





POLICY BRIEF

AUGUST 2024



POLICING AND
RACIALISED SEX WORKERS
IN THE UK

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Policing and Racialised Sex Workers in the UK

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National Ugly Mugs:

Ending All Forms of Violence Against Sex Workers

National Ugly Mugs (NUM), formerly the UK Network of Sex Work Projects (UKNSWP), is a UK-wide charity working to end all forms of violence against sex workers and the conditions leading to survival sex work. We deliver pioneering digital safety tools and direct support programmes, as well as advocacy, community education and research projects on the conditions, trends and inequalities around sex work. We're pushing for systems change: an end to the disproportionate discrimination, violence and poverty currently facing sex workers.

Our work is guided by three core principles:

- 1. **Sex Workers First:** privileging lived experience in sex industries as a primary way of knowing and responding to sex workers' priorities around safety, health and rights.
- 2. **Quality Support:** working with sex workers to prevent violence, support survivors in seeking justice and recovery, and end the conditions driving survival sex work.
- 3. **Learning and Innovation:** committing to consistent improvement, learning and growing in our approach to what we do, why we do it, and how we do it.

NUM is the only UK-wide reporting and alerting mechanism for sex workers, and a world leader in digital tools and individualised support services that promote their safety and wellbeing. We work alongside other sex worker-led groups around the world, including reporting mechanisms such as <u>Ugly Mugs Ireland</u> and France's <u>Projet Jamine</u>, and advised on the development of <u>Ugly Mugs Netherlands</u>.

We curate the national database of harms against sex workers, developed over the past 12 years, and have 9,800 members at the time of writing. In 2023, we sent out 849,631 safety alerts (3.3 million since inception) and processed 578 reports of violence against sex workers, containing 812 accounts of harm. We provided direct victim support services to 1,027 sex workers, and welcomed a further 281 to our NUMbrella Lane drop-in service

Sex work research is complex. While female, street-based sex workers often feel over-studied, those of other genders and forms of work are typically under-researched. What almost all sex workers are, though, despite differing levels of academic interest, is under-served by actual policy developments and adequate service provision. As such, the participation of sex workers in studies like this is greatly valued. We hope that as a result of their contributions, and the trust they've placed in us through them, we can effect change that materially improves their health and wellbeing.

Racial Justice for Sex Workers: Introduction and Methodology

Rights, Recognition and Redress, or the Racial Justice for Sex Workers Project, is the beginning of NUM's work on reclaiming narratives around sex work and race through in-depth conversations, research and collaboration between racialised sex workers and anti-racist activists.

Supported by the Joseph Rowntree Charitable Trust, the first iteration of the project focused on the relationships between racialised sex workers and public services. This document is one of five policy briefs on the experiences of racialised sex workers in five key areas of public life: policing, healthcare, housing, further education, and support services. You can find the other briefs, as well as information on our ongoing anti-racism work within NUM, on our website.

Racial Justice for Sex Workers is based on a Participatory Action Research methodology¹, where researchers work in collaboration with participants to understand an issue and change it for the better. Rather than studying participants as unempowered subjects, this project adopted an approach that focused on the expertise of racialised sex workers through their lived experience, developing a group of collaborators whose contributions guided the research and service outputs of this project.

Through this process, NUM has developed this series of reports, a range of advocacy materials, and a Reporting Professionals Tool: a new digital platform that will allow sex workers to report harms (such as racial discrimination, refusal of service, or abuses of power) perpetrated by individuals in positions of public trust, like police officers or doctors. The Reporting Professionals Tool will sit within our victim support casework team, and allow NUM to better support sex workers navigating harm recovery and justice processes within professional settings.

The Policy Briefs are constructed from a series of interviews conducted with 38 racialised sex workers in the UK. Participants were provided with an honorarium as a thank you for their knowledge contribution and time, and were assured at the beginning of their interviews that all responses would be anonymised. We also conducted a documentary review of recent research projects at NUM (both published and unpublished), led by sex workers and sex work researchers, for inclusion.

More information on the Racial Justice for Sex Workers project can be found on our landing page.

¹O'Neill, Maggie. <u>'Cultural Criminology and Sex Work: Resisting Regulation through Radical Democracy and Participatory Action Research (PAR)</u>. *Journal of Law and Society* 37, no. 1 (2010): 210–32.

Policing and Sex Work

The legal landscape facing sex workers is complicated and inconsistent. An in depth analysis of policing and sex work is beyond the scope of this report, however in England, Scotland and Wales the exchange of sexual services for money is entirely legal². In Northern Ireland it is not a crime to sell sexual services, or to loiter or solicit, but it is illegal to pay for sex³ (essentially still criminalising sex work by forcing workers into hidden ways of working).

Almost all activities necessary to engage in sex work safely are criminalised under both historic and contemporary legislation. From the Contagious Diseases Act 1864 blaming "common prostitutes" for the sexual health of British soldiers or the Criminal Law Amendment Act 1885 targeting sex workers for "gross indecency", through to the Street Offences Act 1959 and the Sexual Offences Act 2003 prohibiting soliciting, loitering and brothel-keeping, sex workers have had to navigate a complex and hostile legal environment for centuries.

So, while the sale of sex is legal in most of the UK, it's very difficult to achieve within the law. Soliciting and advertising sexual services are illegal, as is multiple people working from one premises - despite it being clearly and significantly safer (this is regarded as brothel-keeping, regardless of who runs the premises or how, and sex workers can be at risk of brothel-keeping laws even if they're entirely independent but happen to live together⁴). This partial criminalisation displaces sex workers from public spaces at the detriment to their wellbeing and safety: sex work is considered a public nuisance, while workers themselves are characterised as helpless victims at best or criminal participants in organised exploitation at worst.

Inconsistent or unclear regulation and enforcement further muddies the waters around sex workers in public life. For example, in 2019 Leeds-based workers could legally meet clients in a 'managed area' in Holbeck to more safely arrange services. Meanwhile, less than 60 miles away in Hull, the use of Section 222 orders meant the arrest and prosecution of any sex workers found 'loitering'⁵. Public policy is both contradictory and severe when it comes to sex workers, creating an air of uncertainty and fear that must be recognised by anyone attempting to understand how policing impacts their lives.

Due to differing legislation and approaches across forces, and inconsistent training from officer to officer, the police are both highly present in the lives of sex workers and highly unpredictable. To

² Sex worker safety | Metropolitan Police

³ Paving for sexual services I nidirect.

⁴ Know Your Rights <u>- A Guide for Sex Workers | English Collective of Prostitutes</u>.

⁵ This already uneven landscape is also ever-changing. While the managed area wasn't without its limitations, its closure in recent years was harmful. Hull's use of Section 222 was also abolished after advocacy from sex worker groups including NUM and An Untold Story - Voices, however similar Public Space Protection Orders still exist across the UK. More information on An Untold Story - Voices and NUM's work on discharging the Section 222 order in Hull can be found in the Public Law Project case study on the project.

many sex workers, the police are at best the most visible part of a hostile state, and at worst potential perpetrators of harm and violence themselves. As one participant in this project put it, "the police are just so much more scary than a bad client, and it's also such an unknown. Like, I know how to deal with bad clients, but I wouldn't know how to deal with police".

Policing and Racism

The lack of consistency discussed above is compounded for racialised sex workers by severe, systemic racism within UK policing. None of this project's interviewees could recall positive experiences with police. Furthermore, none said they would pursue official channels should they experience harm at the hands of the police, indicating a profound lack of trust in the ability of current policing to be a source of safety or justice. Across all forms of sex work, from stripping to escorting to street-based work, a common sentiment was that the less engagement there is with the police the better:

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It's zero interaction. It's zero interaction. It's not who I'm trying to call, it's not who I would imagine calling. . . they are not people I imagine making my conditions safer."

Project Participant

General public trust in the police has suffered from multiple high-profile abuse of power cases, including officers "abusing their position with victims for sexual purpose", and the Chief Inspector of Constabulary himself stating that "not enough forces took meaningful action" to stem abuses of power or sexual misconduct within their ranks⁶⁷. This mistrust is understandably concentrated among racialised sex workers, who sit at the intersection of a range of inequalities that colour their interactions with the police.

After years of campaigning, the Chair of the National Police Chiefs' Council admitted in January 2024 that racial discrimination in policing operates at a "fundamental level" within a national force that is "institutionally racist". The history of racism within UK policing is a long, complex, and

⁶ 'Hanging by a thread': Public trust in police has fallen to its lowest level ever, watchdog warns

⁷ Operation Hotton: Independent Office for Police Conduct, January 2022

⁸ Head of Britain's police chiefs says force 'institutionally racist' | The Guardian

violent one, but the recent history of policing alone – including the Brixton riots, the handling of Stephen Lawrence's murder investigation⁹, and multiple high-profile police killings of unarmed civilians including Dalian Atkinson¹⁰, Chris Kaba¹¹, and Jean Charles de Menezes¹² – has created an environment where any trust that racialised communities do extend to the police should be received with incredible care and gratitude.

The Metropolitan Police, the UK's largest force, is four times more likely to use force on black people¹³, and across the UK people from Black, Asian and Minoritised Ethnic (BAME) backgrounds die disproportionately from the use of force by police¹⁴. Unequal use of Stop and Search powers (including black people outside of London being 43 times more likely to be stopped and searched without justification than white people¹⁵), racist and misogynistic bullying within police forces¹⁶, and high-profile scandals around a racist culture (such as the recent case of PCs Deniz Jaffer and Jamie Lewis taking inappropriate photos with the bodies of murder victims Bibaa Henry and Nicole Smallman, before sharing them with other officers and members of the public¹⁷), all pose a significant obstacle to the idea that the police will help people of colour stay safe or pursue justice.

As one participant in this project put it, "I fear the police, any time I see police pass on the streetit's from generations for people of colour. We are always reviled, so...you have this phobia of the police and try to avoid anything that relates to them".

Consequences of Poor Policing Relationships

A lack of trust in the police has significant consequences for any population, creating a system that imposes limits and occasionally violence on their lives without providing official ways of managing their safety or accessing justice. This is particularly true for racialised sex workers, who face disproportionate risk of violence and harm but who often feel unable to seek either support or justice from the police.

One participant explained the sense – reflected by multiple workers that we spoke to – that as racialised sex workers they are simply not people that the justice system is for, particularly when it comes to physical or sexual violence. The police "exist to protect you, and you can't call them. The

⁹ Stephen's Story | Stephen Lawrence Day Foundation

Dalian Atkinson: PC Benjamin Monk jailed for ex-footballer's death I BBC News

¹¹ Chris Kaba: INQUEST responds to Met firearms officer being named

¹² Remembering Jean Charles de Menezes | Tribune

¹³ Racism in police killings not being properly examined - report | BBC News

¹⁴ BAME deaths in police custody | Inquest

¹⁵ Stop and search | Liberty

¹⁶ Met Police: Misogyny, racism, bullying, sex harassment discovered | BBC News

¹⁷ Met accepts IOPC recommendations after investigation into photos taken at murdered sisters crime scene| IOPC

last thing you would do is call them, like that would be mad to do...you experience policing in that way – that you are a criminal, basically, and you're not rapeable".

At National Ugly Mugs, we've seen direct evidence of a decline in the trust sex workers are willing to place in the police. In 2012, 27% of sex workers reporting incidents of harm or violence to NUM gave full consent to share their information with the police, and 95% consented to their information being shared anonymously. A decade later, this had fallen to only 12% of reporters giving full consent to share their information, and just half consenting to sharing anonymously¹⁸.

A recent NUM investigation found a significant sense of alienation and distrust around police and courts among sex workers¹⁹, meaning that sex workers are less likely to share information about dangerous individuals with police or participate in court cases. 72% of workers surveyed said that 'experiences or fear of criminalisation' were a barrier to engaging with the police, and others expressed fears that engaging with the police would lead to experiences of stigma, outing, and retaliation from perpetrators.

This was reflected in the experiences of participants in this project. One participant told us that they had experienced multiple sexual or physical assaults: "there have been plenty of times when I have had someone's full ID, and they have still assaulted me, and I have never done anything with it because that would involve speaking to the police".

In some instances, this lack of trust in policing has actively facilitated crimes and acts of violence. A participant recalled to us an instance of assault they had experienced at a client's house, including being kept against their will. Their safety system involved a friend calling the police if they don't hear from the participant by a certain time, but when they did so and the police arrived, the participant chose to risk further abuse and danger than to continue interacting with the officers:

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"I thought it would be safer to be with the client than to be in a police car...I didn't want them to search me or take me aside or make me do a report, I just wanted them to fuck off - even though they could have been my way out, and actually when they left I was then subjected to like three more hours of violence"

Project Participants

¹⁸ Trustee's Annual Report 2022 | National Univ Mugs

¹⁹ Bowen, R. *et al.* (2021) 'Why Report? Sex Workers who Use NUM Opt out of Sharing Victimisation with Police', Sexuality Research and Social Policy, 18(4), pp. 885–896.

Despite the experiences of racialised sex workers being complex and individualised, the conclusion here feels like a simple one: sex workers are, by a large margin, the occupational group most at risk of homicide²⁰. Research indicates that most will experience some form of sexual violence at work²¹, and that racialised sex workers face a disproportionate rate of violence²². That a population so at risk of violent crime not only lack faith in the justice system, but actively fear engagement with the police, is a clear failure of policing in the UK. The core duty of the police service as laid out by Parliament - protecting the public by detecting and preventing crime - is fundamentally undermined by the marginalisation and alienation of racialised sex workers.

Policing and Violence

Any approach to improving police engagement with racialised sex workers must also grapple with the issues posed by police officers as perpetrators of violence themselves.

The current legal landscape means that all police, by facilitating a system that marginalises and impoverishes them, can be understood as involved in systemic violence against sex workers. More acutely, though, there is also evidence of a problem of interpersonal violence perpetrated by individual police officers against individual sex workers. NUM's cohort study (Platt et al. 2022) of sex workers in East London, for example, found that "experience of any recent police enforcement was associated with increased odds of rape...and emotional violence", and that ethnically/racially minoritised sex workers in particular are more likely to have experienced police extortion and rape²³.

The power dynamic between police officers and racialised sex workers will colour all policing until significant improvements are made in how police forces engage sex workers and racialised communities. As one participant put it, "it is so scary as a sex worker to have police talk to you, even in plain clothes…their presence is terrifying because your whole life can change if you don't say the right thing to them or if they interpret you as saying the wrong thing". As explored in Policing and Racism above, this understanding of police forces as the hard end of a hostile state undermines any attempts from the police to support racialised sex workers' safety or improve their access to justice.

Furthermore, many participants discussed the police as explicit, individual perpetrators above and beyond their systemic role in reproducing violence. One recounted an experience of a violent

²⁰ Sex Work and Occupational Homicide | LSHTM

²¹ How to End Violence Against Sex Workers | Gender Policy Report

²² International Day to End Violence Against Sex Workers | harmreduction.org

²³ Platt, L. *et al.* (2022) 'The Effect of Systemic Racism and Homophobia on Police Enforcement and Sexual and Emotional Violence among Sex Workers in East London: Findings from a Cohort Study', *Journal of Urban Health*, 99(6), pp. 1127–1140.

arrest, and the way that police aggression and misconduct can undermine policing relationships permanently:



they were swinging me about and things, and bashing my head off the van and stuff, lying in court. That was quite shocking actually, although you know that happens when you are seeing it in front of you, when you see the evidence has been cut and stuff, it's just really shocking and there's nothing you can do. You are literally powerless. I think it's a different kind of dawning that these people have power, like real power, over you and your body

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Project Participants

There was an understanding among many participants of the severe problems around sexual or domestic abuse perpetrated by police officers²⁴. This compounds the uncertainty facing racialised sex workers engaging with the justice system, and was reflected in the experiences of the participants in this project – active fear of the police was widespread, and we heard multiple accounts of interpersonal violence committed by officers. One participant reported an instance of rape committed by a plain clothes police officer, and another told us that "there's been girls [who] Police asked for sexual favours in return for not arresting them".

We believe there is significant evidence of acute police violence against racialised sex workers. This violence - whether it is systemic, carried out in the 'name' of policing (e.g. violent arrests or intimidation), or individualised - completely undermines UK policing and demonstrates the need for significant reform.

²⁴ More than 1,100 officers under investigation for sexual or domestic abuse in England and Wales | The Guardian

Conclusions and Recommendations: Now What?

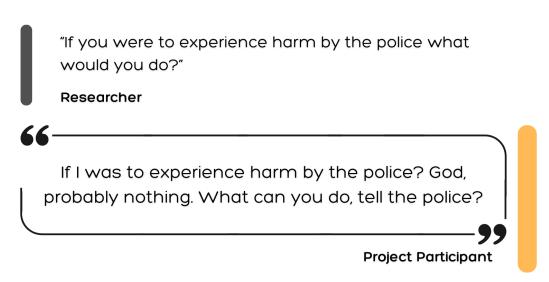
Racialised sex workers in the UK sit at the intersection of multiple systemic issues within policing. They experience the consequences of systemic racism and violence against sex workers, but are also disproportionately affected by inequalities in how people and communities are policed along gender, sexuality, disability, migration, mental health, and class lines. For racialised sex workers to have the access to justice that they deserve, there must be an unpicking of the inequalities that define policing in the UK - something that goes beyond the scope of this report.

Participants in this research project were near-universally negative about their experiences with the police. The alienation, mistrust and fear evident in racialised sex workers' relationships with the police make it clear that this is an issue too broad for singular policy fixes.

It is worth noting, then, that defunding and abolition was central to participants' vision of a positive future for policing. Those futures lie beyond the scope of this report, but can be explored further in the work done by <u>Abolitionist Futures</u> and <u>openDemocracy</u>.

There are significant steps that can be made now, however, and we have outlined the recommendations below in the hopes that they can drive positive changes in how police forces engage racialised sex workers - without losing sight of the wider inequalities that define their experiences with policing.

Reporting and Accountability



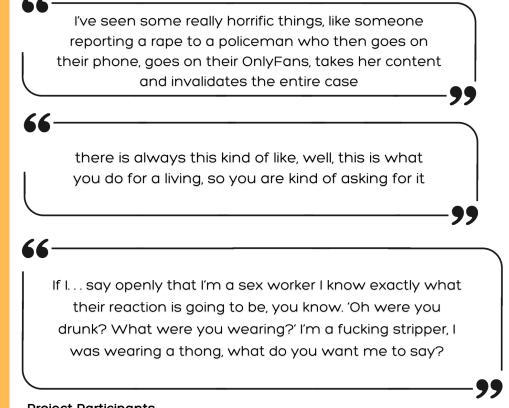
The majority of participants, when asked what they would do if they experienced harm by the police, said they either didn't know or would do nothing. As one put it, "I definitely wouldn't, like, take it any further within any official structure, because I feel like it would just get back round to the police so what would be the point?"

This is unsurprising given the experiences of both personal violence and wider alienation that racialised sex workers experience at the hands of UK policing. As such, the first steps to any improvement in policing relations are the recognition of police forces mistreating and under-serving sex workers, particularly racialised sex workers, and the establishment of clear, accessible accountability processes within policing. This could include increasing investment in community relations work, better signposting and follow-up around complaints processes, and efforts to develop an internal culture that acknowledges the historic problems in how police forces have treated marginalised communities.

The majority of participants were actively positive about a way of reporting experiences of harm from the police through NUM or another non-state organisation. NUM's new Reporting Professionals tool, developed through this project, is a response to this need. It allows sex workers to report harms - including racial discrimination, violence, refusal of service, and abuses of power perpetrated by individuals in positions of public trust, such as police officers or healthcare professionals. Reporting sex workers will receive support from NUM's case work team, who will work with them to navigate the recovery from any harm they experience and the appropriate complaints or justice processes.

Training

The need for training was another common theme in interviews conducted for this report, and was highlighted in multiple instances of police officers lacking basic knowledge around either sex work itself or their duty towards sex workers as citizens:



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This lack of training and clear process creates a sense of uncertainty and alienation among many racialised sex workers, and can lead directly to complete disengagement from the legal system. For example, NUM has recently worked with a sex worker who had reported an experience of sustained harassment and wanted to report to the police. Police officers requested the worker's address from NUM, but this was refused at the worker's request. Instead of understanding this as a legitimate and legal expression of boundaries, officers found the worker's address elsewhere and attended her home, unannounced, late at night. This was shocking and distressing for the worker, who then disengaged from both the police and from NUM. Despite NUM re-establishing trust afterwards, we believe this case is emblematic of how poor policing practice can both alienate sex workers from the justice system and isolate them from their existing support networks.

There is a clear need for significant training across all police forces, in partnership with sex workers and sex worker-led organisations, on how to engage sex workers (particularly racialised sex workers) as a community. In recognition of this, NUM runs an elearning series for police forces, designed by and with sex workers, exploring how forces can minimise harm, improve support, and foster equality in people's routes to accessing safety and justice.

Decriminalisation

While selling sex is legal in much of the UK, the partial criminalisation of sex work harms worker safety and creates unnecessary friction with police forces.

Brothel-keeping laws mean that sex workers, the occupational group most at risk of homicide²⁵, are also the UK's only occupational group whose work is completely legal only when the worker works alone²⁶. Soliciting laws make it harder for workers to share information with each other and screen potential clients²⁷. Public Space Protection Orders (PSPOs) isolate workers and undermine their safety, and NUM continues to campaign against them across the country²⁸.

Instead of protecting sex workers or the wider public, the criminalisation of sex work in the UK merely pushes workers into more isolated and dangerous ways of working. Decriminalisation would mean workers are better able to manage and ensure their own safety, find work outside the sex industry without prostitution offences marring their police records, and seek justice and redress against criminal bosses and clients.

²⁵ Cunningham, S. et al. (2018) 'Sex Work and Occupational Homicide: Analysis of a U.K. Murder Database', Homicide studies, 22(3), pp. 321-338.

²⁶ Brouwers, L. (2023) "I feel safe when I'm working with her": Sex workers' experiences of management and other third parties. University of Leeds: Centre for Employment Relations, Innovation and Change, pp. 4–39.

The Facts | DECRIM NOW

²⁸ 'Update on the campaign that defeated a banning order in Newham', English Collective of Prostitutes, 19 January 2024.



Ending Violence Against Sex Workers

- www.nationaluglymugs.org
- **Q** 0161 629 9861
- admin@nationaluglymugs.org
- NationalUglyMug
- <u>o</u> <u>nationaluglymugs</u>
- National Ugly Mugs

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