

Written evidence submitted by Dr Larissa Sandy, University of Nottingham

Please find below my submission of written evidence on the Crime and Policing Bill for the Public Bill Committee to consider.

I am making this submission as an Associate Professor of Criminology at the University of Nottingham with almost 25 years of experience researching sex work and human trafficking in Australia, Asia-Pacific and the UK. As a British Academy Innovation Fellow (2023/24), I worked in partnership with POW Nottingham (a local charity providing services for sex workers) to develop a sex worker centred and trauma informed system for reporting serious violent crimes and sexual assaults that is currently being piloted in Nottingham. I have a PhD in Gender, Sexuality and Culture from the Australian National University, and was a Vice Chancellor's Postdoctoral Research Fellow in Criminology at Flinders University (Adelaide, Kaurana Country, Australia) where I researched Cambodia's human trafficking laws and the impacts on sex work and sex workers. While a Senior Lecturer in Criminology and Justice Studies at RMIT University (Melbourne, Wurundjeri and Boon Wurrung Country, Australia), I completed a large-scale project on sex work exiting programs, which included working with a team of peer researchers as well as documenting good practice in this area of service provision. I also gave expert advice to the Victorian Government on the *Sex Work Decriminalisation Bill* (2020). My written submission on the Crime and Policing Bill is based on, and reflects, my areas of expertise.

Summary

Three amendments were tabled to the Crime and Policing Bill by Tonia Antoniazzi MP.

NC1: commercial sexual exploitation by a third party – **recommend opposing this amendment**

NC2: commercial sexual exploitation (client criminalisation) – **recommend opposing this amendment**

NC3: victims of commercial sexual exploitation – **recommend supporting this amendment**

Discussion

The proposed amendments would expand and strengthen existing laws that criminalise sex work by introducing what is called the 'Nordic model' of sex work regulation. NC1 and NC2 would lead to the direct and indirect criminalisation of sex work and sex workers across all sectors and would undermine safety. Sex work decriminalisation is a globally recognised best practice approach to sex industry regulation. This is essential legislative reform that will improve sex workers access to health, safety and justice.

The global evidence base recommends the decriminalisation of sex work to achieve better public health and human rights outcomes and address exploitation (McCann et al., 2021). In 2006, UNAIDS and the UN High Commissioner of Human Rights recommended decriminalisation to protect sex workers' human rights and health (OHCHR & UNAIDS, 2006). In addition, UNDP Asia-Pacific (Godwin, 2012), the Global Commission on HIV and the Law (2012) and UN Special Rapporteur on Health and Human Rights (UN, 2010) have all recommended the decriminalisation of sex work. In 2016, Amnesty International recommended decriminalisation of all aspects of consensual adult sex work as they said this was 'grounded in the principles of harm reduction, gender equality, recognition of the personal agency of sex workers, and general international human rights principles' (2016, p. 2). It is also supported by key organisations like the Network of Sex Work Projects (NSWP), National

Ugly Mugs (NUM), Scarlet Alliance (Australia), Asia Pacific Network of Sex Workers (APNSW), New Zealand Prostitutes Collective (NZPC), English Collective of Prostitutes (EPC), Global Alliance Against Trafficking in Women (GAATW) and so on. Further, Das and Horton document where sex work is decriminalised, 'the focus of policing is on reducing violence, protecting sex workers, and supporting effective [public health] programming' (2015, p. 3). This focus on improving safety and harm reduction also aligns with the National Police Chiefs' Council's sex work policing guidelines (NPCC, 2025).

Research from the Nordic region (Jahnsen & Wagenaar, 2018; Vuolajäri, 2022) shows that the introduction of new offences like that proposed in NC1 and NC2 led to increased violence from the police, immigration authorities and clients as well as stigma and discrimination. This was particularly so for more economically marginalised workers or those who were multiply marginalised – those who face social exclusion and marginalisation are most vulnerable to harm under the proposed new offences.

NC3 proposes that soliciting and loitering offences be fully removed. The offence of loitering or soliciting exacerbates harm and stigmatises street sex workers. However, the repeal of this offence must be as a standalone measure and not as part of the proposed amendments. This is because the potential benefits, in terms of stigma reduction and enhancing worker safety, are removed when this is enacted with the direct and indirect criminalisation of sex work under NC1 and NC2. These laws often target street sex workers, and this forces many to work in unsafe situations and subjects them to client and police violence and abuse. The offences also impact on their ability to access health care and other services and justice. Solicitation laws perpetuate stigma and discrimination and result in the violation of sex workers human rights. It can lead to workers having criminal records, which places restrictions on opportunities (e.g., housing, education, employment) and has an impact on accessing justice (Heydon & Naylor, 2018). Evidence shows that decriminalisation of street-based sex work in New Zealand did not lead to an increase in the number of on-street workers (Abel, Fitzgerald & Brunton, 2009). Further, a 2007 study with street sex workers showed positive changes in relationships between sex workers and police after decriminalisation (Abel, Fitzgerald & Brunton, 2007). I strongly support the removal of this offence.

The Public Bill Committee needs to consider the structural violence stemming from marginalisation and sex work policies that are not designed with in consultation with sex workers and may not centre their health and safety. Structural violence can create conditions that disadvantage and oppress sex workers. It is a form of violence that occurs when social structures and institutions harm people by preventing them from meeting their needs and it can result in physical, psychological and socioeconomic harms and health disparities that increase risks. Sex work criminalisation, as proposed in these amendments is a form of structural violence, and a person's motivations for engaging in sex work are varied and complex and extend beyond narrow framings of men's demand for sexual services or violence against women and girls. Some of the harms workers face are connected to policies that negatively impact on their working conditions (e.g., how and where they can work and provide sexual services). The current sex work laws do not foster the creation of safer working environments (e.g., loitering and soliciting laws targeting street sex workers and brothel-keeping laws prohibiting workers from working together). Sex workers are forced to work alone and can become targets for violence because of the current legislation (Belur, Cockbain & Bal, 2024; Bowen et al., 2021; Grenfell et al., 2022). Criminalisation of any kind creates conditions of impunity that increases sex workers' vulnerability to violence and exploitation, and undermines trust in services and support systems, which includes health and social care.

Sex work decriminalisation allows workers who experience violence to seek help from law enforcement and health and social services and supports harm-reduction techniques and peer-based networks that can help keep sex workers safe (Albright & D'Adamo, 2017; Maciotti, Power & Bourne, 2023).

References

- Abel, G., Fitzgerald, L., & Brunton, C. (2009) The impact of decriminalisation on the number of sex workers in New Zealand. *Journal of Social Policy*, 38(3), 515-531.
- Abel, G., Fitzgerald, L., & Brunton, C. (2007) *The impact of the Prostitution Reform Act on the health and safety practices of sex workers*. Department of Public Health and General Practice & University of Otago.
- Alright, E., & D'Adamo, K. (2017) Second thoughts: Decreasing human trafficking through sex work decriminalisation. *AMA Journal of Ethics*, 19(1), 122-126
- Amnesty International (2016) *Policy on state obligations to respect, protect and fulfil the human rights of sex workers* (POL30/4062/2016). Amnesty International.
- Belur, J., Cockbain, E., & Bal, M. (2024) *Policing in relation to sex work and trafficking for sexual exploitation in London: Exploring police and other stakeholders perceptions*. Department of Security & Crime Science, UCL. Online: <https://discovery.ucl.ac.uk/id/eprint/10200424>.
- Bowen, R., Hodsdon, R., Swindells, K., & Blake, C. (2021) Why report? Sex workers who use NUM opt out of sharing victimisation with police. *Sexuality Research and Social Policy*, <https://doi.org/10.1007/s13178-021-00627-1>.
- Das, P., & Horton, R. (2015) Bringing sex workers to the centre of the HIV response. *The Lancet*, 385, 3-4.
- Global Commission on HIV and the Law. (2012) *Risks, rights & health*. New York: UNDP, HIV/AIDS Group.
- Godwin, J. (2012) *Sex work and the law in Asia and the Pacific: HIV and human rights in the context of sex work*. Bangkok: UNDP Asia-Pacific.
- Grenfell, P., Stuart, R., Eastham, J., Gallagher, A., Elmes, J., Platt, L., & O'Neill, M. (2022) Policing and public health interventions into sex workers' lives: Necropolitical assemblages and alternative visions of social justice. *Critical Public Health*, 33(3), 282–296. <https://doi.org/10.1080/09581596.2022.2096428>.
- Heydon, G., & Naylor, B. (2018) Criminal record checking and employment: The importance of policy and proximity. *Australian and New Zealand Journal of Criminology*, 51(3), 372-394.
- Jahnsen, S., & Wagenaar, H. (Eds) (2018) *Assessing prostitution policies in Europe*. Routledge.
- Maciotti, P.G., Power, J., & Bourne, A. (2023) The health and well-being of sex workers in decriminalised contexts: A scoping review. *Sexuality Research & Social Policy*, 20, 1013-1031, <https://doi.org/10.1007/s13178-022-00779-8>.
- McCann, J., Crawford, G., & Hallett, J. (2021). Sex worker health outcomes in high-income countries of varied regulatory environments: A systematic review. *International Journal of Environmental Research and Public Health*, 18(8), 3956. <https://doi.org/10.3390/ijerph18083956>.
- National Police Chiefs' Council (NPCC) (2025) *Sex work national police guidance*. <https://library.college.police.uk/docs/NPCC/Sex-work-national-police-guidance-2025.pdf>.
- Office of the United Nations High Commissioner on Human Rights and the Joint United Nations Programme on HIV/AIDS (OHCHR & UNAIDS) (2006) *International guidelines on HIV/AIDS and human rights*. OHCHR & UNAIDS.
- United Nations General Assembly (UN) (2010) *Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health* (A/HRC/14/20). UNGA.
- Vuolajärvi, N. (2022) *Criminalising the sex buyer: Experiences from the Nordic region*. Centre for Women, Peace and Security Policy Brief, LSE. <https://www.lse.ac.uk/women-peace-security/assets/documents/2022/W922-0152-WPS-Policy-Paper-6-singles.pdf>.