

“We Shouldn’t Have to Put Up with This”: Street Sex Work and Violence

Rosie Campbell and Hilary Kinnell argue that sex workers suffering violence on the streets suffer prejudicial attitudes in the criminal justice system.

Despite growing research evidence, debates about violence against women rarely include the experiences of one group of women who are particularly vulnerable to violence - sex workers, especially street workers. Once we begin to examine these experiences we are faced with what should be the uncomfortable reality that this violence is exacerbated by present legal responses to prostitution, the social exclusion of sex workers and socially and historically constructed stigma which shapes prejudicial attitudes towards sex workers (O’Neill, 1997). This violence takes place within a criminal justice context which gives limited protection to sex workers. There is an urgent need for authorities and agencies to respond more effectively to violence against sex workers by developing policies which reduce violence and afford them better recourse to criminal justice agencies.

The data suggests that men who murder sex workers frequently have a past history of violence against sex workers and others. It is therefore hugely important that crimes of violence against sex workers are investigated with the utmost diligence, and that the criminal justice system, and the general public who make up juries, treat these crimes with the seriousness they deserve.

Research demonstrates that street sex workers experience high levels of violence in the course of their work (Barnard, 1993; Miller, 1993; McKeganey and Barnard, 1996). In a Sheffield study 76 per cent of prostitutes reported work-related violence: 35 per cent had experienced violence on a weekly basis. (Pearce, 1997). Of 50 murders of sex workers reported to EUROPAP-UK, information about the mode of work was available for 34 victims: 31 of these were street workers. Church et al (2001) found that location determined risk of violence, with street work being the most dangerous and off-street where others were present the safest. Location outweighed all other factors such as drug use, age and experience. Yet the law and law enforcement prevent those engaged in prostitution from adopting strategies that would decrease their vulnerability, such as working indoors, advertising or working together.

Sex workers experience a range of violent crime, committed by a range of perpetrators (Pearce 1997) including: passers-by, clients, drug dealers, partners, pimps, vigilantes and other working women. Incidents reported in Liverpool (Campbell et al 1996) included verbal abuse and threats, physical assaults (including attacks with knives, steel bars and screw drivers), street robbery, rape and sexual assault (including gang rape) and abduction/kidnap. The following personal testimony from a woman in Merseyside is not uncommon:

“There’s loads of groups of lads at the moment just on the beat winding us up, giving us abuse and that, they were throwing stones the other day at me, we shouldn’t have to put up with this”

It tends to be murders of sex workers that make the headlines.

A recent EUROPAP-UK statement on violence reported:

“Fifty women and girls involved in prostitution are known to us to have been murdered, unlawfully killed, or are missing presumed dead, since 1990. In only 16 of these 50 cases do we know that a conviction has been secured. In eight of these cases, the men convicted had previous convictions for violence, including murder, manslaughter, rape and assault. The data suggests that men who murder sex workers frequently have a past history of violence against sex workers and others. It is therefore hugely important that crimes of violence against sex workers are investigated with the utmost diligence, and that the criminal justice system, and the general public who make up juries, treat these crimes with the seriousness they deserve.” (Kinnell, 2000)

Violence not reported

There are cases that make it from the street to the police to the courts, and have secured prosecution. However much of this violence remains unreported and this is the major challenge for criminal justice agencies. Non-reporting occurs for many reasons including:

- Belief that they will not be taken seriously by the police because they work in prostitution and will face censorious attitudes.
- Failure of the police to take such reports seriously.
- Fear of arrest particularly if a warrant is in place against them.
- Fear of reprisals from perpetrators.
- Belief that the courts will not take them seriously: despite some recent successful sexual assault cases involving prostitutes, it is difficult for women who work as prostitutes to gain successful convictions (Scutt, 1994).
- Fear of their involvement in prostitution becoming public if the incident goes to court.

There is a conflict between public order agendas which regard

prostitution as primarily a problem for the communities in which it occurs and aim to reduce or eliminate it by 'zero tolerance policing' (i.e., the intensive enforcement of soliciting and kerb crawling legislation), and the safety needs of sex workers themselves). Heavy policing of street prostitution, directed either at women or their clients, drives street activity into other places, but does not prevent it. Women who go to unfamiliar areas to work may encounter hostility from other women, and will not know which local clients are to be avoided.

Repressive policing of prostitution deters sex workers from reporting crimes against them to the police. Since it is clear and evident that current policing strategies neither eliminate prostitution nor protect the safety of those involved, a major review of such strategies and the existing legal framework is needed.

Urgent need for policy changes

The All Party Parliamentary Group on Street Prostitution expressed concern about the level of violence against sex workers (Matthews, 1996). The group stated that more should be done;

"...both to protect prostitutes from violence and to encourage them to come forward to give evidence where appropriate."

Yet there has been no lead from governments to develop policies and interventions that address violence. The inherent dangers to sex workers created by present law and policing policies are rarely acknowledged, far less on any agenda for change. Public policy regarding prostitution must further recognise and address sex workers' rights to protection under the law.

There is urgent need for action to prevent and respond to violence against sex workers. This should include:

- The development of national guidance for police responses to violence against sex workers.
- Improved liaison between police and agencies in direct contact with sex workers; this can be facilitated through

involvement in multi-agency groups, police training and the development of greater contact with sex workers.

Encouragingly a number of forces are already doing this and have acknowledged that sex workers are a vulnerable group in the community. Some forces have appointed 'prostitution liaison officers', non arresting officers who facilitate contact between sex worker projects and sex workers, with an emphasis on building trust and encouraging the reporting of violent incidents to the police.

- Co-operation and information sharing between police forces regarding known offenders, and the development of national databases.
- A review of Crown Prosecution Service handling of cases involving violence against sex workers. In 1995 the English Collective of Prostitutes undertook a successful private prosecution against a man who had raped two sex workers, highlighting concerns that the CPS was not pursuing cases involving sex workers.
- Highlighting concerns about the current level of sentencing in cases against perpetrators of violence against sex workers.
- A review of present laws on prostitution recommended in the recent Home Office review of sex offences, *Setting the Boundaries*.

A continued failure to address the safety needs of sex workers would signify a dismissal of sex workers as second class citizens.

Rosie Campbell is Senior Researcher at the Applied Research Centre, Liverpool Hope University College. She has been involved in carrying out applied action research on commercial sex since 1995. **Hilary Kinnell** is UK National Co-ordinator of the European Network for HIV/STD Prevention in Prostitution (EUROPAP UK) and was Manager of the Birmingham sex work project, *Safe*, from 1987 to 1996.

She is also presently an independent consultant on sex work and sexual health.

The authors co-ordinate the EUROPAP Safety, Violence and Policing Working Group. The group aims to raise awareness amongst policy makers, the police and other agencies about issues of safety and violence in the sex industry and the impact of policies and strategies on the safety and welfare of sex workers.

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