



## **About us, our focus and our relationship to the City and Council**

This consultation response is submitted by Bristol Women's Commission Safety Task Group on behalf of the Women's Commission.

Bristol Women's Commission Safety Task Group was established in order to help Bristol to meet its obligations under Article 21 (Safety and Security) and Article 22 (Gender-Based Violence) of the European Charter for Equality of Women and Men in Local Life, to which the Bristol City Council is a signatory ([https://www.ccre.org/docs/charte\\_egalite\\_en.pdf](https://www.ccre.org/docs/charte_egalite_en.pdf)). Under these Articles the city of Bristol:

- Recognizes the right of each woman and man to security of the person, and to liberty of movement, and that these rights cannot be freely or equally exercised if women or men are unsafe or insecure, whether in the private or public domain, or if they feel unsafe or insecure.
- Further recognizes that women and men, in part due to different obligations or lifestyles, often face differing problems of safety and security, which need to be addressed.
- Commits itself to develop and implement strategies, policies and actions to enhance the practical security and safety of women and men, and to seek to reduce their respective perceptions of lack of safety and security.
- Recognises that gender-based violence arises from the idea, on the part of the perpetrator, of the superiority of one sex over the other in the context of an unequal relationship of power.
- Commits itself to establish and strengthen policies and actions against gender-based violence including promoting awareness-raising campaigns and educational programmes aimed at potential and actual victims and perpetrators.

Bristol Women's Commission Safety Task Group members includes experts by experience and experts in service provision, research, and policy concerning all forms of gender-based violence.

Bristol Women's Commission, of which the Safety Task Group forms a part, is made up of senior representatives of the key agencies in the city including Avon and Somerset Police, the Clinical Commissioning Group, Universities, colleges and education, business leaders, the Trades Union Congress, First Bus, voluntary and women's sector umbrella organisations and experts in women's rights, and Bristol City Council's Cabinet Member for women.

We urge you to listen to your experts on women's equality and women's safety and implement a nil cap in Bristol.

## **Relevant information and resources**

There is a wealth of information in a range of formats supporting our consultation response, from our rigorous [evidence and policy review](#) produced with Safe and Equal Bristol, to briefings (e.g. on SEVs and [employment opportunities](#)) to video content (e.g. [young men](#) interviewed in Bristol);

[experts](#) in sexual and gender based violence). We encourage all members of the Committee to review these materials fully.

These materials are collated on our webpage at:

<https://www.bristolwomensvoice.org.uk/sexual-entertainment-venues-sevs/>

## **Why we advise and urge you to adopt a nil cap**

### **Sex equality and safety of women and girls**

Bristol Women's Commission supports a nil cap policy on Sexual Entertainment Venues (SEVs) within the local authority of Bristol. The Commission believes that the granting of licences to these establishments contradicts the policies and obligations the City Council has in tackling exploitation and violence against women. The Commission trusts that the Licensing Committee will adopt a policy that no SEV licenses will be granted within the local authority area in the future, and apply it strictly. This will enable the Council to meet many of its obligations and legal objectives in terms of equality and human rights and wider government policy.

Our focus is on supporting a nil cap on SEVs in Bristol because of the incompatibility of the current policy with a city that is equal and safe for all.

As a key signatory to the European Charter for Equality of Women and Men in Local Life<sup>i</sup> Bristol City Council must recognise that "gender-based violence arises from the idea, on the part of the perpetrator, of the superiority of one sex over the other in... an unequal relationship of power" (Article 22.2). SEVs can be seen to contribute to a popular culture whereby women's bodies are objectified. This culture perpetuates the notion of "the superiority of one sex over the other" as identified in the Charter.<sup>ii</sup> The Council's duty under the Equality Act 2010 and the Public Sector Equality Duty (PSED) includes the need to have 'due regard' to the need to eliminate discrimination and harassment of women and advance equality of opportunity for women, as well as foster good relations between men and women which arguably the presence of SEVs does not do. In fact, research demonstrates that the sexual objectification of women, which can be seen to be encouraged and practiced within SEVs, acts to reinforce gender inequality.

Therefore, continued licensing of SEVs by Bristol City Council fails to meet obligations under the Charter and national equalities legislation and diminishes the status of Bristol as a modern European City where both women and men can lead fulfilled lives in a safe and fair society.

### **Bristol's commitments**

Bristol as a city is committed to the eradication of violence and abuse of women and girls. The city was awarded White Ribbon City status requiring cities to work towards a status of zero SEVs and both the current and previous Mayors of Bristol pledged their support. Bristol City Council supported the Women's Commission's Bristol Zero Tolerance initiative, seeking to address all forms of gender-based violence, abuse, harassment and exploitation in the city and a nil cap policy on SEVs formed a part of this work. Over 70 high profile organisations and businesses in Bristol signed up to the Bristol Zero Tolerance pledge, committing to take action on gender-based violence in the city. Bristol's Strategy against Violence and Abuse includes the aim to challenge the sexualisation and subordination of women and children yet currently the Council provides licenses to operators whose purpose is to sexualise women. Recent years saw a devastating decrease in funding for prevention work as the budgets and specialist staff posts in local authorities and in Public Health were cut, and cut again. The loss of these jobs, almost all jobs that were done by dedicated and enthusiastic women, were not considered newsworthy at the time.

The public mood has shifted in the wake of recent events highlighting the epidemic of violence and abuse that women and girls have come to see as normal. This is a welcome shift, as is the recent focus towards prevention in BCC's draft Domestic Abuse and Sexual Violence Services Consultation, as well as the focus on prevention in the manifesto of our new Police and Crime Commissioner. Education about healthy relationships and how they are connected to sex equality is also now a statutory subject in schools. It has never been more important for the City Council to take every opportunity to act in support of policies and practices that make a positive contribution to culture change. It has never been more important to decisively end practices and policies that undermine culture change and that undermine progress towards ending violence against women.

The presence of SEVs in Bristol clearly impacts on the safety of women and girls. A local authority policy which permits the licensing of SEVs contributes to the normalisation of exploitation and gender-based violence which other public authorities in Bristol, from law enforcement to public health, schools and universities, are trying to combat. This contradiction has been recognised by an ever-growing number of Local Authorities who have moved to a nil-cap policy. We are unhappy that Bristol was not among the first of them. Home Office Guidance,<sup>iii</sup> legal textbooks,<sup>iv</sup> and precedent in legal judgments<sup>v</sup> are clear on the extent of Local Authority powers and on the importance of listening to the voices of women and to experts.

### **Sex trade, performers and customers**

International and UK based research shows consistently that the sex trade, which includes SEVs, is led by supply not by demand. If it is available and seems to be legal, men will seek to purchase sex acts from women. Where it is less available and not accepted as normal or legal, far fewer men will behave in this way. Men take their cue from what they think society tells them is normal. The evidence that the existence of the 'regulated' trade in Bristol drives and fuels more unregulated trade, rather than existing in its place, is very strong as reviewed in the Safe and Equal Bristol report.

There is no evidence to support the claim made in the past that the activity currently licensed in SEVs would "go underground" if no SEV licences were granted. On the contrary, the evidence is that the volume of activity would decrease. This means that even if there are concerns that less-regulated ('private' but still legal) activity could be more dangerous for individual performers than regulated activity, there would be less of it and not more unregulated activity than there is currently. This means fewer women would experience the risk of harm. Strip clubs are reported locally, nationally and internationally as a key 'entry point' into the sex trade for women, who in Bristol have described how they entered the trade aged 18. To put it another way, in the five years following a nil cap policy, numerous girl children who are now aged 13,14,15,16 and 17 respectively would not be making their debuts in Bristol strip clubs aged 18. The presence of the clubs on main city streets, their expenditure on advertising and marketing, and the business model which sees crossover between regulated and unregulated activity by those who run the clubs as well as those who perform in them is evidence that the presence of the clubs is fuelling demand. Furthermore there is also no evidence that regulated venues are any safer for anyone than venues which do not host 'sexual entertainment' regularly, and which therefore do not require a licence.

The sex trade damages women (not exclusively the women selling sex) as a protected group under the Equality Act.

### **What is the impact of the sex trade on community and equality?**

We appreciate that when you consider your obligations under the Equality Act, the fact that performers, who make up a relatively very small number of people, tend to be women is dwarfed by

the impact that the clubs have on all women and girls in the city, because of the effect of the activity upon the male customers who frequent them and upon the men and women who see that the local authority seems to support this activity.

Men who exploit women in prostitution have often arrived at that point through engaging in other forms of purchasing sex such as visiting sexual entertainment venues. Their attitudes about women are formed, hardened and reinforced by the opportunity to pay for sexual entertainment. Those attitudes in turn determine how they behave towards women in the wider community as well as those women selling sex.

There has been much research into the attitudes that drive sexism in society and violence against women in society, which are related to each other. Men who use the sex trade lack empathy for women, dehumanise women, see them as inferior and are encouraged to continue believing that they are entitled to demand sex from women.

There is clear evidence that SEVs are an entry point into further forms of sex buying (prostitution) for men, as well as clear evidence that men who are sex buyers are more hostile and violent towards women than men who are not. We do not believe the Council seriously wishes to increase the number of men who are sex buyers in the city nor to preside over the recruitment of men as sex buyers.

The prevalence and incidence of violent crimes against women in Bristol are in our view increased by the presence of, and activities promoted by, licensed sexual entertainment venues.

### **What is the impact of working in the sex trade on the women who do this work?**

Men who pay for sex are known to have worse attitudes towards the women who sell sex than men who do not. This stigma comes from men's attitudes. Women working in the sex trade are abused, exploited and sometimes murdered (at rates 40x higher than women working in any other job)<sup>vi</sup> by the men who pay for sex, not by campaigners against the sex trade.

Women working in the worst conditions such as selling sex on the streets, often come to that work via other forms of selling sex, including performing in sexual entertainment venues. Recent research by the University of Bristol for the Home Office surveying hundreds of people working in all forms of sex work/prostitution found that performing in SEVs is a gateway to full-service prostitution. Most women who began work in SEVs had not worked in the sex trade before, and the majority then went on to do escorting and full-service prostitution.<sup>vii</sup> Men are encouraged to hand over money to buy sexual gratification from women who in the great majority would not choose to do these acts if they were not being paid. This dehumanises women and promotes a 'sexist view of sex'.

We fully understand that women are often driven by family and financial circumstances into work selling sex. We also understand that some women (the minority) say that they enjoy the work. We know that as our elected representatives your role is to make decisions about public policy for the good of the city and its communities, including taking decisions that impact on jobs in industries that are harmful to wider society such as the fossil fuel industry and the tobacco industry.

Your own policy does not mention the safety or wellbeing of the workers in the premises, but the standard conditions rightly reflect the reality that this is high-risk work. There are many news stories in the public record, and many research studies, that demonstrate women working as performers even in regulated environments are at very much higher risk of sexual harassment, assault and violence than the general population as well as high risk of using coping behaviours

such as substance abuse. This climate simply would not be tolerated as an acceptable risk to health and safety or emotional wellbeing, in any other workplace. Just before the pandemic, a man was convicted at Bristol Crown Court for sexually assaulting a dancer in an unnamed club in the region (he grabbed her and ejaculated on her leg).<sup>viii</sup> Records show that clubs in Bristol have been fined and ultimately closed down following physical contact between performers and customers. Research among performers shows that the consequences of working in clubs include substance abuse, contempt for men and entry into prostitution with all of its associated risks.<sup>ix</sup> This is because of the nature of the work and the attitudes of the purchasers, and is not because of regulatory failures. The increased risk of this work cannot be mitigated away by imposing conditions – the risk remains. We understand that individual women may make the choice to do this work and may say that they feel safe but the work is nevertheless risky to immediate physical safety as well as in the longer-term for mental and physical health.

We note that:

- Women who work in the sex trade are just like women who do not work in the sex trade – working in the sex trade is not the only work available to women. All jobs in the regular labour market that are open to men are also open to women and our Equalities law makes sure this is the case.
- Bristol’s rates of employment for women are buoyant and exceed the national average by some distance.<sup>x</sup>
- The people who make enormous sums of money from this trade are the club owners and operators, not the women.
- We strongly support alternative employment and development opportunities for any women performers who in the short term are affected by the ending of the regime for granting sexual entertainment venue licences in the city. We recommend that investment now towards supporting this relatively small and readily identifiable group of women into alternative and less harmful employment opportunities is not only the right thing to do but is cost-effective over the medium and long term for the city.
- We strongly support Bristol City Council committing to work alongside the Police and Crime Commissioner’s Office and other appropriate City Partners to create policy approaches that will address the ‘loopholes’ in legislation and practice that permit businesses to profit from recruiting and engaging self-employed women into environments which would fail any test for the health and safety of directly employed workers.

### **Women’s experiences of being unsafe guide their perceptions and behaviour**

Research has told us that women do not feel safe in our city centre. Women are known to self-select away from areas where the sex trade is located (how ‘visible’ or ‘tacky’ the premises look has got nothing to do with this).

The presence of SEVs in our city impacts upon women in several ways:

- Women know that the clientele are likely to have been drinking alcohol and sexually aroused and women know through experience, as we know through research, that men who drink alcohol and have been sexually objectifying women are likely to be more sexist than most men and more dangerous to women. This means that a number of women who feel this way avoid going near these premises. It is not relevant that some women do not notice them or avoid them, or even that some women visit them. The impact is a gendered impact because it is women, rather than men, who stay away from the area as a direct result of these

premises being there. Our duty and your duty as a council is to make public spaces equally welcoming to women as men, and to take account of women's perceptions and fears about their safety. In this case those perceptions and fears are well-grounded, but it would not matter if they were illogical.

- Women feel let down by the City Council because it has allowed these premises to be a feature of our city. This sends a message to men as well as women, that sexism and inequality between women and men are not important to the Council.

The “nature and style of the relevant entertainment” is “male and female performers involving full or partial nudity”. From the legislation, we know that these performances are assumed (ignoring financial gain) “to be provided solely or principally for the purpose of sexually stimulating any member of the audience”. As far as we have been able to discover, there is no research that suggests women's attitudes to men become hostile, negative or violent after paying to see them perform sexually stimulating activity while nude. This is unsurprising given what is known about gender inequality. Therefore male performers are not relevant to our analysis. What we do know is that:

- Paying to have women perform sex acts reinforces sexist stereotypes
- Observing women perform nude makes the brain see women as objects and as less than fully human
- Men who use the sex trade are more violent to women in their lives
- Men who use the sex trade endorse hostile masculinity more
- Men who use the sex trade have more sexist attitudes to women
- Men who use the sex trade have more hostile attitudes to women who work in the sex trade
- Men who use the sex trade are much more likely to acknowledge they would rape a woman if they could get away with it.

Bristol city centre is the core of our city and is supposed to reflect the best of the city. It is where the Council meets. It is where our rape and domestic abuse services for women are based. Our city is supposed to be a leader in creating safe and equal communities where men and women can thrive. Yet currently we have two SEVs in the city centre.

In Bristol, we have high domestic violence and murder rates, high rape and sexual assault rates, and high sexual harassment rates, against women by men. We also have low reporting rates (women do not believe that the authorities will care or take them seriously) and low conviction rates in our courts. It has never been more important to show as a city that we stand against the sexual objectification of women, sexism and all forms of violence against women.

## **Conclusion**

The maintenance of any number of licensed SEVs in Bristol would be harmful to Bristol's women and girls. In particular it would reinforce the attitudes among men that drive sexism and violence against women. The maintenance of licensed SEVs in Bristol will increase both the pool of buyers and the pool of women willing to work selling sex. This is bad for women in the trade and for women who are not in the trade.

## **Request**

In order to help ensure that your decision-making is transparent to us, and to help us improve our communications in the future, please note our request to the committee to specifically address in the record of your discussions:

1. Did you give weight to your experts in women's equality and safety?
2. Did you agree with the (expert) analysis that to have a permitted number of SEVs above zero is harmful to women's equality and safety (if not, on what basis did you disagree)?
3. Did you find that other considerations that were put before you should have higher priority or more weight than the impact on women's equality and safety? - (if so what were they?)

If your answers to these three questions are:

1. yes,
2. yes,
3. no,

then this is the reasoning for your decision to implement a nil cap policy and apply it without exception.

## Endnotes

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<sup>i</sup> Council of European Municipalities and Regions, The European Charter of Equality for Women and Men in Local Life [http://www.ccre.org/docs/charte\\_egalite\\_en.pdf](http://www.ccre.org/docs/charte_egalite_en.pdf)

<sup>ii</sup> Bristol Women's Commission, Sexual Entertainment Venue Policy Statement, Licensing Special Purposes Sub Committee, 6th November 2014

<sup>iii</sup>

<https://webarchive.nationalarchives.gov.uk/ukgwa/20100413151441/http://crimereduction.homeoffice.gov.uk/crimereduction057a.pdf>

<sup>iv</sup> Sex Licensing by Philip Kolvin QC

<sup>v</sup> <http://www.bailii.org/ew/cases/EWCA/Civ/2014/94.html>

<sup>vi</sup> <https://nordicmodelnow.org/2019/11/08/prostitution-wheres-the-harm/>

<sup>vii</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/842920/Prostitution\\_and\\_Sex\\_Work\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/842920/Prostitution_and_Sex_Work_Report.pdf) (p27)

<sup>viii</sup> <https://www.independent.co.uk/news/uk/crime/amranuzzman-chowdhury-sexual-assault-dancer-strip-club-bristol-weston-super-mare-a9116901.html>

<sup>ix</sup> For example:

[https://www.researchgate.net/publication/249668255\\_Dancing\\_on\\_the\\_Mbius\\_StripChallenging\\_the\\_Sex\\_War\\_Paradigm](https://www.researchgate.net/publication/249668255_Dancing_on_the_Mbius_StripChallenging_the_Sex_War_Paradigm) ; <https://europepmc.org/articles/pmc5610130>; <http://www.uri.edu/artsci/wms/hughes/strip1.htm>; <https://s3-eu-west-1.amazonaws.com>; <https://www.ncbi.nlm.nih.gov/pubmed/28337633>; <https://link.springer.com/article/10.1007/s12119-010-9084-8>

<sup>x</sup> In 2018-19 Bristol had an employment rate of 78.9% which was the highest of British Core Cities and 3.9 percentage points above the national (GB) average. Its unemployment rate was 3.5% which is below the national (GB) average and lowest of the British Core Cities. By December 2020 despite the pandemic the employment rate was 75.4% and the second highest of the UK Core Cities. By July 2021 73.5% of Bristol women were in employment and they had an unemployment rate of 3.8%, well below the GB average of 4.7%..

<https://www.bristol.gov.uk/documents/20182/32947/State+of+Bristol+-+Key+Facts+2018-19.PDF>

<https://www.bristol.gov.uk/documents/20182/32947/Bristol+Key+Facts+2021>

<https://www.nomisweb.co.uk/reports/lmp/1a/1946157348/report.aspx?town=bristol#tabempunemp>