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Street prostitution and public policies in Milan, Italy

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(for the texts of the notes see the Italian version)

I'm a sociologist and university researcher from Milan. I gathered the information for this presentation from interviews with privileged observers, (at the police central station and in the NGO environment), from articles appeared in the daily newspaper *Corriere della sera*, which has local pages for Milan, dating from May 1999 to December 2001, from the participation at a conference given by "Lila» in June, 2001: "Projects to protect the health of persons who prostitute themselves: the strategies of collaboration with police, clients, and health services", and from my participation as a volunteer in the outreach work of the Lila street unit for one month in the summer of 2001 (once or twice a week).

The way public authorities manage street prostitution in my city has undergone drastic changes in the last two years. Milan is a post-industrial city of 1.300.000 inhabitants. In 1998, police estimated that the number of active prostitutes on the streets in a one year period was 2,000, that's one for every 650 inhabitants, most of which were illegal aliens (Leonini 1999). Today there are definitely much fewer: some dozens, says another police estimate. The rest has moved to the high streets going to Milan or maybe to other cities. A repressive turning-point was reached at a national level with the law on immigration 40/1998, legal basis for the opening in January 1999 in Via Corelli of the temporary detention centre for foreigners with an expulsion order, making it suddenly very real. Hundreds of new policemen arrived in Milan after an anomalous concentration of homicides at the beginning of 1999, (compared to a clear decrease in crime recorded by the statistics). These extra policemen are now continuously patrolling by car, and on foot in all the residential neighbourhoods. This is called "model Milan": an increase in the presence of police officers in order to prevent small crimes, to catch foreigners without a visa or a residence permit, and to contrast street prostitution. This happens also in response to the numerous complaints made by citizens and their committees to the police in the areas where, in the last 10 years ever since the increase in foreigners, street prostitution has settled in and or increased.

Before focusing the attention on the instruments that the law enforcement used, it's good to give a picture of how the Italian State considers prostitution. Italy agreed to abolitionism in 1958, and therefore it doesn't consider the act of prostitution as a crime. Yet aiding and abetting, the organisation of any form of prostitution indoors, except in the case of a private residency owned by one woman who prostitutes herself, and renting a house or a hotel room to someone who uses it to prostitute themselves, are all constituted as crimes (Crespi et al 1999). "Heavy soliciting", that is harassment, constitutes a crime, but it has now been depenalized and can only be punished by an administrative sanction. To oppose the worrying phenomenon of slave-trade, with women actually bought and sold by pimps and traffickers, the law on foreigners 40/1998 has foreseen the possibility of a special permit for protection for the victims of this crime (not only prostitutes, if following the law to the letter), that is different from the justice permit already introduced in two fundamental places: it doesn't involve the obligation to report the traffickers or the pimps, and it allows the victims to study and work (but not to prostitute themselves). It's the chief of police who must decide on the release of this permit, upon the presentation of the presumed victim by the NGO, who are registered on a special list.

The debate on the abolitionist law has increased. There were 22 new law proposals in the XII legislature (only one of which was presented to the Chamber and the Senate at the same time), from 6 which were in the XII (Danna 2001), but there has been no change. On numerous occasions representatives of the central leftist government (D'Alema I and II, 1998-2000, Amato 2000-2001) have expressed the will to introduce the reforms proposed by the Committee for the civil rights of prostitutes (Teodori 1986), that is the depenalization of self-run prostitution indoors (for a maximum of three women running one house), while the right-wing has introduced proposals to prohibit prostitution everywhere, not only on the streets - even if the situation is confused: while part of the left-wing proposes prohibitionism, part of the right-wing accepts the depenalization indoors.

The protection permit and a criminalization of clients of people under 16 were only the changes in law in the last dozen years, but in reality, the huge growth of foreign prostitution (Nigerian and Albanian above all) in the same period of time (Tatafiore 1994, On the road 1998, Kennedy and Nicotri 1999, Moroli and Sibona 1999, Carchedi et al. 2000) has enormously changed policies at a local level. Mayors, prefects, and chiefs of police managed the response, that was prevalently repressive. If it's true that many NGO's working for prostitutes were financed (but now the harm reduction projects risk losing the support of the national government, which has expressed itself against this parroache in the drug addiction sector¹), the main response was chasing away prostitutes and fining their clients, while attempts at criminalizing clients for aiding and abetting prostitutes failed because of a court sentence in Perugia which states that aiding and abetting can only be applied to third parties, and therefore not to the client,² but above all because of the suicide of a young man the night his car was taken away by the police.³ The reported crimes of pimping have also increased, with 818 persons condemned in 1999, while in 1995 they were 531, and 216 in 1990, even if new cases are always presenting themselves.

The path taken by the right wing city council in Milan was cutting back on street prostitution by using practically all of these means, even if the action was delayed: after almost 10 years of a growth in street prostitution, in 1999, a repressive turning-point was reached. The Vice Mayor De Corato (AN) signed the order to the municipal police (traffic police) to fine the prostitute's clients for hindering traffic. It was a measure adopted by many other city councils in North and Central Italy, both by right-wing and left-wing. In a little less than two years (13/8/99-30/7/01) 5,580 fines were given for up to one million lire (many of which were contested, like the one that hit the official leader of AN in the city council) with proceeds of 1,860 million lire.

Along with these measures, operations against crime have increased, which mainly follow reports of women forced to prostitute themselves. In 1999, in Milan 362 women filed charges against their pimps and the following year 101 pimps found themselves in prison.

However, police action hasn't been directed only against street prostitution, but also against agencies that work through Internet, escort agencies, private clubs, night clubs, and hotels.

Comparing the first 6 months of 2000 to those of 2001, the reports of exploitation have diminished from 60 to 36 in Milan, while in the surrounding areas they have increased from 77 to 91 in the year 2000. This data can also be read as a confirmation of the fact that "model Milan" is shifting its street prostitution business from the county area to that of the hinterland, just as the local administrators from surrounding cities complained.

¹ *Fini attacca la riduzione del danno e i Sert*, http://www.fuoriluogo.it/highlights/fini_spatrignano.html (28.12.01). See also the newspapers of 27 and 28.10.01.

² Tribunale di Perugia, sezione penale e riesame, 20.9.00.

³ Miriam Mafai: *Riaprite quelle case*, "La Repubblica", 15.9.00.

The police department established a tough policy for immigrants by taking away, and not renewing, residence permits of anyone caught prostituting or with a false marriage (the rationale for the permit ceases, in these cases). In 1999, 50 women made use of the protection permit, which increased to 120 in July, 2000. The Milan police department doesn't issue protection permits if the victims do not file charges. They declare that most of the women who do not file charges disappear from the communities where they should be protected and rehabilitated, since they do not have such a great incentive to hide and accept this restricted life. Now 64 women have a protection permit and a rehabilitation program running.

The number of women expelled has increased: last September alone 170 prevalently North African women, and 54 South American transsexuals, were expelled. In 2001, they were 391 women and 48 transsexuals. Il numero totale per il 2001 è di 391 donne e 48 transessuali. Upon their return to Nigeria, the women who are HIV positive go to jail. For Albanian women it's easy to come back: a woman I met on the street told of how she had been kicked out of the country 19 times, yet always managed to come back (for the moment, coming back into Italy is not a crime, but the government intends to introduce this deterring measure).

The complaints from committees concerns the nocturnal disturbances, the mixing between prostitution and drug dealing, the deterioration of neighbourhoods caused by the mere presence of prostitutes, the discomfort felt by the women from those neighbourhoods when they are mistaken for prostitutes, and the parent's embarrassment in front of their own children, to whom they don't want to explain the reality of prostitution. The police state that they act on these calls from the citizens, being that they are obligated to act on any complaints (but in the end they are the ones who choose which "repressive measures" to use). These finalities were not confirmed by my direct experience aboard the street unit Priscilla. The prostitutes got kicked out of even the farthest outskirts in non residential areas, their residence permits were torn to pieces for "public order reasons", despite the fact that prostitution is a lawful activity, and the women without residence permits had the alternatives of either getting kicked out of the country or entering into a safe house community, predominately Catholic (which they often refuse for fear of being isolated and not being able to contact friends and relatives- which is true for the first stage of entrance into the community).

The level of violence that the police use against prostitutes is extreme: prostitutes and viados are more afraid of the police than they are of violent clients. During the Lila convention a video was presented with anonymous testimonies, and just as many testimonies have emerged from the daily interaction between operators and prostitutes.

The NGO's have been asked to agree their hours of street work with the police, otherwise it could happen that, like this summer in Rivoltana Street, the team could witness police operations where prostitutes, in that case Nigerians, are literally dragged away and beaten. The Nigerians above all others react by not collaborating and giving way to despair so that they won't be forced to go back to their own country. Two months ago Ojo Acos, a 25 year old woman, died by falling from the balcony of the house in Rome that she shared with about 10 other compatriots while escaping from a raid. She had already received an order of expulsion.⁴

These facts, this resistance to these "rescues", conjugate very badly with the image of prostitute as the victim and police as the saviour, an image that the press defends with all their might. During the last 30 months, only one article (an interview with an Albanian in "Corriere della Sera") presented a picture of a not victimised prostitute. Even hiring consenting women is ridiculously seen as an

⁴ Michele Cassano: *Muore cadendo dal balcone per sfuggire a una retata*, <http://www.ilnuovo.it/nuovo/foglia/0,1007,87194,00.html> (28.12.01).

extreme refinement on the pimp's behalf. Even a 20% fee for the intermediation between clients and prostitutes is considered exploitation, when it's well known that in a "normal" job every "employer" pockets at least half of the product value from their "employees".

Yet it's true that on the streets of Milan there's a situation of struggle with everyone against everyone. It's a place where the strongest one rules: in my brief experience in the street unit I was told about fights for territory, about clients being robbed, about debt settlements, about having to pay for the spot on the sidewalk, and about prostitutes' "animal like" escapes through fields and streams at the arrival of the police, and then about police brutality, police detaining at the station people who are in possession of legal residence permits for hours on end in inhumane conditions, about oppressions against those who organised last summer a public protest against the abuses of power⁵), about the situation of a complete lack of rights for illegal aliens, who cannot report the violence suffered in any way, while if you have Italian citizenship you can obtain a certain respect from the police patrols, also reachable with an equal and opposite intimidation: "I make the police run", stated a very robust and tall transsexual (Italian, by the way). Or rather about the appeal to higher authorities, like the South American woman who managed to stop the police beating her screaming to call her country's consulate.

"It's a huge circulation of money that everybody wants to get their hands on", according to the testimony of a street operator. Despite the "price freeze" going on for about 10 years in this area, due to the unproportioned increase in offers for sex on the streets, it's actually still possible to make good money: there are girls that are forced to bring home from half a million to a million and a half lire per night, which is then violently taken away from them.

The public authority's reaction has therefore been depicted as a cut back on all prostitution, with no distinction between different situations. If it's true that newspaper reports make it seem like all the women on street corners in Milan (like in the rest of Italy) are slaves, then the opposite impression (even if it's probably unreal) is given by direct experience: beginning from the fact that a good part of the people that prostitute themselves on the street are transsexuals,⁶ that they rarely have a real pimp, but more often have a "boyfriend" who's with them for the money, or else a drug dealer that they hand over a good part of their income to in exchange for drugs. The numerous foreigners encountered on the street didn't give off the impression that they had bad living conditions. They spoke about projects and goals for the future, about having to support their kids, and hardships obtaining a residence visa for those who are illegal, all the while appearing anything but tormented or unhappy, even if it's obvious that there's a clear demand from the market to present themselves as "ladies of pleasure".

But the newspaper's rhetoric has by now schizophrenically made prostitutes equal to victims, and the victims equal to criminals, overstepping the law: "These are some of the problems related to criminality that still need to be resolved concerning prostitution in Milan. Despite the almost daily roundups on streets full with prostitutes, prostitutes and viados continue to be very present, provoking discomfort and friction among the residents of the red light districts".⁷

That's the way authorities claim to be responsible for public order, with the chief of police Finazzo as the first example: "The chief of police attributes Milan's slow return to acceptable levels of life

⁵ The press has talked about this demonstration: "They arrive in piazza Aspromonte one by one. At 18 sharp. Coloured wigs and faces masked with veils to avoid recognition. They are the *luciole* that work on those streets. They are about 15." *Davanti alla polizia non decolla la manifestazione delle prostitute. Dimezzata la protesta a luci rosse*, "Corriere della sera", 20.5.2000.

⁶ The contacts of the street unit Priscilla from 29.9.00 to 31.5.01 were 201 women and 213 transsexuals.

⁷ *Gli obiettivi nel mirino delle forze dell'ordine*, "Corriere della sera", 24.1.2001. There are no "red light districts" in Milan, only streets with a concentration of prostitution.

quality to three factors. ‘The interconnection of central operations – explains Giovanni Finazzo – has provided us with a rationalisation of resources. Whoever is the closest to the scene of the crime intervenes. Another very important element was the opening of the centre in Via Corelli. Since then 2,000 people have passed through the centre, 1,100 of which were sent back to their own countries. Among which, prostitutes, viados, transvestites, and foreign criminals which were physically taken off the streets.’”⁸

More than a year later: “The situation has also improved in face of prostitution. ‘ When I arrived there was an offensive situation in the city. There were inspections every night with two purposes: keep this sector of illegal immigration under control and get the prostitutes off the street corners’.”,⁹ while the prefect Ferrante states: « Drugs and prostitution are the two most common criminal occurrences in Milan”.¹⁰

The simple citizen’s thoughts and acts mirror these judgements: “testimonies of indifference to rape: two cousins aged 23, one from Gorgonzola and the other from Cornaredo. The boys defended themselves by stating that they had mistaken the woman for a prostitute (...) The victim, 58 years old, was raped and badly beaten in the middle of the night between the 10th and 11th of February in the street Via Milano, in the outskirts of Cologno, only a few feet from her own home”.¹¹ Another example is a 16 year old boy that was handed over to a juvenile detention centre for only two years (practically an acquittal) for having killed the 22 year old prostitute Mares Porer.¹²

This is the soil which gives rise to prohibitionism and criminalization of the act of prostitution in itself. And a dangerous slide towards this policy is already in act, non only in the facts that we’ve seen but also in the objectives of the “reforms” that politicians propose: the vice mayor of Milan, De Corato (AN) proposes to fine the prostitutes for a million lire,¹³ while Penati, the mayor of Sesto San Giovanni (DS: that is a "leftist democrat"), a town on the outskirts of Milan and the 5th city in Lombardy, states: “To fight the racket we need to punish the prostitutes”.¹⁴

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