

## ‘Innovation and the Application of Knowledge for More Effective Policing’

### N8 Policing Research Partnership Catalyst Project

#### **POLICING VULNERABILITY: LEARNING FROM SEX WORK LIAISON OFFICER ROLE IN WEST YORKSHIRE POLICE**

Policing is a key determinant in both likelihood of violence and access to justice for sex workers (Platt et al, 2018), which vary significantly across the diversity of the sex industry. In England and Wales it is not illegal to sell or pay for sex, but soliciting is prohibited, as is working with others, running a brothel and involvement of third parties. This places the police in a dual role: enforcing laws which position many sex workers as criminals whilst protecting and supporting them as victims of crime. Research has shown that police time on sex work tends to be dominated by responding to community concerns with visible sex work, meaning dealing with recidivist ‘anti-social’ behaviour rather than deeper enduring issues of harm and vulnerability. The National Police Chiefs’ Council’s *Policing Sex Work and Prostitution Guidance* outlines the importance of starting ‘from a position that seeks to address vulnerability and exploitation’ (NPCC, 2019: 4) and states that ‘enforcement does not resolve the issue, but rather displaces it, making sex workers more vulnerable’ (NPCC 2015: 10). In an era where ‘protection of the vulnerable’ is a core policing priority, one of the ways injustices and safety risks to sex workers has been addressed is through dedicated specialist Sex Work Liaison Officers (SWLOs). West Yorkshire Police (WYP) is one of only a few forces in England to have a full-time SWLO. This report gives an overview of findings from a one year mixed-methods study on role of the SWLO in Leeds, focussed on developing an evidence base to assist implementation and development of similar roles.

#### **KEY FINDINGS**

- Sex workers are highly vulnerable to crime due to a variety of social, legal and environmental factors. The role of SWLO has major benefits in how this vulnerability can be mitigated by local police forces.
- There were benefits in the purpose and duties of the SWLO role being approached flexibly, but core tasks, priorities, responsibilities and outcomes could be standardised further to enhance effectiveness.
- The SWLO plays a vital role in building trust with sex workers and ensuring more crimes committed against this group enter the criminal justice system, although considerable barriers to reporting remain.
- If approached with due care and consideration of sex workers’ perspectives, the role provides significant ‘intelligence value’ for investigating serious offending (in Leeds this includes human trafficking), offering an alternative approach to resource-intensive surface-level displacement of anti-social behaviour.
- Increased reporting is an important first step, but in terms of delivering ‘good outcomes’ for sex workers in the criminal justice system, the SWLO’s role is limited without similar improvement in investigations and prosecutions. At present, most crime reports result in ‘no further action’.
- Whilst beneficial in certain respects, concentration of good practice in responding to sex workers could also be limiting, with sustainability a key risk where that good practice is centred on one officer.
- The effectiveness of the SWLO role is highly dependent on the local and national blend of *enforcement against* sex workers and *support for* this group as victims of crime. The role offers a useful model for police responses to those who are vulnerable to crime and also positioned in law as criminal.
- The provision is citywide, including indoor and online sex work, but in practice, concerns about street sex work dominate, driving SWLO priorities. Changes to resourcing and governance arrangements could enable the role to operate in ways more aligned with the evidence base on sex worker vulnerability.

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## INTRODUCTION AND BACKGROUND

Policing is a key factor in sex workers' vulnerability to crime. Vulnerability also varies according to factors including sector of work (e.g. street/parlour/online), gender, ethnicity and migration status (Connelly et al, 2018). Although most sex work transactions occur without violence (Kinnell, 2006), physical and sexual assaults are commonly experienced by sex workers due to various social, legal and environmental factors (Deering et al, 2014; Platt et al, 2018). The sex industry is now highly diverse and recognition of this is key to best practice policing (NPCC, 2019). For example, cisgender street sex workers report the highest levels of violence/sexual violence, whilst those working indoors/online are less likely to report; and to experience crimes such as robbery, stalking and harassment (Connelly et al, 2018). Sexual health issues, drug use, physical and mental health problems also shape street sex worker vulnerability (Grenfell and Platt, 2015). In efforts to deal with such complexities WYP are one of few forces in England and Wales to have a full-time SWLO, operating in Leeds since 2014 when the city implemented a 'managed approach' to street sex work (see Safer Leeds, 2019).

## RESEARCH METHODS

This mixed-methods study was undertaken from June 2018-June 2019 and comprised six strands: (i) analysis of **National Ugly Mugs (NUM) data** for Leeds. NUM is a self-report scheme through which sex workers report crime anonymously (for purposes of intelligence / notifying other sex workers), or with permission to share with police (ie make a full crime report); (ii) analysis of **WYP data** on outcomes in SWLO cases; (iii) interviews (n=12) and focus groups (n=3) with **20 'key informant' stakeholders** including police officers (front line/senior); support professionals; and community group representatives; (iv) interviews with **10 sex workers** who identified as female (6 street, 4 indoor/online sex workers; ages 21-40+, 6 white British, 2 mixed race British and 2 Romanian); (v) **Ethnographic insights** generated through 3 days of SWLO shadowing; diary-keeping by the SWLO and regular meetings with stakeholders, (vi) **arts-based workshops** with around 15-20 sex workers, gathering views on the SWLO role and co-producing resources with key findings. Research methods employed **participatory approaches** with sex workers (see O'Neill, 2010) comprising co-design of research tools and co-analysis of findings, through five focus groups (two sessions with SWARM North sex work advocacy groups, two online sessions with independent sex workers and one with street sex workers). Not all sex workers' interests are represented and only a subsection of lived experiences of sex workers guided the design and execution of the research. In particular, male and trans sex workers were not represented, in part a reflection of the Leeds role and partner organisations. Around **30-35 sex workers participated**, with time and expertise recognised via payment in various forms.

## FINDINGS

No formal **purpose** or job description exists for SWLOs, in Leeds or nationally. **Duties were wide-ranging** and included: (i) being first point of contact/hub for liaison work related to crimes against sex workers (with partner agencies and within the force); (ii) supporting investigation of crimes against sex workers (including serious and violent crimes and safeguarding); (iii) engagement with sex workers to encourage reporting of crime; (iv) policing and responding to those who live or work near indoor/street sex work; and (v) acting as an expert and advocate of sex worker justice within the police. Multi-agency coordination and informal supportive interactions with sex workers were considered key to effectiveness, especially having a 'direct line' to a well-informed officer who can take action quickly. As one police officer commented: 'she knows what's going on, she brings us together'. The SWLO diary indicated street sex work dominated time, including 'sweeps' to pick up sex workers breaching rules and dealing with community concerns (a notable difference from SWLO practice in other forces). Local community representatives were unclear about the purpose of the role, leading to mismatched expectations and practice in some instances. Defining the role as focussed on enhancing safety and justice for sex workers would provide clarity and bring the role in line with NPCC best practice starting 'from a position that seeks to address vulnerability and exploitation' (NPCC, 2019: 4). Sex workers identified important attributes including knowledge of the sex industry, helping them gain control over reporting, and the officer being female, not unexpected given our sample of cisgender women.

The trust-building and needs-led work undertaken by the SWLO played a vital role in ensuring **more crimes committed against sex workers enter the criminal justice system**, key to sex workers accessing justice. This research identified considerable barriers to reporting documented in other studies, especially for vulnerable groups such as migrant sex workers. Romanian indoor sex worker Krista (aged 25) said she would not have reported prior to meeting the SWLO, 'others just told me [police] will say, 'Don't do this job,' or send me back to my country or something like that'. Since the introduction of the SWLO (and managed approach), there has been a significant increase in sex workers reporting crimes via NUM *and* giving permission for these to go forward as police crime reports, from 0% (of 14 reports) in 2012 to around 50% (of roughly 60 reports) in 2015 and 2016; dropping to around 30% (of 47 and 24 reports respectively) 2017 and 2018. The recent drop may relate to street sex workers reporting directly to the SWLO (not via NUM) and/or increased enforcement action against street sex workers. Crime reported outside NUM processes highlight a need for regular review of local reporting pathways. Most reports came from street sex workers, indicating crimes against indoor/online sex workers are reported less (see Connelly, 2018). The SWLO was crucial in increased reporting due to trust in her and presence/proximity, as one street sex worker described after being hospitalised from an assault: 'I didn't want to report it to the police or anything, and then I came down here [sex work support project] and [SWLO] was here, and after speaking with [SWLO] that's when I wanted to take it further' (Kat, age 37). Yet considerable barriers to reporting remained. Some sex workers still held the view 'I'd never report to any police' (arts workshop). Evidence on whether women felt safer as a result of the SWLO was mixed, with one street sex worker commenting 'I'd feel more safe if there were more police liaison officers' (Beth, age 32).

The role had significant value in moving **beyond 'revolving door' policing** (Phoenix, 2008), the limits of which were widely acknowledged. The SWLO role offered policing focussed on apprehending dangerous offenders and ensuring the protection of the most vulnerable, mainly through the generation of a 'bigger, better intelligence picture' (Senior Police Officer). This included bi-weekly engagement visits to premises where police intelligence indicated concerns about human trafficking, undertaken plain-clothed and in partnership with sex work support service Basis Yorkshire. During these visits, Basis offered sexual health services whilst the SWLO outlined reporting processes without 'scaring'. A force modern slavery lead noted: 'because of that confidence that they've got in coming forward and speaking to her [...] sex workers will raise concerns over certain people in that locality'. Indeed, after SWLO initial engagement, sex workers had come forward as victims of human trafficking under the National Referral Mechanism, and played a key role in investigations. Observations highlighted careful consideration of sex worker perspectives in this work, and ethical dilemmas in keeping records which could potentially be mobilised in actions against sex workers. An important principle was that action was taken in response to specific concerns. Photographing of migrant sex worker identification cards was controversial and we recommend this strategy is reconsidered. Other resource-effective aspects included reduced time spent on missing persons investigations; and 'long term' trusting relationships with sex workers being vital 'groundwork' in investigation of serious and complex crimes. As a CID officer said about a successful rape conviction, 'there is no doubt in my mind [...] that suspect wouldn't have been found guilty because he would never have got that far without having the support from [SWLO] that she'd built-up over many, many months'.

In terms of **outcomes in SWLO-related crime reports**, 78 cases could be traced to the SWLO in WYP data Jan 2014-Feb 2019. Qualitative investigation underlined additional cases that progressed to sentence but did not appear in this data (including a murder), and along with NUM reports indicated partial coverage. Whilst data on enforcement against sex workers is circulated regularly, no data on crimes against sex workers across Leeds is routinely reviewed. Of 78 cases we could track, in 40% a suspect was identified, but 86% resulted in no further action (NFA). Cases were NFA for various reasons: 'victim not wanting to go forward' (31%); no clear lines of enquiry/evidential difficulties (23%); 'word on word allegations' (9%); no victim/complainant identified (6%). Broadly comparable crimes nationally (violence against the person; rape/ sexual assault; robbery and theft) are NFA due to evidential difficulties or a suspect not being identified in around 70% of cases (ONS, 2019), indicating substantial problems overall but that these are augmented for Leeds sex workers in ways the SWLO role cannot address.

NFAs were widely discussed by sex workers, with stigma being key: ‘you hand them the criminals and the criminals go free. Where’s the justice in that?’ (arts workshop). For crimes to progress, wider system change is clearly needed beyond the SWLO role. There were, however, some significant ‘good outcomes’, including substantial custodial sentences for rapes/assaults. Bespoke support/investigation work by the SWLO was crucial in these. As street sex worker Vanessa (39) said, ‘I’m seeing it through. I’m taking them to court, and I’m getting them put in prison, because I know that [SWLO] will have my back.[...] I will trust them, because of [SWLO].’

A number of **barriers to effectiveness** were highlighted. Concentration of specialist knowledge and protection-based approaches in one highly dedicated/skilled officer working shifts was **precarious**. Sex work support services felt when the SWLO was unavailable police responses were not ‘joined-up’. Sex workers favoured reporting crimes to the SWLO but remained reluctant to report to others: ‘the wider message from police is ‘don’t bother us unless it’s an emergency’’ (arts workshop). Forensic windows closed whilst sex workers waited for the SWLO to come on shift. **Resources being insufficient to meet need** was another key issue. A significant proportion of SWLO time was spent on street and migrant sex work. The larger scale indoor and online sex industry was not well-served, nor were male sex workers. The officer had supported a small number of trans women. In line with local strategic priorities, SWLO work reflected visible concerns with sex work rather than evidence-based responses to harm and vulnerability. At least 54 ‘official warnings’, 18 arrests, 12 Home Office Cautions were given to street sex workers Jan-Jun 2019, with 30 male purchasers arrested/formally warned (Safer Leeds bulletins). With four enforcement officers for street sex work and only one SWLO, **the wider balance of enforcement and protection** undermined effectiveness of the role. Contrary to best practice, the SWLO was pulled into enforcement duties including ‘sweeps’ for ‘rule breaches’, responding to residents, ASB tenancy enforcement and in some cases arrests. **This undermines trust** (see NPCC, 2019). One sex worker relayed not reporting a crime outside the designated area as she feared arrest. A police officer flagged, ‘I think [SWLO's] role needs to be separate, so the girls can trust her more’. Operating under safeguarding/vulnerable victims governance structures might be a way to address this (cf. Campbell, 2018). Ultimately, requirements to enforce significantly limited the SWLO’s ability to bridge to justice, as one sex worker said: ‘We’re the last ones to get justice, because of what we do’ (arts workshop).

## CONCLUSION

SWLOs offer a means of improving police responses to vulnerable victims of crime who would otherwise often be seen as ‘problem’, ‘nuisance’ or ‘criminal’. The role functions as a vital hub for crimes against sex workers, enhancing responsiveness to sex worker needs and working conditions. Although in practice the Leeds role is heavily influenced by the priorities of the managed approach, the SWLO’s work is a vital component of sex work policing in WYP irrespective of this approach to *street* sex work. The role has been central to ensuring that more crimes against sex workers enter the criminal justice system, although substantial barriers remain, especially for the most vulnerable and for indoor and male sex workers. The role has helped WYP move beyond resource-intensive displacement policing to apprehension of dangerous offenders and protection of vulnerable victims of crime. However, best practice was highly dependent on one individual and discriminatory treatment and un-coordinated responses persisted in the wider criminal justice system. Major barriers to justice remained, tied to the stigma of sex workers being ‘non-ideal’ victims and wider quasi-criminalisation of sex work. To maximise effectiveness in SWLO roles, balances of enforcement/protection need to be in line with NPCC guidance on prioritising sex worker vulnerability, and strategic governance must support mapping SWLO work to patterns of sex worker vulnerability across the diversity of the sex industry.

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