



CEDAW Secretariat
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cedaw@ohchr.org

28 January 2019

Re: Information on the United Kingdom for Consideration by the Committee on the Elimination of Discrimination against Women at its 72nd Session (18 February - 8 March 2019)

Dear Distinguished Committee Members,

We respectfully submit this letter in advance to the Committee on the Elimination of Discrimination against Women (“the Committee”) for consideration during its 72nd session (18 February - 8 March 2019). Equality Now, women@thewell, nia and FiLiA request that this letter be used to supplement the United Kingdom’s 8th periodic report to the Committee. Our joint submission focuses on the issue of trafficking and exploitation of prostitution of women and girls as a form of violence against women and girls. Trafficking and exploitation of prostitution of women and girls is expressly prohibited by Article 6 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which requires the UK “to take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women,” and also violates Articles 2 (elimination of discrimination), 3 (equality), and 12 (right to health).

Equality Now is an international human rights organisation dedicated to ending violence and discrimination against women and girls around the world. We work to end trafficking in women and girls and partner with many grassroots organisations, several of which are survivor-led, to end the commercial sexual exploitation of women and girls. Our other areas of

focus include working to end sexual violence, female genital mutilation (FGM) and sex discriminatory laws.

women@thewell is a front line service provider of exiting services based in London, UK. We work with women whose lives are affected by prostitution, both on street and off street and including women who have been trafficked into prostitution. We support upward of 250 women each year with 159 new clients presenting last year. All of the women we support are, have been or are at risk of being exploited in the sex trade. Most of the women using our services have multiple and complex needs including problematic drug and alcohol abuse, mental health difficulties, rough sleeping or insecure housing and trafficking.

nia is a women-only, secular, rights-based charity, established originally in 1975 to support women fleeing domestic violence, but has since developed to support women and girls experiencing all forms of male violence. We now support between 1500 and 2000 women and girls a year across a range of services; one of which is the London Exiting Advocacy Project which supports women exiting prostitution. Many of the women and girls supported in that programme may have been involved in any or all of on and off street prostitution, trafficking, massage parlours, web-cam, escorting and a wide range of sex-industry based exploitation. We find it to be of little relevance to try to separate out these categories when it comes to providing appropriate support for women particularly since this does not reflect the way buyers and exploiters engage with the women we support.

FiLiA is a women-only human-rights based charity which hosts an annual Feminist conference. Our focus is on bringing women together; amplifying the voices of women (especially those less often heard) and building the feminist movement in order to liberate women and girls from patriarchy.

The sex trade reflects and perpetuates inequality between the sexes and we are supportive of efforts to redefine prostitution as violence against women and working collectively to end demand.

Scale and nature of trafficking in women and girls for sexual exploitation

Every time a (usually male) person pays for sex with a trafficked woman or girl, two crimes are being committed: first, on the part of the trafficker who has put the victim into this situation, but also second by the sex buyer who is committing an act of sexual violence. There are exponentially more sex buyers assaulting victims of sex trafficking than there are traffickers profiting from and controlling them, yet almost nothing is being done in the UK to address the buyers. Women and girls who are trafficked for sex are being subjected to multiple, ongoing counts of rape.

Evidence gathered by the Poppy Project¹ (former national support provider to trafficked women, which closed due to loss of funding in 2015) revealed that victims of trafficking for

¹ 'Routes In, Routes Out: Quantifying the Gendered Experience of Trafficking to the UK' (2008) The Poppy Project, pp 17-18. More recent data is not available as the relevant statistics are not collected by the current national contract holder nor NRM.

sexual exploitation are exploited for an average of 8.28 to 20.2 months.² With most women trafficked in the UK reporting being subjected to sexual exploitation 6-7 days a week, seeing an estimated average of 13 sex buyers per day, we can expect that the average individual victim of trafficking for sexual exploitation is raped anywhere from 2,798 to 6,828 times. In 2017, 1,115 adult women were referred to the National Referral Mechanism (NRM) as trafficked for sexual exploitation. Based on the previous calculation, this suggests a minimum of 3.1 million rapes of trafficked women are committed in one year alone. Those rapes were committed overwhelmingly by men who pay for sex. The scale of sexual abuse and exploitation of women by sex buyers in the UK is a human rights scandal.

Only 1 prosecution in 2017

A 2014 study by University College London found that 11% of British men report having paid for sex - that is at least 3 million men.³ Among these will be the men who have raped trafficked women, likely including repeat offenders. Sex buyers are directly funding organised crime and committing acts of sexual violence against victims of trafficking for sexual exploitation. Paying trafficking victims for sex is a crime under Section 53a of the Sexual Offences Act, yet only one person was prosecuted for this crime in 2017.⁴ This provision has not been fully integrated into the Government's Modern Slavery Strategy or approach.

Existing legislation is neither being enforced, nor is it adequate to respond to the severity and breadth of the issue. Laws should be put in place to prohibit men from buying sex in all instances in order to successfully tackle sexual exploitation. This could include amendment of the Sexual Offences Act 2003 and /or the Modern Slavery Act 2015, which disproportionately focuses on labour exploitation, to fully criminalise the exploitation of prostitution to be in compliance with Article 6 of CEDAW. As with any goods market, reducing the size of the market - i.e. market demand - will reduce the supply of 'goods', i.e. women and girls, especially those who are most vulnerable. The opportunity to profit from sex buyers is the reason human traffickers and pimps sell women and girls in prostitution - the role of the sex buyer in the profit chain should not be underestimated and these men must be held accountable for the sexual assaults they are paying money to commit.

Lack of available protection and support services

As with many victims of sexual violence, women and girls being exploited in prostitution are also likely to experience PTSD, stigma and associated self-blame⁵ - i.e. they are not always

² The range presented here was calculated by averaging the minimum time spent in sexual exploitation (1 day to 3 years) as well as the maximum (6 months to 7 years), as allowed by the data set.

³ <https://www.ucl.ac.uk/news/2014/nov/one-ten-british-men-say-they-have-paid-sex>

⁴ Violence Against Women and Girls Crime Report 2016-2017, The Crown Prosecution Service. Prostitution key findings data accessed at: <https://www.cps.gov.uk/violence-against-women-and-girls-data>

⁵ See: 'Assault-related self-blame and its association with PTSD in sexually assaulted women' in Social Cognitive and Affective Neuroscience, 2018, 1-10; 'Risks of Prostitution: When the Person Is the Product' in Journal for the Association of Consumer Research, Vol 3 No 11, January 2018

going to recognise themselves as a victim or know that they are entitled to support. This is not helped by the fact that they aren't entitled to support unless they have been identified as a potential victim of trafficking by the National Referral Mechanism (NRM), a system that has been repeatedly criticized for its failure to appropriately identify victims⁶. At a national level, support within and to exit prostitution is therefore contingent upon identification as a victim of trafficking. Yet the UK's self-imposed austerity and dismantling of social welfare benefits, as highlighted by Philip Alston, Special Rapporteur on extreme poverty and human rights during his 2018 visit, has appeared to have contributed to more and more women, including those being transferred onto Universal Credit, being forced to sell or exchange sex in order to survive.⁷ Policies should be revised to support all people in prostitution to access health, housing, education and immigration support as well as support to exit prostitution regardless of a potential NRM trafficking status, in compliance with Articles 2 (elimination of discrimination) and 12 (right to health). Funding should be earmarked by the Government in recognition of the prevalence of abuse and discrimination of all the impoverished and disadvantaged women exploited in the sex trade, whether or not they have been designated as trafficked.

Suggested Questions for the United Kingdom

We respectfully urge the Committee to raise the following questions with the United Kingdom government regarding the violations of the Convention addressed in this letter:

- What is the UK government doing to prevent women and girls being exploited in prostitution, including those forced into prostitution by their circumstances?
- What actions is the UK government undertaking to track the scale of and demand for sexual exploitation in order to better prevent its perpetration?
- What steps is the UK government undertaking to ensure implementation of Section 53a of the Sexual Offences Act so that those who abuse and exploit trafficked women are properly held to account?
- What steps is the UK government undertaking to ensure all sexually exploited women and girls are protected by the law, including through the criminalisation of all sex buyers, for example by strengthening of the Sexual Offences Act 2003 and / or Modern Slavery Act 2015?
- What steps is the UK government taking to integrate provisions relating to sexual exploitation within the Sexual Offences Act 2003 into its Modern Slavery

⁶ File on 4 investigates: Are victims of modern slavery and trafficking being let down?

<https://www.bbc.co.uk/sounds/play/m000256v>

⁷ Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights (London, 16 November 2018):

https://www.ohchr.org/Documents/Issues/Poverty/EOM_GB_16Nov2018.pdf and

<https://www.independent.co.uk/news/uk/home-news/universal-credit-women-sex-work-prostitution-frank-fi-eld-esther-mcvey-a8584896.html>

Strategy or approach to tackling modern slavery so that the exploitation of the prostitution of women is properly addressed and resourced?

- What measures is the UK government undertaking to raise public awareness to prevent sexual exploitation, including by making the public and would-be sex buyers aware of their role in fueling organised crime and causing direct harm to victims of sexual exploitation?

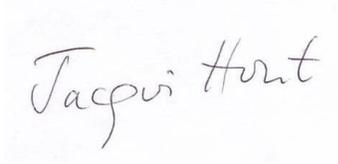
Suggested Recommendations

We also respectfully urge the Committee to make the following proposed recommendations to the United Kingdom government regarding the violations of the Convention addressed in this letter:

- The UK government must recognise trafficking for sexual exploitation as a form of gender-based violence which primarily and distinctly affects women and girls. It must address the factors that push and pull women and girls into situations of exploitation and in doing so examine if women and girls are disproportionately discriminated against in social welfare and other policies.
- Men who pay for sex with victims of trafficking must be penalised and Section 53a of the Sexual Offences Act implemented. Penalisation under the Sexual Offences Act and/or Modern Slavery Act should be expanded to cover all payments for sex, whether from an identified victim of trafficking or not, and all people selling sex should be fully decriminalised and provided with support if desired.
- The UK government must have a comprehensive and properly funded policy in place to address all violence and discrimination against women and girls, including raising public awareness of the harms of sexual exploitation and the role of would-be sex buyers in fueling organised crime and causing psychological and physical harm to trafficking and sexually exploited victims. Funding must be ring-fenced for the provision of services through appropriate support providers.

Thank you for your kind attention, and please do not hesitate to contact us if we can provide further information.

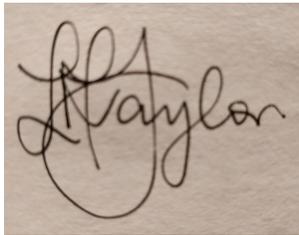
Sincerely,

A handwritten signature in black ink on a light-colored background. The signature reads "Jacqui Hunt" in a cursive, flowing script.

Jacqui Hunt
Europe Director
Equality Now

A handwritten signature in black ink on a light-colored background. The signature reads "Karen Ingala Smith" in a cursive, flowing script.

Karen Ingala Smith
Chief Executive
nia

A handwritten signature in black ink on a light-colored background. The signature reads "Lisa-Marie Taylor" in a cursive, flowing script.

Lisa-Marie Taylor
CEO FiLiA

A handwritten signature in black ink on a light-colored background. The signature reads "Lynda Dearlove" in a cursive, flowing script.

Lynda Dearlove
CEO
women@thewell

