ESRC Project RES 000 221001

Regulating the Spaces of Sex Work:
assessing the impact of prostitution law

FINAL REPORT

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1. BACKGROUND

Over the last decade there has been growing debate in the UK on the best way to regulate sex work. Pivotal in such debates have been two major consultation exercises (Home Office, 2004; Scottish Executive, 2005) that have considered the reform of prostitution laws that have remained largely unchanged since the 1950s. As such, increasing attention has been devoted to the methods of prostitution control adopted elsewhere, particularly in Northern Europe and Scandinavia. Two ‘models’ of regulation are to the fore in current debates: the ‘Swedish model’, which has criminalised prostitution through a ban on the buying of sexual services; and the ‘Dutch model’, which allows for the licensing of prostitution businesses (Outshoorn, 2004). In the media, these are often juxtaposed, the former described as prohibition, the latter as legalisation.

The continuing debate about how to best regulate sex work, coupled with the lack of reputable comparative research exploring the impacts of regulation in Sweden and the Netherlands, prompted this research. Significantly, during the completion of the research, five street sex workers were murdered in Ipswich. These shocking murders raised serious questions about the efficacy of UK prostitution policy, with the media devoting considerable attention to questions of where sex can - or should – be sold. Notably, contrasts between the ‘dark and dangerous’ streets of the red-light district where the women worked and the idyllic rural where their bodies were found have been used to emphasise the undesirability and antisociality of street sex work. The idea that off-street work is inherently safer and more civilised than street work has hence been to the fore in recent debates, with the unsafe and antisocial nature of street sex work frequently in media and public discourse. Yet many sex worker advocates defer, suggesting the forms of regulation focusing on the repression of street work are unlikely to make prostitution safer or less exploitative (Goodyear and Cusick, 2007). Indeed, major concerns remain that any crackdown on street prostitution in the UK might simply result in a spatial shifting of sex work, with more and more prostitution occurring in off-street spaces that are beyond the gaze of the state and law, where exploitation by managers, pimps, and clients may be rife. The assumption that off-street prostitution is safer than street sex work remains open to debate, and, in a context where sex workers remain stigmatised and outside the formal economy, some argue that turning a blind eye to off-street prostitution cannot be regarded as a sufficient response to the exploitation and violence that may be associated with it (Sanders and Campbell, 2007). Such concerns would appear to be borne out by the murders last summer of two women who were bludgeoned to death when working in a massage parlour in Shrewsbury, and by Operation Pentameter, which uncovered significant
numbers of smuggled women working in off street premises, often in poor working conditions and for little money.

Despite much public and policy debate revolving around issues of where sex is sold, there is very little research that examines how the enforcement of prostitution law shapes the geography of sex work. The continuing debate about how to best regulate sex work, coupled with the prevalence of oversimplistic descriptions of national models of regulation, accordingly prompted a project designed to produce an accurate and nuanced comparative assessment of the impacts of prostitution law. Envisaged as a pilot project to be followed by more in-depth ethnographic work, this project therefore aimed to develop a geographically-grounded and nuanced comparison of Dutch, Swedish, Scottish and English/Welsh prostitution law as it impacts on sex work in four cities.

In academic terms, this project was inspired by our engagement with emerging debates in legal geography, wherein leading commentators are beginning to clarify the role of the law in reproducing social and moral norms through the ordering of space (Blomley, 2005; Cooper, 1998; Philippopoulos-Mihapoulos, 2007). It also drew sustenance from the literature on sexual citizenship, which has variously noted the importance of the law in granting legitimacy to particular sexual practices, identities and discourses (Bell and Binnie, 2004; Richardson, 2000). This body of work has significant links to the wider literature on sexuality and space (e.g. Binnie and Valentine, 1999; Browne et al, 2007). By demonstrating that distinctions between legal/illegal forms of sex work are made contextually, this project makes a contribution to these literatures and underlines that the law, sex and the city are not just related: they are mutually constitutive (Moran, 2001).

2. OBJECTIVES

Working from the assumption that geographies of sex work are produced through the selective enforcement of (national) legislation, this project set out to show that blanket characterisations of regulation tend to obscure variations in the enactment of the law; to put it simply, we began with the assumption that prostitution law does not descend unchallenged from above, but is enacted contextually and selectively, meeting spaces and moments of resistance. Consequently, this project was not intended to offer a complete impact assessment of prostitution law, but set itself a more modest aim: to map the spaces of sex work in four jurisdictions and to relate this to the practices of regulation enacted by the state and law. As such, it represents extensive research in which questions of identity and subjectivity were bypassed in order to gain a fuller, nuanced understanding
of how the local geographies of sex work are produced through the selective enforcement of national law.

Meeting the following objectives fulfilled the overall aim of the project:

- Documenting the prostitution laws that exist in different nations, identifying how these differentiate between the legal and illegal (i.e. delineating policy).
- Mapping the spaces of sex work in specific cities within these national jurisdictions (i.e. describing pattern).
- Identifying the connections between these local geographies of sex work and national prostitution laws by exploring the enforcement of the law (i.e. identifying process).

All of the above objectives have been addressed and met in full

3. METHODS

Our objectives were successfully achieved through a threefold method that combined a discourse analysis of the policy framework in which regulation occurs; a quantitative audit of the locations of sex work; and a qualitative assessment of the connections between these. This three-stage research process bought questions of legal discretion to the fore, and showed that the law is not universally applied, with regulators turning a ‘blind eye’ to some forms of sex work whilst being unaware of others.

3.1 Discourse analysis

Following traditions in critical legal studies, this involved analysis of policy documents, parliamentary debates and case law relating to the introduction of key prostitution legislation in the last decade, namely: The Scottish Prostitution (Public Places) Act (2007) and the failed Tolerance Zones (Scotland) Bill (2004); the Criminal Justice and Police Act (2001) and the Sexual Offences Act (2003) (England and Wales); the Kvinnofrid Act (1999) which included clauses banning the purchase of sexual services in Sweden and the amendment of section 250 of the Dutch Penal Code in 1999 which repealed the 1911 brothel law. Although the majority of reports and articles studied were English language, some translation of key Dutch and Swedish documents was completed where this was deemed vital. The bibliographies attached to the four case study reports cite 255 documents and papers relating to prostitution policy (WP2, WP3, WP4, WP5).
The analysis of key policy documents and papers relating to prostitution law was proceeded by a more general literature review which attempted to place the research issues in a richer empirical and theoretical context: this was completed by the PI and Co-Is in July-August 2005 (see WP1).

3.2 Mapping

Within the case study nations, four case study cities were selected for detailed study. These were:

- Amsterdam centrum (central borough) (pop: 80,535)
- Edinburgh (pop: 448,430)
- Stockholm (innestan) (pop: 282,800)
- Westminster (London Borough) (pop: 220,000)

These case study localities were selected on the basis that (i) they are major European cities acting as foci for trade, migration and business; (ii) each falls under a single municipal jurisdiction; and (iii) each has a diverse range of sex work. Each also possesses an established social service or outreach project offering support to sex workers. Significantly, none of the locales has any co-ordinated strategy for prostitution, with the multi-agency task force in Edinburgh having stalled and Amsterdam’s city policy still being authored. The London Assembly has convened a task force on prostitution and community safety, but its recommendations thus far have been general rather than specific to Westminster.

The audit of spaces of sex work in each of the study areas was based on a combination of observational fieldwork; use of Internet sources (e.g. Punternet and massage parlour guides); contact magazines and guides (e.g. McCoys; Erotic Amsterdam guide) and information from key informants. The aim was not to estimate the number of sex workers (occupational mobility making this especially difficult); rather, we mapped out the location of known sites of sex working, distinguishing between (i) brothels/parlours; (ii) unlicensed flats and walk-ups; (iii) sex clubs where prostitution occurs (iv) spaces of street prostitution; (v) adult entertainment venues (e.g. lap dance clubs); (vi) sex cinemas and sex shops. While not all of these are spaces where prostitution occurs, they all offer sexual services and may be considered part of the sex industry. Inclusion of all these sites allows for a
fuller typology of sex work to emerge, and provides a basis for a more accurate comparative study.

3.3 Qualitative interviewing

This stage involved conducting semi-structured interviews with regulators – police, social services, licensing authorities, and councillors – which were taped and transcribed. Snowballing identified key informants in each locale. In total, eleven interviews were conducted in Stockholm; 11 in Amsterdam; 14 in London and 17 in Edinburgh. Not all those from whom an interview was requested acceded, and in two instances interviews were conducted but permission was not granted for it to be taped. All interviews were conducted in English, and in only one instance (in Amsterdam) did lack of language skills prevent an interview from occurring. The focus of each interview was the way that regulators interpreted, invoked and deployed the law in relation to specific sites of sex working. The interviews lasted from 30 minutes to two and a half hours. All interviews were granted confidentiality and signed consent forms to that effect. Given the sensitive nature of the research, and the fact the transcripts name individual venues and workers, it was agreed in advance that the tapes would be destroyed on completion of the project, with transcripts remaining the property of the PI.

4. RESULTS

Theoretically, our work began with the assumption that spaces of sex work are legally produced; and conversely, that prostitution law is situationally interpreted. The implication here is that the law’s spatial inscriptions are thus more than admonitory, effectively shaping ‘legal consciousness’: legal definitions of spaces such as the street, the brothel, a private club, the Internet or a licensed premise thus intersect with definitions of the prostitute, the client, the pimp and the trafficker to create a veritable legal geography that is evident on a variety of spatial scales simultaneously, i.e. the nation, the city, the locale:

4.1 National geographies

Analysis of key policy documents suggests that recent reform of prostitution laws in Sweden, Netherlands, Scotland and England/Wales is strongly connected to ideas that sex workers do not freely choose to become prostitutes: the ‘trafficking’ panic is significant here, with trafficking and prostitution often conflated in policy debates (P1). Furthermore, whilst laws on sex work are overwhelmingly gender-neutral, the policy debates surrounding them refer almost exclusively to female workers and male...
clients, pimps and managers (WP2, WP3, WP4, WP5): this ignores the idea that male sex workers can be abused, and fails to allow for the possibility of female clients, managers or pimps.

KEY FINDING: Prostitution laws in the Netherlands, Sweden, England/Wales and Scotland are underpinned by shared assumptions about the gendered nature of sex work, and dismiss ideas that sex work might be voluntary.

Despite the considerable attention given to the ideological schism between the Swedish and Dutch ‘models’, analysis of policy documents demonstrates a shared concern with gendered exploitation, with policies intended to discourage participation in prostitution (WP3, WP5, P6). In the UK, concerns with exploitation and trafficking are conjoined with the identification of sex work as a form of anti-social behaviour (WP2, WP4), with both sex workers and their clients described as the source of nuisances such as noise, litter, discarded condoms, and the performance of public sex acts which cause distress (Pitcher et al, 2006). The promotion of Anti-Social Behaviour Orders (ASBOs) for sex workers is indicative that prostitution is now regularly identified as a form of behaviour ‘likely to cause harassment, alarm or distress’ (Home Office, 2006). Likewise, the Home Office’s tacit support for community Street Watch campaigns designed to exclude prostitutes from particular communities makes an explicit connection between prostitution, persistent nuisance and criminality (WP2). During the course of our research, the Home Office (2006) dismissed the idea of partial or full decriminalisation, made a clear statement about the undesirability of street sex work and, taking inspiration from the Dutch model, mooted the idea of legal ‘mini-brothels’. In Scotland, the Swedish laws that prohibit the purchase of sexual services have arguably proved more influential, with the 2007 Prostitution (Public Places) Act introducing new laws to prohibit kerb-crawling.

The idea of the female prostitute as both victim and criminal hence justifies laws that make the task of selling sex in some spaces more difficult: the focus on repressing street working is most explicit in Scotland and England/Wales (WP2, WP4), but the licensing of off-street work in the Netherlands has also been justified as a means of preventing street working (WP3). Even in Sweden, where the law makes no distinction in terms of where sex is sold, there is a strong implication in policy documents that visible street sex work sends out a message that prostitution is acceptable, and hence needs to be eradicated to send out a strong symbolic message (WP5, P1). It should be stressed it is not an offence for any individual to sell sex in private in any of these nations, though premises with more than one worker remain subject to brothel-keeping regulations (WP2-5).
A further significant dimension of prostitution law in our four case studies is the lack of any statutory definition of prostitution that differentiates it from other forms of sex work (such as stripping or exotic dancing). Debates about the buying of sexual services in Sweden illustrate this, as while it is understood that this refers to penetrative sex or masturbation, there is nothing in the penal code or legal documents to indicate this (WP5). Indeed, the distinction between ‘adult entertainment’ and prostitution is highly problematic given both involve forms of ‘bodywork’ designed to provide sexual gratification (P2). Moreover, the assumption that prostitution is exploitative and damaging, while adult entertainment is not, is based on limited empirical evidence. Adult entertainment is hence controlled through civil rather than criminal legislation, and, with the exception of Scotland (P5), has not been subject to any national legal review.

4.2 Urban geographies

Overall rates of sex work appear to be markedly higher in Westminster, Amsterdam, and Edinburgh than Stockholm, but this cannot be directly attributed to the law banning the purchase of sexual services (WP5). Indeed, prostitution law appears to have had little effect on the supply and demand for sex work in the last decade in any of our case study locations, but has been significant in shaping its geography (P1).

The distribution of sex work across different types of space is indicated in Table One, which gives a breakdown of the types of space/premise found in each locale. On its own, this suggests there are important differences in terms of how sex is bought and sold in each locale: our mapping reveals where this occurs (see WP2, WP3, WP4, WP5 for detailed maps).

<table>
<thead>
<tr>
<th></th>
<th>Street beats</th>
<th>Licensed brothels/saunas</th>
<th>Licensed sex clubs</th>
<th>Licensed adult entertain -ment venues</th>
<th>Licensed adult entertain -ment venues</th>
<th>Legal flats/walk-ups</th>
<th>Licensed sex shops/cinemas</th>
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<td>0</td>
<td>7^3</td>
<td>7^3</td>
<td>21</td>
<td>4</td>
</tr>
<tr>
<td>Stockholm</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>2</td>
<td>2</td>
<td>No data</td>
<td>2</td>
</tr>
<tr>
<td>Westminster</td>
<td>3</td>
<td>4^b</td>
<td>2</td>
<td>10</td>
<td>10</td>
<td>114</td>
<td>16</td>
</tr>
</tbody>
</table>

**Table One: Legal spaces of sex work in four case study cities**

(1 licensed as saunas only; 2 licensed for special treatments; 3 licensed as places of public entertainment or by virtue of liquor licenses)
The shift from street to off-street working implied in many reports is borne out in our mappings, with less than 30% of sex estimated to be bought and sold on the street in Stockholm, 25% in Edinburgh, 20% Amsterdam and 10% in Westminster. The number of licensed adult entertainment venues is small but rising; in Westminster many are corporate and upscale (P2, P3), while in Edinburgh and Amsterdam such clubs appear to be more tied into the stag economy (P5). Sex clubs remain significant sites of prostitution in Stockholm, but are not licensed for prostitution (WP5).

KEY FINDING: Emerging urban geographies of sex work are similar in all four cities, with street work becoming less visible; more spaces of licensed adult entertainment emerging at the centre and large numbers of flats and massage parlours in either the licensed or unregulated sector: licensed spaces of sex work tend to be more public, visible and clustered than unregulated sites, which are more widely dispersed.

The police seem largely unconcerned about escort workers or individual workers selling from their home. As such, this sector is legal (except in Sweden) but largely unregulated. In contrast, brothel and massage work is regulated through sex business licenses in Amsterdam, where around half the licensed premises are ‘windows’ (WP3). In Edinburgh, prostitution is acknowledged to occur in saunas, but they are not licensed for that purpose (WP4); in Westminster and Stockholm, sex is sold in a number of licensed saunas, but not all massage parlours or saunas are spaces of prostitution (WP1, WP5). In Westminster, the police acknowledge that sex is sold in some licensed massage parlours and subject them to some surveillance; in Stockholm, the police do not survey massage parlours, with only a small proportion offering sex for sale (WP2, WP5). However, brothels also exist outside the regulated sector in each of these cases, and experience from Amsterdam shows that increasing levels of surveillance in the legal sector may encourage prostitution in the unregulated sector (WP3).

The fact that strip clubs and organised brothels may be licensed - but independent workers are not – at the same time that street beats are subject to punitive policing is therefore worthy of note, suggesting that the state and law make distinctions between acceptable and unacceptable spaces of sex work. It is thus meaningful to talk of different degrees of tolerance being expressed towards different forms of sex work, with assumptions made that exploitation and disorder is less likely in certain spaces (P3). This said, regulators accept there is much sex sold in sites that they are only dimly aware of: however, it is impossible to estimate the number of unlicensed or illegal brothels given these are often not advertised.
KEY FINDING: National law is interpreted situationally and contextually, whether in response to local concerns about antisociality or more general concerns about trafficking and child prostitution. Male sex work appears to be of little concern to the police in all cases. The lack of attention devoted to male sex work is extraordinary given it is a widely-noted phenomenon, with studies of male sex work revealing that issues of drug-dependency, exploitation and destitution are not uncommon.

All of this suggests that sex work takes a variety of forms, with policymakers enacting forms of control intended not to eradicate sex work, but transform where – and how- sex is sold within given jurisdictions (P4).

4.3 Local geographies

Our research suggests this geography is, in part, a consequence of selective enforcement: lack of resource means regulators are not able to survey or manage all sites of sex work, and hence focus their efforts on particular sites. For example, because of a lack of public complaint, regulators expend little energy surveying spaces where men sell sex to men (including public sex environments) and tend to assume that there is little exploitation in this sector. On the other hand, street work involving women has become identified as increasingly unacceptable by regulators because it renders women vulnerable to violence and exposes local communities to forms of antisociality. The police’s enthusiasm to enforce kerb-crawling and soliciting legislation has reduced the number of spaces of street working in all our case study locations, encouraging a general shift from street to off-street work. In Amsterdam, the closure of the tippelzone was associated with regulators’ concerns that the area was becoming overrun and could not be adequately managed (WP3); in Stockholm, very public CCTV surveillance of street spaces was deemed important in sending out a message that buying sex was unacceptable (WP5); in Westminster, repeated police campaigns have reduced street prostitution to just one significant beat, and ASBOs has been served on prostitutes soliciting in a persistent manner (WP2); in Edinburgh, campaigns of community action have been backed up with police crackdowns (WP4).

KEY FINDING: Street sex work has been increasingly shaped by forms of regulation that have discouraged it in residential areas, and sought to shift it elsewhere (often off-street). This has made the work of established outreach projects and social work initiatives more problematic.
Regulators overwhelmingly regard **off-street work as less problematic than female street work**, and often ‘turn a blind eye’ to many sites of independent working. In Westminster, the majority of sites are unlicensed but not illegal unless they have more than one woman working; the police do not count ‘maiding’ as they regard this as integral to women’s security. Concerns about underage, illegal immigrant or coerced forms of work have prompted enhanced campaigns of surveillance (such as in Operation Kon-Tiki) (WP2). In Edinburgh, saunas have been licensed and regulators accept prostitution occurs within them: they allow this to continue as these venues are discrete and have attracted little local complaint (WP4). Amsterdam’s licensing is for a sex establishment; licenses are only granted if the character of the licensee is not in doubt, and consideration is given to the locale in which the establishment is located: premises are not permitted outside certain areas. Amsterdam does not as yet license individual escort workers, but does license agencies (WP3).

**KEY FINDING:** Police, councillors and licensing officers regard some indoor spaces as less likely to harbour disorder or exploitation, but these judgments are seldom based on firm evidence: moral, social and cultural assumptions about the types of workers and clients who frequent particular venues appear to shape enforcement activities at a local level.

Although it involves the purchase of services designed to sexually gratify, stripping, lap dance and other forms of ‘adult entertainment’ are not controlled by prostitution law but through general forms of licensing law regulating the premise. Given adult entertainment is a growing sector, this has raised a number of issues in some jurisdictions where a ‘lack of control’ over client and worker conduct is seen as problematic (especially in Edinburgh) (P5). In some instances, regulators have concerns that such venues attract noisy and antisocial clientele: both Amsterdam and Westminster have explicit planning and licensing policies encouraging the clustering of sex-related businesses, intended to minimise the impacts on residential and business communities (P3, WP2, WP3); in Edinburgh the licensing authority is introducing a code of conduct which will allow them to effectively disperse massage parlours and strip clubs (P3, P5). Such venues appear to create anxiety in some residential locales (P3, P5), although corporate venues appear more acceptable to business community (P1). In all cases, local authorities, police and social services enact a variable **geography of regulation** in which some sites are subject to intense surveillance and others ignored. This is the case even in Stockholm, where the law makes no distinction as to where sex is purchased (WP5). Blanket descriptions such as legalisation, decriminalisation or abolitionism hence seem insufficient to capture the complexity of national modes of regulation, as legalisation or decriminalisation is always geographically partial. Eliciting
these ‘legal geographies’ has consequently brought the contradictions of prostitution law into sharper focus.

5. CONCLUSIONS

Comparing responses to the prostitution ‘problem’ in four jurisdictions demonstrates that even when states adopt divergent policy positions, they may share significant common ground. Hence, while it might be assumed the Dutch model of legalization, the UK abolitionist system and the Swedish prohibitionist approach would have very different consequences, the weight of evidence points to similarities in how new legislation is being used as a tool for eradicating particular spaces of prostitution. Specifically, street prostitution is being increasingly repressed by the national and local state on the grounds it is seeking to protect both prostitutes and communities. Through a contrary set of moves, street prostitutes hence ‘disappear’ beyond the bounds of respectable visibility (and often the protection of the state and law) into unregulated spaces: in instances where prostitution has been bought within the ambit of state licensing systems (e.g. Netherlands), women can work legitimately in licensed spaces, but may not enjoy rights as workers: typically women pay to work in licensed spaces. It should be stressed that it is normally the space that is licensed, not the worker, with the police and licensing authorities unable to record who is working in such spaces.

In sum, it appears that prostitution laws are being deployed to repress those forms of sex work that cannot be easily incorporated within legitimate, regulated economic spaces. In this regard, while recent revisions of prostitution laws in our case studies may have gone some way to assuage national concerns about the apparent rise in non-legitimate forms of migration, trafficking and coercion, as well as local anxieties about antisociality, it is questionable how effective they are in tackling the gendered injustices adhering to many forms sex work. Consequently, we end with a call for further studies of prostitution that move beyond the preoccupation with different policy positions to explore the locally-contingent enactment of prostitution laws and their affects for those who work in the sex industries.

6. ACTIVITIES

6.1 Conference presentations


Hubbard, P. (2006) ‘Re-regulating the spaces of sex work: changing geographies of prostitution in the West’ to Department of Geography research seminar, Exeter University.


Hubbard, P. (2007) ‘Regulating the spaces of sex in anxious times’ to Department of Geography research seminar, Durham University.


6.2 Networks

As a result of participation in this project, we have been able to enhance and develop our connection with international researchers who are studying the regulation of sex in different countries. The research has benefited from the contacts we have made with Don Kulick, Charlotte Holgerson, Sven Axel Mansson and Yvonne Svanstrom (Sweden); Julia Outshoorn, Marika van Doorninck, Maartn Aalbers and Petra Timmermans (Netherlands); Sharon Cowan, Neil McKeganey and Ross Davidson (Scotland) and Sharron Fitzgerald, Tracey Sager, Tiggey May, Maggie O’Neill, Jane Pitcher and Helen Self (England/Wales).

Our research has also involved considerable liaison with sex worker unions and key academic contacts in the four cities, and our choice of case studies was informed by their input. Relevant organisations include The Red Thread, UK Network of Sex Work Projects, International Union of Sex Workers, CLASH, SOA, Scot-Pep and the Praed Street Project.
In order to promote the research, the research team will join with representatives from sex worker unions and the police to discuss this work as part of the *Sex/life/politics* conference at Loughborough (Sept 2007). This conference will also involve contributions from other academics who have explored the regulation of sex work (including Baptiste Coulomb, Alan Collins, Jenny Dunkel), with a view to developing a special issue of *Environment and Planning* (edited by the PI with Alan Collins). The conference (organised by the PI) will represent a major gathering of those working at the interface of sexuality, geography and socio-legal studies.

### 7. OUTPUTS

Summaries of the case studies have been published in the form of four working papers of c. 80,000 words in total, made available on the ESRC *Society Today* project website; two refereed papers in international journals are forthcoming, and five more are submitted/planned for the near future. These concern general tendencies in the geographies of sex work (P4); trends in regulation (P1); the definition and location of adult entertainment (P2); and case studies of the selective regulation of sex businesses in Westminster (P3) and Edinburgh (P5). A further paper (P6) will draw overall conclusions about the differences in prostitution policy between the four nations, using the four working papers as an evidence base. A final paper (P7) will discuss the implications of this study for socio-legal studies of prostitution. The PI has also been encouraged to submit a book proposal to Ashgate – *Placing Sexuality* - that will further disseminate the results of this study and develop its theoretical implications in relation to social science debates concerning the relations of sexuality and space. This will be submitted in Winter 2008.

Cited outputs are as follows:

**Papers in international refereed journals:**

**P1** Hubbard, P.J., Matthews, R. and Scoular, J. (forthcoming) ‘Re-regulating sex work in the EU: prostitute women and the new spaces of exception’ *Gender Place Culture* (accepted for publication May 2007, expected 2008)

**P2** Hubbard, P.J., Matthews, R., Scoular, J. and Agustin, L. (forthcoming) ‘Away from prying eyes? The urban geographies of
adult entertainment’ *Progress in Human Geography* (accepted for publication, March 2007, expected 2008)


P4 Hubbard, P.J. (in prep, for submission September 2007) ‘Revisiting the European red-light district: still neglected, marginal and immoral?’ *Geoforum*

P5 Hubbard, P.J. (in prep, for submission October 2007) ‘Regulating the disorderly body’ *Body and Society*

P6 Hubbard, P.J., Matthews, R. and Scoular, J (planned for submission Autumn 2007) ‘Prostitution policy in the EU: divergence or convergence?’ *Journal of Contemporary European Studies*

P7 Scoular, J., Hubbard, P. and Matthews, R. (planned) ‘Researching at the margins of sex work’ *Legal Studies*

**Working papers:**


8. IMPACTS

Although our project was conceived as pilot research, and funded through the Small Grants Programme, it was stated in our research application that our research would make contributions to popular understandings of sex work, inform policy debates and advance the study of sex work through academic publications.

We plan to publicise the research through print media once the final report is submitted, working with External Relations (Loughborough). The University’s new research magazine will launch in July/August with a 2000 word article on the research project, and the Press Office will provide a précis to media outlets. The PI also publicised the project in the context of radio interviews (Radio Five Live, Radio Four, BBC World Service and Radio Leicester) in the wake of the Ipswich murders.

Copies of the user report (Appendix Two) were sent to all interviewees in June 2007. These included councillors, licensing officers, police and social workers. Experience shows that the Home Office and Scottish Executive are not always receptive to independent academic research, but this work certainly adds to a growing corpus of evidence that will inform future policy. The PI is attending the police’s annual vice conference in July 2007, with the user report having been circulated to ACPO via the head of the Vice Unit, Tim Brain. Copies will also be sent to relevant Home Office advisors (e.g. Sue Jago) and members of the Scottish Executive Vice and Corporate Killing Team.

Academic dissemination is primarily in the form of journal papers in high impact journals, with two papers in press, one at review, two in preparation and one at planning stage. Additionally, it is planned to incorporate the findings in a book aimed at a wide social science audience to be submitted to Ashgate in late 2008 – a proposal will be sent in Summer 2007.

9. FUTURE RESEARCH PRIORITIES

Building on findings from the project, the following emerge as likely directions for future research:

1. Male sex work: regulators’ comparative lack of interest in men who sell sex to men suggests that further research is needed to identify how service providers, police and policy-makers can best regulate this significant but diffuse sector.
2. **Adult entertainment:** the licensing of adult entertainment continues to occur in something of a policy vacuum, with decisions about licensing made on the basis of prejudice rather than hard evidence about the nature of such premises. Analysis of licensing committee decisions, appeals and renewals across a range of locations in the UK appears a priority if national guidelines are to be developed that can respond to the specific issues that are associated with this growth sector.

3. **Clients and workers:** this study has focused on the prejudices and actions of regulators; the way that workers and clients **self-regulate** in different spaces is also worthy of exploration. In particular, we stress the need for studies that consider how notions of legality and illegality change worker and customer expectations of the services, costs and ambience in different spaces of sex work.
APPENDIX ONE: REFERENCES


APPENDIX TWO: USER REPORT

Regulating the Spaces of Sex Work: assessing the impact of prostitution law

ESRC Project RES 000 221001

SUMMARY AND RECOMMENDATIONS

THE RESEARCH

This research project mapped the extent and location of sex work in four cities in the Netherlands, Sweden, Scotland and England and Wales respectively. This was achieved through a combination of primary and secondary sources. Fifty-three interviews were then completed with regulators (police, politicians, social workers and licensing officers) in a bid to relate these patterns to processes and practices of regulation. The research has been written up in the form of four working papers, one on each of the case study locations, and has been disseminated through a series of academic papers and conference presentations.

FINDINGS

Detailed reports on each of the case study locations are available from the authors: our overall conclusion is that despite the apparent differences between English, Swedish, Dutch and Scottish prostitution law, there are many similarities in the geographies of sex work which reflect contemporary priorities and tendencies in regulation:

- Prostitution law tends to be enforced in a discretionary and spatially selective manner, whether in response to local concerns about antisociality or more general concerns about trafficking and child prostitution. Male sex work appears to be of little concern to the police in all cases.
• Police, councillors and licensing officers regard certain spaces as likely to harbour disorder or exploitation, but these judgments are rarely based on firm evidence: nonetheless, street work is universally regarded as less safe and more problematic than off-street work.

• Street sex work has been increasingly shaped by forms of regulation that have discouraged it in residential areas, and sought to shift it elsewhere (often off-street). This has made the work of established outreach projects and social work initiatives more problematic in many cases.

• Resulting urban geographies of sex work are similar in all four cities, with street work becoming less visible; more spaces of licensed adult entertainment emerging at the centre and large numbers of flats and massage parlours in either the licensed or unregulated sector: licensed spaces of sex work tend to be more public, visible and clustered than unregulated sites, which are more widely dispersed.

RESEARCH GAPS

Street working: although there are regular audits of street working by police and social work projects, these are rarely triangulated and little attention is given to issues of working location and occupational mobility. Without such regular audits and mappings, it is difficult to ascertain the effectiveness of law enforcement or estimate the amount of spatial displacement occurring.

Indoor working (e.g. massage parlour, escort, sex club and flat working): off-street working is acknowledged to be the largest sector of sex working, encouraged by technologies such as Internet and mobile phones. Yet it is also spatially diversified and takes a variety of coerced and unforced forms. The claim that the sector is difficult to map is borne out by our research, but it is not unknowable. National estimates of the extent and nature of off-street working remain of dubious value given the lack of rigorous local audits. The lack of data relating to women working alone or as escort workers is a problem given the possible magnitude of this sector: more methodical and repeated analysis of Internet and magazine sources would bring issues into clearer focus.

Adult entertainment (e.g. lap dance, stripping, sex shows): Workers in this sector often claim that they perform a very different type of service than
prostitutes, but there was evidence of occupational mobility and movement between the two sectors in at least two of our case studies. Whilst there has always been adult entertainment, the way in which it is now incorporated into the sex industry suggests there is a need for sex work research to take it seriously and to consider it as a form of off-street work. Mapping the sites of adult entertainment, and exploring working conditions within this sector, remains a precondition for evolving inclusive sex work policy.

Male sex working: Though both on-street and off-street male sex work is acknowledged to occur, policy remains fixated on female working and the police pay little attention to male working. Social work and outreach projects provide valuable support to male workers in many contexts, but there remains an evidential data deficit around this form of work. There is also a lack of data about where, and how, sex is sold by women to women.

Clients: This project did not attempt to explore where clients come from: identifying whether clients for specific types of sex work are local, national or international would help develop policies that promote sexual health among men who pay for sex as well as help understand how patterns of supply/demand produce particular outcomes.

RECOMMENDATIONS

In all of our case studies, street sex work was regarded as dangerous, anti-social and unacceptable. Considerable resource has been devoted to discouraging street working, with an increasing targeting of clients in most cases. Street working is now relatively unimportant and relatively unobtrusive, with more sex working occurring off-street. The low number of clients on the streets appears to be making working conditions more difficult for sex working women, and we noted that solitary working is also becoming the norm. Women are often dispersed across a wide area, making access for social services more difficult.

R1: Laws prohibiting soliciting and/or kerb-crawling should be enforced so as to meet the objectives of preventing nuisance and exploitation wherever possible; indiscriminate crackdowns should be avoided. Spatial displacement appears to be the most likely outcome of crackdowns.

Several of our case study cities had previously had areas of street working which had been managed to a lesser or greater degree. These were reported to have advantages for police and support projects, although became increasingly unpopular among local residents and councillors because of the
real and imagined nuisances that are associated with such zones. The disappearance of these zones has dispersed street working and appears to have encouraged a move to off-street working.

**R2: Managed zones can, if properly located, be part of a multi-agency approach which minimises nuisance to communities and promotes workers’ welfare.**

Despite possessing significant amounts of sex working, in none of our case studies was there an agreed sex work strategy at a city-level. Multi-agency working was often evident, but without clearly-defined aims. There was no sign that law enforcement priorities had been decided with reference to agreed long-term goals (e.g. steering sex work towards or away from particular locales).

**R3: Co-ordinated responses to sex work are vital and should be agreed with reference to local contingencies.**

In our case studies, off-street work takes a variety of forms, both legal and otherwise. Licensing allows the authorities to introduce an element of spatial control, but it appears inevitable that illegal brothels will exist if the cost of licenses (or available locations) is prohibitive. Where flats or brothels are not licensed, but are also not illegal, the outcome is typically a more dispersed range of sites. However, the lack of complaint about such sites does not mean they are free from exploitation, violence or coercion.

**R4: Indoor work should be regulated irrespective of location so that instances of coercion can be identified.** Licensing or voluntary registration systems should be used so that the suitability of premises for sex work can be monitored and policies to influence the location of sex work be developed as appropriate.

Irrespective of whether prostitution occurs in adult entertainment venues, it is suggested these should be incorporated into any consideration of the prostitution industry because of their proximity to some sites of prostitution, their role in attracting clients and concerns about the working conditions that may be associated with some of these locations.

**R5: Clear guidelines should be developed in each and every case concerning suitable locations for adult entertainment venues with codes of conduct developed that will minimise any negative consequences for surrounding homes and businesses while ensuring workers have access to certain rights.**
Our study demonstrated that venues and locations that offer prostitution and sex-related entertainment are not subject to consistent planning and land-use regulation. Policies designed to street such businesses away from specific residential, educational or religious land-uses are hence piecemeal, and sometimes unsuccessful. Guidelines concerning the appropriate location for such land-uses are lacking at the national level, although local precedents exist.

**R6: National planning guidelines related to sex-related businesses should be developed so that local regulators are able to manage issues relating to the appropriate location and visibility of all commercial sex venues.**

All the evidence we have collected suggests that changing modes of regulation do not reduce the demand for sexual services, but do influence where – and how – it is sold. Assumptions that more repressive policing of particular kinds of work will eradicate these appear misguided, as spatial displacement is a key outcome of new policy initiatives.

**R7: Policies intended to ‘design’ or ‘police’ sex work out of existence should be replaced with policies focusing on the effective management of sex work at the local level.**

**CONTACT DETAILS**

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