

2nd November 2014

Dear Rt Hon Frank Field MP and members of the Joint Committee on the Draft Modern Slavery Bill

On the basis of our collective [considerable] experience and robust research evidence on sex work in the UK, EU and internationally, we ask that you consider the following serious concerns we have with the proposed amendment to the Modern Slavery Bill that seeks to criminalize paying for sex.

First, any such criminalization of clients is de facto criminalization of sex workers - there is no known area in the sale of services where a seller is helped by criminalizing the buyer. This will have certain impacts on the safety of sex workers, who will be forced to make decisions about the potential risks posed by clients more quickly, and indeed take risks to ensure their livelihood is maintained. Moreover, blanket criminalization will divert resources away from pursuing serious crimes against sex workers and, indeed, anyone subject to forced labour.

Second, there is already an existing law designed to protect people who are forced into prostitution.

Third, the history of sex work is also the history of a range of piecemeal legislation that criminalizes a variety of 'objectionable' conduct. The proposed amendment is another example of simply adding to the current legislation without thinking about the bigger picture. The proposed amendment would be introducing a radical change to the legislation through the back door and criminalizing consensual sexual activities which are currently not illegal.

Fourth, there is a range of robust research that challenges the sense of taking an approach which criminalizes one party in the exchange relationship, with no credible academic research to support the criminalization of clients.

We ask that you give peer reviewed research its proper weighting in considering this amendment. See for example a special edition of *Criminology and Criminal Justice: The Governance of Commercial Sex: Global Trends of Criminalisation, Punitive Enforcement, Protection and Rights*. <http://cri.sagepub.com/content/14/5?etoc> . The research by Levy and Jakobsson demonstrates the detrimental effects of the Swedish law on the wellbeing and safety of sex workers there. Abel et al's work in New Zealand evidences that an alternative approach – de-criminalizing sex work - is actually a safer and more superior alternative to criminalizing one or other of the partners in the exchange. See more at: <http://www.policypress.co.uk/display.asp?k=9781847423344#sthash.H6ils9HS.dpuf>

Finally, It is telling that a Swedish government report lists its own flaws stating: 'evaluating the effects of the ban has proved to be a difficult task' because the surveys had 'limited scope' as well as 'different working procedures, methods and purposes' and 'In the light of these and other factors, there can be reason to interpret the results with caution' p34. (accessed 2/11/14 - <http://www.government.se/content/1/c6/15/14/88/6dfb dbd.pdf>)

We are certain that you want what we all want – to prevent increasing the vulnerability of women, men and transgendered people who sell sex; to uphold the human rights of sex workers and others subject to trafficking and forced labour; and to bring those who groom, traffic and force human labour to justice. Criminalizing the purchasers of sex via the proposed amendment is not a sensible or safe option.

Yours Sincerely

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