

Recommendations:

- **Refuse this license on grounds of locality and breach of PSED**
- **Provide Exit Strategies for women working at the Club**
- **This to be funded by ending costly court proceedings to justify the licensing of the industry**
This must be running close to £100,000). Use this money instead to support performers with training, placements, encouraging flexible work options at other businesses etc.

If not, Impose Additional Conditions (as other councils have done):

- **All dancers to be PAYE with guaranteed minimum wage and employment rights**
- **NO Private booths or areas of any sort**
- **A maximum dancer : punter ratio**
- **Implement other conditions**
such as Proper changing facilities/ separate exit door from punters/escorted out of premises at end of shift/ direct anonymous channel of complain and whistle blowing to council or other authority etc????

I visit Sheffield with meetings at The Showroom which is like Grand Central – everyone seems to meet everyone there. It is a few minutes from the railway station and almost directly opposite Spearmint Rhino.

I have been challenging the organised sex industry, including strip clubs, for many years because of the high level of harm associated with it. I previously ran the pressure group Object, which ensured law change to stop strip clubs being licensed like cafés or other leisure venues. During this time I have spoken with many women who have left the industry and am aware of a wealth of evidence as to the harm of this industry.

All the evidence and information given here can be found at:
<http://www.notbuyingit.org.uk/publications#Strip>

Location breaches Licensing Policy

Members considered whether or not the premises was inappropriate having regard to the locality and determined that it is not. Spearmint Rhino Written Determination Notice 2017

No doubt you have heard in depth evidence from locals, familiar with the area, as to exactly how inappropriate this strip club's siting is in terms of its location – where it is clearly in breach of your own licensing policy, on every count. So it seems somewhat staggering that Council members are able to twist this breach into compatibility.

The premises is well run with no complaints known to the licensing authority or the premises.

Again this seems very carefully worded. Surely objections at licensing hearings are 'complaints'? And they have been 100s of objections over the years about this venue.

Legally Binding Equality Duties

Here, I would like to focus on the council's *legally binding* Public Sector Equality Duties (PSED):

https://www.equalityhumanrights.com/sites/default/files/technical_guidance_on_the_psed_england.pdf
<https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty>

Under this Councils must have due regard to:

- **ELIMINATE harassment, discrimination and victimisation' of women**
- **Advance Equality of Opportunity between men and women**
- **Foster Good Relations between men and women**

In addition:

- **The greater the relevance and potential impact, the higher the regard for the duty**

Obviously, when considering the lap dancing industry, this duty is particularly high.

The Right to Look at Licensing Applications with ‘Fresh Eyes’

The Council has already *conceded* that it had *breached* the PSED because of the manner in which it previously granted Spearmint Rhino strip club a license. It is therefore, clearly imperative that the Council revisits how it arrives at its licensing decision this time or it will again be acting unlawfully.

In other words, the Council **MUST look at its licensing decision ‘with fresh eyes’**. In fact the PSED technical guidance specifically states:

The duty requires relevant bodies to tackle the consequences of **past decisions** which failed to give due regard to the equality aims.

I know that barristers representing the strip industry like to inform Councils ‘that if a license has previously been granted, it must be re-granted’ but this is not even an accurate reflection of licensing law, let alone the PSED.

Councils may ALWAYS revisit past licensing decisions. All they need do is take into account that a license was previously granted. And this has been confirmed in law on more than one occasion, including by licensing expert Philip Kolvin QC, who frequently serves as representative for Spearmint Rhino and other strip club chains :

“Given that there is potential for the discretion to be exercised afresh, the renewal should not just be a rubber stamping exercise, but an **opportunity, if needed, to review the principle and content of the license.**”

Case law also confirms this right. A review of recent judgements for the Local Government Lawyer website by Philip Kolvin, QC, and two other eminent barristers concludes:

‘In two recent decisions the courts have affirmed the wide powers enjoyed by licensing authorities **to refuse renewals** of licences for lap dancing clubs’

http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=17968%3Alap-dance-no-more&catid=49%3Acomment-a-analysis-articles&Itemid=1

This is again confirmed by Mr Justice Turner:

‘It is, in my judgment, an inescapable fact that the Act of 1982 expressly contemplates the possibility that the circumstances in which a licence had been granted or renewed might change; hence the provisions of paragraph 12 of the 3rd Schedule, which apply not just in respect of the grant but, more importantly, also on the **renewal** of a licence. Thus the **proposition that an existing licence holder can expect that he will be granted a licence in perpetuity for any given set of premises is plainly wrong**’.

Furthermore, license renewal applications may be refused even when there has been **no change to** either the licensee or the surrounding area:

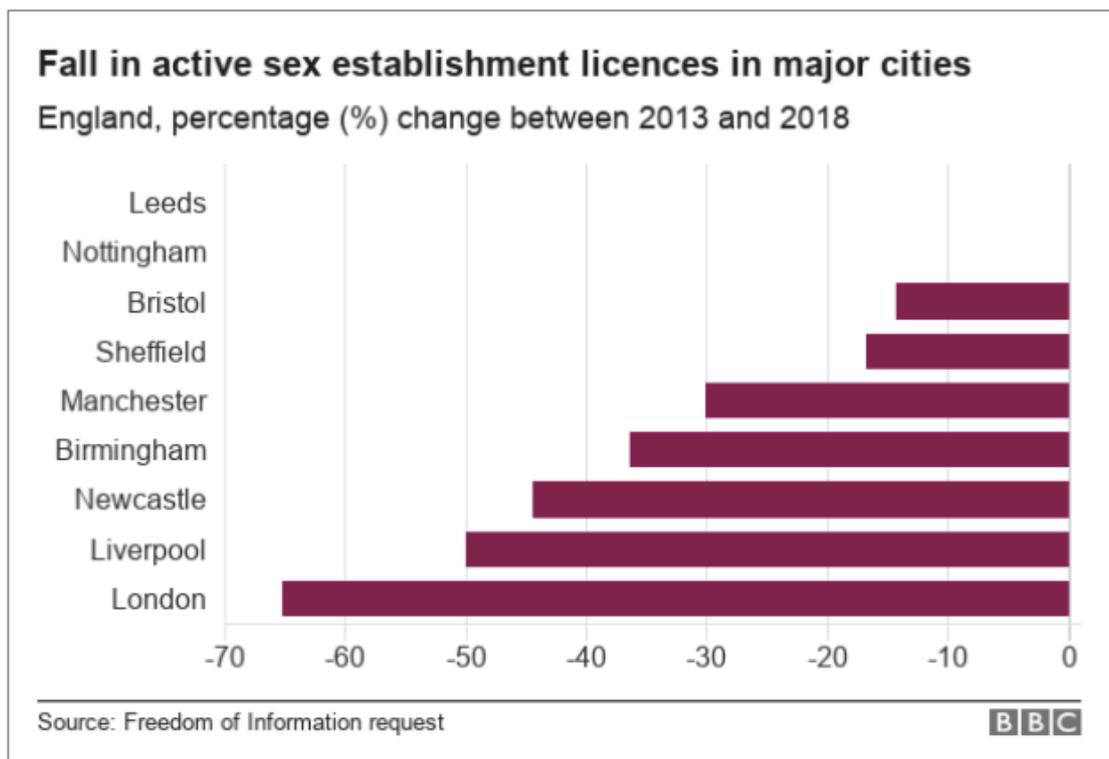
licensing authorities are entitled to 'have a fresh look' at an application for renewal of an SEV licence, **and may refuse to renew even when there is no material change in circumstance.'**

http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=17968%3Alap-dance-no-more&catid=49%3Acomment-a-analysis-articles&Itemid=1

Again, given that Council has conceded that its previous licensing decision to grant the club a license *was made illegally*, the Council is now absolutely beholden to look at this license with new eyes.

Other Councils are **NOT** re-granting Licenses

Furthermore a precedent for *not* re-granting licenses has been set on numerous occasions since a great many other councils now have not re-granted strip club licenses. In fact, the number of licenses of strip clubs and sex establishments is reported to have fallen by 1/3: <http://www.bbc.co.uk/news/uk-england-43043842> :



In the overwhelming majority of cases, this has passed without incident, ie without legal challenge by strip club operators.

In fact, Sheffield seems to be the only city I know of that currently seems intent on introducing a 'no limit' policy, likely to substantially *expand* its lap dancing industry.

Unfounded Fear of Legal Challenge by the Strip Industry

It has become obvious over the years, that one of the reasons Councils grant strip club licenses is because of fear of legal challenge by strip industry operators.

Even an ex-Sheffield Councillor has stated that the legal advice given to councilors was to automatically grant license or they would be taken to court and lose.



Geoff Smith

@geoffforcrookes

Replying to @NotBuyingItShef and @Nik4NetherEdge

Interesting to see what happens. Our legal advice as councillors was always that if we refused to renew the licence it would be challenged and we would lose the case.

2:09 pm · 26 Apr 18

However, we have not found a SINGLE case where a strip club operator has mounted a successful legal challenge against a council for failing to grant a license. This includes numerous occasions where licenses have not been *re-granted*:

Camden: Camden Council vs The Red Rooms

Camden Council took The Red Rooms strip club to High Court to argue its right to allow no private areas. Council won.

Leeds: [Bean Leisure vs Leeds City Council](#) [2014]

Two clubs lose in High Court challenge to Council's refusal to renew licenses

Leicester: [Lily's Lounge Leicester](#) [2016]

SEV took council to court for refusing to renew license. SEV no longer operating.

Oxford: ['The Lodge' Thompson, R \(On the Application Of\) v Oxford City Council](#) [2014]

Court of Appeal upholds Council decision not to renew license.

South Bucks: [R \(KVP ENT LTD\) v South Bucks DC](#) [2013]

SEV not even given leave to go to Judicial Review when license was not renewed

The only incident where a Judge ruled in favour of an SEV (strip club) was on a technicality (too many councilors had been involved in the decision):

Cheshire: [Bridgerow Ltd, R \(on the application of\) v Cheshire West and Chester Borough Council](#) [2014]

In fact the judge explicitly pointed out that in all other respects he agreed *with* the Council. The club in question shut within a year of this case.

Breach of the PSED – Disregarding Concerns as ‘Moralistic’

The Council appears to have been largely guided by evidence and research from highly biased sources, from strip club operators (problematic as outlined throughout) to pro-industry researchers, including self-professed fans of the strip industry like Colosi, PhD.

These researchers, without fail, denigrate genuine concerns for the sex and strip industry as ‘moralistic’. Even researchers like Sanders, who expose the abuse within the industry, still assert that the opposition that might reasonably arise from these findings is driven by ‘morality’ rather than the fact that it could reasonably be concluded that the industry itself is corrupt and incompatible with equality and human rights.

But crediting concerns with the industry as merely ‘moralistic’ was a key reason Judicial Review was granted against Sheffield City Council’s previous decision to re-license Spearmint Rhino:

.. There is a tenable basis for the Claimant’s inference that the Defendant [Sheffield City Council] has **wrongly ignored objections** based the potential impact on gender equality treating them as **moral objections** and irrelevant.”

Judge’s observation when granting permission for Judicial Review:

Honourable Mrs Justice Nerys Jefford, DBE, Justice at High Court Queen’s Branch Division, 2016

Surely the council needs to now exercise considerable caution not to make the same mistakes again – and must not treat genuine, tangible and demonstrable concerns over the harm of lap dancing as ‘moralising’. Similarly it must take heed to take into account the bias of pro-industry ‘morality’ of many sex industry advocates.

Breach of the PSED - Poor Understanding of the Reality of the Industry

Another reason Councils grant licenses is because of a serious lack of understanding of the industry and an apparent refusal to listen to the large body of evidence of harm across the industry. **This lack of understanding also gives grounds to challenge under equality law.** It also means the council is putting young dancers at particular risk.

That is why, again, it is imperative Sheffield City Council strives to understand the reality of this industry. I have been concerned that the information and research that the council is relying on appears to have come entirely from advocates of the strip industry and sex trade – whether from industry representatives or academics. Just two examples of misinformation are given below:

‘lap dancing is not sexual’

When SEV licensing was first being considered, strip industry reps were lining up claiming ‘*lap dancing is not sexual*’ in the press and even at Parliamentary Select Committee Hearings. You must remember that this industry twists the truth or openly lies at every opportunity.

Likewise, one of the only major studies of the industry in the UK exposed how all strip club operators claimed their establishments were perfectly well run, while pointing the finger at every other as being poorly run and constantly rule breaking:

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf> .

Breach of the PSED – Discriminatory Working Conditions

Members considered the representations raised that the dancers at Spearmint Rhino are suffering as a result of unfair and unequal working conditions. The arrangements in place are legal and entered into with full knowledge and consent. Spearmint Rhino Written Determination Notice 2017

Members further considered the three aims under PSED and determined that they needed to ensure that the worker's rights were being enforced, and especially that equality of opportunity between different groups is being advanced.

They had a statement from the Safeguarding Board saying that there were no concerns about welfare and no complaints had been received however thought it proportionate to condition that the premises be subject to quarterly inspections to ensure these are being complied with. This would be evidence that could be used at the next renewal application.

Lap dancers (women) are the only workers at strip clubs who are 'self employed' and do not receive any work security or rights, unlike all other staff (the overwhelming majority of whom are men)

These working conditions are:

- **Pay to work in the venue**
- **Pay a portion of takings back to the venue**
- **Buy expensive 'house clothes'**
- **Fines at every opportunity**
- **Being forced to buy drinks**
- **Far too high a ratio of performers to punters (making it hard for any individual to earn enough money to even break even by the end of her shift)**
- **No sick pay/maternity or other PAYE benefits**
- **No job security or guarantee of income**

"I frequently was only making enough to cover the house fee, train tickets and the cost of a bed and breakfast with no extra profit for myself " Liz

www.notbuyingit.org.uk/publications#Strip

70% of lap dancers make no money by the end of their shift

[Sanders:www.sociology.leeds.ac.uk/assets/files/research/Regulatory_Dance/FINALSUMMARYjAN2012.pdf](http://www.sociology.leeds.ac.uk/assets/files/research/Regulatory_Dance/FINALSUMMARYjAN2012.pdf)

Do members of the council think these conditions are *fair*? Do they think any individual who was *genuinely empowered* would enter into work conditions like this with full *knowledge and consent*? Do they think leaving a shift in debt or having made no money is not *suffering*? How can *quarterly inspections* eradicate the basic working model of strip clubs – these are businesses which only exist because of young women ('product') and yet treats them in the most financially abusive manner imaginable.

These employment conditions are clearly unfair and unequal and can be seen as a breach of the PSED. They are also a driving force for the far more sinister abuse found across the industry – coercion, sexual abuse and exploitation.

Breach of the PSED – Abuse and Exploitation in Clubs

Members further considered the three aims under PSED and determined that they needed to ensure that the worker's rights were being enforced, and especially that equality of opportunity between different groups is being advanced. They had a statement from the Safeguarding Board saying that there were no concerns about welfare and no complaints had been received however thought it proportionate to condition that the premises be subject to quarterly inspections to ensure these are being complied with. This would be evidence that could be used at the next renewal application.

Lap dancing is synonymous with harassment and victimisation of performers ie breach of the PSED: <http://www.notbuyingit.org.uk/publications#Strip>:

“Customers .. would touch me and grab me and one even bit me during a dance”

Liz

“Sexual contact becomes the norm. You start to sell yourself out.

Vicky

“There's a rule regarding distance. You're allowed to get closer than they say in the contract. It's supposed to be three feet .. That is broken instantly” Sarah

This has been exposed in two major academic studies of the UK strip industry; countless testimonies from women who have left the industry; undercover journalists and even current lap dancers such as members of the East London Strippers Collective. It is revealed by police reports; press reports; comments from punters and even by strip club operators.

The largest research study ever conducted into the strip industry highlighted how half lap dancers reported frequent verbal harassment and unwanted touching from customers (in other words, sexual assault).

Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. University of Leeds

“I'm frequently asked how much I charge for sex – it seems to be taken as read that, as a lap dancer, I offer services outside the club”

Journalist reveals the constant verbal and physical harassment she was subjected to when undercover as a stripper: <https://londonist.com/london/features/this-is-what-it-s-like-being-a-lap-dancer-in-london>

Much of this has been collated here: <http://www.notbuyingit.org.uk/publications#Strip>

Given that research suggests that students are believed to make up 1/3 of lap dancers and Spearmint Rhino is in the middle of the University, the Council has a particular duty to pay heed to the harm associated with the industry. If it does not it is responsible for putting young female students, often teenagers, at risk: <https://www.tandfonline.com/doi/pdf/10.1080/01425692.2013.854596>

Breach of the PSED: Fostering Poor Relations Between the Sexes

Lap dancing is the antithesis of 'fostering good relations between the sexes'. This too is a breach of the PSED.

The largest study of the industry ever conducted in the UK revealed that 1/3 of performers said the job had effected their view of men: Sanders, T., & Hardy, K. (2011) *The Regulatory Dance: Sexual Consumption in the Night Time Economy – Initial Findings*. Leeds: University of Leeds

"It's screwed up my view of men. Every time I see a man now, I just see him as a punter. There's only so many bad experiences you can have before you start hating them all . . ."

"You start to see men as nothing more than their wallets, idiots to be fleeced for as much as you can. You start to despise them for believing you when you flutter your eyelashes and tell them they're the most interesting customer that you've ever talked to."

149. **ladivina69**

8 Feb 2012 09:26

My daughter is a dancer and its not harmless fun. In order to bear dealing with this degrading and soul destroying work the girls drink too much and endure the worst aspects of male nature. She has become cynical, jaded and doesnt have relationships any more. She thinks that men are all untrustworthy and only after what they can get away with. Its not really a job to be proud of.

↑ 73 ↓ 43

"I always thought of the customers as vermin and, ironically, that is what they thought of me."

The intense competition between performers, nurtered by clubs which ensure far too high a ratio of lap dancers to customers, also does not foster good relations with other members of the female sex.

And of course, this is as nothing compared to the attitudes clubs foster by men towards women. Obviously the impact of this is far more concerning as men carry these attitudes around with them in a society where 10 million (1 in 3 women) experience male violence, in most part *because* of men's attitudes towards women.

In a study of customers of strip clubs it was found that over half of the men interviewed stated that their motivation for visiting lap dancing clubs was to escape from what they perceived as a code of conduct which 'restrained' them.

Journal of Sex Research 40:1, 61-75, 2004

"You can go in there and shop for a piece of meat , quote unquote , so to speak. I mean, you want to see a girl, you can see a girl run around naked. Have her come over, pay her to do a dance or two or three and walk away and not even ask her her name" Frank, K.

'Just trying to relax': Masculinity, masculinizing practices, and strip club regulars" *Journal of Sex Research* 40:1, 61-75, 2003

Recent Incidences

This situation is so bad that a quick Google search of press reports exposes how close to a dozen clubs have been shut in the few years alone. The true level of incidence is obviously like to be considerably higher. This is collated here:

www.notbuyingit.org.uk/sites/default/files/Strip%20Sleaze%20Recent.pdf

It includes Villa Mercedes, a branch of which was nearly licensed by Sheffield City Council

Bing, West Bromwich 2017

Shut down after a brawl led to GBH. Police also expressed grave concerns about prostitution, the use of possibly under age Romanian girls and the possibility that they may have been trafficked:

Hanley's, Staffordshire 2017

Shut down after years of concerns over inappropriate touching, offers of prostitution, drugs and drink spiking.

Jack of Diamonds, Bristol 2017

Closed for inappropriate touching.

Legs 11, Birmingham 2017

License suspended for trafficking. Sexual contact observed and under cover trading officers offered 'sexual services' in VIP rooms.

Angels, Leicester 2016

Fondling and touching viewed on CCTV. Several dancers undocumented and suspected of being underage.

Villa Mercedes, Harrogate 2015

Shut down after repeated breach of licensing conditions including physical contact with dancers and 'audience participation'. (Appeal by operator to license refusal was withdrawn).

Bentley's, Doncaster 2017

Performer assaulted outside after refusing sex with punter.

Diamonds Dolls, Glasgow 2017

License suspended immediately when a half dressed, drunk and unconscious dancer was dragged out of the club by management and dumped onto the street (performer in question refused to speak to police, presumably out of fear of retaliation by management).

Cleopatra's Lounge, Huddersfield 2016

Man smashes club window when dancer refuses to 'meet up' with him outside of the club:
<http://www.examiner.co.uk/news/west-yorkshire-news/man-smashed-lap-dance-club-11379793>

X in The City, Liverpool 2015

Punter attacks lap dancer and steals her purse after she refused to give oral sex in a private booth. Punter: "I said 'are you going to suck my **** upstairs?' and she said 'yes'. Obviously that was the whole purpose."

Platinum's, Stoke 2017

Loses its license: 'Exploitation' of punters, including violence and drink spiking.

Silks, Manchester 2017

Several incidences of brawls and violent behavior

Charlie Brown's London 2014

Breach of Frequency Exemption & Illegal Activity

Diamond Dolls & clubs across Scotland 2014

Massive police sting

Breach of the PSED – Private Booths

“There is only one reason why you have a cubicle. It’s because touching is going on and all sorts”
manager of Club Crème, Bristol

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

Sheffield City Council’s allowing of private booths is a case in point.

Legs 11, Birmingham, had its license suspended in 2017 with under cover officers being offered sexual services in private rooms.

“From a police perspective it would make life and enforcement easier if we did not have the VIP rooms”
Police Officer

“If anything’s going to go wrong, it will be in the VIP or private rooms. You have to trust the integrity of the person who is in charge of security, but you can never be sure a blind eye is not going to be turned. Most venues have a VIP room, because it promotes intrigue to the customer who will go there and maybe look for something more, because of the secrecy” Police Officer

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

Camden Council has had a policy against ‘private’ areas of any description in its clubs since SEV licensing was introduced. It has even gone to the High Court (successfully) to ensure this. This policy applies to Spearmint Rhino in Camden.

The reason for this is the high levels (and likelihood) of harassment, coercion and abuse in private booths. I would suggest allowing Spearmint Rhino private booths is in and of itself a breach of equality law as it is extremely likely to lead to ‘harassment and victimisation’.

Over 50% of dancers reported having received harassment ‘lots of times’ or a ‘a few times’, nearly half reported frequent verbal harassment and unwanted touching from customers. This was reported more widely in clubs with private dancing than those with only stage shows. Error! Bookmark not defined.

Private Booths: many dancers felt that the way in which private booths were set up also made them vulnerable and also allowed standards to be lowered by dancers offering more than is allowed in the dances.

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

This paper that we submitted to Camden Council for its High Court proceedings outlines the high levels of harm associated with private areas in strip clubs and is quoted from throughout this submission:

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

Breach of the PSED – Simplistic Acceptance of Statements from Management

Again it is a breach of equality duty if the Council is not properly considering and analysing the information before them. This means evidence from management and even performers needs to be scrutinised with caution, rather than being simplistically taken at face value.

‘It was clear to me ... that many owners and managers create a context in which the buying and selling of sexual services would be likely to happen. Club owners tend to absolve themselves of any responsibility if sexual services are found to be on offer, or being arranged on the premises, yet at the same time the dancers are encouraged to project an air of sexual availability to customers.’

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

Our paper to Camden Council references how statements from management of ‘excellent’ operating conditions and performers well being simply cannot be taken at face value, for surely obvious reasons. Management have a clearly highly vested interest for abusive work conditions and prostitution, as this is how they will earn the most money.

And if strip club operators are prepared to tell Parliament that ‘lap dancing isn’t sexual’ then any statements they make surely have to be treated with extreme caution.

Besides, management and their legal team are adept at ‘phrasing’ information to ensure they are not lying but certainly misleading.

This includes constant statements by John Specht (Spearmint Rhino UK Vice President) in his witness statement to the Council for this licensing hearing that ‘**no complaints have been received**’. But this belies the fact that 100s of objections (*complaints*) actually have been received over years of licensing hearings. And yet this ‘lack of complaint’ is then re-iterated by Sheffield City Council’s own licensing committee.

Management also, very deliberately, puts a ‘Chinese wall’ between it and any wrong doings at the club. An atmosphere is carefully cultivated that touching and full-blown sex acts are available yet when it happens management is able to claim no knowledge and instead fire the dancer as responsible.

The fact that a great many punters and members of the public view lap dancers as *de facto* prostitutes has been evidenced many times to the council (including by Not Buying It Sheffield at this licensing review).

In Conclusion

‘A number of factors contribute to the possibility of the dancers being pressurised into offering, or agreeing to, sexual services without direct instruction from management.’

‘The clubs [are] run in a way that implicitly encourages the customers to expect and seek sexual services from the dancers.’^{Error! Bookmark not defined.}

‘It can be concluded, from the body of evidence that some lap dance club owners and managers create conditions in which prostitution is likely to occur.’

‘So long as club managers assure the police and others that any dancer found to be offering or engaging in sexual services will be dismissed, places the onus for behaviour onto the dancer. There has been a tendency, as highlighted through tribunals and police evidence, that club owners who either encourage dancers to engage in sexual activity, or merely ‘turn a blind eye’ are not held responsible for allowing that to happen.’

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

Breach of the PSED – Simplistic Acceptance of Statements from Lap Dancers

Equally the Council needs to scrutinise statements from performers, rather than simplistically taking these at face value <http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf> :

Several journalists have confirmed that the conduct of staff, dancers and customers is affected when they are aware they are being observed

'I found that no one except the management, who were excited by the idea of newspaper coverage, wanted to talk to me, and I was viewed with suspicion. Everything seemed controlled, and I had a sense that I was not seeing the true picture.'

Of course, no lap dancer can openly expose problems within clubs, including breach of the 'no touching rule' or sex acts, because if she does she is will then fired and black listed amongst other clubs. Or worse.

Of course, if a club operator 'asks' his performers to sign statements supporting 'perfect practices' within their club, they will do exactly that. As again referenced in our report on Private Booths, the women working in the clubs often operate under a culture of fear and intimidation <http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf> :

This can be so extreme that performers who have been assaulted by club operators still will not talk, even to the police:

When a performer was dragged out on to the street by management, drunk, half naked and unconscious, she refused to talk to police even though this incident was so severe that the club's license was immediately suspended.

It can extend beyond performers to those researching the industry, as this journalist attested:

'for the record, one club owner telephoned me after our meeting and made what I took to be a veiled threat'^{Error! Bookmark not defined.}

Women from the industry have told me in conversations that:

'If management tells you to do something, you do it'

This includes Sammy Woodhouse (former lap dancer who blew the lid on the Rotherham child sex abuse scandal, who I believe is also providing an evidenced-based objection to Sheffield City Council). I have also been told by her and others, including Stacey Clare, founder of The East London Strippers Collective that they:

'know of women being coerced by management into signing statements in support'

Stacey Clare is currently writing a book to, yet again, expose working conditions for lap dancer and this evidence was given to Camden City Council in a High Court case that upheld its decision to ban private areas in its clubs.

Even Women who have *left* the industry *still* feel intimidated

"The shadowy world behind some clubs is not something that you would want to go up against"

"I'd rather not say what I am doing these days, for the same reason that I won't tell you my real name. These are people [the club owners] you don't want to mess with. I am genuinely afraid of them. Who knows exactly what goes on behind the scenes, but I'd still rather not mess with it."

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

'A New Reality'

"Often if a person has asked about my experience as a dancer I have responded with a socially desirable answer, and simply asserted that I enjoyed dancing, that I made a lot of money but in the end dancing was not for me. This explanation has in no way conveyed the extremity of emotion and mental distress I have experienced as a dancer and in no way conveys the sexual degradation and humiliation I have experienced and observed during my short dancing career " Liz former lap dancer

http://notbuyingit.org.uk/sites/default/files/LAP%20DANCING%20testimony_Liz.pdf

Of equal significance, is the fact is that a 'new reality' very quickly sets in when you start working in stripping. As numerous women state once they have left the industry. This includes lying to yourself that 'all is well' as a coping mechanism and because your entire sense of self-worth is wrapped up in the industry – so to admit that anything might be wrong with it becomes unthinkable. And it includes genuinely not even recognising that being constantly harassed and groped or even paid for sexual acts is untoward or is not normal. A 'new reality' sets in, as researcher shows:

'These women, as you would expect, are keen to defend the work they do and furious that what they regard as patronising feminists seem bent on turning them into sex workers.'

".. for a time, it is possible to convince yourself that everything is OK. "No one in the club would express any uncertainty about what they are doing - they're too busy competing for work - so even if you do feel bad about it, you wonder if you are the only one. You convince yourself that your perception of what the job would be like is the same as what the job is, even though there is a quite weird gap between the two. It's only when you have made the decision to leave that you realise how insane it all was."

<http://www.notbuyingit.org.uk/sites/default/files/PrivateBooths.pdf>

Breach of the PSED – in the Vicinity of Clubs

Members heard how some women felt threatened and unsafe walking past the premises during the day knowing that the premises was there and that it triggered memories of past events for them. The premises will now essentially be 'invisible' during the day which will aim to mitigate this.

The Council has heard countless examples of how women and others feel unsafe in the vicinity of the club in objections made to licensing renewals. The club operator has even taken pictures outside of the club showing little traffic during its operating hours. This, of course, was used to suggest 'no one uses the street'. However it could equally mean that the club has in effect created a '**no go zone**'.

The Council's solution? Stop exterior signage outside the club. But Sheffield is a small city and local people know full well that the club is there even during the day when not open. If anything, a black unsigned building seems even more sinister.

And this does *not* address the club during its opening hours. The council has also heard countless evidence from objectors over years that they avoid the area during the night. Students (many of whom are teenagers, some as young as 17), of course, have *no choice* but to use the area given the club is next to halls of residence.

Whether or not the venue is open during the day or 'blacked out' is irrelevant when considering the PSED. It has been confirmed numerous times that the very presence of a strip club can amount to a breach of equality law by making women feel vulnerable, unsafe and causing them not to use the street or nearby facilities.

And strip clubs undoubtedly do make women feel threatened and uncomfortable (ie harassed and victimised) in their vicinity as highlighted by the Royal Town Planning Institute:

"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"**

This is elaborated upon as:

' . . . women describe feeling frightened, disempowered, violated, embarrassed, unsafe (particularly if men are around) and avoid certain streets at night where they know there is a lap dancing club.'

A considerable number of witness statements provided to Sheffield City Council at Spearmint Rhino licensing hearings and at policy review clearly demonstrate this strip club's presence shows that the free movement of women and others with protected characteristics is being prevented by the club:

- Women running LGBT groups
- Disabled Women
- Those running support centres for marginalised young people
- Those accessing services for vulnerable women
- Women using work space

This feeling of intimidation and avoidance measures women take, goes far beyond when a club is operating at night. As highlighted in the journal *Criminal Justice Matters*:

".. women also reported **avoiding** certain streets and **feeling frightened** in the **day time**, when the clubs are closed. It is the **existence** of the clubs that **causes women to feel alienated in public space at all times**, and fearful of the threat of violence posed by the sexual objectification of women."

Jackie Patiniotis & Kay Standing (2012) License to cause harm? Sex entertainment venues and women's sense of safety in inner city centres. *Criminal Justice Matters* 88:1, 10-12.

The Institute goes on to explain that if women *feel* threatened and uncomfortable by the presence of a strip club then **their very presence amounts to a form of discrimination**, as it prevents full access and freedom of movement by women in the borough:

"If a woman, **whether objectively justified or not**, fears to use part of the town centre characterised by sex establishments, this may be argued to amount to **discrimination**, in that her access to the public infrastructure of the town is impaired in comparison to that of men. Where relevant these considerations ought **properly to be taken into account by authorities** at the decision-making stage, and possibly at the policy-making stage"

¹ Royal Town Planning Institute 'Gender and Spatial Planning Good Practice' Note, 2010, p. 87

Local Authorities have a **legal duty** to prevent all of this. By not doing so they can be challenged in court. Thus if the PSED is given due consideration it becomes increasingly hard for Local Authorities to justify the presence of any Sexual Entertainment Venues and to consider anything other than a 'zero policy' on SEVs.

It is NOT Pro Equality to license clubs to stop them 'Going Underground'

The Council appears to be under the illusion that they *are* upholding their equality duties by granting strip club licenses because by not licensing clubs the industry will 'go underground'. A circular argument surely as by that logic the Council has to license everything and anything in order to stop it 'going underground'.

On top of this there is absolutely no evidence that *not* granting licenses drives the industry 'underground'.

I have contacted several Councils with a 'zero policy' and no clubs. Not one has found any evidence of 'underground activity'.

In fact, Sheffield City Council appears to be basing its 'going underground' argument from a research paper by a lap dance enthusiast (R Colosi) in which she cites a book about New York:

<https://www.publishersweekly.com/978-0-446-52571-8>

It should be pointed out that this book is not academic research – it is a book about New York, written by a man who has also co-authored books with Erin Brokovitch and Barry White! Besides many of the clubs dubbed 'illegal' might not be 'illegal' (as in unlicensed), but rather operating in breach of that license.

Besides it is surely disingenuous to compare a small city like Sheffield with a heaving metropolis like New York.

And where illegal clubs set up they can always be found and shut down. If punters can find them, so can the authorities, as has happened across the USA:

Atlanta: Man busted for running illegal strip club in his home:

<https://www.wsbtv.com/news/local/dekalb-county/man-60-accused-of-running-illegal-strip-club-in-home/473973225>

<https://www.11alive.com/article/news/crime/illegal-strip-club-busted-next-to-daycare-church-in-dekalb/85-362385752>

San Jose: Illegal clubs being shut after press reports:

<http://sanfrancisco.cbslocal.com/2015/12/08/san-jose-police-illegal-strip-clubs-crackdown/>

Phoenix, 'stripper cage fighting', openly advertised on Facebook, shut by authorities:

<https://www.youtube.com/watch?v=3DuR1EwaXJI>

But most importantly, the core premise that not licensing the industry will drive it underground is, I would suggest, on its head: **It is actually the legitimising of the sex trade that drives a substantial underground sector – as has been found in every country that has legalised or decriminalised prostitution.**

It is NOT Pro Equality to License Strip Clubs to ‘Keep Women Out of Poverty’

Another argument that is often made to justify licensing the strip industry is that if it is not licensed lap dancers ‘will be put out of work and into poverty’. Again this is a circular argument of the sort used to justify sweat shops.

This analogy is particularly apt given that it is the strip industry which actually tends to *put women into poverty* and lead them into future *unemployment* – not just because of its poor pay and work conditions but because it can be hard for women when they do leave to then find employment (because of low self esteem, stigma or lack of qualifications).

If the Council is really so concerned by keeping women out of poverty, why hasn’t it enforced proper pay and employment conditions on Spearmint Rhino (as given in the recommendations), as many other councils have done?

And instead of licensing strip clubs, why doesn’t it offer exit plans for lap dancers – supporting them into other work with proper employment – with respectful pay and working conditions and minimal risk of sexual exploitation (as also outlined in the recommendations)?

I would also point out that most lap dancers are ‘itinerant’ – working in many different clubs across the country. This was also acknowledged by Philip Kolvin, QC, at the last Spearmint Rhino licensing hearing. If one club closes, women are not ‘put out of work’ they merely move to another club.