

PROSTITUTION AND SEX WORK

Linda Cusick, PhD

Reader in Substance Use

University of the West of Scotland

linda.cusick@uws.ac.uk

Summary: This briefing presents the structural causes of prostitution and situational reasons for individuals becoming prostitutes. It identifies the harms associated with prostitution and differentiates pre-existing harms from harms caused by prostitution's conditions. It notes evidence of the impact of policing and other interventions implemented in Britain and looks at recent policy developments. Finally, it suggests areas for research that SIPR has the capacity to carry out.

Street prostitution is strongly associated with vulnerability, problematic drug use and homelessness. Sixty street-based prostitutes have been murdered in Britain in the last ten years. Assault is common but seldom reported. Prostitutes are afraid of the police and for unknown reasons, reported assaults are seldom prosecuted. Indoor prostitution has not traditionally been associated with vulnerability although to work legally prostitutes must do so alone. Prostitutes' campaign groups seek recognition of 'sex work' and the disentanglement of consenting commercial sex from the abuse and discrimination which arise from the criminalisation of activities related to prostitution. Campaigners on the other side define prostitution as violence and seek its abolition. These debates are not new but recent policy reviews have inclined strongly towards favouring the abolitionists.

INTRODUCTION

Prostitution is legal in the UK but soliciting for the purposes of prostitution in a public place is illegal for both those intending to sell and those intending to buy sex (Home Office, 2006; Prostitution Public Places Scotland Act 2007: Scottish Executive, 2007). Client prosecutions are increasingly common with consequent dispersal of street prostitution to more isolated locations (Sanders, 2007). Specialist health services for prostitutes are being replaced by services whose aim is to 'exit' individual prostitutes from involvement in prostitution (Scottish Government Publications, 2006).

The structural causes of prostitution

In strict academic science it is impossible to prove whether things that occur together cause one another. For this reason, we talk about phenomena being 'associated' with each other. We may only theorise about cause and causal direction. The following lists of harms or vulnerabilities are ones that have been associated with prostitution and which for a long time have been theorised as leading to or causing prostitution. Authors discussing personal factors include Denman (1910), Toby (1957), Choicy (1961), Davis (1971), James (1977), Silbert & Pines (1981), James & Davis (1982) and Dunlap *et al.* (2003). Authors discussing structural factors include Muecke (1992), Balos & Fellows (1999), Richter (1999), Rabinovitch & Strega (2004).

Personal factors associated with and theorised as predicting, explaining or causing involvement in prostitution

- Pathology – especially mental health
- Low self-esteem
- Childhood neglect or abuse
- Family (especially maternal) inadequacy
- Youth deviance – especially promiscuity (in girls)

Structural factors associated with and theorised as predicting, explaining or causing involvement in prostitution

- Poverty and desire to escape it
- Political instability/ war
- Inequality – especially gender
- Differential opportunity – available choices
- Lack of education, training or skills for alternative occupations

Other factors may be associated with prostitution in a mutually reinforcing way (Graham and Wish, 1994) especially where money provides a link that allows spending habits to develop around drug use and the acquisition of any other goods, lifestyle or status.

Factors associated with and theorised as mutually reinforcing prostitution

- Addiction and dependency to drugs
- Money for lifestyle/ status/ goods
- Sexual/ power status/ appetite

Having identified factors causing or reinforcing prostitution we might attend to the sources of harm that arise once involvement in prostitution is established. How does harm actually arise from prostitution? Clearly, sexually transmitted infections (STIs) arise from sex but the exchange of sex and money does not in itself introduce any kind of harm (Cusick, 2006). All of the remaining harms associated with prostitution and theorised as arising from prostitution are concentrated in street prostitution or where prostitutes are not able to control their conditions (Miller, 1993; Potterat et al., 2004; Surratt et al., 2004). These are given in bold below.

Factors associated with and theorised as arising from prostitution

- STIs
- **Predation and victimisation e.g. abusive pimping**
- **Violence and child abuse**
- **Trafficking, slavery, debt bondage**
- **Stigma**
- **State sanctions and penalties**
- **Public nuisance**

Thus, other than sexually transmitted infections and the mutually reinforcing habits of prostitution and money, all of the harms that arise from prostitution depend on the conditions in which sex is sold. There is an enormous quantity of academic evidence for this (Hart & Whitaker, 1994; Pyett & Warr, 1997; Church *et al.*, 2001; Shaver, 2005) and police officers will have observed for themselves the very different effects of prostitution in different circumstances.

Of course, there are benefits of prostitution too: sex; money; autonomy and control of one's working conditions; status amongst 'insiders'; positive body image and job satisfaction (O'Connell Davidson, 1998; Chuen-Juei Ho, 2000; Manopaiboon et al., 2003). Since the harms or benefits of prostitution are not evenly distributed across the different types of prostitution but occur where prostitutes are vulnerable and unable to control their conditions, then we can conclude that the problems associated with prostitution are *not inherent problems of prostitution* but of vulnerability in these conditions. Thus, harms associated with and thought to cause prostitution might be reduced by tackling pre-existing vulnerability amongst sex work entrants, while harms associated with and thought to be caused by vulnerability and the conditions of prostitution might be reduced by improving the conditions of prostitution so that further vulnerability is not introduced.

To reduce pre-existing vulnerability amongst sex work entrants it would be necessary to reduce those structural and personal harms that might cause involvement in prostitution. However, pre-existing personal vulnerability like childhood abuse is not unique to sex workers (Schissel & Fedec, 1999) and it is unlikely that these harms first come to light at entry to sex work (Shaw & Butler, 1998; Zigman, 1999).

Similarly, with structural factors that lie behind vulnerability like political instability and poverty, prostitution may be an expression of the problem but the solution does not rest with either changes to, or the abolition of prostitution. A summary of this literature confirms that structural problems such as poverty and gender inequality and personal background factors such as low self esteem underlie vulnerable prostitution. On this basis, we might conclude that interventions that are likely to be effective in reducing the harms underlying prostitution are not likely to be police interventions. They will require international political solutions at such a level that no citizen would be prevented from reaching their full potential.

The second proposition of improving the conditions of prostitution, so that further vulnerability is not introduced, has already resulted in some positive outcomes. Health and specialist harm reduction services provide interventions to prevent sexually transmitted infections and treatment for problematic drug use and are addressing disadvantage through skills training (Norton-Hawk, 2001; Arnott, 2004). Social, educational and family policies are as likely to be as beneficial to prostitutes as anyone else. Further, local solutions based on communication and zoning initiatives have been successful in reducing public nuisance and disentangling those mutually reinforcing harms: problematic drug use and money habits (Hanslope & Waite, 1994; Smarajit *et al.*, 2004). These interventions do not however address the remaining problems of predation and victimisation; violence and child abuse; trafficking and slavery; stigma; and sanctions and penalties. Although the academic literature makes clear that these harms are overwhelmingly concentrated where prostitutes are most vulnerable, there is relatively little evidence on how different forms of policing affect that vulnerability.

Historically, policing efforts have concentrated on vulnerable street-based prostitutes but recent policy documents (Home Office, 2006; Scottish Executive, 2007) equate the prostitute experience with violence and deny that prostitutes can rationally chose to be involved in prostitution. Under these policy directives, prostitutes are to be regarded as victims and clients as offenders. Specialist services for prostitutes are increasingly funded to 'exit' individuals from involvement in prostitution so that those not seeking exit avoid services (Sanders, 2007). Specialist projects report that vulnerable and murdered prostitutes reported fear of the police (Kinnell, 2006) and that already there are observable changes in the composition of different sex markets (UKNSWP, 2007). Street prostitution is displaced; organised indoor premises are disrupted by Pentameter raids focused on trafficking and seizure of assets; and the market in solo indoor prostitution via the internet has grown and is more difficult for services to reach.

Research is needed:

- into the circumstances in which prostitutes experience violence, why they seldom report it and what happens when they do;
- to discover how recent policy and policing methods impact on the vulnerabilities and harms that have been theorized as arising from prostitution;
- on how specialist services for prostitutes and the police negotiate and conduct their shared responsibilities to implement the new policies and guidelines;
- on the changed composition of sex markets, changed nature of client engagement, contact with services and experience of policing;
- on the impact of sex market changes regards homogenization or differentiation of norms governing behaviour including physical safety, safer sex and drug use;
- on any unexpected benefits or unintended consequences of recent prostitution policy and policing methods; and
- into the two pre-suppositions underpinning recent policy change –
 - that prostitution *is* violence – if so, how is the offence of violence (described by prostitutes as prostitution) being pursued?; and
 - that prostitution is not inevitable (Home Office, 2006) – if so, are there any signs that these policies are meeting the aim of challenging this assumption?

Through SIPR, Linda Cusick is seeking discussion with police and academic colleagues to develop research in this area. Please contact her at linda.cusick@uws.ac.uk

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