National Ugly Mugs, *National Ugly Mugs Impact Report 2016/17* (2017). Available at: <https://uglymugs.org/um/about/impact-report-201617/> (accessed 9th December 2020).

¹⁰⁸ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016), 17.

both Merseyside Police and the NHS for helping her to testify against the perpetrator.¹⁰⁹ This model has received much approval, particularly as the Home Affairs Committee reported that the model led to high levels of police intelligence on dangerous offenders as a result of participation from sex workers.¹¹⁰ Consequently, it is evidence that multi-agency responses are more effective than punitive policing when attempting to regulate sex work and protecting sex workers from violence and exploitation.

Finally, in November 2020, new criminal records rules came into force which enforced that provided a sex worker has not served a custodial sentence and that their conviction is more than 11 years old, this offence will no longer automatically disclosed to employers.¹¹¹ This is monumental in the fight towards reintegrating sex workers back into to society, particularly with regards to them finding alternative employment, in order to reduce the likelihood of them returning to the violent nature of sex work.¹¹² However, due to its recency, there exists no data on the impact of this measure and whether it has had a positive reception from sex workers and academics alike.

Conclusion

It is evident that whilst sex work is rife in England and Wales, many sex workers are subjected to violence and exploitative conduct.¹¹³ This is not exclusive to sex workers who operate on the street and can include threats of physical violence and the commission of physical, emotional and psychological violence.¹¹⁴ Though policies have sought to regulate sex work in a number of ways, they often surround questions of morality and social values.¹¹⁵ Policies attempt to decriminalise sex workers, aiding sex workers with support services, but it is clear that such policies fail to eliminate the demand for sex work and thus its violent nature. Though England and Wales have adopted a partial criminalisation model, excessive and punitive measures persist, which ultimately limit sex workers' trust in the justice

¹⁰⁹ Taylor D, The Guardian, *Merseyside Police: 'Sex Workers Are Vulnerable. We Want to Protect Them'* (2010). Available at: <https://www.theguardian.com/society/2010/dec/22/merseyside-police-sex-workers-protect> (accessed 9th December 2020).

¹¹⁰ House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016), 17.

¹¹¹ Disclosure and Barring Service, *New Filtering Rules for DBS Certificates (From 28 November 2020 Onwards)* (2020).

¹¹² Benoit C, Smith M, Jansson M, Healey P and Magnuson D, "'The Prostitution Problem": Claims, Evidence, and Policy Outcomes' [2019] 48 *Archives of Sexual Behaviour* 1905, 1916.

¹¹³ Church S, Henderson H, Barnard M and Hart G, 'Violence By Clients Towards Female Prostitutes in Difference Work Settings: Questionnaire Survey' [2001] 322 *British Medical Journal* 524. 524.

¹¹⁴ O'Neill M, *Prostitution and Feminism* (Polity Press, 2001), 47.

¹¹⁵ Benson C and Matthews R, 'Street Prostitution: Ten Facts in Search of a Policy' [1995] 23 *International Journal of Sociology and Law* 395, 395.

system.¹¹⁶ Moreover, it is unclear whether adopting a full decriminalisation model will thus eliminate the demand for sex work and its violent nature as literature suggests that the Nordic Model has had limited success.¹¹⁷ It is apparent that policies are focused on removing the problem of prostitution, rather than finding wider solutions to tackle the issues.¹¹⁸ Nonetheless, with more and more welfare agencies and police forces working together to criminalise violent pimps and clients, it is clear that there is a shift towards prioritising the welfare of the sex workers.¹¹⁹ However, the issue of pushing prostitution further underground and leaving sex workers more vulnerable by criminalising the clients requires addressing.

Bibliography

Abel G, 'The Problem with Sex Work Policies' [2019] 48 *Archives of Sexual Behaviour* 1925

APPG on Prostitution and the Global Sex Trade, *Shifting the Burden* (2014)

Benoit C, Smith M, Jansson M, Healey P and Magnuson D, "'The Prostitution Problem": Claims, Evidence, and Policy Outcomes' [2019] 48 *Archives of Sexual Behaviour* 1905

Benson C and Matthews R, 'Street Prostitution: Ten Facts in Search of a Policy' [1995] 23 *International Journal of Sociology and Law* 395

Benson C and Matthews R, *Police and Prostitution: Vice Squads in Britain* in Weitzer R (ed.) *Sex For Sale* (Routledge, 2000)

Changing Lives, *Red Umbrella Build on Partnership with Merseyside Police* (2019).

Available at: <https://www.changing-lives.org.uk/general/red-umbrella-build-on-partnership-with-merseyside-police/>

¹¹⁶ Platt L, Grenfell P, Meiskin R, Elmes J, Sherman S, Sanders T, Mwangi P and Crago A, 'Associations Between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies' [2018] 15 *PLOS Medicine* 1, 3.

¹¹⁷ Ostergren P and Dodillet S, *The Swedish Sex Purchase Act: Claimed success and documented effects. Presented at the International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges*, The Hague, 3-4 March (2001), 25.

¹¹⁸ Abel G, 'The Problem with Sex Work Policies' [2019] 48 *Archives of Sexual Behaviour* 1925, 1925.

¹¹⁹ National Ugly Mugs, *National Ugly Mugs Impact Report 2016/17* (2017). Available at: <https://uglymugs.org/um/about/impact-report-201617/>

Church S, Henderson H, Barnard M and Hart G, 'Violence By Clients Towards Female Prostitutes in Different Work Settings: Questionnaire Survey' [2001] 322 *British Medical Journal* 524

Cunningham S, Sanders T, Platt R, Grenfell P and Maciotti P.G, 'Sex Work and Occupational Homicide: Analysis of a U.K. Murder Database' [2018] 22 *Homicide Studies* 321

Day S and Ward H, 'Violence Towards Female Prostitutes' [2001] 232 *British Medical Journal* 230

Department of Justice and Equality Republic of Ireland, *Turn Off the Red Light* (2017). Available at: <http://www.turnofftheredlight.ie/>

Disclosure and Barring Service, *New Filtering Rules for DBS Certificates (From 28 November 2020 Onwards)* (2020)

Doezema J, *Sex Slaves and Discourse Masters: The Construction of Trafficking* (Zed Books, 2010)

Ekberg G, 'The Swedish Law That Prohibits the Purchase of Sexual Services: Best Practices for Prevention of Prostitution and Trafficking in Human Beings' [2004] 10 *Violence Against Women* 1187

Giobbe E, 'A Comparison of Pimps and Batterers' [1993] 1 *Journal of Gender and Law* 33

Hayes-Smith R and Shekarkhar Z, 'Why is Prostitution Criminalized? An Alternative Viewpoint on the Construction of Sex Work' [2010] 43 *Contemporary Justice Review* 43

Home Affairs Select Committee, *The Government Response to the Third Report From the Home Affairs Select Committee Session 2016-17 HC 26: Prostitution* (2016)

Home Office, May T, Haracopos A and Hough M, *For Love or Money: Pimps and the Management of Sex Work* (2000)

House of Commons, Home Affairs Committee, *Prostitution: Third Report of Session 2016-17* (2016)

Jeffreys S, *The Idea of Prostitution* (Spinifex Press, 1997)

Kingston S and Thomas T, 'No Model in Practice: A 'Nordic Model' To Respond To Prostitution?' [2018] 71 *Crime, Law and Social Change* 423

Kinnell H, *Demonizing Clients: How Not to Promote Sex Workers' Safety* in O'Neill M and Campbell R (ed.) *Sex Work Now* (Willan, 2006),

Klambauer E, 'Policing Roulette: Sex Worker's Perception of Encounters with Police Officers in the Indoor and Outdoor Sector in England' [2018] 18 *Criminology and Criminal Justice* 255

Krüsi A, Kerr T, Taylor C, Rhodes T and Shannon K, 'They Won't Change It Back in Their Heads That We're Trash': The Intersection of Sex Work-Related Stigma and Evolving Policing Strategies' [2016] 38 *Sociology of Health and Illness* 1137

Levy J, *Criminalising the Purchase of Sex: Lessons from Sweden* (Routledge, 2015)

Levy J and Jakobsson P, 'Sweden's Abolitionist Discourse and Law: Effects on the Dynamics of Swedish Sex Work and on the Lives of Sweden's Sex Workers' [2014] 14 *Criminology and Criminal* 593

London School of Hygiene and Tropical Medicine, Platt L and Sanders T, *Is Sex Work Still the Most Dangerous Profession? The Data Suggests So* (2017). Available at: <https://www.lshtm.ac.uk/newsevents/expert-opinion/sex-work-still-most-dangerous-profession-data-suggests-so>

Lowman J and Fraser L, *Violence Against Persons Who Prostitute: The Experience in British Columbia. Vancouver*. (Simon Fraser University, 1995)

Matthews M, 'Policing Prostitution: Ten Years On' [2005] 45 *British Journal of Criminology* 877

McMenzie L, Cook I and Laing M, 'Criminological Policy Mobilities and Sex Work: Understanding the Movement of the 'Swedish Model' to Northern Ireland' [2019] 59 *British Journal of Criminology* 1199

Ministry of Industry, Employment and Education, *Prostitution and Trafficking in Human Beings* (2008). Available at: <http://www.sweden.gov.se/content/1/c6/04/28/96/88110928.pdf> (no longer available).

National Institute of Justice, US Department of Justice, Brewer D, Muth S, Roberts J, Duduck K and Woodhouse D, *Clients of Prostitute Women: Deterrence, Prevalence, Characteristics and Violence* (2007)

National Ugly Mugs, *About* (2020). Available at: <https://uglymugs.org/um/about/>

National Ugly Mugs, *National Ugly Mugs Impact Report 2016/17* (2017). Available at: <https://uglymugs.org/um/about/impact-report-201617/>

Northern Ireland Assembly, *Official Report (12 September)* (2014)

Open Parliament Canada, *Bill C-36: Protection of Communities and Exploited Persons Act* (2014). Available at: <http://openparliament.ca/bills/41-2/C-36/>

Ostergren P and Dodillet S, *The Swedish Sex Purchase Act: Claimed success and documented effects. Presented at the 'International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges*, The Hague, 3-4 March (2001)

Phoenix J, *Regulating Sex For Sale: Prostitution Policy Reform in the UK* (Policy Press, 2009)

Platt L, Grenfell P, Meiskin R, Elmes J, Sherman S, Sanders T, Mwangi P and Crago A, 'Associations Between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies' [2018] 15 *PLOS Medicine* 1

Prior J, Hubbard P and Birch P, 'Sex Worker Victimization, Modes of Working, and Location in New South Wales, Australia: A Geography of Victimization' [2013] 50 *Journal of Sex Research* 574, 574.

R v Brusich and Horvat [2012] 1 Cr. App. 47.

R v Massey [2007] EWCA Crim 2664

Sanders T, 'The Risks of Street Prostitution: Punters, Police and Protesters' [2004] 41 *Urban Studies* 1703

Sexual Offences Act 2003

SOU, *Forbud mot kop av sexuell tjijinst: En utviirdering 1999-2008*. 2010:49. Stockholm: Regeringskansliets Farvaltningsavdelning (2010). Extract available at: <https://www.government.se/contentassets/8f0c2ccaa84e455f8bd2b7e9c557ff3e/english-translation-of-chapter-4-and-5-in-sou-2010-49.pdf>,

Street Offences Act 1959

Taylor D, The Guardian, *Merseyside Police: 'Sex Workers Are Vulnerable. We Want to Protect Them'* (2010). Available at: <https://www.theguardian.com/society/2010/dec/22/merseyside-police-sex-workers-protect>

University of Bristol, Hester M, Mulvihill N, Matolcsi A, Sanchez A and Walker S, *The Nature and Prevalence of Prostitution and Sex Work in England and Wales Today* (2019)

Weitzer R, *Legalising Prostitution From Illicit Vice to Lawful Business* (New York University Press, 2012)