

A Critique of the “Report on Prostitution and Sexual Exploitation and its Impact on Gender Equality” by Mary Honeyball, MEP

Dear Members of the European Parliament,

We, the undersigned, would like to voice our serious concerns regarding the “Report on Prostitution and Sexual Exploitation and its Impact on Gender Equality”, drafted by Mary Honeyball, MEP for London, which will be voted upon during a plenary session on the 27th of February 2014 at the European Parliament. The report recommends the so-called “Swedish Model” – by which buying sexual services is criminalised but selling them remains legal.

The aim of this letter is not to reiterate our arguments against the Swedish Model. We believe sex workers’ organisations themselves will have already demonstrated the ineffectiveness and dangers of this model and we strongly recommend consulting and listening to them in regards to policies and all other matters that directly affect them.

We would like to draw your attention to the inadequacies of the Report, which is based largely on inaccurate and/or misrepresentative data. The sources cited are either studies which have been discredited, or are selected to relate to specific circumstances which do not reflect the experiences of many people working as sex workers. Nor does the Report consider the extensive evidence from peer-reviewed academic studies demonstrating the problems associated with the model proposed. We are concerned that this report is not of an acceptable standard on which to base a vote that would have such a serious, and potentially dangerous, impact on already marginalised populations, i.e. migrants and EU citizens earning or complementing their livelihoods by providing sexual services in exchange for payment.

We are aware that the matter you have been asked to vote upon is for many a complicated or uncomfortable one. However, we would like to ask you to look at the abundance of evidence that counters the claims made in Ms Honeyball’s report. We compiled a selection of research-based evidence countering the claims made by the sources mentioned by Ms Honeyball, which we include below. This evidence clearly indicates that Ms Honeyball’s report is seriously biased with regards to the selective citation of sources. Furthermore, it fails to consider the needs of male and transgender sex workers and the diversity amongst purchasers of sexual services. To base any policy on such a methodologically flawed document, particularly one which would have such a detrimental impact on the human rights and wellbeing of a large number of marginalised individuals, would be setting a dangerous precedent.

The report by Ms Honeyball fails to address the problems and harms that *can* surround sex work and instead produces biased, inaccurate and disproven data. We believe that policies should be based on sound evidence and thus hope that you will vote against the motion to criminalise sex workers’ clients. We would suggest instead that it is important to enter into a considered debate which takes into account the substantial amount of robust academic evidence on the subject, as well as that from sex workers themselves and civil society groups with longstanding experience of working with sex workers.

Signatories

- 1. Dr Nicola Mai, Professor of Sociology and Migration Studies, London Metropolitan University, UK / Aix-Marseille Université, France**
- 2. Dr Maggie O'Neill, Professor of Criminology at Durham University, UK**
- 3. Dr Birgit Sauer, Professor of Political Science, Institute for Political Science, University of Vienna, Austria**
- 4. Dr Christian Groes-Green, Assistant Professor, Institute for Culture and Identity, Roskilde University, Denmark**
- 5. Dr Phil Hubbard, Professor of Urban Studies, School of Social Policy, Sociology and Social Research, and Director of Research, Faculty of Social Sciences, University of Kent, UK**
- 6. Dr Ine Vanwesenbeeck, Professor of Sexual Development, Diversity and Health, Department of Interdisciplinary Social Science/Child and Adolescent Studies, Utrecht University, The Netherlands**
- 7. Christiane Howe, Sociologist / Researcher, Institute of Ethnology, Humboldt University Berlin, Germany**
- 8. Dr Rosie Campbell OBE, Visiting Research Fellow University of Leeds & Postgraduate Research Student University of Durham, UK**
- 9. Dr Jay Levy, Researcher & Consultant, UK**
- 10. Dr Katie Cruz, Lecturer, School of Law, Keele University, UK**
- 11. Dr Susann Huschke, Visiting Fellow, Institute for the Study of Conflict Transformation and Social Justice, Queen's University Belfast, UK**
- 12. Dr Jenny Künkel, Researcher and Lecturer in Geography, University Frankfurt a.M., Germany**
- 13. Dr Belinda Brooks-Gordon, CPsychol, Reader in Psychology and Social Policy, School of Psychological Sciences, Birkbeck, University of London, UK**
- 14. Dr Giulia Garofalo, Marie-Curie Post-Doctoral Fellow, Department of Gender Studies, Lund University, Sweden**
- 15. Dr Calogero Giametta, Sociologist, Post-Doctoral Fellow, Aix-Marseille Université, France**
- 16. Dr Jane Scoular, Professor in Law at the University of Strathclyde, UK**
- 17. Dr Mia Liinason, Post-Doctoral Fellow, Department of Gender Studies, Lund University, Sweden**
- 18. Dr Aneta Cekik, Assistant Professor of Political science, Institute for Sociological, Political and Juridical Research, Ss. Cyril and Methodius University, Skopje, Macedonia**
- 19. Dr Tomasz Sikora, Assistant Professor at the English Department of the Pedagogical University of Cracow, Poland**
- 20. Matthias Lehmann, PhD Candidate, Faculty of Law, Queens University Belfast, UK**

21. Jane Pitcher, Postgraduate Research Student, Dept of Social Sciences, Loughborough University, UK
22. Stanimir Panayotov, PhD Student in Comparative Gender Studies, Central European University, Budapest, Hungary
23. Dr Agata Dziuban, Faculty Member, Institute of Sociology, Jagiellonian University, Poland
24. Ania Ratecka, PhD Candidate, Institute of Sociology, Jagiellonian University, Poland
25. Dr Daniela Danna, Researcher, Faculty of Political Science, University of Milan, Italy
26. Dr Ronald Weitzer, Professor of Sociology at George Washington University, USA
27. Dr Heidi Hoefinger, Adjunct Professor, Department of Anthropology, John Jay College of Criminal Justice, City University of New York, USA
28. Dr Tuppy Owens, Founder and Director of the Outsiders Trust and the TLC Trust, UK
29. Anna Głogowska-Balcerzak, PhD Candidate, Faculty of Law and Administration, University of Lodz, Poland
30. Dr Kaoru Aoyama, Associate Professor in Sociology, Graduate School of Intercultural Studies, Kobe University, Japan
31. Dr Carole S. Vance, Associate Professor of Sociomedical Sciences, Mailman School of Public Health, Columbia University, USA
32. Dr Sealing Cheng, Associate Professor, The Chinese University of Hong Kong, China
33. Dr Kerwin Kaye, Assistant Professor of Sociology, State University of New York College at Old Westbury, USA
34. Dr Gillian Abel, Associate Professor of Public Health, Department of Population Health, University of Otago, New Zealand
35. Dr Jan Jordan, Associate Professor, Institute of Criminology / Te Pou Haratutanga, Victoria University of Wellington, New Zealand / Aotearoa
36. Dr Melissa Ditmore, Research consultant, Editor, Encyclopedia of Prostitution and Sex Work, USA
37. Dr Pardis Mahdavi, Associate Professor and Chair, Department of Anthropology, Pomona College, USA
38. Dr Svati P. Shah, Assistant Professor, Department of Women, Gender and Sexuality Studies, University of Massachusetts, Amherst, USA
39. Dr Elizabeth Pisani, Epidemiologist, Director, Ternyata Ltd. Public Health Consultancy, UK
40. Dr Smarajit Jana, Public Health Specialist, Former Technical Advisor at UNAIDS, Principal at the Sonagachi Research and Training Institute, Kolkata, India
41. Maria Tonini, PhD Candidate, Department of Gender Studies, Lund University, Sweden

42. Slavcho Dimitrov, PhD Candidate in Gender Studies and Philosophy, Euro-Balkan University, Skopje, Macedonia / MPhil Candidate in Multi-Disciplinary Gender Studies, University of Cambridge
43. Rafał Majka, PhD Candidate in Cultural Studies, University of Social Sciences and Humanities, Warsaw, Poland
44. Dr Anne Mulhall, Director, Centre for Gender, Culture and Identities, University College Dublin, Republic of Ireland
45. Dr Ole Martin Moen, Postdoctoral Fellow in Ethics, University of Oslo, Norway
46. Dr Hendrik Wagenaar, Department of Town and Regional Planning, University of Sheffield, UK
47. Dr Frances M. Shaver, Professor of Sociology, Concordia University, Montreal, Canada
48. Dr May-Len Skilbrei, Professor, Department of Criminology and Sociology of Law, University of Oslo, Norway
49. Dr Calum Bennachie, Gender Studies Expert, New Zealand Prostitutes Collective
50. Dr Yuko Higashi, Professor of Social Work, Osaka Prefecture University, Japan
51. Dr Graham Ellison, Reader in Criminology, School of Law, Queen's University Belfast, UK
52. Dr Cecilia Benoit, Professor of Sociology, University of Victoria, Canada
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65. Izabela Ślęzak, PhD Candidate, Institute of Sociology, University of Lodz, Poland

66. Sine Plambech, Anthropologist, Researcher, Specialist in sex work related migration and human trafficking in Nigeria, Thailand and Europe, Danish Institute for International Studies, Denmark
67. Baerbel Heide Uhl, Political Scientist, International Consultant on Anti-Trafficking Politics, Berlin, Germany
68. Alexandre Teixeira, PhD Candidate, Centre of Psychology, University of Porto, Portugal
69. Filipa Alvim, Researcher, CRIA Portuguese Network Centre for Anthropological Research, Lisbon, Portugal
70. Nélon Ramalho, PhD Candidate in Social Work, Center for Research and Studies in Sociology, University Institute of Lisbon, Portugal
71. Niina Vuolajärvi, PhD Candidate in Sociology, Specialist in sex work and migration, Rutgers University, USA / University of Eastern Finland
72. Dr Lorraine Nencel , Associate Professor, Department of Sociology, VU University Amsterdam, The Netherlands
73. Dr Paul J. Maginn, Associate Professor, University of Western Australia, Co-Editor/Author of (Sub)Urban Sexscapes: Geographies and Regulation of the Sex Industry (Routledge, forthcoming), Australia
74. Anastacia Elle Ryan, PhD Candidate in Social Policy, School of Social and Political Sciences, University of Glasgow, Scotland / Visiting Doctoral Researcher, Victoria University of Wellington, New Zealand
75. Dr Bob Jeffery, Senior Lecturer in Sociology, Department of Psychology, Sociology and Politics, Faculty of Development and Society, Sheffield Hallam University, UK
76. Dr Manuel Damas, Health Expert in Medicine and Sexology, President of Advanced Center of Sexualities and Affections, Porto, Portugal
77. Marjan Wijers, Jurist and Social Scientist, Independent researcher and consultant on human rights and human trafficking, Utrecht, Netherlands
78. Dr Jill McCracken, Assistant Professor at the University of South Florida St. Petersburg, USA
79. Dr Laura Agustin, Author of Sex at the Margins: Migration, Labour Markets and the Rescue Industry (Zed Books, 2007)
80. Pippa Grenfell, MSc, Research Fellow, Department of Social and Environmental Health Research, Faculty of Public Health and Policy, London School of Hygiene and Tropical Medicine, UK
81. Dr Pietro Saitta, Senior Lecturer in Sociology, University of Messina, Italy
82. Dr Cigdem Esin, SeniorLecturer in Psychosocial Studies, School of Law and Social Sciences, University of East London, UK
83. Dr Giulia Rodeschini, Sociologist, Italy
84. Wibke Straube, Researcher, Gender Studies, Linköping University, Sweden

- 85. Dr Gail Pheterson, Associate Professor of Psychology, University of Picardie Jules Verne / Researcher, Director of doctoral theses at the Paris Centre for Sociological and Political Studies, Université Paris-VIII, France**
- 86. Dr Kate Hardy, Lecturer in Work and Employment Relations, University of Leeds, UK**
- 87. Dr Antke Engel, Director, Institute for Queer Theory, Berlin, Germany**
- 88. Dr Jean-Michel Chaumont, Professor of Sociology, Hoover Chair of Economic and Social Ethics, Catholic University of Louvain, Belgium**
- 89. Synnøve Jahnsen, Researcher, Centre for Womens and Gender Research, University of Bergen, Norway**
- 90. Dr Alexandre Jaunait, Associate Professor of Political Science, University of Poitiers, Lecturer at Sciences-Po (Institut d'études politiques de Paris), Member of the High Council on Equality between Women and Men (Haut Conseil à l'Egalité entre les Femmes et les hommes), France**
- 91. Dr Elizabeth Bernstein, Associate Professor of Women's Studies and Sociology, Columbia University**
- 92. Dr Natalie Hammond, Lecturer in Sociology, University of Manchester, UK**
- 93. Rebecca M. Jordan-Young, Tow Associate Professor of Women's, Gender, & Sexuality Studies, Barnard College, Columbia University, USA**
- 94. Dr Stephanie Wahab, Associate Professor in the School of Social Work, Portland State University, Advisor at Best Practices Policy Project, USA**

February 18th, 2014

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Evidence in response to sources used by Mary Honeyball

[Footnote 1, Page 6]

Regarding the “direct impact of the policies on prostitution on the scale of trafficking in human beings” (Sigma Huda, 2006), there is sufficient evidence that such an impact cannot be proven. As the Dutch Rapporteur on Trafficking in Human Beings and Sexual Violence against Children states, “[i]t is not (yet) possible to give an answer, on the basis of statistics, to the question of the extent to which legalisation of prostitution leads to more human trafficking. The answer would require an analysis of the human trafficking that is visible compared with the invisible human trafficking and this calls for the collection of more reliable data – both quantitative and qualitative – concerning visible and invisible human trafficking.”¹

[Footnote 2, Page 6]

Ms Honeyball writes that the “Joint report by the City of Amsterdam and the Dutch Ministry of Justice ... stated that half of the permit-required businesses of prostitution have one or more managers with a criminal record.”

Ms Honeyball did not provide a proper citation but it appears she refers here to the 2011 report “Jointly addressing the serious (organized) crime in the heart of Amsterdam. Backgrounds, trends, perspectives”, authored by Project Group Emergo and commissioned by the City of Amsterdam and the Ministry of Security and Justice.²

In the report, the reference to managers with criminal records can be found on page 194. First of all, it has to be noted that the report only deals with the *Postcodegebied 1012* (Post code area 1012) and that the businesses referred to here are coffee shops that are not, as she claims, “permit-required businesses of prostitution”.

The report states that of the total of 560 persons employed in the coffee shops in the post code area 1012, 145 (25.9%) had a criminal record, 10.3% of which related to violent crimes. The report also states that at 52 coffee shops, more than half of the owners and managers had a criminal record and at 6 coffee shops all of them had a criminal record. The researchers found that a remarkable number of owners and managers had a history of physical or verbal abuse of officials. Note, however, that the total number of coffee shops in the post code area 1012 was 76.

Ms Honeyball has thus misinterpreted this passage entirely. Not more than half but roughly one quarter of all owners and managers of coffee shops had a criminal record. “More than half” only referred to 52 out of a total of 76 coffee shops and these were not “permit-required businesses of prostitution”.

¹ Dutch Rapporteur on Trafficking in Human Beings and Sexual Violence against Children. “Does legalised prostitution generate more human trafficking?” (November 2013) URL: http://www.dutchrapporteur.nl/Images/dutch-rapporteur.does-legalised-prostitution-generate-more-human-trafficking.2013_tcm64-524914.pdf

² Gemeente Amsterdam, Ministerie van Veiligheid en Justitie; Projectgroep Emergo “Emergo – De gezamenlijke aanpak van de zware (georganiseerde) misdaad in het hart van Amsterdam. Achtergronden, ontwikkelingen, perspectieven” (2011) pp. 172-185, 194 URL: http://www.websitevoordepolitie.nl/public/file/Emergo_Binnenwerk_304pp_LR.pdf

A number of persons employed in those coffee shops had indeed been involved in criminal activities, but those were drug offences (21%), traffic offences (17.2%) and violent crimes (10.3%). Other offences included the violation of fire arms regulations, participation in criminal organisations, and money laundering.

Ms Honeyball, however, cites this passage to support her argument that “organised crime is a major player where procuring is legal”. While the authors point to a clear link between organised crime and trafficking in women, they do not, however, mention a connection to the legality of procuring but only to certain businesses operating in the city of Amsterdam.

Subsequently, their recommendations do not include the criminalisation of procuring. Instead, they state that it is “vital to acknowledge that combating serious organized crime in this area demands a strategy that is as diverse as the problem. Simplistic proposals for quick fixes for the problem are incompatible with reality, and therefore provide no remedy.”

It should be noted that on pages 172 to 185, the report examines the red light district located in post code area 1012. However, the authors do not provide any figures in relation to criminal records of owners and managers of sex businesses as they do for those of coffee shops.

[Footnotes 1+2, Page 7]

Ms Honeyball here cites Melissa Farley, whose academic credibility and generalisations and universalisation of sex work have been challenged both by academics and by Judge Susan G. Himel of the Ontario Superior Court of Justice. We believe that the excerpts and sources listed below raise reasonable doubts about the inclusion of Dr Farley’s research in Ms Honeyball’s report.

Judge Himel stated in *Bedford v. Canada*:³

“Although Dr. Farley has conducted a great deal of research on prostitution, her advocacy appears to have permeated her opinions. For example, Dr. Farley's unqualified assertion in her affidavit that prostitution is inherently violent appears to contradict her own findings that prostitutes who work from indoor locations generally experience less violence. Furthermore, in her affidavit, she failed to qualify her opinion regarding the causal relationship between post- traumatic stress disorder and prostitution, namely, that it could be caused by events unrelated to prostitution.

Dr. Farley's choice of language is at times inflammatory and detracts from her conclusions. For example, comments such as "prostitution is to the community what incest is to the family"⁴ and "just as pedophiles justify sexual assault of children ... men who use prostitutes develop elaborate cognitive schemes to justify purchase and use of women"⁵ make her opinions less persuasive. Dr. Farley stated during cross-examination that some of her opinions on prostitution were formed prior to her research, including "that prostitution is a terrible harm to women, that prostitution is abusive in its very nature, and that prostitution amounts to men paying a woman for the right to rape her". Accordingly, for these reasons, I assign less weight to Dr. Farley's evidence.”

³ See *Bedford v. Canada (Attorney General)* [353-356] (2010) URL: www.canlii.org/en/on/onsc/doc/2010/2010onsc4264/2010onsc4264.html

⁴ Farley, Melissa (Ed.) *Prostitution, Trafficking, and Traumatic Stress*. Binghamton, NY: Haworth, 2003. p. xvi

⁵ Macleod, J., Farley, M., Anderson, L., Golding, J. “*Challenging Men’s Demand for Prostitution in Scotland*” Women’s Support Project (2008) p.19

According to Ronald Weitzer⁶ (2005), Dr Farley regards the “distinction between ‘forced’ and ‘voluntary’ prostitution as a myth” and makes “little contribution to our understanding” of violence in prostitution.⁷

Dr Calum Bennachie⁸ submitted a complaint to the American Psychological Association requesting to revoke Dr Farley’s membership. On altogether 115 pages, he listed detailed evidence to support his view that “Dr Farley is repeating unsubstantiated rumour as fact” and “is deliberately misleading people”.⁹

[Footnotes 3, Page 7]

Ms Honeyball here links to “studies on sex buyers” compiled under the heading “Research and studies on prostitute-users” on the website of the European Women’s Lobby. Apart from the fact that this represents in no way a suitable reference method, as many as 5 of the 13 studies provided were co-authored by Dr Melissa Farley. Other sources include non-peer-reviewed materials and sources defining people who buy sex as exclusively men, and sex workers as exclusively women and/or victims of sexual exploitation (e.g. Månsson, Sven-Axel; Hughes, Donna M.; Coy, Horvath, Kelly; CATW). There are other independent studies concerning purchasers of sexual services (e.g. Brooks-Gordon 2010; Sanders, 2008), which show considerable diversity amongst clients of sex workers. The evidence shows that many commercial sexual interactions are between consenting adults who conduct their transactions without difficulty.

The omission of male and transgender sex workers in Ms Honeyball’s report is striking, and in choosing to link to the website of the European Women’s Lobby (EWL) without properly citing the findings and sources to which she wishes to refer, it is impossible to overlook Ms Honeyball’s bias in the selection of her sources.

The selection biases and crude misassumptions surrounding sex work are also reflected in the website and publications by the EWL itself, which define prostitution as a form of violence against women (serving to invisibilise male and trans sex workers) and disregard crucial evidence, e.g. by member organisations of the United Nations or the World Health Organisation.

There is, however, a growing body of evidence that the criminalisation of the purchase of sexual services has not only failed to curb human trafficking (or levels of sex work) but has also created an environment that increases the stigma attached to sex work and puts sex workers at greater risk of violence; several studies have concluded that the decriminalisation of sex work, including the clients of sex workers, improves sex workers’ safety. Below is a selection of quotes to support this argument.

⁶ Ronald Weitzer is a professor of Sociology at George Washington University. He is an expert on the sex industry, with particular expertise on American policies and law enforcement on prostitution and sex trafficking. A recently completed project involved extensive field research on legal prostitution systems in Europe.

⁷ Weitzer, Ronald. “Flawed Theory and Method in Studies of Prostitution” *Violence Against Women Vol. 11 No. 7* (2005) pp. 934-949 URL: http://www.gwu.edu/~soc/docs/Weitzer/Flawed_Theory.pdf

⁸ Calum Bennachie holds a doctoral degree in Gender Studies from Victoria University of Wellington and is currently working as a co-ordinator at the New Zealand Prostitutes Collective.

⁹ Bennachie, Calum “Request to the APA [American Psychological Association] to revoke Melissa Farley’s Membership” (2011) URL: <http://tinyurl.com/nwntz87>

“In decriminalized contexts, the sex industry can be subject to the same general laws regarding workplace health and safety and anti-discrimination protections as other industries. The legal recognition of sex work as an occupation enables sex workers to claim benefits, to form or join unions and to access work-related banking, insurance, transport and pension schemes. ... Laws that criminalize sex work and the sex industry should be reviewed, taking into account the adverse impact of these laws on public health and the human rights of sex workers. To enable sex workers to fully enjoy legal rights to health and safety at work requires decriminalization. Decriminalization of sex work requires the repeal of: a. laws explicitly criminalizing sex work or clients of sex workers...” (UNDP, 2012)¹⁰

The “criminalization of sex work contributes to an environment, in which violence against sex workers is tolerated, leaving them less likely to be protected from it”. (WHO, 2005)¹¹

“The state government of New South Wales (which encompasses Sydney) has reported that the decriminalisation of sex work has reduced levels of exploitation of women who had previously worked for illegal and organised crime syndicates.” (GAATW, 2007)¹²

“While there are some police, social workers and former sex workers who claim that the ban [in Sweden] has indeed helped reduce prostitution and trafficking and deterred clients without any adverse effects, the reports and documents that have a scientific rather than ideological base do not support these success claims.” (Dodillet, Östergren, 2011)¹³

“Assurances that the [Swedish sex purchase law] law will not be of detriment to those selling sex do not ring true, since Sweden’s abolitionism, as well as other laws and policies, has harmed sex workers themselves. In contrast to assertions that sex workers are protected from legal repercussion and authoritative interference by only the sex buyer being criminalised, sex workers experience difficulties with the authorities, law enforcement, and have further difficulties with social services and in gaining access to service provision... Furthermore, there is no evidence demonstrating that the sex purchase law has succeeded in decreasing levels of prostitution as was intended.” (Levy and Jakobsson, *forthcoming*)¹⁴

A 2012 report by the Swedish police found that between 2008 and 2011, criminal offences under the 1999 Swedish criminalisation of the purchase of sex had increased, including a number of human trafficking offences and the purchase of sexual services. It states that “[t]he number of police reports, preliminary investigations initiated, and prosecutions for human trafficking and crimes similar to human trafficking in the same period have therefore also increased.” (Swedish National

¹⁰ UNAIDS, UNDP, UNFPA. “Sex Work and the Law in Asia and the Pacific” (UNDP, 2012) pp. 6-7 URL: <http://www.undp.org/content/dam/undp/library/hivaids/English/HIV-2012-SexWorkAndLaw.pdf>

¹¹ WHO “Violence against sex workers and HIV prevention” *Information Bulletin Series, Number 3* (2005) p.1 URL: <http://www.who.int/gender/documents/sexworkers.pdf>

¹² Global Alliance Against Traffic in Women. “Collateral Damage – The Impact of Anti-Trafficking Measures on Human Rights around the World” (GAATW, 2007) p.51 URL: http://www.gaatw.org/Collateral%20Damage_Final/singlefile_CollateralDamagefinal.pdf

¹³ Dodillet, Östergren. “*The Swedish Sex Purchase Act: Claimed Success and Documented Effects*”. Conference paper presented at the International Workshop: Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges. The Hague, March 3 and 4, 2011 URL: <http://gup.ub.gu.se/records/fulltext/140671.pdf>

¹⁴ Levy and Jakobsson, “Sweden’s Abolitionist Discourse and Law: Effects on the Dynamics of Swedish Sex Work and on the Lives of Sweden’s Sex Workers” *Criminology & Criminal Justice* (forthcoming)

Police Board, 2012).¹⁵ This does not indicate that the law has been successful in its expressed aim of abolishing (or even decreasing) sex work and human trafficking.

The Global Network of Sex Work Projects (NSWP) commented on said report as follows: “[T]here does not appear to have been a reduction in sex work as proponents of the Swedish Model like to claim. A recent Swedish police report on trafficking released in 2012, stated that the number of Thai massage parlours (which are known to offer sexual services for sale) in Stockholm had increased from 90 in 2009 to over 250 in 2011/12, with an estimated number of 450 Thai massage parlours across Sweden. This is hardly a reduction.” (NSWP, 2013)¹⁶

[Footnote 2, Page 10]

Ms Honeyball quotes here a report by the German government from 2007¹⁷ but incorrectly attributes “legalising prostitution” as being responsible for the fact that over a third of German prosecutors believed that “prosecuting trafficking in human beings and pimping” had become more difficult. The correct and full sentence in the report is: “34.5% (19) believed that the abolition of the promotion of prostitution made their work in prosecuting trafficking in human beings and pimping more difficult.” This refers to the fact that the “promotion of prostitution” was no longer punishable by law; instead, the “exploitation of prostitutes” was made punishable.

Those 19 German prosecutors, it should be noted, belonged to 52 representatives from public prosecution offices who volunteered an assessment of the situation, 33 of which said they saw “no link between the Prostitution Act and the legal possibilities for prosecuting crimes.” As the report states, “[t]he overwhelming majority of police and public prosecution office representatives interviewed said the new Act had not brought about any great changes in their area of work.”

Ms Honeyball has thus once again substantively misinterpreted one of her sources. Instead of reading the original report, it seems that she instead quoted the passage in question from the Equality Now report she cited as footnote 1 on the same page, as the Equality Now report makes the same incorrect claim.

A 2012 report by the State Office of Criminal Investigations in North Rhine-Westphalia (NRW), Germany’s most populous state, corroborates the findings of the above quoted 2007 report in concluding that there is no identifiable effect of the Prostitution Act on the situation of victims of human trafficking. The report also states that despite a higher density of controls in NRW, the

¹⁵ Swedish National Police Board “*Trafficking in human beings for sexual and other purposes. Situation Report 12*” (2012) URL: https://www.polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking_1998_/Trafficking_report_13_20130530.pdf

¹⁶ Global Network of Sexwork Projects “*NSWP Statement. Decision by the European Parliament Women’s Rights and Gender Equality Committee to support the criminalisation of clients*” (2013) p.2 URL: http://www.nswp.org/sites/nswp.org/files/NSWP%20Statement_FEMM_Crim_Clients_Final.pdf

¹⁷ Federal Ministry of Family Affairs, Senior Citizens, Women and Youth. “*Report by the Federal Government on the Impact of the Act Regulating the Legal Situation of Prostitutes (Prostitution Act)*” (2007) p. 16,47 URL: www.bmfsfj.de/RedaktionBMFSFJ/Broschuerenstelle/Pdf-Anlagen/bericht-der-br-zum-prostg-englisch,property=pdf,bereich=bmfsfj,sprache=de,rwb=true.pdf

number of victims of human trafficking for the purpose of sexual exploitation had continued to decline.¹⁸

With regards to the report by German news magazine DER SPIEGEL, to which Ms Honeyball also referred, an analysis by two German researchers came to the following conclusion:

“The deeply flawed report fails, however, to address numerous relevant aspects of human trafficking prevention and prosecution, including victim protection. It also fails to insert much needed factual evidence into the broader global debate on human trafficking, which is also about labor rights, migration, sustainable supply chains and human rights. DER SPIEGEL thus contributes to a very narrow debate on human trafficking and to the wrong debate around sex work.”¹⁹

The above letter and counter-report were written by Matthias Lehmann with Jay Levy, Nicola Mai and Jane Pitcher.

¹⁸ Landeskriminalamt Nordrhein-Westfalen. „*Menschenhandel zum Zweck der sexuellen Ausbeutung. Lagebild Nordrhein-Westfalen 2012*“ (2012) p.4-6 URL: http://www.polizei-nrw.de/media/Dokumente/Behoerden/LKA/Lagebild_MH_2012.pdf

¹⁹ Lehmann, Dolinsek. “*Does legal prostitution really increase human trafficking in Germany?*” Feminist Ire (2012) URL: <http://wp.me/p1NLSO-eb>