

Regulating Strip-Based Entertainment: Sexual Entertainment Venue Policy and the Ex/Inclusion of Dancers' Perspectives and Needs

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This article showcases a research, dissemination and impact study on the striptease industry that explores why key stakeholders (dancers) are excluded, and ways that inclusion in policy development is achievable. This form of erotic work has undergone increased attention from policy and regulatory officials in recent years with the introduction of a new licensing process as venues are categorised as Sexual Entertainment Venues. The article will demonstrate how community and campaign group voices were heard over that of the dancers themselves, who were not consulted in the process of the legislative change. However, the article shows how small but significant interventions into policy development by direct work with stakeholders (here Licensing Committees and officers) can make steps towards an inclusion of dancer welfare and safety issues. Finally, we propose a set of principles that can ensure dancer and sex worker voices are included in policy consultation and decision making to ensure evidence-based policy making.

Keywords: Stripping, licensing, lap dancing, sex workers, Sexual Entertainment Venues.

Introduction

Sex work, prostitution and other forms of commercial sex and adult entertainment are rarely out of the policy arena. The New Labour government left a trail of interventions in the form of reviews and reports, policy guidance, guidelines for practice and legal reform (Soothill and Sanders, 2004; Carline, 2011), and services to 'manage' prostitution were increased considerably. The attention paid towards prostitution resulted in a ratcheting up of the criminalisation agenda (Sanders, 2012), an emphasis on responsabilising sex workers through 'exiting' programmes (Scoular and O'Neill, 2007) and attempts to import the Swedish model that bans the purchase of sex (Sanders and Campbell, 2008). Such efforts to reform how prostitution is managed drew on net-widening strategies that are evident across a range of welfare and social policy agendas (Scoular and O'Neill, 2007). Although there has been less attention to the sex industry from the Coalition government of 2010 onwards (Sagar and Jones, 2013), the moral issues continually raised in the public conscience place the sex industry back on local agendas in attempts to 'do something' about commercial sex.

Yet it has not only been street prostitution that has been the target of ‘anti social’ and nuisance rhetoric, whereby the individuals involved are considered morally dangerous and a threat to society (Kantola and Squires, 2004; Sanders, 2009). The most recent attention to the sex industry has come in the shape of contesting the presence of the stripping industry in the UK. Hubbard (2009) notes how striptease has a problematic history in the UK, with opposition from religious and moral groups who express concern and outrage at the visible commercialisation of nakedness. Yet the ‘everyday’ practices of the British striptease industry have not been the focus of study (an exception being Colosi, 2010). Our research reported in this article addresses the call from Agustin (2005) to examine the everyday practices and experiences of dancers in order to understand the sex industry, dispel myths about stripping and strippers and address the current policy agenda around licensing strip venues.

In this article, we explore key findings from an extensive research project on the strip industry¹ that have direct implications for policy. The article takes the understanding of dancers and their working context much further than the assumptions and arguments presented during the government consultation on Sexual Entertainment Venues (SEV) (2008–9) by examining how the voices of the women who work as strippers in the UK were silenced.² We also describe how we have applied the research findings through an impact and dissemination project.³ Drawing on this, we illustrate how small but significant interventions can be achieved in policy development, particularly using creative and visual methods as modes of communication about everyday lived experiences and practices.

Narratives of concern

The *Policing and Crime Act* (Great Britain, 2009) set out changes to the ways in which strip venues in England and Wales are regulated and licensed (see Sanders and Hardy, 2014, chapter 3). This section traces the dominant narratives that forced the change and those voices of dancers that were silenced in the process.

Dominant choices: the ‘anti-lap dancing’ feminists and the morally anxious

The impetus for changing the existing licensing procedure for striptease, which was previously under the *Licensing Act 2003* (Great Britain, 2003) to a process which gave local authorities more powers to consider the views and objections of the local community came from a community campaign (in Durham in 2007) supported by MP Roberta Blackman-Woods. In June 2008, the MP raised a Ten Minute Bill in the House of Commons, putting forward a reform of the licensing of striptease. The call for change was claimed to be about giving residents power. Whilst stating the importance of controlling the sexual geography of the city as an explicit aim, the moralising agenda was provided by the feminist group who supported Blackman-Woods in her endeavour. Object, a feminist lobby group, initiated the *Stripping the Illusion* campaign in 2008, to close down the ‘lap dancing’ industry (note their American sexualised terminology is ‘lap dancing’, which is not what is licensed in the UK). Radical feminists have spoken out about what they see as the cultural turn to the sexualisation of society, with ‘lap dancing’ considered an activity which fuels a misogynist society and the maintenance of gender inequality, violence and fear amongst women (Coy, 2010; Pantiniotis and Standing, 2012). Object waged a

broader campaign to curb the 'sex object culture' by insisting on a reclassification of strip venues and a change in the licensing process in order to reduce the numbers of clubs.⁴

Campaigns to close down strip venues conflate striptease with prostitution and further associate strip venues with organised crime, drug trafficking and money laundering (Jeffreys, 2008). Where there are migrant dancers, police intelligence has assumed this is evidence of sex trafficking (Ward and Wylie, 2010), only to find out after raids and arrests that women are working as strippers voluntarily. Such campaigns seize on unsubstantiated claims regarding strip clubs encouraging violence against women in the area, or suggesting that customers who buy striptease will become violent and sexually predatory (Colosi, 2013).

Yet claims to the secondary effects of strip clubs are unsubstantiated in terms of increasing the number of crimes (Hanna, 2003; Ward and Wylie, 2010; Jackson, 2011). Even the official police evidence presented to the House of Commons Committee considering the evidence for licensing change stated clearly that crime and disorder were not a cause for concern in relation to licensed strip premises in the UK (see Sanders and Hardy, 2014, Chapter 3). The focus on macro concerns, such as the disgruntled resident or 'sex object culture', masked the realities of everyday working conditions in the clubs and the issues that dancers experienced, preventing any scrutiny of the club operations or internal organisation and practices of strip clubs.

For the campaigners, the threat of strip clubs to the community was prioritised as the impetus for change. The dancers were not considered part of the community and their experiences inside the clubs were not of any concern to them. For the campaigners, it was perceptions of the clubs and what they symbolised, along with the harms to women and society at large, that was their motivating concern.

Dancers silence: voices without a platform

From evaluating the Select Committee 'consultation' process that took place in 2008 before the Sexual Entertainment Venue legislation was passed (*Policing and Crime Act 2009*), it appears that no current dancers were drawn into the process. Although there was some industry representation, this was from a small number of London-based club owners putting forward their experiences of managing and owning strip venues, and the possible impacts of the new legislation on their businesses. The lobby group intent on reducing the industry did display former dancers who reported to the Select Committee their personal experiences and feelings of exploitation and degradation, mainly from interactions with customers and reflections on performing naked. No current dancers or collectives of dancers were consulted.

This lack of inclusion of the core user/client group is somewhat at odds with the processes and procedures that have become familiar in social policy change in recent decades. For instance, Mastin (2014) maps out how user involvement has been a common part of social policy change, noticeable in the 1970s community development programmes, and more recently through patient panels and pensioner forums as choice and control are optimised as principles in health and social care. Whilst we expect it to be a given that officials do not 'speak on behalf of' groups and stakeholders, but seek out their views and opinions, sex workers and dancers are often sidestepped in consultation processes as they are considered too hard to reach, too difficult to collectively organise because of their (assumed) mobile or alternative lifestyles, or unable to contribute to

formal processes of evidence gathering because of assumptions about their behaviour or criminality. The lack of direct consultation perpetuates the marginalised and excluded status of dancers, reaffirming their position as not part of the community, and lacking in equal citizenship rights because of their erotic labour.

In this research, dancers were asked if they knew about the consultations (national and local) that were taking place at the time (2009–11). Whilst not all interviewees were aware of the reforms taking place, there was a strong core of politically aware and active dancers who were: 'I don't know of anyone who has even heard of this legislation other than myself and a handful of other dancers. So, if we're not even aware of it, we can't have an opinion on it. As soon as I tell them, they have no idea and as soon as they hear, they're disgusted' (Dalia, 20, White British). Those who were aware that the licensing of strip clubs had become a government issue were highly sceptical of who was making decisions:

The people that brought this legislation in, you know that they're probably just boffins sat in an office somewhere, probably going 'oh, it's disgusting, they're all being degraded' and it's not true at all, they've probably never stepped foot in a lap dancing club in their lives and if they have, they've gone to the worst one. It's just not like that at all. (Rebekah, 25, White British)

The lack of consultation amongst dancers was discussed frequently among participants during the research: 'There's people doing stuff and they don't know what they're talking about. How can you possibly tell me like you know how a strip club works better than I do? I work there. And I've worked in a few' (Bella, 26, White British). Given that much of the media attention suggested that the new legislation would give communities more power to limit or close down clubs, there was fear that a so called 'nil-policy'⁵ would result in job losses:

It's not just the dancers, there are people who've invested god knows how much money in these places to keep them open, there's the bar staff, the managers, the door staff, the cleaners, it's a lot of people. (Dalia, 20, White British)

The feminist group, Object, specifically fought for the reclassification of the license of strip clubs to be called 'sex encounter establishments' (Object, 2008), because, from their perspective, the location of stripping as part of the sex industry should be prominent in the licensing process. Dancers expressed their regret that the term 'sex' was to be used in the licensing of their workplace, and by default their work and identity:

The girls don't want to dance if that [sex workers] is what they're going to be labelled as, it's already enough of a taboo. Fair enough, it's going to be, but people need to realise that we're not all dirty whores and there are a lot of girls who are using dancing to pay their way at university, some of them'll be doing NVQs and it just destroys people's goals, because they won't be able to do those things. I always said when this legislation came in, I would quit dancing, but I can't afford to. I don't feel trapped in my job, but I'm not going to give it up, because someone's decided they're going to bring this law in. Why should we? (Dalia, 20, White British)

Throughout the research, there was a dominant discourse amongst dancers that they were performers and dancers and not sex workers. The majority of dancers did not affiliate with the sex workers rights movement or want to have their identity associated with selling

direct sexual services. The very title of the new license increased the stigmatising effects on individual's identity as well as the reputation of the industry. Labelling the activity accurately was a key talking point: 'I think they should say "adult entertainment" because it is entertainment, that's all that's going on, there's nothing else happening' (Anna, 27, White British). It is these voices that were ignored by the campaign, which blocked out any recognition that dancers would bear the brunt of any changes.

Amongst interviewees there was, however, a distinct agreement that there was a need for change in the industry, and that this could be facilitated by new legislation if informed with evidence from dancers:

Councils and any other people who are going to pass legislation need to understand that we do need things to change, there does need to be a big change in the industry, but what they're doing at the minute is changing it for the worse, because it's just going to push it underground. (Poppy, 21, Mixed Heritage/British)

Dancers expressed concern that 'dirty dancing' was taking place (Colosi, 2010), whereby some women were offering additional sexual services (usually fellatio) to increase earnings in an economic recession. Dancers expressed how 'dirty dancing' had the effect of altering the expectations of customers, increasing requests for sexual services and pressurising other dancers who performed non-contact (see Sanders and Hardy, 2014, chapter 5). It was considered that new legislation that increased the policing of venues might discourage dancers who were breaking the licensing conditions: 'I hope that these new laws will make it better. It's easier to make money when there's no laws. You can be the prettiest girl in the club, but the ugliest will make the money doing extras' (Una, 29, Estonian). Both managers and dancers suggested that reducing the number of clubs (ironically the objective of the anti-lap dancing lobby) would be beneficial (only if their club remained, of course), as this would have the effect of raising standards by closing down premises where poor management and bad practice occurred: 'I suppose that it's a combination of things but to make the industry better, I think there should be less clubs' (Anna, 27, White British). Yet these voices were not part of the consultation process, but instead were filtered out, as those who had access to resources and the decision-making processes became the dominant voices calling for a change in the law.

Dancers' voices and the development of evidence-based policy

The evidence presented above demonstrates how a group of dancers (mainly in London) were actively engaged in the politics of the policy reform, were aware of the campaigns against the strip clubs, and had formed coherent opinions and suggestions to the proposals. If these voices had been taken into account, then the final policy on SEVs may well have been different in tone, aim and consequence. Engaging dancers through research and dissemination activities was a means of bridging the gap that formal government consultation had left open. A follow on impact and dissemination project, funded by the Economic and Social Research Council (ES/J000035/1), sought to include dancers in policy development and create processes and partnerships which would enable their voices to be heard in the arenas of decision making.

The project sought to engage the industry, licensing practitioners and committees, to ensure that the findings from the project, *The Regulatory Dance*, were incorporated

into individual local authority SEV policy. The findings focused on the welfare, safety and working conditions of dancers, and set out a range of recommendations to improve the ways in which SEVs operated, as well as the working conditions of clubs. The recommendations came directly from the experiences of the 197 dancers who had completed the survey, drawing on their experiences of working in forty-five towns and cities in the UK. The areas we wanted to bring to the attention of policy makers were the ways in which some clubs and managers were exploiting the labour of dancers whilst providing poor facilities.

For example, fining dancers for minor misdemeanours such as chewing gum or possessing a mobile phone on the floor was a common method of extracting profit from dancers. Charging dancers high house fees per shift, alongside on average 30 per cent commission per dance, meant that 70 per cent of survey respondents had left a shift not making any money. We also wanted to ensure that performers who were ill or had a domestic emergency were not subject to unfair punitive financial penalties (we were told of one incident where a dancer was charged £100 for missing a shift). Another issue was the ratio of dancers to customers. During the recession, business was slow, yet clubs hired too many dancers in order to extract the house fee from them. To reduce this we recommended setting limits on the number of dancers per capacity of clubs.

We also wanted to expose how some venues had very few facilities for dancers, so we recommended adequate changing and kitchen facilities, requiring modifications to heating and air conditioning systems. One of the core set of recommendations was around dancers' safety, incorporating suggestions from dancers as well as accumulated evidence from the survey and observational visits. Responding to dancers' concerns about the lack of security when performing a private dance, we asked for tighter regulation to achieve a balance of privacy and security by banning booths which were totally closed off (by a curtain for instance) and fitting panic buttons in booths. Noting that dancers were usually leaving work in the early hours of the morning, we also recommended that clubs have a policy on dancers' safety when leaving clubs, such as using a reputable taxi company, or having security personnel return them to a safe car park, or escort them to their vehicle. We worked with the professional body, the Institute of Licensing, presenting the research recommendations to seminars at each of the eleven regional meetings and national training events, as well as working alongside Licensing Committees that were keen to develop evidence-based SEV policies.

During the year-long follow-on project, Sanders and Campbell succeeded in directly influencing twenty-five local authority Sexual Entertainment Venue policies. We can demonstrate this by tracking policies that have a section, or conditions relating to dancer welfare and safety after applying our recommendations. Some examples are:

1. Tighter regulation of the management and type of private booths. For example, Manchester (panic buttons, clear sight line by supervisors, no enclosure of booths); Leeds (direct supervision of booths); Maidstone (panic alarms); Leicester (monitoring by security staff or CCTV); Islington (CCTV in all booths); Westminster (banned the use of private booths where supervision is inadequate); Camden (banned booths).
2. A requirement for owners to provide receipts for fines fees, and commission (Birmingham), or keep a register of fines (Leeds). An assurance that performers who are sick or have a domestic emergency *are not made* subject to unfair punitive financial penalties (Blackpool), or a ban on fines as a form of discipline (Camden).

3. Minimum standards on facilities such as access to adequate, secure, private, changing and smoking areas (Blackpool, Bristol, Camden, Leicester, Leeds, Sheffield, Nottingham, Manchester, Maidstone, Wigan), adequate heating and air conditioning systems, and provision of free water.

Whilst we are under no illusion that these conditions guarantee change to improve dancers' welfare and safety, without the impact study and the partnership work, the voices, concerns and needs of dancers would not be written into the new SEV policies.

Resources for dancers

It was important that the legacy of the project provided a tangible and practical output for dancers who facilitated the research, data collection and dissemination. Dancers were part of a circular consultation process whereby we would consult them at each stage of the design of the output. We settled on providing a resource for the dancer community, written with input from dancers, and designed by dancers. We have created a permanent, accessible and mobile resource for dancers, consisting of essential information about personal safety at work (in partnership with the Suzy Lampplugh Trust); tax awareness (in partnership with HM Revenue and Customs); and self-employment information. This resource is available through an Iphone App and website: <http://www.dancersinfo.co.uk/>. Key 'top tips' written by dancers has been translated into Romanian, Portuguese, Spanish, Polish and Russian in order to maximise their reach. Direct outreach to promote the resource to dancers has taken place in clubs in London, Leeds, Blackpool, Liverpool and Manchester, reaching approximately a third of the clubs currently licensed.

Including dancers and sex workers in policy making

In this section we suggest core principles for including research participants in policy development. Dancers and sex workers as a broader category have been included in this discussion because, although they are separate groups, their experiences of exclusion are comparable: that is they experience stigma and marginalisation through their work irrespective of its legality. Moving beyond mythology and stereotype is possible by following principles of inclusion which are applicable to sex workers and dancers, despite the identity of the groups being largely separate.

What are the principles of dancer/sex worker informed policy?

It is well documented that participatory action research (PAR) is a successful methodology for including sex workers in each stage of the research process (O'Neill, 2010; Van De Meulen, 2011), and where appropriate that sex workers are trained as peer researchers (Pyett, 1998; Wahab, 2003) to fully participate in methodological design, execution and analysis. Here the obvious power differentials between privileged and well-resourced researchers can be tempered by including sex workers in the research process. It was the experience of this project that, through partnership work, researchers were in a position to create the missing platform for dancers' voices to be heard. Whilst dancers were not physically present in the presentations, seminars and on-going discussions with Licensing Committees (due to restrictions on time and budget), audiences were shown a film made

by dancers about their work and environment, with a dancer describing the experiences of their working conditions.⁶ Also, the recommendations borne out of the voices of dancers were the focus of the partnership work. In this sense, the researchers acted as a bridge between research participants and policy makers. Pitcher and Wiljers (forthcoming) argue that, irrespective of the mode of governance, sex workers should be included in policy. What they term an 'emancipatory approach' should be the basis of any 'rights-based' model of governance, which enables sex workers to have control over their working conditions. Given that the silence of dancers forms the backdrop of the legal reforms and the formulation of policy in the UK at a national level, there appears to be more appetite for the inclusion of participants at a local level.

Beyond finding a platform for silenced voices in what O'Neill (2010) calls 'radical democracy', research findings need to be presented in alternative modes to traditional academic outputs. Through what O'Neill has called 'creative consultation' in which participants can express their experiences, feelings and lives, visual information can provide important data to the policy context. The photographic element of our project enabled images of the workplace, work tools and working bodies to express the detail of the dancers' lives that could not necessarily be extrapolated through traditional social science methods. Indeed, it is the 'visual methodologies' in sex work research (Pilcher, 2012) that can be triangulated with interview data – for instance, to provide further insight into sex workers' personal and professional lives. In the policy arena, the visual products from the research project enabled the findings of the research to be conveyed in a concise, accessible and lay format. We take from our successful experience of working with policy makers that it is a core principle of policy engagement that creative, concise and clear methods of dissemination are presented to engage core decision makers. The justification for using visual methods with a sensitive topic and for a group of women for whom anonymity is often essential was one which balanced the principles of the research with the somewhat competing objectives of partnership work which required clear accessible messages. Ethical issues are heightened when using visual methodologies with sex workers, most obviously the charge of voyeurism and sensationalism. However, by the dancers taking control over the creation and production of the process, and the researcher remaining as facilitator, the photographic images in this project provide powerful and insightful examples of working conditions and dancers' experiences that were previously undocumented.

From our experience, what works in turning research into policy is to convert findings into tangible recommendations that can achieve change, no matter how small. This can only be done through insightful and innovative methodology that places the participant at the centre of the research process. Creating partnership work and taking research findings to the decision-making processes can kickstart the breaking down of stigma and marginalisation by dispelling myths and opening up dialogue.

Notes

1 Sanders, T. and Hardy, K. (2010–11) *The Regulatory Dance: The Rise of Sexual Consumption in the Night-time Economy*, Economic and Social Research Council, RES-000–22–3163, <http://www.esrc.ac.uk/my-esrc/grants/RES-000–22–3163/read>.

2 The data consists of an interviewer administered survey of 197 dancers (forty surveys were conducted by three peer researchers), and seventy interviews with a range of people working in the industry including thirty-five dancers, and also licensing officers and police. The fieldwork consisted of

two fieldwork sites, one city in the North of England and one in the South, plus visits to rural towns for comparison. There were also some eighty visits to clubs when they were open as part of the access process and for observations of working conditions.

3 Sanders, T. and Campbell, R. (2011–12) *Sexual Entertainment Venues: Regulating Working Conditions* Economic and Social Research Council (ESJ000035/1), <http://www.esrc.ac.uk/my-esrc/grants/RES-189–25–0290/read>.

4 The Object website (www.object.org).

5 The term ‘nil policy’ refers to a scenario whereby the Local Authority implement a regime which will state that no Sexual Entertainment Venues are appropriate and refuse to renew licenses or grant new licenses, effectively closing down the regulated strip industry.

6 The film can be viewed here: <http://www.youtube.com/watch?v=MPqIhWD8UQk>.

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