Written evidence submitted by Amy Vergnés, SAAFE administrator and independent sex worker

1. Support And Advice For Escorts, or SAAFE, is an independent, non-profit making online peer support and advice resource set up and run entirely by sex workers. Its aim has always been to provide help and information for those who are thinking of, or have decided to begin working as prostitutes so that they can make informed and responsible choices, keep themselves safe and healthy and as far as possible remain within the law. Our site won the Best Website award at the Erotic Awards in 2009 and our forum now has almost ten thousand members, the vast majority based in the UK.

2. The original SAAFE site was put together by women, but we welcome all in sex work and have gay/bi male and transgender members contributing on our forum as well as many non-native women who have come to the UK from a panoply of other countries. We are proud that so many feel comfortable joining in, asking questions and making friends and we hope that as well as practical help our efforts reduce the feeling of isolation that often comes with sex work. The SAAFE Forum also provides a Warnings board where those who have been affected by violence and wrongdoing can post alerts and share information about such incidents so that others can avoid the perpetrators.

3. I have worked as a prostitute on and off for thirteen years, and operate independently, happily and (in common with all the indoor sex workers I have ever had contact with) completely willingly, having previously spent my working life in poorly paid menial jobs with no opportunities to take control of my work or my income. I now have control over everything, including how, when, where and even if I work as well as how much I wish to charge, and I am no longer exhausted, undervalued and exploited for a pittance at the end of the week. Despite this being Britain in 2016 many thousands of women, men and transgender people in the UK remain marginalised by poverty but instead of addressing this, it seems we're again to be faced with the same ill-informed hyperbole about how the sexist, irresponsible and dangerous Nordic model of criminalising our customers will sort it all out.

Terms Of Reference: Whether criminal sanction in relation to prostitution should continue to fall more heavily on those who sell sex, rather than those who buy it.

4. I find the pretence of ‘protecting’ prostitutes by criminalising not the sale but only the purchase of the services we offer both patronising and offensive, as well as disingenuous in the extreme. The idea that anybody legitimately selling anything is
not being punished by making its purchase illegal is fantasy, and stigma surrounding sex work will only be exacerbated by adding yet more links between our work and criminal activity. Prostitutes are already treated as pariahs by many, and this will do nothing to help attitudes change.

5. Arbitrarily criminalising something on the basis that an unrelated entity with no direct experience and little knowledge of it finds it distasteful is a practice that should be consigned to the history books, and surely not something that should even be under discussion in 21st century Britain? Whilst I believe that the expression of personal beliefs and views should always be supported, it is not the function of politicians, the police or anybody else to impose their personal moral compass on others. The Nordic model breaches the most fundamental human rights of all those involved by literally removing individuals’ right to decide what they do with their own bodies – how can it possibly be anybody’s business but my own what I put in my vagina, and why?

6. Prostitution is not going to go away. There are countries throughout the globe as diverse as the United States and the United Arab Emirates where both the selling and purchase of sex is criminalised, yet it continues to flourish regardless – sex workers exist and continue to trade in every corner of the world. It would be wrong to say that trafficking and exploitation does not occur, but it is no more endemic in the sex industry than it is in agriculture, manufacturing or hospitality where it has been proven time and time again that migrant workers are regularly horribly exploited (the Morecambe cockle pickers being an excellent example) yet no moves as yet have been made to criminalise farming, manufacturing or the hotel industry, nor the people who sustain these sectors by purchasing their products and services. We don’t exist in a vacuum - why is our industry constantly singled out and never discussed in any useful context when men, women and children are exploited in all kinds of work-related situations? Why is nobody discussing whether it ought to be illegal to hire an au pair?

7. Criminalisation of clients would likely cause an actual increase in prostitution activity; if there are fewer clients to go around it takes longer to earn the same amount of money, and the amount of money needed by people to feed and clothes themselves is not going to be reduced just because the number of customers has. Vulnerable sex workers will be made even more vulnerable; frightening the ordinary, respectful and pleasant clients we rely on into reducing or ceasing their visits to us limits our opportunities to earn this money and does nothing but harm for the reasons above - fewer punters to choose from means we have little option but to cross our fingers and engage with some we’d previously have crossed the road to avoid.
Terms Of Reference: What the implications are for prostitution-related offences of the Crown Prosecution Service’s recognition of prostitution as violence against women.

8. I object to the loaded and inaccurate language used in the Terms of Reference and find it particularly egregious given its clear intent to both influence the outcome and demonstrate an inherent anti-prostitution bias; since when has prostitution been ‘recognised’ as ‘violence against women’? What form does this recognition take given that ‘prostitution’ describes nothing more than the exchange of sex for money, and is a gender neutral, non-pejorative term used to describe this activity? There is no mention of violence in either the dictionary or legal definition because prostitution is not in and of itself violent; to begin what may eventually form a piece of legislation adversely affecting the lives of thousands by rewriting the English language to suit a flawed premise and biased agenda is indefensible.

9. Not all prostitutes are women and not all clients are men, and to ignore everyone who does not fit the stereotype required to make the same tired, hackneyed old claims is offensive to all who are being pigeonholed in this way or dismissed as ‘not representative’ despite being entirely, provably and therefore extremely inconveniently exactly that.

10. It is crucial to distinguish between consensual sexual activity between adults and genuine violence and exploitation, which this approach fails miserably to do – to dismiss a huge and diverse group of people as a single homogeneous lump is not only lazy, but trivialises and demeans the suffering of those who are genuinely vulnerable and acutely need help and support. Given that incidents of violence and exploitation do happen within the sex industry as they do in all other sectors, to conflate those who have chosen to support themselves and their families through sex work in whichever type of setting they see fit with people who have been subjected to fear, pain and distress as victims of physical, sexual and/or emotional abuse purely because they offer sex for money is in my view beyond the pale.

11. New laws will not make any difference to those who rob, abuse and exploit us - they care nothing for the existing ones and another clause in the statute book won’t alter that. If a person thinks it is acceptable to treat people this way because they are prostitutes, they need dissuading of that notion by the strongest possible legal means. This is what sends the message that sex workers are deserving of support and protection and that targeting us will not be tolerated, not punishing the people who treat us with courtesy and respect and ultimately pay our bills. Depriving the targets of wrongdoers of their livelihood does nothing to alter their attitude or behaviour towards us, and actually makes us easier to harm and exploit. These are not our clients - they have no intention of paying for our services.
12. Criminalisation will also damage sex worker/police relations – it takes a great deal of time and work for trust to be built up so that useful information can be exchanged, and not only will this be lost, but any valuable information provided by clients in the event that they suspect all is not as it should be will no longer be forthcoming. Punters will not report worrying or suspicious situations if they risk arrest, and to remove this vast source of potential intelligence when those aiming to seek out exploited workers makes no sense whatsoever.

13. ‘Sex’ cannot easily be defined, as it means many different things to different people – it is not clear how or where this inquiry intends to delineate what constitutes a sexual service and what does not. Ditto ‘payment’; there are situations where sex may be exchanged for drugs, money, clothing or rent, as well as the agreements arrived at by some who will enter a longer term ‘relationship’ of sorts in return for financial support. How will such arrangements be defined, and where will marriage/civil partnership where one spouse financially supports the other enter the equation? A failure to recognise that common definitions of sex and sexual services offered are not always used when arranging business would further make criminalisation impossible to police. Many sex workers operating indoors and advertising online or in brothels/saunas sell their services by advertising a fee per the unit of time agreed (half an hour, an hour and so forth) and it is understood without being explicitly stated that within these time constraints, sexual activity will take place. How will it be illegal to purchase time?

Terms Of Reference: What impact the Modern Slavery Act 2015 has had to date on trafficking for purposes of prostitution, what further action is planned, and how effectively the impact is being measured.

14. There is no reason why adults who have chosen to have sex with each other for whatever reason they see fit should be subject to any interference from the law, and given that rape and sexual assault, kidnap and false imprisonment, slavery, child abuse, fraud and trafficking are already covered by existing legislation (which clearly is not being adequately enforced or this inquiry would not be taking place), creation of further offences whose only function is to outlaw consensual activity is a pointless waste of resources which could be put to far better use finding and apprehending wrongdoers. If these laws are not being enforced now, what chance does wasting valuable time and money adding yet another new one have of changing anything? It is not possible to make something which is already illegal MORE illegal; it either is or it isn’t. The overwhelming wave of opposition from both individuals and organisations which resulted in the resounding defeat of a failed attempt to sneak a criminalisation amendment into the Modern Slavery Bill in 2014 should prove beyond doubt that most people are more than capable of understanding the difference.
15. Policing the Nordic model would be difficult, expensive and time consuming, and I would envisage that any prosecutions attempted directly as a result would be doomed to failure because of the sheer impossibility of proving an offence had been committed. It is not a worthwhile use of police time and resources to have officers combing the internet in order to target sex workers and their clients; even if it was, what steps would then be taken? Are the police to wait outside our workplaces waiting to ‘catch’ unwary punters, who have harmed no-one? How will they prove what is to take/has taken place between those involved – will there be forced forensic testing of prostitutes? And what will be happening to the truly vulnerable sex workers whilst this is going on?

Terms Of Reference: Whether further measures are necessary, including legal reforms, to:
Assist those involved in prostitution to exit from it
Increase the extent to which exploiters are held to account
Discourage demand which drives commercial sexual exploitation

16. The Terms Of Reference appears to make the assumption that everybody in prostitution would prefer not to be, unless ‘should they wish to’ is missing from the first bullet point. This is not the case. If we do decide we’ve had enough and would like a break, why should we be stigmatised further by being lined up for special treatment because of the work we have been doing? Other people are not automatically and collectively treated as if they must be odd or damaged in some way, and nor should we be - appropriate help, support and information should be available to all who are unhappy and wish to make life changes whether they have been raising children, engaging in prostitution or working in a factory.

17. As a sex worker, and knowing many other sex workers, I can only envisage that in the event of a reduction in demand (and therefore available custom) the result will be a reduction in income – if the desired outcome of this inquiry is ideally that prostitution will disappear without a trace, how are those in the most desperate circumstances to earn money? If people enter prostitution because they have no other practical options for supporting themselves, what are they to do when this last option is taken away?

18. People engage in sex work for reasons which are as diverse as they are; the constant is that everybody needs money to live on and this need will not be altered by criminalising us further, whether directly or by association. Many supplement their incomes with occasional instances of sex work when in dire financial need and then disappear again until next time – ‘topping’ up in this way is a lifeline. What useful purpose will making it harder for them to earn this money serve? If criminalising
those who pay our bills and put food on our tables is not intended to cause severe hardship to those living below the poverty line, and given that welfare cuts are likely to exponentially increase the numbers of such people, how will this unavoidable consequence be tackled?

19. Sex workers and our clients have the same right as everybody else to live, work and be treated as ordinary members of our communities, and not penalised because of the way we choose to conduct our lives and our businesses any more than hairdressers, counsellors or librarians and those who use their services. Why should we? Criminalisation does nothing to support equality, safety or crime reduction, and should it be adopted it will - just as similar legislation has in Sweden - endanger vulnerable people, waste police time and taxpayers money and unlike the provably beneficial decriminalisation model (Prostitution Reform Act) introduced in New Zealand in 2003, have no positive effect on anyone or anything.

20. If the purpose of this inquiry is to gather credible, first hand information regarding prostitution and prostitutes, then listen to us.

Amy Vergnés.
15th February 2016