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To: Chair and members of the Joint Committee on the Draft Modern Slavery Bill
House of Commons, UK

Dear Mr Field and members of the Joint Committee on the Draft Modern Slavery Bill,

Proposed amendments to the Modern Slavery Bill concerning procuring sex for payment

As a network of over 60 projects offering frontline specialist, professional health and social care support to sex workers across the UK, we are very much aware of the direct impact policies and laws can have on the welfare, safety and rights of sex workers. Our project members have contact with thousands of sex workers across the UK. We oppose laws which make paying for sexual services provided by an adult a crime.

Hence the UK Network of Sex Work Projects is highly concerned at the proposed amendment to the Modern Slavery Bill tabled on 28th October 2014, to make procuring sex for payment a criminal offence. If adopted, this would pose a serious threat to the welfare and safety of sex workers and would produce a legislative framework within which it would be even more difficult to deliver services for sex workers in line with best practice.

The drawing up of the Modern Slavery Bill followed a comprehensive consultation process and consideration of written and oral evidence, with individuals and organisations being given the opportunity to present their submissions over a number of stages. The proposed amendment, however, has been presented at very short notice, with no prior consultation having taken place. It appears to be motivated purely by ideology which runs counter to the substantial body of evidence from academic research and sex workers themselves, which demonstrates the potential harms to the welfare of sex workers of criminalisation, either of sex workers or their clients. The Home Office “Review of Demand” under the previous Labour administration similarly involved a lengthy process of evidence gathering and consultation, after which blanket criminalisation of paying for sexual services was rejected. We would expect a similarly lengthy, considered and evidence informed approach to any such legislative proposals and this amendment does not reach what we would expect of appropriate standards for the development of such significant legislation.

Proposals to criminalise the purchase of sexual services appear to be based on uncritical acceptance of the legislative model adopted in Sweden, despite the fact that research evidence on the effects of this law is mixed. Several recent studies of the system in Sweden have questioned assertions that the change in the law has led to a reduction in the number of sex workers or people purchasing sex, or of trafficking into prostitution. The implications of the criminalisation of purchase of sexual services are, however, the likelihood of an increased risk of violence, as sex workers may work in more hidden locations to avoid the police, and fewer reports of actual abuse are likely to be made, by either clients or sex workers, because of fear of

prosecution. The evidence also suggests that the criminalisation of clients in Sweden has increased social stigma relating to sex work, which further undermines the rights of sex workers and presents a major obstacle to accessing support for their health and safety needs. Research by the UKNSWP and its academic members also indicates that an environment of enforcement can result in sex workers being reluctant to report crimes committed against them to the police or other agencies. We can provide details of this evidence if required.

Furthermore, this proposal pays no heed to alternative models developed to increase the safety of sex workers, for example, in New Zealand, the Netherlands and Nevada. Research evidence from a number of sources shows that approaches which treat sex work as a legitimate labour market activity enable procedures to be put in place which safeguard sex workers' wellbeing and reduce the incidence of workplace abuse and exploitation.

As an organisation promoting the health and safety of sex workers, we take the issue of violence towards them very seriously and have campaigned for many years for crimes against sex workers to be recognised and addressed. UKNSWP runs the National Ugly Mugs Scheme (NUM), a third party reporting scheme for sex workers to encourage them to report crimes against them to the scheme and to the police, to alert other sex workers, to aid police investigations and support prosecutions. It is an award winning scheme recognised as vital in improving safety and preventing serious crime. NUM links schemes run by local member projects and provides a scheme which sex workers themselves can join. Intelligence is shared to a police hub coordinated by the serious crimes analysis section. This has received cross party support, the pilot was funded by the previous Labour administration and further funding and support has been provided by the current coalition government. UKNSWP and NUM are also represented on the National Police Working Group on Prostitution. We are in no doubt that criminalising the clients of sex workers would create a much more difficult national policy climate in which to deliver the NUM scheme effectively, would decrease sex workers' trust in the police and reduce levels of reporting of crimes committed against sex workers. Blanket criminalisation of clients would also dilute the focus of finite police resources on violent, coercive and exploitative offenders who target sex workers, eroding sex worker safety.

Moreover, treating the sale of sex as inherently violent and exploitative trivialises actual incidents of coercion or violence against sex workers, and ignores the fact that many adult female, male and transgender sex workers have entered the sex industry of their own volition and have taken a decision to undertake the work, often based on consideration of the options available to them. A general ban on the purchase of sexual services would be in complete disregard of this evidence and would criminalise consensual exchanges between adults.

While the Bill has thus far taken a balanced and broad approach to the many different forms of slavery, forced labour and trafficking, recognising that these crimes affect women and men, girls and boys and transgender people, the proposed amendment would disproportionately change its focus and would be highly detrimental to the health and safety of sex workers. In view of our concerns and the robust body of evidence supporting them, we strongly urge you to reject this amendment.

Yours sincerely,

Dr Mary Laing/Jane Pitcher
Academic Representatives to the UKNSWP Board, on behalf of UKNSWP

