

decriminalised futures

SUMMARY: A History of Sex Work Criminalisation in the UK

In this lecture, Dr Julia Laite speaks about the criminalisation of women's sexual labour in London from the mid-19th century to the 1960s. She highlights the effects of criminalisation on London's commercial sex scene and the experiences of women who sold sex, while emphasising the importance of considering the intersectionality of gender, class, and race. She also discusses the limitations of historical research on sex work and the consequences of criminalising commercial sex work, including increased danger and isolation. The conversation also examines the history and consequences of criminalising brothels in Britain and the transformation of prostitution in late 19th century London.

Transcript: <https://decriminalisedfutures.org/a-history-of-sex-work-criminalisation-in-the-uk>

Outline

Criminalisation of commercial sex in London, focusing on women's experiences.

- Julia researches history of women, crime, sexuality, and migration in 19th-20th century British world.
- She traces the criminalisation of commercial sex in London from 19th century to 1960s.

Historical records of sex work and the challenges of interpreting them.

- Julia explains that laws criminalising sex work were different for men and women, making it difficult to distinguish between mercenary and non-mercenary same-sex offenses in historical records.
- She acknowledges the limitations of using the term "sex worker" to refer to people who sold sex in the late 19th and early 20th centuries, as police files may not accurately label women.
- Julia uses terms "women who were labelled prostitutes" or "women who were accused of prostitution" to describe women in historical context.
- She avoids using term "prostitute" to refer to women in a normative way, instead using "women who sold sex" or "sexual labour."
- Julia discusses her research on women who sold sex in London, primarily relying on police and social worker files from the mid-20th century.

- Julia highlights the challenges of working with filtered sources, such as ghost written autobiographies and sociological studies, to gain insights into the experiences of women in this period.

The repeal of Contagious Diseases Act in 1885 and its impact on women's rights and moral standards.

- In 1885, Britain repealed the Contagious Diseases Acts, which blamed women for venereal diseases and forced them to register and be hospitalised.
- The repeal of the acts can be traced to feminist and moralist positions, with some seeing it as a violation of women's rights and others as licensing vice.

1885 law raising age of consent, criminalising procuring for prostitution, and making brothel keeping easier to prosecute

- Journalist William Stead wrote an article on 'the white slave trade in London', sparking public outcry and government action.
- In 1900s Britain, campaigners sought to pass a law to make it easier to prosecute brothels due to the perceived trafficking of English girls.
- 1885 law raised age of consent to 16, criminalised procuring for prostitution, and made brothel-keeping a non-indictable crime.

Historical context of criminalising brothels in Britain, focusing on the Criminal Law Amendment Act of 1885.

- The Criminal Law Amendment Act of 1885 in Britain aimed to end exploitation in the sex industry but instead led to repressive measures that targeted all commercial sex and failed to address actual exploitation.
- The law excluded the main group of girls and women who were regularly defrauded and exploited by their employers, making it difficult to prove procurement and resulting in few prosecutions.
- In 1885, the Criminal Law Amendment Act defined a brothel as a place where more than one woman practices prostitution.
- Moral reform organizations launched a crusade against brothels, leading to a significant increase in prosecutions.

19th century London brothels, ownership, and regulation.

- In late 19th century London, women mostly ran brothels, but were prosecuted under new laws.
- By early 20th century, male landlords dominated the industry, charging high rents to women.

19th century London's sex work scene and police crackdowns.

- In 19th century London, street solicitation was common despite crusade against brothels.
- Police used the 1839 Metropolitan Police Act to fine or imprison women for loitering or soliciting.
- In the late 19th century London, police struggled to distinguish between 'respectable women' and 'prostitutes' in public spaces.

- Efforts to sanitise public space for middle-class women led to a crisis in policing, as traditional methods of identifying 'unrespectable women' no longer worked.

Early 20th century crackdown on street solicitation, stigmatising women, and feminist opposition.

- Early 20th century crackdown on street solicitation stigmatised women, leading to arrest and criminalisation.

The impact of laws against prostitution on women in 20th century London.

- Women's experiences of street solicitation in London were shaped by police crackdowns and informal taxation systems.
- Women had to adapt to furtive solicitation and constant movement to avoid police, leading to an era of sociability for clients and a difficult work practice for women.
- In early 20th century, laws against prostitution and trafficking increased, narrowing the window for legally engaging in these activities.
- Concerns about trafficking resurfaced, spurring a global moral panic centred around young working-class women's mobility.

Historical legislation and its impact on prostitution arrests in London.

- In 1905, the Aliens Act defined prostitutes as 'undesirable aliens' and denied entry or deported them.
- Laws passed in the name of anti-trafficking actually criminalised migrant women in the sex industry and led to low prosecution rates.
- Julia argues that prostitution arrests are a thinly veiled form of migration control, with high conviction rates and concentration in specific areas.
- Map shows arrests for prostitution-related offenses in London from 1903 to 1953, with a shift from spread out to concentrated in Soho.

Criminalisation of prostitution in 19th century London, impact on women's lives.

- Criminalisation of sex work leads to increased isolation, danger, and abuse for women.
- Women turned to male protectors in the face of criminalisation, leading to increased third-party involvement in the sex trade.

Early 20th-century feminist campaigns to decriminalise solicitation laws.

- Middle-class white feminists in 1910s recognized and spoke out against the criminalisation of sex work, arguing that women deserved tolerable comfort and well-being, not just survival.
- Feminists in early 20th century campaigned to decriminalise prostitution.
- Feminists campaigned to decriminalise solicitation laws, opposing any measure that singled out women.
- Feminists argued for a law ensuring no one disturbs the peace, while opposing immigration laws targeting women labelled as prostitutes.

Early 20th century feminist campaigns to decriminalise prostitution.

- Early 20th-century feminist campaigners advocated for decriminalisation of prostitution, recognising it as a necessary evil due to women's economic and social inequality.
- Alison Nielans, a forgotten early feminist, spearheaded this movement, highlighting the exploitation and abuse of women who sold sex while pushing for legal justice.

1950s UK prostitution laws and their impact on women.

- In 1950s London, police arrests for solicitation-related offenses skyrocketed, with various explanations for the spike.
- In 1946, police in London started receiving overtime pay for court appearances, leading to an increase in arrests of women soliciting on the street.
- The Wolfenden Committee ignored expert evidence on the consequences of criminalising prostitution and instead recommended increasing fines and prison sentences.
- Julia argues that Wolfenden Report was oppressive to women who sold sex, ignoring their experiences and campaigns for justice.
- After Wolfenden, Conservative government passed Street Offences Act in 1959, criminalising prostitution and ignoring police concerns about pimps and organised crime.

History of criminalising prostitution, impact on sex workers' rights.

- The history of criminalising prostitution in the late 19th and early 20th centuries reveals ongoing debates between rights and protection, with sex workers advocating for decriminalisation and basic rights, while campaigners demand stronger laws against trafficking and brothels.
- Any attempt to suppress commercial sex with criminal law is futile, as long as underlying factors such as poverty and lack of social support persist, with laws disproportionately affecting marginalised communities.
- Early 20th-century feminists campaigned for decriminalisation of sex work, seeing it as a symptom of broader economic exploitation.
- Modern sex work exclusionary radical feminists can learn from early feminists' opposition to prostitution while supporting sex workers' rights.

