Corporate Sexism

The sex industry's infiltration of the modern workplace

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At BT we know that talent is the decisive factor for business success and that talented people come from every walk of life. In order to attract, recruit and retain talented people we need to create a working environment, be that physical or virtual, that encourages them to bring their unique perspectives to their role and create opportunities for our business. This means creating an environment where everyone can contribute because business practices which reduce any one group’s ability to contribute are challenged and changed.

That’s why, over 20 years ago, when BT first created its gender policy, we worked with our people to help them understand that permitting behaviours which created an environment where anyone, male or female, did not feel comfortable is not conducive to the high performing workplace culture which we continue to aspire to. That’s why the culture has to go deeper than simply removing inappropriate images be they calendars or screen savers, why entertaining clients must be conducted in a way that aligns to shared company values that every employee can buy in to and why accessing inappropriate or offensive material, of any sort, can not be tolerated in the workplace.

This important report sets out why employers need to take preventative measures to counter the infiltration of the sex industry into the workplace to safeguard the remarkable progress on workplace equality to date. Employers have a growing responsibility to address this issue as a key equality and diversity concern in order to ensure that its whole workforce can contribute and that talented people whatever their nationality, gender or background can bring their talent and skills to every level and role within the organisation. This is an opportunity for employers to say ‘No’ to the encroachment of the sex industry in to the world of work because incidents where employees are exposed to pornography and lap dancing clubs at work represent failures in legal responsibilities, and exclude many talented people be they men or women. This is an opportunity to celebrate the business behaviours that ensure it is possible for everyone to take an active role in striving for fantastic customer service, increased productivity and greater cost effectiveness because the whole workforce is able to contribute.

Caroline Waters
Director of People and Policy
BT
In 2008 the Fawcett Society launched Sexism and the City, a ground-breaking campaign to expose and challenge sexism in UK workplaces. It revealed that despite discrimination against women in the workplace having been outlawed nearly 35 years ago, inequality remains rife:

- Women working full time are paid 17.1% less per hour than men
- Only 11.7% of FTSE 100 company directors are women
- 30,000 women lose their jobs every year in the UK simply for being pregnant
- Two thirds of low paid workers are women

Through working with both employees and employers, and conducting a high profile media campaign, we sought to unearth the practices and cultures that continue to hold women back. As a result, Sexism and the City uncovered a major new factor hampering progress towards gender equality in the workplace: the sex industry.

The last two decades have witnessed an unprecedented expansion of the global sex industry, including the growing normalisation of pornography, prostitution and lap dancing clubs:

- The sex industry is now estimated to be worth $97.06 billion worldwide
- 12% of all websites are pornography sites
- There are over 300 lap dancing clubs in the UK
- During the 1990s the number of men paying for sex doubled
- There are at least 921 brothels in London

As the sex industry has expanded, it has become an increasingly normal part of mainstream culture and, consequently, workplace cultures. During the Sexism and the City campaign Fawcett received an alarming number of reports from female and male employees expressing a growing concern around the levels of exposure to elements of the sex industry whilst at work. This includes employers entertaining staff and clients in lap dancing clubs and exposure to pornographic and degrading images of women - accessed by colleagues or displayed by the employer for sale purposes.

However, despite the apparent prevalence of the sex industry’s infiltration into the workplace, and the negative impact female employees were evidently experiencing as a result, we were struck by the relative silence on this issue within employer circles and in the public realm.

This report aims to break that silence and trigger a meaningful debate on the impact of the sex industry on key diversity and inclusivity initiatives.

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2 TopTenREVIEWS 2009
3 Paying the Price: A consultation paper on prostitution, Home Office, July 2004
5 Just below the surface: gender stereotyping, the silent barrier to equality in the modern workplace? Fawcett Society, 2009
Main findings

Fawcett’s research shows that women’s full participation at work is being undermined by the infiltration of the workplace by the sex industry, manifested in a growing trend of using lap dancing clubs and displaying pornography in a work context. Many employers are actively engaging with the sex industry in their work without due regard to the impact on workplace gender equality, while many others are failing to take action to prevent the illicit use of the sex industry by employees in a work context.

Pornography in the workplace

Exposure of employees to pornography at work is rife, both through the failings of employers to prevent the illicit consumption of pornography by staff and from employers’ specific policies of freely displaying pornographic publications in the workplace for sale purposes:

Illicit consumption of pornography:
• 26% of trade union branches have received enquiries from members who have been exposed to the sex industry - including pornography - at work
• 20% of men admit accessing pornography at work

Displaying pornography for sale purposes:
• A content analysis of five leading lads’ mags and one pornographic newspaper revealed that all contained pornographic imagery
• Pornographic lads’ mags and newspapers are displayed and sold in over 50,000 retail outlets – each one of them a workplace

An extensive body of research evidences that pornographic images are harmful to women and promote sexist attitudes and behaviours. The presence of pornographic and sexually degrading images of women creates a hostile and degrading work environment. Therefore the display or consumption of pornography in the workplace is in violation of the Sex Discrimination Act 1975.

Corporate use of lap dancing clubs

The use of lap dancing clubs in a work context is taking place on an alarming scale:

• 41% of lap dancing clubs directly target employers through their websites
• 86% of lap dancing clubs in London also provide ‘discrete receipts’ which don’t feature the name of the lap dancing club. This enables employees who use the clubs in a work context to claim back expenses from their employers without it being evident the money was spent in a lap dancing club

The use of lap dancing clubs in a work context discriminates against female employees, perpetuates gender inequality, and is in violation of the Sex Discrimination Act 1975.

Recommendations

The expansion and normalisation of the sex industry poses a serious threat to diversity and inclusion practice in UK workplaces and requires urgent action from Government and employers.

Fawcett’s key recommendations:
• Robust, independent regulation of sexually explicit print media is required.
• Employers must have robust policies and procedures to prevent and redress instances of employees accessing or displaying pornography in a work context.
• If pornographic material is sold in the workplace the front cover and contents must not be visible to employees during display or during the sale transaction.
• Employers must have policies that explicitly prohibit the use of the sex industry as part of staff or client entertaining/socialising, including the use of lap dancing clubs.
• All individual employees should be made aware of their right not be exposed to the sex industry in a work context.
• All lap dancing clubs in England and Wales should be licensed as Sex Encounter Venues.
Overview

The pornography industry is now estimated to be worth (US) $97.06 billion worldwide, and the average age of first exposure to internet pornography is 11 years old.\(^7\) Pornography is now produced and consumed on an unprecedented scale. Technological advances and the increasing normality of its use have led to it becoming an everyday part of contemporary culture. Pornography is accessed from a wide range of media formats, including computers, mobile phones, DVDs, TV, and magazines.

Despite action taken by more progressive employers to prevent access to pornography in a work context, Fawcett research shows that pornography is still frequently viewed, shared and exposed to colleagues in the workplace, and undermines women’s full participation at work.

Over the past 15 years a retail market in lads’ mags has burgeoned. These magazines contain pornographic imagery – often on the front cover. There are no specific legal regulations relating to how pornographic magazines or newspapers should be displayed or sold by retailers, and lads’ mags are not covered up or placed on the top shelf. Thus employees of magazine retailers are exposed to pornographic lads’ mags and newspapers on a daily basis.

Yet a growing body of research evidences that images portraying women as ‘sex objects’ cause extensive harm, leading to an increase in sexist attitudes and behaviours. The presence of pornography in the workplace can create a hostile and degrading environment for female employees – in violation of their rights as enshrined in the Sex Discrimination Act.

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\(^6\) An image is ‘pornographic’ if it has been produced for the purpose of sexual arousal. Criminal Justice and Immigration Act 2008

\(^7\) TopTenREVIEWS 2009

\(^8\) Personal testimony obtained by the Fawcett Society, 2009

\(^9\) Personal testimony obtained by the Fawcett Society, 2009
While there is little public and professional debate around exposure to pornographic and degrading images in the workplace, evidence collected by the Fawcett Society demonstrates that this is a very real problem and that employers are currently ill-equipped to recognise and address this issue. Employers need to improve their capacity to prohibit and respond to employees accessing and/or displaying pornography in a work context. Employers retailing lads’ mags and other materials containing pornographic and degrading images of women must take urgent action to minimise exposure to and contact with the covers and contents of these publications. It is the responsibility of employers to ensure that the sale of these publications does not infringe on the rights of employees as enshrined within the Sex Discrimination Act.

Evidence of the link between exposure to degrading images of women and sexist behaviours

The presence of sexually degrading and dehumanising images of women creates a hostile environment for female employees. Research has shown that after being exposed to images that sexually objectify women, men are significantly more accepting of sexual harassment, interpersonal violence, rape myths, and sex role stereotypes. Exposure to pornographic and degrading imagery at work has a direct impact on professional and interpersonal relationships between women and men, and undermines the positive strides that are being taken to close the gender equality gap in the contemporary workplace.

Sexually objectifying images of women are harmful:

- Men are more likely to treat women as sex objects and their behaviour towards women is more sexualised after exposure to sexualised media.
- Lads’ mags promote an aggressive and dominating sexuality in men. Researchers at the University of California found that reading lads’ mags was associated with possessing a more aggressive sexual self-schema.
- The consumption of pornography leads to an increase in aggressive behaviours, as shown by a meta-analysis of 30 studies.
- A significant relationship was found between pornography consumption and attitudes supporting violence against women in a meta-analysis of 9 studies.

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10 Personal testimony obtained by the Fawcett Society, 2009
12 Personal testimony obtained by the Fawcett Society, 2009
13 Ibid (American Psychological Association)
14 Taylor, L. D. (2006) College Men, Their Magazines, and Sex, Sex Roles, 55, 693-702; A sexual self-schema is a mental representation of the self as a sexual person
15 Cited in: Itzen, C. et al (2007) The evidence of harm to adults relating to exposure to extreme pornographic material: a rapid evidence assessment (REA), Ministry of Justice; (Meta-analyses enable researchers to scrutinise, compare and average the results of multiple studies, thereby providing more robust and reliable conclusions.)
16 Ibid (Ministry of Justice)
Unwanted exposure to pornography will amount to sexual harassment of employees and others affected by it. It is in my view quite clearly the case that the display of pornography and “lads mags” which are not for sale purposes, such as where they are left in a staffroom; the consumption of pornography by colleagues; and the display of pornography at work, for example on computers, are all capable of amounting to sexual harassment as defined by the Sex Discrimination Act:

“unwanted conduct … of a sexual nature that has … [the] effect [even if not the purpose] of violating [a worker’s] dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for her [or him]”.

Where pornographic material is sold in a general-purpose newsagent or similar, it is arguable that its display and sale may create a degrading, hostile, humiliating or offensive environment. Exposure to such pornographic material displayed for the purposes of sale could, in my view, amount to actionable sexual harassment. 17

17 Excerpts from legal advice note provided to the Fawcett Society, March 2009

Sharon Greene
National Women’s Officer, UNISON

All workers should be treated with dignity and respect at work. However, women frequently tolerate the display of offensive material, such as pornographic pictures, page-three type pin-ups or calendars, including those in electronic forms such as computer screen savers and “joke” e-mails, for fear of being ridiculed or otherwise penalised for “lacking a sense of humour”.

But the Government-funded Advisory, Conciliation and Arbitration Service (ACAS) definition of harassment is “unwanted conduct that violates an employee’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment”, and it is clear that that the display or circulation of such images meets that criteria for the vast majority of women. The Health and Safety Executive (HSE) advise that stress at work can be triggered... where ‘there is... harassment or where staff are treated with contempt or indifference’.

It is plain that “contempt and indifference” are all too keenly felt by those women who do complain, and who are made to feel ridiculous or petty for doing so. Additionally, they can then become targets for the receipt of further unacceptable behaviour and materials in retribution for making a complaint. It is also unlikely that where there is a workplace culture which permits the display of pornography or allows sexist “humour” to be expressed, this is in isolation from other behaviours which constitute sexism, harassment and discrimination. 18

18 Excerpts from trade union advice note provided to the Fawcett Society, March 2009
Evidence of employees accessing pornography at work

Evidence collected by the Fawcett Society suggests it is becoming increasingly common for employees to access pornography at work and, in many cases, expose colleagues to pornographic and degrading images of women.

“‘I am a contractor and when I visit site the ground engineers frequently use lads’ mags and pornography, and as it isn’t my usual place of work I am made to feel that I can’t make a complaint (otherwise they simply won’t use my services again).’”

Catherine

A survey by the Fawcett Society revealed that 26% of trade union branches have received enquiries from members who have been exposed to the sex industry - including pornography - at work. Existing research also reveals that 20% of men admit to accessing pornography at work.

“The men had ‘Loaded’ calendars on the wall and would sometimes look at pornographic images online. They thought this was a ‘laugh’ and that they were being ‘cheeky’ but I found it incredibly inappropriate and it made me very uncomfortable. Needless to say, if you seemed uncomfortable with it, you were seen as a ‘prude’.”

Alex

The solicitor’s perspective

Solicitor, responding to enquiry from the Fawcett Society, 2009

I think it is increasingly common for women to be exposed to the sex industry at work, although it can be very ‘subtle’.

The vast majority of my clients are ‘blue collar’ workers. In addition to women I have represented specifically about being exposed to the sex industry a number of other women, whom I have advised about other employment issues, have identified circumstances in the workplace which would amount to sex discrimination.

Some of these have involved the sex industry, but many women seem resigned to the fact that it is ‘part of modern life’ and they are reluctant to be seen as ‘prudish’ in what is usually a male-dominated workplace.

Others have specifically said they would not complain as, although they do not like pornography in the workplace, they tell me that they have felt obliged to adopt a ‘laddish’ attitude, either as a defence mechanism or in an attempt to fit in with their male workmates.

References:

19 Personal testimony obtained by the Fawcett Society, 2009
20 Fawcett Society 2009
21 Ibid (TopTenREVIEWS 2009)
22 Personal testimony obtained by the Fawcett Society, 2009
Newsagents. However, the guidelines relating to lads’ mags are weak and investigations show they are invariably disregarded by retailers.27

All major UK supermarkets stock lads’ mags and none of these retailers have a policy of displaying them behind shrouds or in modesty covers. These same retailers choose not to stock traditional ‘adult’ pornographic magazines, but do stock lads’ mags – which are categorised by the publishers as ‘men’s lifestyle’ magazines. No other major retailer of lads’ mags has a policy of covering up lads mags whilst on display.

“I believe that these magazines should be placed higher so that children cannot see them and also partially covered up on the shelves. This is due to an experience I had whilst working there; a child of 7 or 8 years was in the shop with his father and the son went and picked and wanted to purchase Nuts magazine.

“This I found very inappropriate and refused to do. My manager was stood next to me and saw me refuse to sell the magazine and, instead of backing me up, sold the magazine to the child instead. This really troubled me and I couldn’t believe he thought it was ok to do this and have women represented in such a way to a child.”

Former newsagent employee28

Evidence of employees exposed to pornography that is for sale purposes

Lads’ mags are currently sold in over 50,000 retail outlets. A content analysis conducted by the Fawcett Society of five leading lads’ mags revealed all contained pornographic imagery.26

There are currently no independent, compulsory guidelines for retailers regarding the display and sale of print media that contains pornographic imagery. This means there are no legal age restrictions for purchasing it or restrictions on where and how it can be sold. A voluntary set of guidelines relating to the sale of ‘Adult Titles’ and lads’ mags have been produced by the National Federation of Retail

23 'Network Rail employee wins £100,000 over pornography in her in-tray', Richard Savill, 6 June 2008
25 Former newsagent employee
26 Fawcett Society, 2009
27 The Top Shelf Campaign: Findings and Report, compiled by Lauren Jakubowicz & Kate McGlelland
28 Personal testimony obtained by the Fawcett Society, 2009
As a result, the sexualised images of women on the front covers of lads’ mags are on full view to employees and customers. This means that hundreds of thousands of employees are being exposed to pornography in their workplace on a daily basis.

Content analysis of five leading lads mags and one pornographic newspaper:

<table>
<thead>
<tr>
<th>Publication</th>
<th>Sexually explicit or sexualised image of women on cover</th>
<th>Proportion of pages containing sexually explicit images of women</th>
<th>Proportion of pages containing sexualised images of women</th>
<th>Proportion of advertisements that were sex-based</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily Sport</td>
<td>Yes</td>
<td>42%</td>
<td>8%</td>
<td>98%</td>
</tr>
<tr>
<td>Loaded</td>
<td>Yes</td>
<td>10%</td>
<td>24%</td>
<td>57%</td>
</tr>
<tr>
<td>Zoo</td>
<td>Yes</td>
<td>24%</td>
<td>8%</td>
<td>55%</td>
</tr>
<tr>
<td>Front</td>
<td>Yes</td>
<td>17%</td>
<td>16%</td>
<td>36%</td>
</tr>
<tr>
<td>Nuts</td>
<td>Yes</td>
<td>20%</td>
<td>8%</td>
<td>40%</td>
</tr>
<tr>
<td>FHM</td>
<td>Yes</td>
<td>1%</td>
<td>22%</td>
<td>15%</td>
</tr>
</tbody>
</table>

Explanation of terms

- Sexually explicit refers to images in which the model’s breasts or genitals were exposed and which were produced for the purpose of sexual arousal.
- Sexualised refers to images produced for the purpose of sexual arousal but where the model’s genitals or breasts were not exposed.
- Sex-based adverts refer to advertisements for the sex industry, such as escort agencies, pornography distributors and sex telephone lines.

Summary

Fawcett’s research reveals that the exposure of employees to pornography at work is rife. This results both from the failings of employers to prevent the illicit consumption of pornography by staff and, perhaps even more disturbingly, from employers’ specific policies of freely displaying pornographic publications in the workplace for sale purposes.

The presence of pornographic images contributes to the creation of a hostile and degrading work environment. An extensive body of research evidences that pornographic images are harmful to women and promote sexist attitudes and behaviours.

The display or consumption of pornography in a work context is incompatible with an inclusive work environment and in violation of the Sex Discrimination Act.

29 Content analysis conducted by the Fawcett Society, April 2009
Overview

While the first lap dancing club opened in 1995, there are now over 300 clubs UK-wide. A corollary of this expansion has been the increased and normalised use of lap dancing clubs in a work context, whether as part of ‘team outings’ or as venues to entertain business clients.

Lap dancing clubs, frequently termed ‘gentleman’s clubs’, are designed to cater specifically for a male clientele. The term ‘lap dancing club’ refers to venues where live entertainment is provided for the purpose of sexual stimulation of the customers. This includes routines referred to as lap dancing, table dancing, pole dancing, erotic dancing, stripping, and striptease.

While few companies publicly admit to or endorse the use of lap dancing clubs in a work context, evidence collected by the Fawcett Society reveals it is an increasingly common practice. 41% of lap dancing clubs directly target employers through their websites. This includes the promotion of corporate membership options and tailored corporate hospitality packages. 86% of lap dancing clubs in London also provide ‘discrete receipts’ which don’t feature the name of the lap dancing club. These enable employees who use the clubs in a work context to claim back expenses from their employers without it being evident the money was spent in a lap dancing club.

Out-of-office socialising is a core part of business practice because it aids the development of personal relationships and networks. The use of lap dancing clubs in a work context discriminates against female employees because women are either excluded from attending and therefore denied crucial networking opportunities, or by attending are coerced into conducting their work in a hostile and degrading work environment. Lap dancing clubs promote the sexist view that it is acceptable to treat women as sex objects, and polling by the Fawcett Society found that 60% of women would be very or fairly uncomfortable working for an organisation that allows its employees to use lap dancing venues for entertaining clients.

“Thousand of pounds were spent by male colleagues entertaining clients in lap dancing clubs. They would discuss the strippers back at the desk and how they had paid them to provide “extra services”. The way they talked was like all women were just there for sex. It was very uncomfortable to hear these discussions between the men I had to work with.”

Ellen, City trader

30 Personal testimony obtained by the Fawcett Society, 2009
31 Fawcett Society 2009
32 Survey details 2009
33 Fawcett Society 2008
The use of lap dancing clubs in a work context is in violation of the Sex Discrimination Act - which guarantees women freedom from sexual harassment and the right to equality in the workplace.

Evidence that lap dancing clubs perpetuate inequalities between women and men

- In 2006 researchers at the University of Michigan analysed the experiences of women working in sales – a profession in which it was reported that nearly half of all salesmen had entertained clients in topless bars. They found female salespersons generally didn’t participate in visits to the clubs because they were either excluded (overtly or covertly) or chose to opt out. Women who did attend reportedly felt ‘different’, ‘embarrassed’ and ‘out of place’, and those who did not attend were penalised professionally. The researchers even found that some women were actively disregarded by employers for particular jobs because of the use of strip clubs in those roles.34

“Colleagues would go to lap dancing clubs. I knew it was happening, and felt excluded from socialising. They would obviously bond on nights out like this.”

Polly, former City worker35

- Researchers at the University of Wisconsin found that over half of the men they interviewed who frequented lap dancing clubs said that one of their motivations for visiting clubs was to escape the rules of conduct required when interacting with women in unregulated settings. Men reported finding interactions with women at work constraining. One participant stated, “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 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. Total distancing.”36

- Areas surrounding lap dancing clubs can become ‘no go areas’ for women who experience or fear harassment and intimidation when passing by.37

- Nicole Westmarland, a sexual violence expert, states that lap dancing clubs normalise sexual violence: “Even the [strip] club owners admit that ‘unauthorised touching’ happens in clubs. However, in the ‘normal world’ this would be classed as a sexual assault, since it would be touching without consent. The message given is that they [men committing ‘unauthorised touchings’] have breached the rules of the club, rather than that they have committed a criminal offence. This then, I believe, leads to the normalisation of sexual violence in other clubs…”38

“When I complained I was told I should learn to ‘manage my own exit’, i.e. go home on my own before they went to such a place. Some of them even complained about me, saying I had failed to take the hint that they were going to a lap dancing place and that I was in the way. Then I never met any more clients.”

Kate, former City worker39

35 Personal testimony obtained by the Fawcett Society, 2009
37 Royal Town Planning Institute (2007) Gender and Spatial Planning: Good Practice Note 7; Ibid (Profitable Exploits); Licensing of Strip Clubs, Tower Hamlets Council 2008
39 Personal testimony obtained by the Fawcett Society, 2009
86% of London lap dancing clubs provide ‘discrete receipts’ which don’t feature the name of the lap dancing club on them. This means the receipts can pass through company expense procedures without it being clear the money was spent in a lap dancing club.

Below are some examples of web-based corporate marketing by lap dancing clubs:

- “Conveniently situated in Shoreditch close to the Square Mile, Browns is always the first port of call for Europe’s biggest and busiest financial district.”
- “With the opening of the Penthouse Suites, Metropolis can now offer an exciting new venue for corporate entertaining, what better place to entertain your clients then the Hedonistic discrete atmosphere of the Penthouse.”
- “Stringfellows Covent Garden and Peter Stringfellow’s Angels Soho are both perfect for your discreet corporate entertaining but still keep their very sexy and exciting edge. OK so you’ve just done the big deal, or you’re about to do the deal but they need that extra little push. So tell me, where are you going to take them to clinch the deal??? Exactly, there’s only one choice - either one of my clubs - fantastic food, incredible wine list, vintage champagnes and the most beautiful girls in the UK.”
- “Hustler Club offer fully hosted corporate hire, enabling your company party to really go with a bang! Imagine your company brand appearing within the club, combined with stunning girls to serve your clients every need. Discounted drink and dance rates are also available on a booking of this kind.”

Evidence of corporate use of lap dancing clubs

Many lap dancing clubs specifically tailor their marketing to a corporate audience. Research by the Fawcett Society found:

- 41% of UK lap dancing clubs directly target employers through their websites
**Personal experiences**

“I have been asked to go into a lap dancing club as part of my work to promote a show we were doing (I worked in the Marketing department of a theatre), I refused to go because it is something I find highly offensive but I was told that it was necessary and that the owners were really nice and the girls very polite. In other words normalising the whole thing.”

Amy

“I have male colleagues that have taken clients to lap dancing clubs and know it is common practice within the financial sector.”

Samira

“After a company-wide training session on company ethics I was in the lift with the head of our division and the head of events and they were joking about the fact that they took clients to lap dancing clubs and how the training wasn’t going to stop it!”

Kelly

“A number of men on my street, particularly those working in the city, visit lap dancing clubs. It is not only seen as normal, but part of client entertaining. One colleague describes how he would visit in a limousine with two women having sex on the floor of the limousine. A man in a suit paying a young woman to take her clothes off in front of him, and then placing the bill on a corporate account is deeply shameful, in my view.”

Andrew

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**In the news**

In February 2009 Standard Chartered were taken to employment tribunal by an employee on the grounds of sex discrimination. The claimant told the tribunal it was “not uncommon for off-site meetings to end up in strip clubs.”

In 2008 a City lawyer was fired from Shearman & Stirling for taking a work experience student to a strip club. The student alleged the lawyer sexually harassed her in the club.

In April 2008 Deutsche Bank was reported to have cracked-down on company expenses being used to pay for visits to brothels and strip clubs.

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**Summary**

Whilst few companies publicly endorse the use of lap dancing clubs, and several employers have taken measures to curb the use of lap dancing clubs in corporate entertainment, Fawcett’s research has shown that the use of lap dancing clubs in a work context is taking place on an alarming scale.

A lap dancing club is a wholly inappropriate setting within which to conduct business. Corporate use of lap dancing clubs places female employees at a professional disadvantage, normalises sexist attitudes, and provides tacit support for an industry that promotes a sexist culture.

**The use of lap dancing clubs is incompatible with an equal and inclusive work environment and is in violation of the Sex Discrimination Act.**

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44 Personal testimonies obtained by the Fawcett Society, 2009
45 City bank ‘strip club’ culture excluded woman, tribunal told, the Times, 11 February 2009
46 High-flying City lawyer sacked after ‘groping work experience student in Soho strip club’, Daily Mail, 6 August 2008
47 Deutsche Bank crackdown on expenses of elite financiers, 22 April 2008, The Times
The sex industry’s infiltration into the workplace is a key equality and diversity issue that is currently met with relative silence within employer circles and in the public realm.

It is crucial that Government, employers and trade unions take action to address what is a serious threat to women’s full participation in the modern workplace.

The Fawcett Charter

All employers are invited to sign the Fawcett Charter - a public statement of principles that demonstrates employers’ commitment to promoting an inclusive work environment by challenging the objectification of women at work.

For further information visit www.fawcettsociety.org.uk
The first priority in dealing with harassment is to eliminate it from the workplace. Dealing solely with the consequences of harassment is not a solution because it wrongly focuses attention on individuals, and requires individuals to make a complaint, rather than concentrating on the culture that has allowed the harassment to occur in the first place.

A workplace policy on harassment, which should be negotiated with the relevant trade union(s), should include:

- A statement of commitment, acknowledging that harassment in any form is a serious problem that will not be tolerated in the workplace, and that spells out the right of all staff to be treated with dignity and respect at work.

- A commitment to adopt a zero tolerance approach to all unacceptable behaviour. In this context it is helpful to spell out that it is unacceptable to display pornographic material, which some may argue is “harmless fun”, rather than the inappropriate sexual objectification of women.

- A definition of harassment – using the ACAS definition of harassment, “unwanted conduct that violates an employees’ dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment”, as the starting point.

- Prevention Measures – such as a ban on pornographic images, clear policy on the repercussions of forwarding sexist and/or offensive e-mails.

- Duties of Managers and Supervisors, and their responsibilities for eliminating and preventing harassment. Leading by example is essential.

- Training for staff, managers and trade union representatives is crucial to the success of a policy on harassment, particularly where, for example, pornographic calendars have been displayed as part of the organisation’s general culture. The training should cover all the areas identified in this section, must be visible, made known and adhered to by all staff, visitors, contractors etc.

- Trained, independent contact officers to help and support employees who may find it difficult to raise concerns about calendars, posters or “joke” e-mails, who may feel that their concerns or objections will not be taken seriously, or have already sought help and have been ridiculed or ignored.

- A procedure for dealing with harassment complaints, which offers both formal and informal opportunities to resolve problems quickly and confidentially, as it is sometimes only necessary to point out why certain behaviour or a particular image is offensive to resolve the issue. Where an informal resolution is not possible, the disciplinary route may be pursued by an employer.
What individuals should do

Appendix 1.2

There is a myth that if a person does not complain directly, and explain that they are unhappy with a particular situation, it is not unlawful under the terms of the harassment legislation. In fact the law recognises that, in most cases, it is obvious that the behaviour would be unwanted and it is unnecessary for the person to say so. For example, it is unlikely that a court would expect a woman to enjoy being compared to the women featured in a pornographic calendar, or to enjoy the “joke” in a sexist e-mail.

However, there may be times when a quiet word is all that is necessary to resolve the problem, and that should be considered as a first step.

If that is not possible for any of the reasons explored above, then it is important to:

- Raise the issue with your manager or HR department in the first instance, and if necessary remind them of their obligations as outlined in this guidance;
- Seek help and advice from a trusted intermediary such as your trade union – who may intercede informally on your behalf, but who should in any event support you through any complaints process;
- Keep records of incidents, i.e. what was displayed or sent, when, how and by whom;
- Keep a record of any informal approach, and the response;
- Identify any possible witnesses;
- Keep copies of any relevant documents such as e-mails;
- Keep a record of any medical help sought, in the event that your health is affected by workplace stress aggravated by harassment.

Further sources of help

The UNISON guide on Harassment: www.unison.org.uk/acrobat/17763.pdf
UNISON is the UK’s largest public sector trade union, representing 1.3 million members, 1 million of whom are women. UNISON, 1 Mabledon Place, London WC1H 9AJ; Tel: 0845 355 0845. Web: www.unison.org.uk

TUC, Congress House, Great Russell Street, London, WC1B 3LS; Tel: 020 7636 4030. Web: www.tuc.org.uk

Labour Research Department 78 Blackfriars Road, London SE1 8HF; Tel: 020 7928 3649. Web: www.lrd.org.uk

Advisory, Conciliation and Arbitration Service (ACAS), Brandon House, 180 Borough High Street, London SE1 1LW; helpline: 08457 474747, textphone: 08456 061600. Web: www.acas.org.uk

The Health and Safety Executive (HSE) : Information line: 08701 545500; HSE Books: 01787 881165. Web: www.hse.gov.uk

Appendix 1.2
About Fawcett

The Fawcett Society is the UK’s leading campaign for gender equality. When individual women are able to realise their potential, the benefits will be felt across society.

The Fawcett Society makes a difference by campaigning for legislative change, influencing practice, and empowering women and men to affect change at a grassroots level.

We campaign for:

**Economic rights:**
women’s right to fair pay and fair treatment in the workplace

**Political rights:**
women’s right to a powerful voice in decision making

**Social rights:**
women and men to break free from stereotypes

**Bodily rights:**
women’s freedom from violence, harassment and objectification

For more information on Fawcett and our work visit www.fawcettsociety.org.uk

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