

# Analysis of responses to the Adult Entertainment Industry Consultation

As well as seeking general comments on the existing policy, the consultation document sought responses on a number of specific questions about our Gender, Race and Disability Equality duties and other diversity issues such as age; religion or belief and sexual orientation; and the adequacy or otherwise of our existing safeguards.

## Responses received

Jobcentre Plus have had 240 responses, which includes 198 letters of protest signed by members of the public as part of a demonstration organised by Object along with the Feminist Coalition Against Prostitution and EAVES that took place outside Brixton Jobcentre Plus office on 26 March.

The questions asked in the consultation document including all responses received, are available on the DWP website.

[www.dwp.gov.uk/consultations/2008/adult-entertainment-jobs](http://www.dwp.gov.uk/consultations/2008/adult-entertainment-jobs)

The responses from individual members of the public have been de-personalised.

Responses have been received from the following women's lobby groups:

- Leeds City Council Domestic Violence Team.
- Justice for Women.
- Joint Forum Women's Group.
- Dumbarton District Women's Aid.
- Glasgow Community & Safety Services Ltd.
- Women's Support Project.
- Eaves.
- Wales Women's National Coalition.
- The Fawcett Society.
- Object.
- Women's Aid.

Although asked specifically to comment, no responses have been received from the following organisations within the adult entertainment industry:

- Adult Industry Trade Association (AITA).
- International Union of Sex Workers.
- Lap Dancing Association.

## Responses against the policy

	No of responses
Q1	24
Q2	7
Q3	4
Q4	8
Q5	13
Q6	9
Q7	233 <sup>1</sup>

238 (99.2%) of the responses were against our policy.

11 were from the various women's lobby groups listed earlier, the remaining 227 were from individual members of the public, of which, 198 were the letters of protest signed as a result of the demonstration outside Brixton Jobcentre Plus office also mentioned earlier.

A more detailed analysis of the responses is provided at [Annex 1](#).

## Responses supporting the policy

	No of responses
Q1	2
Q2	2
Q3	2
Q4	3
Q5	2
Q6	2
Q7	2

Only two (0.8%) of the responses received supported our policy to accept and advertise vacancies from within the adult entertainment industry. Both were from individuals. However, one consultee responded primarily against our policy with the exception of Q4, which explains the additional figure of three to this question.

A more detailed analysis of the responses is provided at [Annex 2](#).

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<sup>1</sup>This figure includes the 198 letters signed by members of the public as part of a demonstration that took place outside Brixton Jobcentre Plus office on 26 March 2009. It also includes any responses which did not specify that the comments were in relation to any of the questions asked.

## Annex 1

### Analysis of responses received against the policy

**Q1 - The Gender Equality Duty came into force in April 2007. Do you consider that this policy and associated processes pays due regard to the duties to promote gender equality; eliminate harassment; eliminate sex discrimination?**

#### Promote gender equality

Responses here are generally of the opinion that the policy does not meet and undermines the DWP's duties under the Gender Equality Duty. Reasons given for this include:

- The sexual objectification of women's bodies is in direct contradiction to this aim.
- The sex industry encourages violence against women and is violence against women.
- It normalises harmful attitudes about women such as the idea that women are objects to be used for sexual gratification. Any normalising of this – e.g. by advertising jobs in the sex industry in Job Centres, is reinforcing the idea that this view of women is acceptable.
- It is in direct contravention the duties implied by the UN Committee to End All Forms of Discrimination Against Women (CEDAW).
- The gender inequality inherent in the nature of adult entertainment work serves to promote sexual harassment and discrimination.
- The sexual objectification of women's bodies is in direct contradiction to this aim. Therefore, the DWP policy of advertising vacancies in the sex industry is in contradiction to its duties as set out in the Gender Equality Duty 2007.
- DWP is acting in contradiction to this duty by promoting opportunities for women to work in a potentially discriminatory and sexually intimidating environment.
- The DWP's decision to carry advertisements for an industry which perpetuates and normalises the sexual objectification of women therefore runs counter to its GED obligation to promote gender equality and eliminate sex discrimination
- It is difficult to see how advertising jobs within this system of men profiting from or paying to view women's bodies could be construed as proactively promoting equality between men and women.
- Not only is the 'adult entertainment industry' not a gender neutral employer, the function it fulfils in society is to perpetuate the inequality women continue to suffer by treating them merely as sexual objects.

- The decision to advertise employer vacancies should be subject to an Equality Impact Assessment in line with the requirement of the Gender Equality Duty (GED).
- We assume that the consultation will form part of an equality impact assessment on this policy in line with your obligations under the Gender Equality Duty (GED). In our view it is imperative that a full gender impact assessment is carried out on this policy, because although relatively few of the vacancies advertised by Jobcentre Plus (JC+) are within the ‘adult entertainment industry’, there is clear evidence (presented below) that reversing this policy will have a major impact on gender equality (Equality and Human Rights Commission Code of Practice 3.67). We look forward to viewing the completed impact assessment and being informed of any policy decision you reach.
- In order to meet your obligations under the Equality Act you must look at the broad need to achieve gender equality within society as a whole. The DWP cannot continue to offer support to this type of business and meet its duties under the Equality Act.
- While the Jobcentre may think it is offering equality of opportunity due to approximately equal numbers of men and women applying, the DWP seriously needs to consider equality of outcomes in terms of who is actually being appointed, and produce gender-disaggregated statistics on outcomes for jobseekers.
- The DWP must recognise the reality that women who have low educational achievement, lack employment history or need flexible work hours due to child care obligations may be driven into the ‘adult entertainment industry’ falsely believing that because it is sanctioned and promoted by the DWP it will provide better ‘opportunity’ than other types of employment.
- The statistics provided are not reflective of any gender equality and the interpretation of them as such, displays gender blindness. The Women’s Support Project would challenge the assertion that the current policy has “No disproportionate impact in terms of gender”. Women are proportionately over represented in activities with sexual element. They are the ones employed in escort agencies, lap dancing clubs and saunas. These settings are directly linked to women’s exploitation and so any comparison with employment in warehouse work, retail or manufacturing is redundant.

## **Eliminate harassment**

Responses here are generally of the opinion that the policy contributes and encourages the harassment of women. Reasons given for this include:

- Strip and Lap Dancing Clubs specifically encourage harassment of women in the club. That is what men pay to do in such sex encounter establishments. Having paid to harass women in a club, they are then more likely to harass women in the street. So any endorsing of this – by advertising the posts in Job Centres actually encourages harassment.

- The DWP's policy of advertising jobs in the 'adult entertainment' or sex industry fails to pay due regard to the need to eliminate sexual harassment against women. Although the consultation document gives evidence that only two complaints about direct sexual harassment had been received by JC+ by those who had taken jobs in the sex industry through JC+, this does not accurately represent the level of sexual harassment caused by the continuation of this policy. Those who work in the 'adult entertainment' industry routinely suffer high levels of sexual harassment in the work place both by management and by clients indeed Eaves would argue that sexual harassment is inherent in the very nature of this 'work'.
- There is also strong evidence to suggest that women who work in the 'legitimate adult entertainment' industry are often coerced into prostitution.
- The increasing normalisation and glamorisation of pornography and the sex industry which disproportionately objectifies women, increasingly normalises the unacceptable levels of sexual harassment women in the general population and those working in the 'adult entertainment industry' receive on a day to day basis. This normalisation is undoubtedly further encouraged by the DWP's decision to advertise jobs within the sex industry, thus further perpetuating gender inequality throughout British society.
- Based on this evidence the current government has recognised prostitution as a form of violence against women since 2006 when it released its coordinated strategy to combat the problem. It therefore seems astonishing that another government department would condone 'work' in prostitution as a viable career choice for vulnerable women, as the DWP is doing in line with its current policy.
- The current policy will not eliminate harassment but endorse jobs where women are viewed as commodity and objectified. Research carried out on behalf of Glasgow City Council, found that women in lap dancing experienced harassment from customers and were approached for sexual activity. As such, the current policy risks placing women in situations where harassment the norm.
- The DWP must reverse the policy of accepting and advertising positions from within the AE industry because of the negative impact on gender equality and in doing so no longer promoting work that for many women involves abuse, violence and harm and reinforces occupational segregation to the detriment of women.

## **Eliminate sex discrimination**

Responses here are generally of the opinion that the policy contributes and encourages the sex discrimination of women. Reasons given for this include:

- These establishments are devoted to encouraging sex discrimination against women. The process of advertising jobs in the sex industry in Job Centres encourages sex discrimination against women as they promote the idea that this discrimination is not only acceptable but desirable.

- The sex industry is built on sex discrimination, so the Jobcentre is certainly not fulfilling its duty to eliminate sex discrimination, by supporting this industry.
- The proportion of women to men is much higher in sex industry and the adult entertainment industry is based on the demands of the customers, of which the majority are men. Women may be offered work where they are self employed and do not have the same contractual arrangements or rights as others.

**Q2 - The Race Equality Duty came into force in April 2001. Do you consider that this policy and associated processes pays due regard to the duties to promote equality of opportunity; promote good relations between people of different racial groups; eliminate unlawful discrimination?**

Responses here are generally of the opinion that the policy and its associated processes do not pay due regard to the duties under the Race Equality Duty. Reasons given for this include:

- Black and Minority Ethnic (BME) women are amongst the poorest members of society and have the highest proportion of unsupported lone parenthood. They are thus most vulnerable to exploitation through the sex industry.
- Racism is inherent in commercial sexual exploitation – especially in forms like pornography where women are promoted as a commodity on basis of not only gender but also race.
- The jobs are aimed at the most vulnerable people in our society who disproportionately include people of colour and minority ethnic groups. It therefore is likely to exacerbate the combination of racism and sexism to which women from these groups are exposed.
- The sex industry mainly employs white women. Where women of other ethnic/racial backgrounds are employed, they are invariably promoted as 'exotic' or some other racial stereotype, therefore this line of work has racist connotations, and the Job Centre is indirectly condoning this.
- Racism is inherent in commercial sexual exploitation – especially in forms like pornography where women are promoted as a commodity on basis of not only gender but also race.

**Q3 - The Disability Equality Duty came in to force in December 2006. Do you consider that this policy and associated processes pays due regard to the duties to promote equality of opportunity; promote positive attitudes; promote participation in public life; eliminate unlawful discrimination; eliminate disability related harassment; take steps to meet disabled peoples' needs?**

Responses here are generally of the opinion that the policy and its associated processes do not pay due regard to the duties under the Disability Equality Duty. Reasons given for this include:

- There will be very few disabled people employed in the sex industry, and where they are employed it will be as a 'special interest' purchase, implying inferiority and encouraging harassment. Indeed, the whole atmosphere of the sex industry is one which encourages harassment of anyone who does not fit the mould of white able-bodied heterosexual male.
- Since when did lap dancing clubs hire older men and women or young women in wheel chairs as lap dancers? So how can this be justified under age discrimination and disability legislation? If the jobs are not good enough for healthy 35-year old men, they are not good enough for anyone.
- I cannot see that the policy affects Jobcentre Plus's Disability Equality Duty, although I am certain that people with disfigurements for instance, would not be welcomed as lapdancers or webcam 'performers'. How, therefore, can the policy be considered conducive to disability equality? In my view, it cannot.

**Q4 - To what extent do you think that this policy and associated process reflects consideration of good practice in terms of equality for other diversity strands such as Age; Religion or belief; Sexual orientation?**

**Age**

Responses here are generally of the opinion that the adult entertainment industry employs mainly young women and include:

- It is our experience and we would argue general knowledge that those who work and are attracted to work within the 'adult entertainment industry' are disproportionately vulnerable young women who are drawn to this type of work because of the populist media myths that it is glamorous and well paid. We also believe that this industry inherently glamorises the hyper-sexualisation of young women because it caters to the fantasies of hetero-normal masculinity as represented in mainstream pornography such as 'page three' and 'lads' mags'.
- The adult entertainment industry requires a continuous stream of young women (and to a lesser extent of young men) to act as fodder for rapacious and leery men.
- The sex industry most often employs white, young, thin, able-bodied women who fit a very narrow stereotype. Therefore discrimination in the job selection process is inevitable.
- You can be sure that few middle-aged women or old men will be employed as lap dancers or web cam performers.
- I cannot see that older applicants would be welcomed for certain jobs within the sex industries. A 50 year old dancer would be highly unlikely to be given a job as a pole dancer no matter how good she was and her being turned down for this reason would be in contravention of age discrimination legislation.

## Religion or Belief

Only one response which said:

- Religious people are likely to find the sex industries thoroughly offensive – as indeed do many atheists and agnostics. I am an atheist and find any industry which promotes gender discrimination, disrespect, harassment and other gender based violence totally abhorrent.

### **Q5 - Can more be done by Jobcentre Plus to strengthen the safeguards in place for the safety of jobseekers and if so, please provide details?**

Responses here are generally of the opinion that the safeguards are not effective and do not go far enough and that the only way to protect jobseekers is to stop advertising adult entertainment industry vacancies. Some examples of the responses received are:

- We feel that it is important to state explicitly that by recognising the need to employ safeguards in relation to positions within the 'adult entertainment industry' you are in effect openly acknowledging that these jobs are not like other positions you advertise, that they are not in fact inherently safe.
- Organisations and individuals with whom we have consulted on this issue unanimously feel that the Jobcentre Plus should be doing more to protect the safety of jobseekers, and that current safeguards within the Jobcentre's policy are insufficient. Our first recommendation to ensure jobseekers' safety would simply be to stop advertising jobs within the 'adult entertainment' industry.
- The only way to ensure safety for women is not to accept them.

In terms of specific comments about some of the safeguards we deploy, these are critical about their effectiveness, for example:

- Examples of vacancies taken which incorrectly allowed jobseekers to apply directly to the employer.
- Concern that the letter sent to employers asking them to confirm they are not involved in illegal activities etc is "ridiculous as a safety measure" because no employer will admit to this.
- The interview with an adviser to ensure jobseekers are fully aware of the nature of the job is ineffective because the adviser has neither the skills or knowledge to identify vulnerable women.
- Serious concerns about the level of training received by Jobcentre Plus staff with regard to the application of the safeguards – examples are given where it is claimed jobseekers have been allowed to contact employers directly even though the vacancy requires the jobseeker to be interviewed by an adviser before being allowed to apply.

### **Q6 - Do the safeguards go too far and ignore the needs of the employer in favour of the safety of jobseekers. If yes, please explain why?**

All responses here say the safeguards do not go far enough.

**Q7 - Please provide any other comments you have on the Jobcentre Plus policy of accepting vacancies from within the adult entertainment industry.**

- A number of responses questioned our policy of accepting all adult entertainment industry vacancies following the Ann Summers ruling and wished to say there is a big difference between employment within an Ann Summers store and working in a massage parlour or strip bar. The Eaves response on this area went onto say, “reconsidering your policy to advertise jobs in the wider sex industry will *not* leave you open to further significant legal challenge, but in fact *assist you* to avoid receiving challenges about your failure to meet your responsibilities under the GED.” The response from OBJECT included what they say is a “legal note from a public law specialist.
- Many responses objected to our policy and urged DWP/Jobcentre Plus to reverse the decision to accept adult entertainment industry vacancies.
- A number of responses said, “I wish to reject the term ‘adult entertainment industry’ because of the well-known risks, harms and abuse associated with the sex industry. The term ‘adult entertainment industry’ (AE industry) legitimises these harms so I will therefore use it in inverted commas.”
- Many of the responses also said that by carrying advertisements for these ‘jobs’ the DWP is essentially acting as a recruitment outlet for pimps and legitimising ‘jobs’ which are fronts for prostitution.
- Other responses felt that vacancies for ‘escorts’, ‘lap dancers’ and workers in ‘saunas and massage parlours’ are not adult entertainment but have strong links with and are routes into prostitution.

## Annex 2

### **Analysis of responses received supporting the policy**

**Q1 - The Gender Equality Duty came into force in April 2007. Do you consider that this policy and associated processes pays due regard to the duties to promote gender equality; eliminate harassment; eliminate sex discrimination?**

One response felt strongly that the policy to advertise adult industry vacancies does pay due regard to the Gender Equality Duty and related statutory instruments.

The other response said from the data supplied in the period cited, there seems to be little imbalance regarding who is applying for the jobs and that clearly, some of the jobs will be gender specific (such as lap dancers), but these will be covered by the relevant laws.

**Q2 - The Race Equality Duty came into force in April 2001. Do you consider that this policy and associated processes pays due regard to the duties to promote equality of opportunity; promote good relations between people of different racial groups; eliminate unlawful discrimination?**

One response said they could not see how Race Equality could be either promoted or otherwise in such an industry. They went onto say one person they knew who is employed in the industry is from a Black and Minority Ethnic background and this person didn't consider there to be any issues around race equality, but as it couldn't be presumed to be representative of all experiences they couldn't make a judgement.

The other response said from the data supplied in the period cited, there seems to be little imbalance regarding who is applying for the jobs.

**Q3 - The Disability Equality Duty came in to force in December 2006. Do you consider that this policy and associated processes pays due regard to the duties to promote equality of opportunity; promote positive attitudes; promote participation in public life; eliminate unlawful discrimination; eliminate disability related harassment; take steps to meet disabled peoples' needs?**

One response said as the vacancies that were filled by people he knew were in the retail and manufacturing sectors, they considered that existing provision of Disability Discrimination Legislation should be enough to ensure that best practice is promoted. They went onto say that since disabled people have just as

broad opinions to the moral aspect of this industry as anyone else, they would assume similar issues apply.

The other response said from the data supplied in the period cited, there seems to be little imbalance regarding who is applying for the jobs.

**Q4 - To what extent do you think that this policy and associated process reflects consideration of good practice in terms of equality for other diversity strands such as Age; Religion or belief; Sexual orientation?**

There were three responses to this question. The first said that in consideration of other strands of diversity, their personal thoughts were that as there is no pressure to accept such positions, and that a person making an application must be over 18, it is a positive safeguard that the Job Centre Plus monitors the positions and vets them.

The second said from the data supplied in the period cited, there seems to be little imbalance regarding who is applying for the jobs.

The third response said that it is up to any individual as to whether he/she wants to be employed in the legal adult entertainment industry regardless of their religion or belief or their sexual orientation. However, they felt the statistical data recorded by Jobcentre Plus was incomplete.

**Q5 - Can more be done by Jobcentre Plus to strengthen the safeguards in place for the safety of jobseekers and if so, please provide details?**

One response felt the onus must be on the jobseeker to communicate concerns to the Jobcentre staff and said that good communication from the outset is vital in ensuring that only genuine and lawful employers may use the services of Jobcentre Plus.

The other felt the current process of advertising jobs demonstrates that great care is taken by Jobcentre Plus to ensure that the jobs are legitimate and legal and there appears to be appropriate safeguards in place to protect jobseekers. They went on to say jobseekers who enquire about these vacancies will be able to make their own decisions about the types of work (as would people enquiring about other industries which have sensitiveness such as working in an abattoir or butchers). They also said the procedure of not offering these jobs unless people enquire seems a sensible policy which prevents both staff and jobseekers being offended and that the policy as it stands seems adequate as demonstrated in the extremely low levels of complaints from jobseekers.

**Q6 - Do the safeguards go too far and ignore the needs of the employer in favour of the safety of jobseekers. If yes, please explain why?**

One response felt that the safeguards were valid and responsible and they promote good practice.

The other said the policy relating to employers appears to be fair and given the number of applicants for the 351 vacancies, employers are receiving the levels of interest in the jobs in order for them to be filled. The also said the safeguards in place to protect jobseekers reduce (dramatically) the mismatch of jobseekers going for jobs without fully knowing the extent and nature of the job.

**Q7 - Please provide any other comments you have on the Jobcentre Plus policy of accepting vacancies from within the adult entertainment industry.**

One response said they considered the policy to be responsible and balanced and felt that in a democracy, it should be considered the right of a claimant to consider or refuse a vacancy that could be deemed morally offensive.

The other listed several general comments which are detailed below:

- The adult entertainment industry is becoming a key employer across the globe. The jobs ranging in this industry are very similar to other types of work in the service industry but are part of a different industry. Jobs that use body work are becoming mainstream options for a group of people who make decisions about how to earn money. The decision to apply for a job should rest with the jobseeker.
- It is the aims and duty of Jobcentre Plus to promote work and job vacancies for those who are inactive. Not advertising these jobs would be doing a disservice to those jobseekers who would legitimately consider this type of work.
- Jobcentre Plus should not have a moral standpoint which informs whether jobs are advertised. If so, then there are many other industries which could be challenged as being immoral, illegitimate, or inappropriate work. Making decisions to advertise vacancies based on moral decisions would not fulfil the basic aims of promoting legal work.
- Promoting these jobs through an official agency which has clear checks and safeguards in place, sends clear messages to the adult entertainment industry that work and employment is being scrutinised and regulated in this way. Not doing this would mean that these jobs are filled through informal routes of employment, therefore increasing the risk of jobseekers being treated unfairly.
- Promoting these jobs through an official agency means that there is some official monitoring and statistics of the types of jobs in the adult entertainment industry which are available.
- Page 17 of the document states that there were 16 complaints from pressure groups (several from the same group). It must be noted that the adult entertainment industry in this country does not have a strong or effective voice, and that given the government has increased criminal laws on direct sex work activities in current years, there is little incentive for these

organisations to voice their support of using Jobcentre Plus. There are very few complaints from jobseekers or staff and these are the main parties of concern in this process.

- Jobs in this industry are set to only increase and therefore so are the people that consider this appropriate work. Developing effective policies for employers and jobseekers which are within the law and promote work is the most appropriate action.