

Impact case study (REF3)

Institution: Birkbeck College, University of London
Unit of Assessment: 21 Sociology
Title of case study: Reforming policy and practice to reduce harm to sex-workers
Period when the underpinning research was undertaken: 2006-2020
Period when the claimed impact occurred: 1 August 2013 to 31 July 2020
Is this case study continued from a case study submitted in 2014? No
<p>1. Summary of the impact</p> <p>Brook-Gordon's research had a wide impact on major national and international initiatives to change law and policies around trafficking and decriminalization of sex work, in order to improve the health and safety of sex-workers. She is a leading scientific policy advisor to the UK government and major political parties, and contributed to policy reform in this area at the EU and UN. Her research also provided an important framework for the development of new guidelines for the policing of sex work in the UK, ensuring that the vulnerability and safety of sex-workers is recognised in practice.</p>
<p>2. Underpinning research</p> <p>Brooks-Gordon is a prominent academic advocate for legal and policy changes towards decriminalization and the improvement of regulations and policing of sex work, in order to reduce risks to sex-workers, their clients, and the wider community. Her work has revealed the extent to which law and policy around sex-work is influenced by cultural prejudice rather than objective research evidence [1]. It seeks to redress this issue by providing empirical evidence about the impact of law and policy on the safety, health, and well-being of sex-workers in contemporary society, as well as objective data on the actual number of sex-workers, and on the economic and social policy implications of these data.</p> <p>Brooks-Gordon's research findings provide strong support for the decriminalization of sex work. They demonstrate that decriminalization improves the safety, health and well-being of sex-workers, whilst also reducing the costs associated with state-funded interventions [1,2]. They also show how law reform which further criminalizes the (mainly male) clients of sex-workers actually increases risk to sex-workers themselves [3].</p> <p>A central aspect of Brooks-Gordon's research is its emphasis on the importance of having accurate figures about sex-worker numbers, as this information is essential for national and local governments in order to plan effective social infrastructure and services, particularly around health and policing [4]. Her work showed that previous official measures of the economic contribution made by sex-workers were based on flawed data which contained incorrect assumptions about the number and distribution of sex workers in the UK. As a direct result of these analyses, she was commissioned in 2014 and 2015 by the Office of National Statistics (ONS Award: Analysis of Shadow Economy in GDP) to review and amend their calculations. She developed a new methodology for measuring the economic activity of sex-workers for incorporation into gross domestic product [5], which estimated the total number of sex workers to be 72,800 (which is an increase on the previous official estimate of 58,000), with a gross annual income earned from sex work of £5.09bn (GBP5,090,000,000).</p> <p>Brooks-Gordon's research into sex-worker numbers also has important consequences for initiatives aimed at tackling the problem of trafficking. Her work showed that figures of the proportions of sex workers trafficked and forced to sell sex are incorrect and exaggerated. Thus many intervention programmes aimed at trafficking fail to differentiate between forced and consensual sex-work, leading to increased stigmatisation and vulnerability, and promoting punitive measures that are harmful to consensual sex-workers [4]. Based on her research findings, Brooks-Gordon criticised a generic concept of 'sex slavery' as unhelpful [1]. She has stressed the urgent need for an evidence-based definition of concepts such as 'exploitation' and 'forced labour', to prevent legal frameworks for the prevention of trafficking inadvertently</p>

curtailing the rights and welfare of consensual sex workers as highlighted in her analysis of the recommendations on trafficking currently developed by the UN [6].

3. References to the research

- [1] Brooks-Gordon, B.M. (2006) *The Price of Sex*, Willan Publishing. Cullompton.
- [2] Brooks-Gordon, B.M. (2008) State violence towards sex workers. *British Medical Journal*, 337, a908. DOI: <https://doi.org/10.1136/bmj.a908>
- [3] Brooks-Gordon, B. M. (2010) Bellwether citizens: the regulation of male clients of sex workers. *Journal of Law and Society* 37, 145-170. DOI: <https://doi.org/10.1111/j.1467-6478.2010.00499.x>
- [4] Cusick, L, Kinnell, H., Brooks-Gordon, B.M., & Campbell, R. (2009) Wild guesses and conflated meanings: estimating the size of the sex worker population in Britain. *Critical Social Policy* 29, 703-719. DOI: <https://doi.org/10.1177/0261018309341906>
- [5] Brooks-Gordon, B.M., Mai, N., Perry, G., and Sanders, T. (2015) Production, Income, and Expenditure from Commercial Sexual Activity as a measure of GDP in the UK National Accounts. *Report for Office of National Statistics (ONS)*. URI: <https://eprints.bbk.ac.uk/id/eprint/17962>
- [6] Brooks-Gordon, B., Wijers, M., & Jobe, A. (2020). Justice and civil liberties on sex work in Contemporary International Human Rights Law. *Social Sciences*, 9, (1) 4. <https://doi.org/10.3390/socsci9010004>

4. Details of the impact

Law and Policy

National Government Policy: In 2016 Brooks-Gordon provided written evidence [Ai] to the Home Affairs Select Committee in their first ever inquiry into prostitution. This resulted in a Committee Report that drew significantly on Brooks-Gordon's research evidence [Aii], and recommended further investigation of decriminalization models and their benefits. In its response to this report (2016), the government made recommendations towards decriminalization, in line with Brooks-Gordon's proposals [Aiii]. A new inquiry into prostitution was launched in 2019 by the Women's and Equality Select Committee. This inquiry cited the earlier Home Affairs Committee Report, and specifically data on the number of UK sex-workers by Brooks-Gordon in its terms of reference [Bi], and invited Brooks-Gordon to submit written expert evidence [Bii]. Brooks-Gordon also provided evidence from her ONS research on the number and economic impact of sex work to a parliamentary symposium on decriminalisation at the House of Commons (2015) that was organised by the English Collective of Prostitutes (ECP), a national network campaigning for sex workers' rights and safety [Ci]. This research also features prominently in the *Facts about Sex Work* published on the ECP website [Cii].

National Party Policy: Brooks-Gordon was invited in April 2018 by Fiona Bruce MP to lead a debate on Prostitution Law reform as part of the Conservative Party's *Human Rights Commission Inquiry into Prostitution, Trafficking and the Law*. This resulting commission report (*The Limits of Consent: Prostitution in the UK*, July 2019 [D]) refers to Brooks-Gordon's research and names her as a principle advocate of decriminalization. It recommends review and reform of police guidance, support for people wishing to exit from prostitution, and importantly the introduction of secondary legislation to prevent disclosure of historic soliciting convictions. In 2014, Brooks-Gordon chaired the Liberal Democrat Policy Working Group *Towards Safer Sex Work*, which developed detailed recommendations towards the decriminalization of sex work [Ei]. Further specific policy recommendations informed by Brooks-Gordon's research (*A Rational Approach to Harm Reduction*, 2017 [Eii]) were made into Liberal Democrat party policy in 2017. As a member of the party's Federal Policy Committee, Brooks-Gordon was instrumental for the inclusion of the pledge to decriminalize sex work in the 2017 Liberal Democrat election manifesto – the first time that this goal was explicitly adopted by any major UK political party.

International Policy: In 2014, Brooks-Gordon's provided expert evidence for letters of concern about a European Parliament (EP) resolution on sexual exploitation and prostitution. This resulted in a vote against the resolution, and in amendments that followed Brook-Gordon's recommendations, based on her research emphasizing the importance of distinguishing

between voluntary sex-work and forced prostitution. These amendments were tabled by Sophie in't Veld MEP and were accepted by the EP, thereby changing how prostitution is defined and tackled across the EU. In 2019, Brooks-Gordon wrote a resolution (*Harm Reduction for Migrant and Vulnerable Sex Workers* [Fi]) for the Alliance of Liberals and Democrats for Europe (ALDE; representing 71 liberal European political parties), which proposes a European policy of reducing harm to migrant and sex workers through decriminalizing sex-work and strengthening laws to address coercion. This resolution was passed by ALDE in October 2019, which is significant because ALDE/Renew holds the balance of power in Europe, currently including six European Prime Ministers. Brooks-Gordon's EU initiatives led her to discuss EU policy on transactional sex on national programmes, including BBC's *Newsnight*, *Women's Hour* and *The Big Questions* [Fii].

In 2019, Brooks-Gordon gave written and oral evidence [Gi, Gii] to the United Nations Committee on the Elimination of Discrimination Against Women (CEDAW), for inclusion in the General Recommendations on trafficking, which had their first reading at the UN in July 2020 [Giii]. They included several of Brooks-Gordon's specific recommendations on the provision of procedural and legal rights to trafficking victims (such as access to culturally appropriate medical and social services without fear of arrest or deportation, and rights to receive protection from further harm to avoid re-traumatisation through legal and administrative procedures).

Policing

Brooks-Gordon is senior academic advisor for the National Police Chiefs' Council (NPCC) and member of the national expert advisory group on sex work. She was involved in developing the *National Policing Sex Work Guidance* (2015), an extension of guidelines from 2011 [Hi], which significantly referenced her research. In 2018 she supported the development of the NPCC's new National Police Sex Work and Prostitution Guidance and was influential in redrafting these guidelines. This document was ratified in 2019. It provides direct guidance for approximately 10,000 officers involved operational policing in England and Wales, and is also relevant to a further 80,000 officers as well as to partners in health, charities and education who work with the police on matters related to sex work.

Brooks-Gordon's research has also contributed to changes in policing at the local level. As a board member of the Sex Work Research Hub (SWRH), she provided research evidence to West Yorkshire Police and Leeds City Council in support of a managed safety area for sex workers in the Holbeck area of Leeds, which was made permanent in 2016. When an enquiry was launched by the Council following local complaints, Brooks-Gordon and the SWRH submitted a briefing paper which provided an evidence-based rationale for the continuation of this managed area [Ii]. According to a recent survey by Basis Yorkshire [Iii], the managed zone has significantly improved the willingness of sex workers to report provide personal details of a crime against them to the police (from 7% to over 50% since 2017), thus facilitating prosecution of these crimes.

5. Sources to corroborate the impact (indicative maximum of 10 references)

[A]

- i. Written evidence by Brooks-Gordon to Home Affairs Committee:
<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/prostitution/written/29130.pdf>
- ii. Home Affairs Committee Report:
<https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/26/26.pdf>
- iii. Government response: <https://www.parliament.uk/documents/commons-committees/home-affairs/Govt-Response-Cm9361-Prostitution.pdf>

[B]

- i. Women and Equality Select Committee inquiry launch:
<https://committees.parliament.uk/committee/328/women-and-equalities-committee/news/102101/prostitution-how-can-we-tackle-inequalities-and-harm/>
- ii. Written evidence by Brooks-Gordon to this Committee:
<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/prostitution/written/106558.pdf>

[C]

- i. [English Collective of Prostitutes \(2016\) *Decriminalisation of Prostitution: the Evidence: Report of parliamentary symposium*, 3 November 2015, House of Commons](#)
- ii. <https://prostitutescollective.net/facts-about-sex-work-sheet/>

[D] CPHRC Report: http://www.conservativehumanrights.com/Consent_Report.pdf

[E]

- i. LibDem policy paper 2014: https://www.libdems.org.uk/f9_towards_safer_sex_work
- ii. LibDem policy paper 2017: [https://d3n8a8pro7vhmx.cloudfront.net/libdems/pages/13634/attachments/original/1487157911/Sex_Work_Policy_Paper_\(Clear_Print\).pdf?1487157911](https://d3n8a8pro7vhmx.cloudfront.net/libdems/pages/13634/attachments/original/1487157911/Sex_Work_Policy_Paper_(Clear_Print).pdf?1487157911)

[F]

- i. Resolution written by Brooks-Gordon for ALDE (EU): https://www.aldeparty.eu/sites/alde/files/40-Resolutions/2019_reducing_harm_for_migrant_and_vulnerable_sex_workers.pdf and email exchange which demonstrates BBG to be the author of this.
- ii. Document listing Dr Brooks-Gordon's media appearances discussing EU policy.

[G]

- i. Written evidence to CEDAW: https://www.ohchr.org/_layouts/15/WopiFrame.aspx?sourcedoc=/Documents/HRBodies/CEDAW/GRTrafficking/Sex%20Work%20Research%20Hub.docx&action=default&DefaultItemOpen=1
- ii. List of contributors (including Brooks-Gordon) to the General Discussion on Trafficking – 1,667th Meeting, 72nd Session Committee on the Elimination of Discrimination Against Women, Conference Room XV, Palais des Nations, Geneva, Switzerland: <https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/DiscussionOnTrafficking.aspx>
Plus Belinda Brooks-Gordon oral evidence to CEDAW.
- iii. CEDAW General Recommendations (June 2020 version): <https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/GeneralRecommendations.aspx>

[H]

- i. National guidance for policing sex work (2011 version): https://www.npcc.police.uk/documents/crime/2011/20111102%20CBA%20Policing%20Prostitution%20and%20%20Sexual%20Exploitation%20Strategy_Website_October%202011.pdf
- ii. New national police guidance (2019): <http://library.college.police.uk/docs/appref/Sex-Work-and-Prostitution-Guidance-Jan-2019.pdf>

[I]

- i. White Paper from the SWRH to Leeds City Council in support of managed safety zone (2018): <https://www.swrh.co.uk/blog/sex-work-research-hub-to-leeds-city-council>
- ii. <https://basisyorkshire.org.uk/about-us/mediaandresearch/>