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# **Regulating the Demand for Commercialized Sexual Services**

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## **Introduction**

The tide is turning. Not too long ago virtually all of the discussions about prostitution focused on the women involved, who were seen as ‘offenders’ guilty of ‘supplying’ sexual services, but recently attention has shifted to male ‘demand’. There are a number of reasons that underpin these changes. First, it has become increasingly evident that the vast majority of the women involved in the sex trade are either economic or social victims rather than free-willed offenders, and that many have experienced years of abuse, exploitation and coercion. Second, and relatedly, the deployment of sanctions such as the fine has come to be seen as an increasingly inappropriate response to the women involved in prostitution, since it often places more pressure on them to intensify rather than decrease their involvement in prostitution. Male buyers, on the other hand are seen

as more responsive to a range of sanctions. Third, it has become apparent that there are significant differences in the motivations, interests and power relations between those involved in prostitution and their buyers. It is the desires, fantasies and perceived needs of the buyers that are being catered for through the commercialization of sex. Indeed, this commercial transaction has little or nothing to do with the sexual needs or interests of the women involved. As Plumridge et al. (1997) have suggested we need to dispense with the 'myth of mutuality'. Fourth, the claim that the majority of men either need to purchase sex in order to satisfy unmet biological needs or because they are single, disabled or lonely, has been shown to be unfounded. Although there are some researchers who seem keen to perpetuate this myth by focusing on small and unrepresentative samples of men (Sanders 2008a), studies on men who buy sex have repeatedly shown that the majority are married or have regular partners (Matthews 1993; Farley et al. 2009; Wilcox et al. 2009).

These different developments have changed attitudes towards men who buy sex amongst policy makers, politicians, researchers and the general public. The continued and growing focus on sex trafficking

has also raised the issue of men buying sex from women who have been coerced or are subject to forms of pressure, deception or intimidation. Consequently, prostitution in general has come to be seen as a toxic mix of economic pressures, physical coercion and emotional tensions in which women are increasingly coming to be identified as the victims. The unequal and often damaging nature of the relationship between purchasers and sellers has raised the issue, socially and politically, of whether the purchase of sex itself is a legitimate and acceptable activity. The passing of legislation in Sweden in 1999, which criminalized the purchase of sex, is increasingly seen internationally as a pioneering approach to the issue that more accurately reflects the differentials of power between women involved in prostitution and male buyers (Waltman 2011).

In addition, Norway introduced a ban against the purchase of sexual services in 2009, which includes sexual services purchased abroad. Similarly, in 2009 Iceland passed a law outlawing the purchase of sex, while in 2003 Finland introduced a law that banned the sale and purchase of sex in public places, and in 2005 enacted a law that

sanctioned the purchase of sexual services from a person who is the object of procurement or human trafficking.

In the UK there has been an increasing focus on demand. In the mid 1980s legislation was directed at kerb crawlers in England and Wales and in 2007 Scotland outlawed kerb crawling and Northern Ireland followed suit a year later. This legislation has been steadily strengthened over time. In England and Wales the Policing and Crime Act (2009) introduced a strict liability offence directed at those who purchase sex from women involved in prostitution that are 'subject to force'. Over the last two decades in the UK and in America the policing of street prostitution has increasingly been directed towards the kerb-crawlers, while the number of cautions and prosecutions for the women involved has significantly decreased (Matthews 2005; 2008; Shively et al. 2012).

Apart from the development of formal sanctions in different countries, the United Nations has made a clear commitment to addressing demand for sexual services. Article 9 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and

Children (2000) calls for the development of research, media campaigns as well as social and economic initiatives to prevent and combat trafficking in persons and suggest in relation to demand that:

“States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking” (United Nations 2000).

In this and related documents the authors see a clear link between the level and nature of demand and the prevalence of trafficking in persons. Undoubtedly, much of the focus within national states and the European Commission has been on the victims of trafficking, however, it is becoming increasingly recognised that while the sex trade is not reducible to a simple interplay of ‘demand’ and ‘supply’, reducing demand can have a considerable effect on the scale and operation of the sex industry.

Alongside these formal policies on demand a number of informal initiatives have been developed in recent years amongst non-governmental organizations including voluntary agencies and activist groups who have developed different forms of campaigning and publicity designed to deter, or at least sensitize men, who purchase sex about the harms that may be caused.

Thus, demand has become an important but still under-researched component in addressing the issue of prostitution. Therefore, a more detailed investigation into the dynamics of demand offers the possibility of understanding more about the drivers of prostitution as well as potentially providing policy makers with information that will help them address this issue in a more systematic and effective way.

### **Deconstructing demand**

The various reasons or rationalisations that men gave for paying for sex have been relatively well documented (Monro 2000; Groom and Nanwani 2006). These tend to involve the claims that they are looking for some sexual variety, or are attracted by the prospect of illicit

encounters, or the desire for impersonal and uncomplicated sex, or encouraged by the convenience and accessibility, and in some cases motivated by a search for companionship and intimacy.

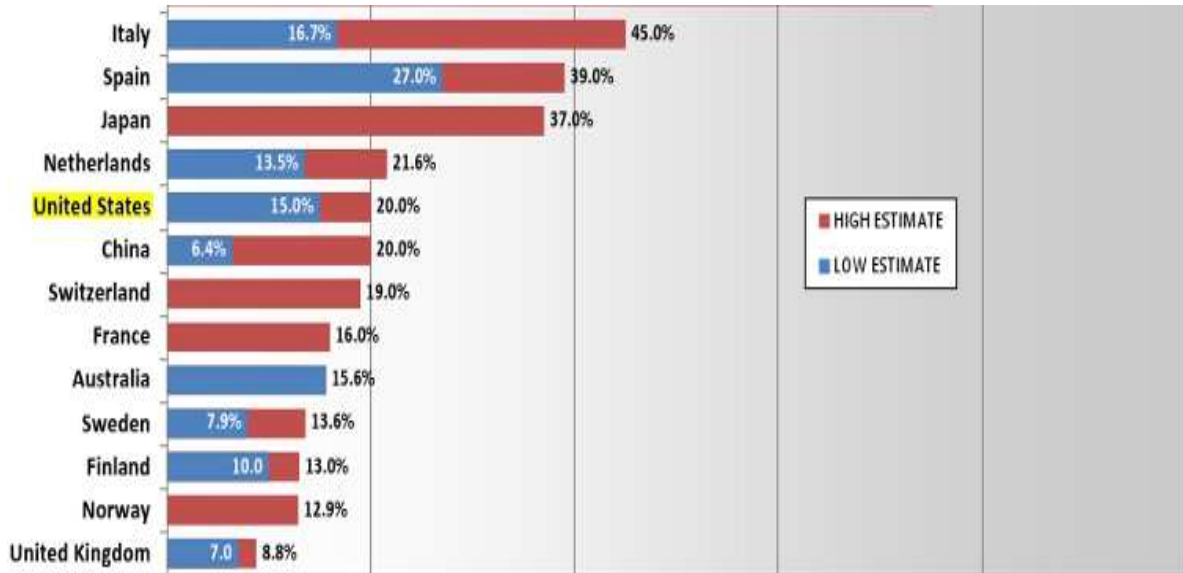
When investigating demand it is important to distinguish, as far as possible, between the *reasons* and *rationalizations* that men give for purchasing sex. When men are interviewed they are likely to give answers to the question: 'Why do you pay for sex?' that they think are acceptable. Thus, although their answer may be that they are 'just looking for some sexual variety' there may be other underlying motives in play. Thus, for example they may be primarily motivated by a desire to exercise control over a woman and thereby asserting their sense of masculinity, or alternatively they may be motivated by the desire to break with the moral constraints of their own domestic lives. Identifying some of these deep seated, but often unacknowledged, motivations and desires may go some way to explain the high levels of violence inflicted by clients on women involved in prostitution, and why such a large percentage of those men who purchase sex are married or have regular partners. Male purchasers are much less likely to admit or acknowledge such



feelings, particularly in highly structured or self-complete questionnaires. It may also be the case that the men concerned are not clear about their own motivations or may have contradictory desires. Identifying these processes requires a deeper examination into their motives than most of the research on this issue has done, to date.

Men who purchase sex are not a homogenous group. Neither are they subject to the same forms and levels of motivation. If our aim is to tackle the issue of demand and provide an effective policy response, it is necessary to develop a fuller understanding of the attitudes, motivation and emotional experiences of the men who purchase sex. Evidence from different countries suggests that there is considerable variation in the level of demand for commercialised sexual services in different locations as Figure 1 below indicates:

Figure 1. Percentage of men who have ever paid for sex by country.



Source: ProCon.org 2011.

Although these figures are to be treated with some caution they do suggest that there is considerable variance in different locations and this is likely to be a function of the nature of the operation of formal and informal sanctions in these countries coupled with different social norms. Apart from the difficulties of gaining reliable estimates of the level of demand it is important to distinguish between the number of men in each country that have ever purchased sex and

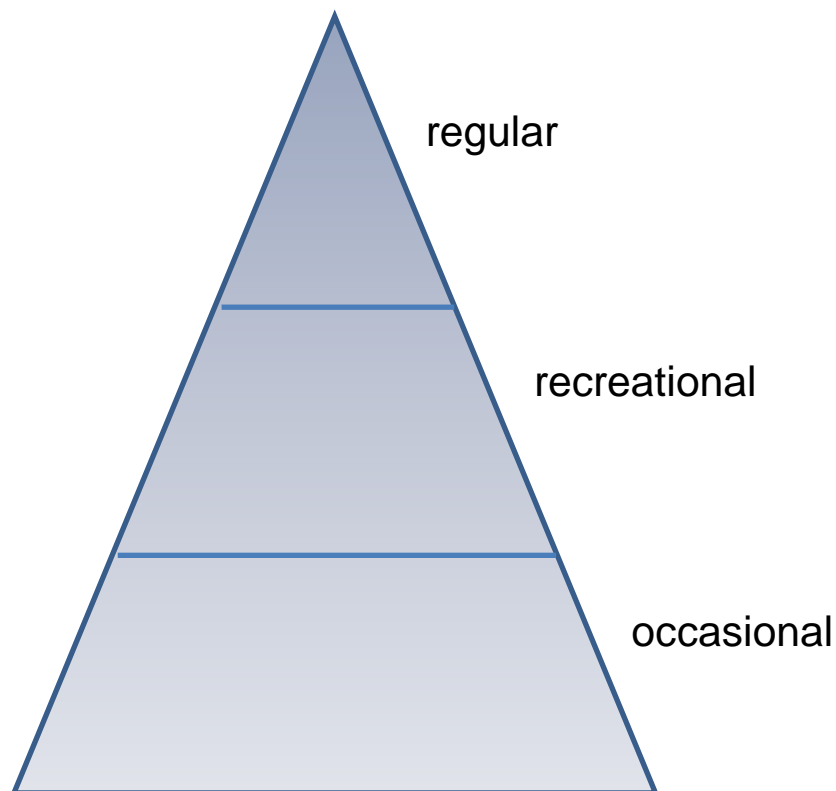
those who have purchased sex in the last twelve months. Relying on the former set of figures is likely to give an inflated and undifferentiated account of the frequency with which these men have paid for sex.

Thus, in some of the more detailed research on demand a differentiation is made between the numbers of times that respondents have purchased sex within a given period. For example, research carried out by Iovanni and Pringle (2005) in Denmark makes a distinction between those men who have paid for sex between 1-5 times (60%), those that have purchased sex 6-12 times (12%) and those that have paid for sex 12 times or more (28%). A Canadian study by Lowman (2005) found that 8% of male respondents had paid for sex once in their lives, whereas 33% had purchased sex between two and ten times. A further 32% had paid for sex between eleven and fifty times and just under a quarter had paid for sex more than fifty times. A study by Louie et al. (1998) involving 328 males, provided a different profile, with 47% of buyers visiting prostitutes less than every three months, whereas 27% paid for sex between every

week and every fortnight. Approximately 25% paid for sex every six months (Wilcox et al. 2009).

Although these studies use different time frames and modes of calibration, they indicate that the majority of men pay for sex infrequently, that some pay occasionally and that only a small percentage pay for sex regularly (Kennedy et al. 2004). Thus, it would seem that the structure of demand takes the form of a pyramid with occasional and infrequent users comprising the base, with regular buyers at the apex and recreational buyers in between.

Figure 2. The pyramid of demand



There are other ways of categorizing buyers. Research carried out by Daalder (2007) in the Netherlands divided buyers into three groups, in relation to the type of motivation involved. The first group were described as 'business like' who just want sex. The second group were identified as 'adventurous'. This category includes those men who seek different experiences, while there is a third group of 'romantics' who are looking for intimacy. This form of categorisation is similar to that developed by Vanswesenbeek et al. (1993) except importantly, she includes the category of the 'misogynist' buyer whose aim is to control women during these sexual encounters.

The question has also been raised whether the level of demand is increasing or changing in different countries. A recent study in the UK based on a follow up sample survey of 6000 respondents, found that the number of men who reported paying for sex over the previous 5 years had increased from 2% in 1990 to 4.2% in 2000 (Ward et al, 2005). How demand is changing in other countries is not clear, but the growth and diversification of the sex industry internationally in recent years, is widely seen to have encouraged a higher level of demand.

The Global Alliance Against Traffic in Women (Ham 2011) and the International Labour Organisation (ILO 2006) have attempted to deconstruct the notion of 'demand' in different ways in relation to trafficking. Unfortunately, however, rather than clarify this concept they create confusion by conflating the demand for trafficked labour and sex trafficking. There is a distinct and important difference between these two forms of trafficking and the forms of demand associated with them. As Carole Pateman (1988) has pointed out seeing prostitution or 'sex work' as just another form of labour loses sight of the specificity of the 'sexual contract' and its difference from a labour contract. The selling of one's body for intimate sexual activities is a qualitatively different experience from providing other forms of service. Providing sexual services for payment, Pateman argues, has significantly different implications for one's sense of identity and one's conception of the self. This is why, of course, that rape is considered to be distinctly different from other forms of violence in the western world.

## **The normalisation of demand**

In a recent study carried out in the UK, it was claimed that for men purchasing sex it is 'like going to the supermarket' (Coy et al, 2007). This claim implies a normalization of demand, and that buying sex for many men is increasingly accepted as a routine practice. However, the quotations from male purchasers in this and other studies do not support this claim. In general, most men who purchase sex display a range of emotional responses, which suggest that for the majority of them, paying for sex is an emotionally charged experience. While it is the case that there has been a proliferation of venues associated with the sex trade in recent years in many countries, men who buy sex are repeatedly quoted in the literature as expressing feelings of anxiety, guilt, or shame. Thus one male respondent in the study by Coy et al. (2007) states that: "There is a big element of guilt on me, that's why I thought I would volunteer to call and talk to you."

Indicatively in this study it is reported that the majority of men who had purchased sex had not told anyone, while it is stated that over half of the respondents (56.3%) said that they felt uneasy and

nervous about paying for sex. Male buyers expressed fear of contracting disease, and some expressed reservations about paying for sex with women who they thought had been coerced. At the same time, some respondents saw their purchase of sex as a demonstration of their sexual prowess, while others expressed negative feelings of remorse and a recognition of the harm and exploitation that occurs within the sex industry. For others, there is a feeling of excitement, adventure and variety. However, many men report ambivalent and contradictory emotions. Coy et al. (2007), for example, provide the following quotation from one of the buyers that they interviewed: “At the same time I get temporary relief from negative feelings, but actually it feeds the negative feelings, so it’s not productive”; while another respondent admits that contrary to expectations that: “It doesn’t make me feel good, having sex and having paid for it, it seems like you are a pimp.”

The literature on demand is peppered with similar quotations (McLeod et al. 2008; Farley et al. 2011; Durchslag and Goswami, 2008). While there are some men who may wish to rationalize the purchase of sex by normalizing the process, it is clear from the above



quotations that for the majority of men who purchase sex, the experience is charged with a range of emotions that continue to make it an exceptional experience that is significantly different from the emotional responses that they experience with their partners, or in other non-commercial sexual encounters.

The normalization of the purchase of sex is, of course, the other side of the coin to the claims regarding the normalization of prostitution. From this standpoint it is a small step to argue for legalization and full decriminalization, and for the acceptance rather than the reduction of male demand for commercialised sexual services.

### **Are men who buy sex different from men who do not?**

An examination of the 'normalization thesis' raises the related question of whether men who buy sex are different in behaviour and attitudes to those who do not. Most of the research on male demand seems to agree that in terms of socio-demographic characteristics, the differences are minimal (Monto and McRee 2005). Surveys of men who buy sex in different countries indicate that they are drawn

from across the social spectrum in terms of age, employment, education and ethnic identity.

However, in terms of attitudes towards women in general, and women involved in prostitution in particular, there appear to be some significant differences. A detailed study on this issue, involving 101 men who buy sex and 100 who do not, carried out by Melissa Farley and her colleagues in 2011, identified some important differences between men who buy sex and the rest of the male population. The main differences centered around their attitudes towards coercion, violence, crime, use of pornography and general views on women. A significant difference between both groups of men is the view held by men who buy sex that women involved in prostitution, whether trafficked or not, are essentially different from other women. Men who paid for sex reported a greater number of sexual partners and as in other related research tended to claim that they were unhappy with their partner or their wife.

The research by Farley and her colleagues also suggested that there were some points of agreement between buyers and non-buyers.

Both groups of men acknowledged the physical and psychological harms associated with prostitution, although the buyers tended to develop rationalisations about their contribution to this process. A large percentage of both groups were aware of the economic pressures that 'forced' women into prostitution and again some of the male buyers rationalized their purchase of sex in terms of helping these women to make a living. Apparently the majority of buyers and non-buyers subscribed to the view that prostitution reduces the likelihood of rape of non-prostituted women.

This research represents an interesting exploratory study and provides an important step in distinguishing between the motivation and attitudes of buyers and non-buyers. Importantly, it provides a basis for distinguishing between different groups of men and the nature of public attitudes in general towards prostitution and sex trafficking.

Sanders (2008b) in her study of male buyers of prostituted women, argues that their activities and motivations mirror traditional male social scripts. Thus she argues that much of the research on male

demand which finds differences between the attitudes of those who pay for sex and those who do not is misplaced. This is another variation of the 'normalization thesis'. Sanders argues that in a climate of 'plastic sexuality' and 'liquid love' that sexual scripts are undergoing a transformation with the consequence that the distinction between commercialized encounters and normal relationships is being eroded. Basing her research on a sample of 50 'regulars' whom she describes as 'mainly white middle class men' with an average age of 45 years, she claims that these men seek friendship and intimacy and that these encounters can 'enhance the quality of life of men who buy sex'.

At the same time she acknowledges that the women providing commercialized sexual services are playing out a sexual role or ritual as a way to satisfy customers' expectations and fantasies. However, she argues, with some justification, that in some cases the buyer can have an emotional involvement, and that for some men this may be as important as the sex. However, as we have seen above, the majority of men do not have positive or respectful views of the women who sell sex, and most are aware that the women concerned are

subject to economic or personal pressures, or both. What Sanders overlooks, however, is that whether buyers are respectful or not, they perpetuate the harm and dependencies that many women involved in prostitution frequently experience.

### **Does legalization increase demand?**

It has been suggested by a number of leading commentators on prostitution that legalization inevitably leads to an increase in demand and a general increase in the level of prostitution and sex trafficking. The legitimization and licensing of prostitution is seen to send out a clear message that the buying and selling of sex is condoned. Thus Janice Raymond (2004), for example, claims that 'legalization makes more prostituted women available to more men', while Richard Poulin (2005), from a Canadian perspective, claims unequivocally that: 'legalization of prostitution thus generates a colossal expansion of the industry and of the trafficking which is its corollary'.

The experience of Australia appears to support these claims. The legalization of prostitution in Queensland and New South Wales in the 1990s has apparently not achieved its stated goals of improving the health and safety of women involved in prostitution and has instead, it is reported, resulted in producing a number of undesirable outcomes – most notably the expansion of the sex industry. The increase in the scale and diversity of the sex industry that is reported to have occurred in Australia is seen in part a function of the greater involvement of organized crime networks and entrepreneurs who seek to make huge profits from the expanding sex industry. In addition, as a result of the increased advertising of sexual services in the media, legalization is held to stimulate the level of demand. Thus it is claimed by Sullivan and Jeffreys (2002) that by the end of the 1990s that the number of brothels in Sydney had tripled, while in Victoria the number had doubled, with an estimated 60,000 men spending \$7 million on prostitution each year.

It may be, as some have claimed, that legalization provided better working conditions for some women. However, others it would appear have been subject to greater exploitation and placed under pressure

to perform sex acts that otherwise they would not be prepared to do (Farley 2004). In most cases the women in the licensed brothels are formally subject to regular and intrusive health checks while male purchasers go unchecked. Thus, it is argued, the real beneficiaries of legalization are not the women involved but the male 'clients' and the pimps who now become 'service providers' (Sullivan 2010).

The process of licensing, inspection and taxation is largely directed towards registered brothels. Many entrepreneurs are not prepared to comply with these forms of regulation or are refused licenses by the authorities. Consequently, legalization tends to spawn a sizeable illegal sector of sex establishments that are difficult to control in a climate where commercialized sexual activity is accepted. Moreover, the escort sector, which by all accounts has grown considerably in Australia and elsewhere in recent years normally, operates outside of the constraints of the licensing process (Jeffreys 2010).

However, while expansion of the sex industry seems to be a consequence of legalization in Australia, the advent of legalization in the Netherlands seems to have taken a different and unexpected

course. Since the introduction of legalization in 1999 the scale of prostitution and the level of demand appears to have decreased in certain areas – most notably in Amsterdam where many of the ‘windows’ in the red light district have been closed and there have been attempts to turn the area into a centre for fashion and design (Outshorn 2012). The local authority who is concerned about the increased involvement of criminal networks coupled with reports of abuse, sex trafficking and a worsening of conditions for some women have refused licenses to a significant number of operators. This development seems to have affected both demand and supply and changed the mood of both prospective purchasers and local residents.

In a small town called Alkmaar in the Netherlands local residents have been campaigning to close down the ‘windows’. Currently there are 69 ‘windows’ and the local residents want the number dramatically reduced claiming that their presence creates problems of public order and generates a ‘criminal atmosphere’. In Eindhoven the police have closed down a number of brothels over the last few years in an operation designed to combat sex trafficking, while male



purchasers have been asked to show identification and quizzed about their knowledge of sex trafficking (Gijzel 2012).

In other locations purchasers are being encouraged to report situations where they suspect that the women they meet have been trafficked (Zaitch and Staring 2008). It is also reported that the number of purchasers visiting the red light district in Amsterdam is decreasing and the women working in the windows report a decrease in revenue and the amount that purchasers are prepared to pay for different services. The women working in the legal sector complain that stricter enforcement and regular inspections has placed more restrictions on them and that subsequently it has encouraged some women to move to the less regulated, or illegal sectors of the sex trade. Consequently, there appears to be an expansion of the illegal brothels as well as sauna clubs and specialist clubs catering for couples and particular sexual interests. (Daalder 2007). The effects of the growth of the unregulated and illegal sector on demand are difficult to measure given the clandestine nature of these activities, but it has been suggested that the illegal sector may now be bigger than the legal sector in the Netherlands. However, one estimate

suggests that between 2000 and 2006 that the number of licensed sex establishments in the Netherlands has decreased by one sixth, while in Amsterdam the number of windows has decreased by half between 2000 and 2012 (Outshorn 2012).

These developments raise issues about the relationship between legalization and demand. It would seem that while there has been a degree of diversification in the Netherlands and a growth of the illegal sector that in some areas at least there has been a decline in demand. It also suggests that where licensing is rigorously implemented and enforced and is coupled with an anti-trafficking ethos combined with stricter surveillance of purchasers that it can inadvertently serve to reduce demand. In relation to the Netherlands recent developments have drawn attention to the changing political climate in which policies circulate. Politicians and policy makers have responded to the undesirable consequences of legalization and its apparent failure to meet its objectives. There also seems to be a change of public attitudes in some parts of the Netherlands with local residents becoming less tolerant of the impact of prostitution on the neighborhood as well as broader normative shift which is beginning to

question the acceptability of purchasing sex, particularly when it involves women that are seen to be subject to some levels of coercion.

Thus in terms of the initial objectives legalization can be seen to have 'failed' in different ways in both Australia and the Netherlands. However, in the former the failure is seen in terms of the expansion of the sex trade, increased exploitation and an inability to provide appropriate health care, whereas in the Netherlands legalization is seen to failed because it has encouraged the involvement of criminal networks, fueled the expansion of the illegal sector, while reducing the demand and supply in the licensed sector in various locations.

This apparently contradictory outcome of legalization does not mean, however, as Laura Agustin (2008) has suggested that the formal mode of regulation is irrelevant. Rather, it suggests that the impact of legislation can vary in different locations depending on its implementation and enforcement and that this will be conditioned by the political, cultural and normative climate in which it operates. This suggests that it is necessary to examine the effects of different forms

of legislation in relation to wider strategies of governmentality and control (Scoular 2010). At the same time it reminds us of the segmented nature of the sex industry and that different sectors are simultaneously subject to different forms of organization and regulation. Thus, on street and off street activities may be treated differently, while escorts and those working in brothels, clubs or private flats may be subject to different forms of regulation.

### **Tourism, sport, sex and demand**

There is a strong and widely recognized relation between travel and commercialized sex. Travel brochures often present exotic and on occasions erotic images of women in their promotional materials (Ryan and Hall 2001). In some countries sex tourism is actively promoted, but rarely openly condoned. It is no secret, however, that sex tourism accounts for a significant proportion of the GNP in various poorer countries, while it is often the case that work, particularly for women, may be scarce and poorly paid and consequently women and children in these countries are under greater pressure to engage in prostitution (Lim 1998).

The high visibility and availability of sex entertainment industries in different locations is designed to contribute to the equalization of the tourist experience. However, while such 'entertainment' may encourage and shape demand, there are also those who travel abroad with the specific aim of purchasing sex. There are even commercial companies that provide organized sex tours' and book hotels, for example, in 'child sex capitals' for large numbers of individuals intent on buying sex from women and children (O'Connell Davidson 2005).

Apart from those who travel abroad to particular countries with some intention of purchasing sex there is a more fluid and mobile phenomenon which appears to be attracting a considerable number of actual and potential purchasers – international sporting events. Research on the Winter Olympics in Canada in 2010, the World Cup in Germany 2006 and other international sporting competitions, indicate that these high profile events are a magnet for those who want to promote the sale of sexual services as well as those

interested in purchasing them (London Councils 2011; GAATW 2011).

Unfortunately, much of the research that has sought to examine the relation between these international sporting events and prostitution remain inconclusive, mainly as a result of limited empirical data or poor conceptualization. Thus there was much speculation in relation to the number of women who were likely to be trafficked into Germany for the World Cup in 2006. It was suggested that the number would be in the region of 40,000. These figures appear by all accounts to be highly exaggerated (Hennig et al. 2006; Tavella 2007). However, the available evidence from other large sporting events does suggest that there is an increase in the level of commercialized sexual activity, including an increase in domestic trafficking as well as an increase in demand. This is reflected in the fact that before the World Cup in Germany in 2006 a new brothel was built close to the Olympic stadium, while the cities of Dortmund and Cologne constructed a number of 'sex huts' to cater for the anticipated increase in demand.

Prior to the World Cup in Germany in 2006 The Campaign Against Trafficking in Women (CATW) launched a signature campaign 'Buying Sex is Not a Sport', which was translated into a number of languages, received in excess of 130,000 signatures and attracted considerable media attention (Marcovich 2006). The focus, however, on the relation between prostitution and sport has been mainly on sex trafficking and the increase in the number of women involved in prostitution during these major sporting events and much less focus on demand. Moreover, it is not just the men who travel to watch these sporting events that are seen to increase the demand, but also the considerable number of construction workers many of whom will be away from home for long periods of time. Thus in relation to the Olympic games held in London in 2012 it was estimated that there were over 100,000 workers, predominantly men, working on this project. Providing reliable figures on changing levels of demand is notoriously difficult but is not impossible and there is clearly a need to focus on this aspect of the process in more detail in the future.

More generally, the focus on sex tourism has highlighted that one of the consequences of an increasingly globalised world, with increasing

migration and tourism is that patterns of demand are changing and in some countries intensifying. These are typically poorer countries with limited employment and low pay, particularly for women and in which the sex trade is poorly regulated or unregulated (Anderson and O'Connell Davidson 2000). The concentration of sex tourism is also conditioned by the visibility and accessibility of prostitution. Consequently, British purchasers who admit to buying sex abroad tend to choose the Netherlands and Germany, where the sex trade is less clandestine than in the UK (Farley et al. 200x). In both of these situations it appears that it is the anonymity that is important to purchasers and the distancing from the constraints that would normally direct their behaviour. Some are motivated by their ability to 'other' and more easily objectify foreign women, while others seem to be attracted by the prospect of purchasing sex with those under 18 – children.

In her book 'Children and the Global Sex Trade' Julia O'Connell Davidson (2005) aims to overcome the dualism that is evident in current debates and to unpack some of the complexities in the relation between supply and demand. However, in doing so she is in



danger of becoming an apologist for male demand by presenting a number of arguments in favour of not providing punitive responses to the purchase of sex, even from children. She claims that such responses to those involved in sex tourism may be much less progressive than they initially appear. First, she suggests that there are many men around the world who work in isolated settings away from their partners and have few opportunities for leisure and relaxation. Second, that in some cultures sex is viewed as necessary to men's health and well-being. Third, that in some countries men who do not visit prostitutes risk being labeled 'gay' or 'unmanly', which she informs us can have very serious consequences for the individual concerned. O'Connell Davidson adds that in such contexts that it would be callous (as well as unrealistic) to call for clients to be criminalized. Fourth, that criminalizing clients is unlikely to deter them. Fifth, if prostitution is more vigorously regulated it is likely that the states punitive powers will be mostly directed towards the women and children. Sixth, that penalizing demand for sex tourism deflects attention away from the general issue of child exploitation in different countries.

While agreeing with O'Connell Davidson that policies and interventions designed to regulate the demand for sex tourism have to take into account the different political and cultural contexts in which these activities occur, these variations do not mean that we have to adopt a position of cultural relativism or accept the existing political situation. To argue, as O'Connell Davidson does that these issues are 'morally complex' and that neither children nor sex tourists are a homogeneous group is in danger of muddying the waters rather than clarifying the situation. In consequence, rather than resolving the existing binaries between the liberal 'sex work' lobby and the radical abolitionists she remains lost in the murky waters in between, and in effect is unable to make any constructive contribution to the debate on demand.

### **The use of formal sanctions to control demand**

As we have seen, the level and nature of demand is variable. It is also clear that the demand for commercialised sexual services will be shaped by the prevailing combination of formal and informal sanctions. Consequently the question arises: which are the most

effective and appropriate sanctions to apply, or what combinations of sanctions should be applied if our aim is to address and reduce demand.

There is a need to make a distinction at the outset between *addressing* and *reducing* demand, because it is not only the scale of demand that is in question, but also the nature of demand. That is, while our prime objective may be to reduce the overall level of demand we may also want to simultaneously ‘responsibilise’ buyers and deter them from engaging in violence and abuse, or from seeking out underage or trafficked women and girls.

Surveys of male purchasers in different countries in recent years have posed the question of what type of sanctions would deter buyers from purchasing sex in the future. This research has produced some interesting results as Table. 2 below indicates:

Table 2. Percentage of Buyers Who Report that an Intervention Would Have a Deterrent Effect on their Purchase of Sexual Services

<b>Deterrent</b>	<b>England</b>	<b>Scotland</b>	<b>Chicago</b>
	Study: Farley et	Study: Macleod et,	Study: Durchslag

	al., 2009	al. 2008	& Goswami, 2008
	(N=103) %	(N=110) %	(N=113) %
Jail / Prison	84	79	83
Sex Offender Registry	85	89	
Picture / Name in Newspaper	83	84	87
Inform Family	79	77	79
Suspend Driver's License	78	NA	76
Impound Vehicle	76	70	70
Monetary Fine	80	69	68
Educational Program	47	56	41

Source: Rosenberg 2011

The implication of these responses would seem to be that virtually any substantive sanction which problematises the purchase of sex would deter the majority of current buyers.

Once arrested, prosecuted and convicted there are a number of sanctions that are available to the police and the courts. These include giving offenders an official warning or caution, sending letters to the offenders home or place of work, publishing the offenders name, photograph or car license plate in the local media, attending a re-educational programme or a 'John School' as the Americans call them. In addition community service, a fine or in cases of persistent reoffending, imprisonment can be used.

The available evidence suggests that a good percentage of kerb crawlers are deterred by an arrest, a caution or a fine (Brewer et al. 2006; Matthews 1993). Sending letters to the purchaser's home address has met with an uncertain response and most police forces in the UK have ceased this practice. Similarly publishing pictures of offenders or car number plates in local papers has also been fairly short-lived. Research from the US suggests that 'John schools' have been effective in recruiting male offenders a significant number of cases, but that participation in most of the programmes although is only achieved by threat of prosecution. Also, studies claiming a decrease in recidivism have been questioned on methodological

grounds (Lovell and Jordan 2012; Shively et al 2008) However, the kerb crawler rehabilitation programmes such as the 'Change Course' programme appear to have reduced the level of kerb crawling in the areas in the UK in which they have run, and its organizers claim a low level of recidivism (Jordan 2012).

The effectiveness of legislation is often a function of the nature of enforcement on one hand and the level of public support on the other. Enforcement in many countries is patchy and inconsistent. It can also involve a great deal of police time and resources. In America, for example, where the purchase of sex is illegal in the majority of States the main method of arrest is the use of 'reverse stings' whereby female police officers act as decoys and wait to be approached by purchasers who are then arrested by other police officers. There are recurring issues with this tactic, beside the use of police personnel involving claims of entrapment. Similar strategies have been adopted in the UK but tend to short-term and localized. Moreover, in the UK the police have increasingly withdrawn from the regulation of prostitution in many parts of the country over the last two decades

and increasingly act as a point of referral rather than arrest (Matthews 2005).

In sum, the passing of legislation in itself is no panacea. A great deal rests on the level of enforcement. The use of arrests, cautions and fines seem to be effective in deterring kerb crawlers, at least. Criminalizing the purchase of sex and mobilizing the available range of sanctions is, however, likely to deter most of the 'occasional' purchasers and possibly some of the 'recreational' purchasers. Deterring the more regular 'hard core' purchasers, some of whom talk about purchasing sex as a form of addiction, may require the use of tougher sanctions.

### **The use of publicity and educational programmes**

While there are good arguments for targeting and formally sanctioning those who purchase sex there is an equally strong argument for responsabilising existing purchasers by making them more aware of the possible harms that arise from their actions, while simultaneously directing attention at potential purchasers. While the

existence of legislation may have a deterrent and sensitizing effect, it is suggested that the effectiveness of such legislation will be greatly influenced by the nature of informal sanctions and social norms.

Research on controlling deviant behavior has shown repeatedly that most people are primarily responsive to informal sanctions, particularly those which emanate from one's peer group, family and 'significant others'. (Braithwaite 1989; Goffman 1990). If demand is to be addressed and reduced in the longer term it would seem that there is a need to address social norms and public opinion. This requires publicity and advertising campaigns designed to raise awareness of the harms associated with prostitution, particularly in relation to those women who are subject to some form of coercion or manipulation.

In recent years there has been a steady growth of such campaigns in different countries. For example, community groups in Atlanta, America have put up posters in public places saying: 'Dear Johns. You are Not Welcome in Our Community'. Also the Mayor of Atlanta organized a public awareness campaign in 2006 around the slogan 'Not in My City'. Other community and activist groups such as End



Demand in Illinois, the Cook County Sheriff's Department and the Chicago Alliance Against Sexual Exploitation have all been involved in media and publicity campaigns to address demand. In Dallas the 'I'm Not Buying It' campaign organized by Traffick911 made a number of public service announcements prior to and during the Super bowl in 2011 centered around the slogan 'Real Men Don't Buy Sex'. As we have seen the CATW campaign 'Buying Sex is Not a Sport has received worldwide attention and support (Marcovich 2006).

More directly, efforts have been made to 'responsibilise' buyers by encouraging them to identify and report situations where the women involved appear to be trafficked. In the Netherlands, for example, the Dutch Crime stoppers launched a campaign in 2006 to encourage buyers to report perceived victims. Similarly, in the UK, as part of the police's operation Pentameter initiative, designed to tackle sex trafficking, men who visited brothels were urged to contact them in confidence if they suspected that women that they encountered had been trafficked. Similarly in the UK men have been urged to report

brothels where they suspect that the women working there have been trafficked (Cowan 2006).

In Bulgaria, the Bulgarian Gender Research Foundation produced leaflets and posters that read “Real Men Don’t Need to Buy Sex”. In the UK an awareness raising poster campaign carried out in Westminster and Nottingham in 2008 which read ‘Walk In a Punter, Walk Out a Rapist’ which was designed to raise awareness amongst sex buyers about the level and nature of exploitation and coercion involved in off street prostitution (Home Office 2008). This poster campaign was linked to an online initiative which included a web page dispelling common myths about trafficking and exploitation. In the review of these initiatives, however, it was recommended that more needs to be done to tackle demand and that the government should consider running a broader marketing campaign directed at those who purchase sex.

Although these initiatives demonstrate a growing interest in influencing public perceptions and opinions many campaigns are local, short-lived or under-funded. Very few are subject to formal

evaluation. Consequently, their impact is difficult to assess. Arguably, if such campaigns are to be effective they need to be more systematic and aimed at a wider audience. Such campaigns need to gain support not only from activist groups and non-governmental organizations but require support from mainstream political parties and state agencies. It has also been suggested that the issue of buying sex should be discussed in schools in the same way that issues like bullying and drug use have been included into the curriculum in some countries in recent years. Such programmes could discuss the acceptability of paying for sex, the impact of commercialised sex on the women involved - particularly those who have been trafficked - as well as addressing questions of masculinity (Durchslag and Goswami, 2008).

In sum there are a wide range of formal and informal initiatives designed both to responsabilise and deter actual and prospective purchasers. Many of these initiatives have shown signs of success and although they need more systematic implementation and evaluation, there is a growing interest around the world in confronting

the demand for commercialized sexual services and that it is a much less intractable issue than it once seemed.

## **Conclusion**

There is a growing body of material on demand that has begun to map out various aspects of motivation, attitudes and practices of purchasers. However, there remain a number of unanswered questions about how demand can be effectively addressed and reduced. Reducing demand and responsabilising actual and prospective purchasers are not mutually exclusive objectives, but two sides of the same coin. While formal measures to criminalize purchasers may be effective if rigorously enforced, but we also need to know more about the different levels of motivation of those who purchase sex in order to tailor responses. At the same time there is a need to address social norms and public attitudes, particularly of adolescents, in order to maximize the effectiveness of formal interventions and to increase public awareness.

Recent publicity campaigns have demonstrated that the demand for commercialized sexual services is no longer seen as normal or natural. There are ongoing tensions and contradictions amongst those who purchase sex and the wider public and the reports on sex trafficking have drawn attention to the forms of coercion and deception which many women involved in prostitution experience. The issue of demand, however, needs to be brought into the mainstream and become a regular topic for political and public discussion. As recent anti-smoking and anti drink-drive campaigns have demonstrated there is a need to combine legislation with public awareness campaigns showing the negative effects of these activities limiting the visibility and accessibility, and placing restrictions on advertising and promoting of the products involved. These campaigns indicate that deep-seated attitudes and practices can be transformed in relatively short period of time, if properly orchestrated.

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