

FACT SHEET ON LAP DANCING: Why strong regulation is needed

FACT ONE: Lap dancing clubs form part of the sex industry, not the leisure industry

Any industry that markets women as sexual objects and which promotes working practices that implicitly encourage men to expect and seek sexual services is part of the sex industry, not the leisure industry. These working practices include a requirement that women pay rent to work and a high performer to customer ratio which leads to intense competition between performers to gain the attention of male customers. It is within this context that women report feeling pressured to provide extra sexual services in private booths in order to earn a wage.

"The fact is that if you break the rules, you make more money. If one dancer starts breaking the rules then the pressure is on others to do the same. Otherwise a bloke would think, Well, that dancer charged me £20 and stayed three feet away, but that one charged me just the same and she put her breasts in my mouth and sat on my crotch. Once you've been there a while, you learn that certain things are profitable, and no contact is the first rule you learn to break. Eventually you start to wonder, what is the difference between me and a prostitute?"

'Elena' quoted in 'I was an Object, not a Person, The Guardian 19.03.08

The fact that lap dancing clubs form part of the sex industry is now also recognised in law. The **Policing and Crime Act 2009** allows local councils to license lap dancing clubs as Sexual Entertainment Venues – venues which provide visual entertainment for the purpose of sexual stimulation. This is crucial in order to regulate the expansion of the sex industry.

FACT TWO: Lap dancing clubs promote 'sex-object' culture – the mainstreaming of the sex and porn industries

The growth of lap dancing clubs has fed into what OBJECT terms 'sex-object' culture – the mainstreaming of the sex and porn industries and the ever increasing sexual objectification of women and girls. With lax licensing laws leading to the number of lap dancing clubs doubling over the last five years, and a PR makeover branding lap dancing as glamorous and 'harmless fun', we have found ourselves in a situation in which major retailers sell pole dancing kits along with pink frilly garters and paper money in their 'toys and games section'¹, and leisure centres offer pole dancing lessons to girls as young as twelve². This has led to 25% of teenage girls seeing being a lap dancer as their *ideal* profession³.

FACT THREE: Lap dancing clubs are linked to wider systems of prostitution

As well as the structural conditions in lap dancing clubs which pressure many performers into offering extra sexual services, research further shows that, even if clubs do enforce a no touching rule, and even if there is no sexual contact between dancers and customers, **the presence of strip clubs in a locality increases demand for nearby prostitution services**⁴.

This places lap dancing on a continuum of commercial sexual activity, irrespective of whether the sexual exchange occurs within the club itself.

FACT FOUR: Lap dancing clubs create 'no-go' zones for women in the local vicinity

Research undertaken in the London Borough of Camden found a fifty percent **increase in sexual assaults** in the borough after the rapid expansion of lap dancing clubs⁵. Personal testimony reinforces the idea of a link between the expansion of lap dancing clubs and increased levels of sexual harassment for women in the vicinity:

¹ Eden, I. (2007) *Inappropriate Behaviour: Adult Venues and Licensing in London*, London: The Lilith Project, Eaves Housing for Women.

² BBC News Online (2006), 'Children are Taught Pole Dancing' Tuesday, 12 December 2006, url: <http://news.bbc.co.uk/1/hi/england/tyne/6173805.stm>

³http://www.manchestereveningnews.co.uk/news/s/161/161338_naked_ambition_rubs_off_on_teen_girls.html

⁴ Coy, M, Horvath, M & Kelly, L (2007) *It's just like going to the supermarket: Men talk about buying sex in East London* London: Child and Woman Abuse Studies Unit

⁵ Eden, I. (2003) *Lilith Report on Lap Dancing and Striptease in the Borough of Camden*, London: The Lilith Project, Eaves Housing for Women

“Once I walked past [a local strip club] at closing time, when a stripper tried to discreetly leave the premises and a group of punters stood outside. On recognising her, they erupted into loud whooping and jeering as she ran across the road to get away. I found this behaviour completely intimidating and totally in keeping with the behaviour of the street sexual harassment that makes women feel uncomfortable on a daily basis... Punters are encouraged to engage the very attitudes and behaviour which are seen as disrespectful and intimidating to women outside strip clubs... It is vital that councils take this into account when considering applications, so that they can take appropriate measures to limit the normalisation, exploitation and legitimisation of sexism, in order that women feel safe and entitled to walk their streets without fear of harassment or abuse”.

Sonia, resident who objected to a lap dancing club in Hackney.

Furthermore, a recent six-month review⁶ into the licensing of strip clubs in the **London Borough of Tower Hamlets**, which received the highest number of contributions in recent years for a public consultation, stated:

Many people referred to the impact they felt the venues [strip clubs] were having on the character of the borough, with the following excerpts just a few examples: “my family feel uneasy in walking around streets where strip clubs are based, especially female members”; “I have been leered at and felt intimidated when walking past these clubs”.

In addition, the **UK Royal Institute of Town Planning** issued a Good Practice Note in December 2007 on the issue of lap dancing clubs and women’s sense of safety⁷:

“In relation to the 24-hour economy policy, ensure that the views of women are considered. Evidence shows that in certain locations, lap dancing and exotic dancing clubs make women feel threatened or uncomfortable”

Links between the expansion of lap dancing clubs and increased levels of sexual harassment and assault led the **Women’s National Commission** to include the need to regulate lap dancing clubs in their **submission to the UN Commission on the Elimination of Discrimination Against Women (CEDAW) 2005**:

⁶ London Borough of Tower Hamlets (2008) *Licensing of Strip Clubs*:

⁷ Royal Town Planning Institute (2007), *Gender and Spatial Planning, Good Practice Note 7*, 10 December 2007

“The use of women in degrading entertainment exacerbates violence against women...lap dancing and similar clubs must be regulated to ensure that local crimes against women do not increase”

FACT FIVE: Lap dancing clubs have a negative impact on women’s safety in wider society

Lap dancing clubs normalise the representation of women as sexual objects who are always sexually available. They make sexual harassment seem normal, as what takes place within the four walls of a lap dancing club would be considered harassment in any other context.

The links between objectification, discrimination and violence against women are recognised at the international level by the legally binding **United Nations Convention to Eliminate Discrimination Against Women (CEDAW)**, which has repeatedly called on states – including the British Government - to take action against the objectification of women⁸.

Similarly the UK-based **End Violence Against Women coalition** has called on the UK Government to tackle the sexualisation of women and girls because it provides a ‘conducive context’ for violence against women⁹.

The links between the expansion of lap dancing clubs and an increase in the levels of sexual violence in society was raised by **Glasgow City Council**¹⁰ in response to research it commissioned into the impact of lap dancing clubs on the city:

“Images of women and ‘entertainment’ which demean and degrade women portraying them as sexual objects plays a part in ‘normalising’ sexual violence and contributes to male abuse of women being acceptable, tolerated, condoned and excused. Such entertainment runs counter to explicit commitments by a range of private, public and voluntary agencies to promoting women’s equality.”

⁸ 1979 Convention on All Forms of Discrimination Against Women (CEDAW) Article 5

⁹ Realising Rights, Fulfilling Obligations: An Integrated Strategy to End Violence Against Women (EVAW) 2008

¹⁰ Glasgow City Council report on the need for review of licensing legislation in the light of concerns re table dancing <http://www.glasgow.gov.uk/NR/rdonlyres/OD19236F-808A-4467-96F7-6A9508C1F312/0/legtablic2.pdf>

FACT SIX: Lap dancing clubs run counter to efforts to promote equality between women and men

The **Gender Equality Duty 2007** requires local councils to assess the gendered impact that lap dancing clubs have on society as a whole.

The lap dancing industry is highly gendered, with men paying women to strip for them in the vast majority of lap dancing clubs - otherwise known as 'gentlemen's clubs'. The gendered nature of the industry makes the proliferation of lap dancing clubs relevant to the Gender Equality Duty making gender equality a factor which should be considered during licensing process.

The ever-increasing sexual objectification of women, facilitated by the expansion of lap dancing clubs, runs directly counter to efforts to achieve equality between women and men.

The more it becomes acceptable to view and treat women as sexual objects, the easier it becomes to disrespect women as a group. As stated by Chris Green, Director of the **White Ribbon Campaign**¹¹:

"Any expansion of lap dancing clubs feeds an increase in the lack of respect for women"

Research into male motivations for visiting strip clubs found that men went to strip clubs to meet women who were not 'feminist' and who were willing to act in more 'traditional' ways¹². This is reflected by **testimonies from former lap dancers**¹³:

"I learned that the best way to encourage a man to want you to dance for him is to act coy, submissive, innocent and a bit stupid"

Male customers also said that they wanted to 'let frustration out' at the ways in which they had been forced to monitor their behaviour towards women in the workplace¹⁴:

¹¹ The White Ribbon Campaign works with men to end violence against women

¹² Frank, K. (2005) 'Exploring the Motivations and Fantasies of Strip Club Customers in Relation to Legal Regulations', *Sexual Behavior*, Vol. 34 (5), pp. 487 – 504

¹³ See OBJECT website for more testimonies

¹⁴ Frank, K. (2005) 'Exploring the Motivations and Fantasies of Strip Club Customers in Relation to Legal Regulations', *Sexual Behavior*, Vol. 34 (5), pp. 487 – 504

“With all of this sexual harassment stuff going around these days, men need somewhere to go where they can act like they want”

In this way, lap dancing clubs represent one of the last bastions of male privilege - a place that time forgot in relation to society's efforts to achieve equality between women and men.

Recent sex discrimination law suits against corporate use of lap dancing clubs, and **top business women in *The Economist*¹⁵ blaming corporate strip club culture for the lack of female representation at high levels of business** demonstrate the negative impact that lap dancing clubs have on women's equality in wider society. According to a female business woman in the UK¹⁶:

“Often client after-work meetings became visits to strip clubs and I knew senior guys who had told HR they wanted a new junior team member and that she must be slim, blond and pretty...one guy refused to work with me because he said my breasts were off-putting and management responded by asking me if I had done anything to provoke this”

The *Sexism in the City* campaign spearheaded by the **Fawcett Society**, the UK's leading campaign for gender equality, further highlights the links between lap dancing and gender inequality as it calls on government and business to take steps to end commercial sexual exploitation, sexual objectification and sexual stereotypes as crucial measures to achieve equality between women and men in the work place¹⁷.

FACT SEVEN: Regulating the expansion of lap dancing clubs is an issue of equality, not morality

Objections to lap dancing clubs are based on issues of equality, not morality.

The need for policy to be scrutinised in relation to gender equality was recognised by the Government in 2007, with the passing of the **Gender Equality Duty**. The Gender Equality Duty places a legal obligation on public bodies to take out **Gender Equality Impact Assessments** on all policy decisions to ensure that decisions do not have a negative impact on women's equality. Furthermore, the Gender Equality Duty requires public bodies to **actively promote gender equality and work towards countering gender stereotypes**.

¹⁵ Jeffreys, S. (2008b) 'The Sex Industry and Business Practice', Seminar: School of Business, Ballara University, 21 May 2008

¹⁶ Kate, Former City of London worker, Sexism and the City Manifesto, Fawcett Society 2008

¹⁷ <http://www.fawcettsociety.org.uk/documents/SATC%20manifesto%20public.pdf>

Lap dancing clubs promote gender stereotypes and attitudes that say it is acceptable to treat women as sexual objects, rather than real people. They are linked to gender discrimination and sexual harassment in the workplace (as demonstrated by recent successes of sexual harassment cases in which use of lap dancing clubs has been recognised as linked to discrimination) as well as the creation of no go areas in the surrounding areas which reduce women's sense of security and entitlement to public space.

Highlighting these issues is not about morality, or 'having an issue with sex', it is about ensuring that local councils abide by their legal requirements to promote equality between women and men.

FACT EIGHT: The Policing and Crime Act 2009 allows councils to set a limit of zero for Sexual Entertainment Venues. This means rejecting all licensing applications for lap dancing clubs.

The **Policing and Crime Act 2009** allows local authorities to regulate lap dancing clubs by setting a limit on how many Sexual Entertainment Venues can be licensed in each ward – and therefore in the borough as a whole. The limit may be set at nil.

It is specifically provided in the *Local Government Miscellaneous Provisions Act (LGMPA) 1982* that nil may be an appropriate limit for the number of sex establishments in a particular locality.

All current lap dancing clubs must apply for a Sexual Entertainment Venue license in order to operate. Licenses last for a duration of one year.

A local authority is under no obligation to renew a license for a currently operating club under the Sexual Entertainment Venue licensing regime. If a local authority sets a 'nil policy'/ a limit of zero, this will automatically allow the council to reject all licensing applications for Sexual Entertainment Venues. This is an important part of the new licensing regime in relation to lap dancing clubs considering the negative impact that lap dancing clubs have on local communities and in particular on women's equality and women's safety (see above).

Indeed, **the introduction of a nil policy is currently being proposed by the London Boroughs of Hackney and Haringey**. In the view of Hackney council¹⁸:

"...[Sexual Entertainment Venues] contradict and undermine [the Borough of Hackney's] stated aims and exacerbate the challenges it faces in bringing about positive, genuinely sustainable characterful and thriving neighbourhoods which support the need and principle of upskilling its population and closing the education gap across its communities."

¹⁸ Hackney Draft Sex Establishment Licensing Policy, 2010

And in Harringey, Councillor Nilgun Canver states¹⁹:

"This new legislation allows us to stop lap dancing and pole dancing clubs from setting up in sensitive areas where they will cause concern. We consider this would apply to every ward and want this to be central to our policy. We are asking for comments from residents, to see if they support this stance."

FACT NINE: Introducing a 'nil' policy/zero limit for Sexual Entertainment Venues and therefore rejecting licensing applications for lap dancing clubs is fully compliant with the Human Rights Act

Some lap dancing club operators have threatened to appeal against the rejection of a Sexual Entertainment Venue (SEV) licence on the grounds that it violates their human rights under the Human Rights Act 1998. The two rights they threaten to invoke are the *right to freedom of expression* and the *protection of property*.

It is extremely unlikely that such an appeal would be successful considering that it is within the law for councils to set nil policies (see FACT SEVEN)

Furthermore, the two rights specified above are qualified, they are not absolute.

Philip Kolvin QC, Chairman of the Institute of Licensing, states²⁰:

"Where a rational decision has been taken by the licensing authority in accordance with the principle of the statute, it is most unlikely that the decision will be held to have been a disproportionate interference with human rights."

Indeed, before the Policing and Crime Bill became law – enabling local authorities to licence lap dancing clubs as Sexual Entertainment Venues under the LGMPA - the **Minister of the Crown** in charge of the Bill made a **written statement that the new law, including the provision to set nil policies, was compatible with the Human Rights Act 1998.**

Thus **the power of local authorities to set a nil policy for Sexual Entertainment Venue licenses has been validated in human rights terms.**

Rejecting a lap dancing club licence application – and/or setting a nil policy for lap dancing clubs – is therefore fully compliant with the Human Right Act 1998.

¹⁹ http://www.haringey.gov.uk/index/news_and_events/latest_news/lap_dancing_ban.htm

²⁰ Kolvin, P. (2010) *Sex Licensing*, The Institute of Licensing, p82

FACT TEN: The current coalition government supports moves to tackle businesses which promote the sexual objectification of women, including lap dancing clubs, as part of their work on violence against women

The current **Home Secretary, Theresa May**, sent a powerful message to councils to take a bold stance against businesses which promote the sexual objectification of women when, in July 2010 at the Women's Aid Conference, she stated:

"It is only when businesses appreciate their responsibility to end the sexualisation of women that some people will stop treating women like objects. And it's only when our communities stand up and say violence against women is unacceptable – that attitudes will really begin to change".

The **Conservative Violence Against Women and Girls Strategy for London** (2010 - 2013) explicitly refers to the links between lap dancing clubs, prostitution, trafficking and other forms of violence against women²¹.

The Conservative Mayor for London, **Boris Johnson**, further states his support for councils to take tough measures against the proliferation of lap dancing clubs:

"The proliferation of lap dancing clubs and brothels may further legitimise violence against women and undermine efforts to prevent it... We will ensure that the safety issues presented by lap dancing clubs come under local authority and police scrutiny through JEM. The Mayor will work with local authorities to review the implementation of the new licensing regime under the Policing and Crime Act 2009 to ensure that London leads the way in regulating lap dancing clubs as sexual entertainment venues and giving local people the power to object to lap dancing clubs in their area. We will support boroughs in ensuring that the proliferation of lap dancing clubs is controlled. We will also champion any police operations that target lap dancing clubs to investigate any misconduct or criminal activity."

And the Leader of the opposition, **Ed Miliband**, states his support for OBJECT and urges councils to adopt strong measures to tackle the growth of lap dancing clubs as part of tackling the attitudes and behaviours that underpin violence against women²²:

²¹ <http://www.london.gov.uk/sites/default/files/The%20Way%20Forward%20Final%20Strategy.pdf>

²² Ed Miliband's response to the End Violence Against Women Coalition, September 2010, <http://www.endviolenceagainstwomen.org.uk/>

"We need to think about how our culture treats women more generally. The vital work of organisations such as OBJECT has exposed the ease with which lap dancing clubs have sprung up. In government we took some steps to enforce stricter controls on these establishments, but we were too slow to recognise this problem and act on it. I have already pledged that I want local people to have more power to challenge the licences of these establishments."

There is cross-party support for tackling the growth of lap dancing clubs.

Councils across the country are adopting the SEV licensing laws and considering setting the limit at zero.

You too can be part of stemming the sexualisation of women and girls by taking a stand against the 'sex-object' culture that lap dancing clubs promote.

Take action now and help end commercial sexual exploitation for generations to come.

To find out more email OBJECT at anna@object.org.uk or visit our website at:

object.org.uk