Written evidence submitted by Graham Marsden

- It is clear from the Terms that those who have begun this enquiry have already decided in advance what they want the outcome to be
- The Terms have been written in a way that is aimed at getting the results the Enquiry wants, rather than being impartial and unbiased
- Clearly no attempt is being made by the Enquiry to look at anything which goes counter to their desire to force a particular result to this Enquiry.
- This Enquiry should be looking at Decriminalisation methods which will really protect women.

1. My name is Graham Marsden, I have been running a business called Affordable Leather Products, making and selling Leather Bondage and BDSM equipment to consenting adults (including those involved in the sex trades) for over 20 years. I am submitting evidence because I believe that women should have the right to choose what they do with their own bodies and not have this dictated by the Nanny State.

2. Before I begin my comments, firstly I have to say that I have rarely seen a more blatant and shabby attempt to rig an Enquiry to force a particular outcome.

3. Let us take the first statement in the 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." There is nothing here which even gives lip-service to the idea that there should be NO criminal sanctions imposed on either those who sell sex or those who buy it, but only who should be sanctioned.

4. I agree and accept entirely that nobody should be forced into working in the sex industry, but if someone chooses of their own free will to do so, why should that be the business of the State or the Law? The answer is, of course, that it should not, yet there are those who, due to their personal beliefs or moral arrogance, feel it is their "duty" to "save these women from themselves". It is ironic that they are willing to consider that prostitution is "violence against women", yet see nothing wrong with imposing their will on others "for their own good", no matter that those others are intelligent adults who are quite capable of making their own decisions.

5. By the same token, why should those who wish to purchase the services of these women (or, indeed, men, let us not forget) in a consensual and responsible manner, be penalised? If I were to employ the services of Lawyer or a private Doctor or an Entertainer, what, exactly, am I doing which is different? To quote the words of Freddie Mercury of Queen "I'm just a musical prostitute, darling!" The only difference in these situations is in the minds of those who want to outlaw prostitution by any means and who will use any excuse to do so.

6. Moving to the "Crown Prosecution Service's recognition of prostitution as violence against women", it is deplorable that the CPS conflates consensual adult prostitution with FGM, Trafficking, Domestic Violence, let alone Child Abuse.

7. The CPS' own guidance on "What is consent" says:

8. "Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs"
9. Yet, despite this, when someone clearly "agrees by choice to that penetration" and "has the freedom and capacity to make that choice", this Enquiry wants to DENY women the right to make that choice for themselves, taking it out of their hands as if they lack the mental capacity to decide what they do with their own bodies without the State's intervention.

10. Just to add a bit of spice to the pot, the Terms then go on to bring in the Modern Slavery Act 2015. Can those who started this Enquiry not see the difference between someone being forced into prostitution by Traffickers and those who do so of their own free will, or is it simply that they do not WANT to understand that there is a difference?

11. Finally we get to the pay-off: "Whether further measures are necessary, including legal reforms, to:

12. "Assist those involved in prostitution to exit from it
13. "Increase the extent to which exploiters are held to account
14. "Discourage demand which drives commercial sexual exploitation"

15. This is obviously what the whole Enquiry is aimed at, ie justifying measures to stop women from being prostitutes.

16. Naturally it phrases it in delicate terms, however when "assisting those involved in prostitution to exit from it" is actually going to be "We're either going to arrest you or your clients" (the Nordic model), that is not "assistance" but coercion and force (something which, of course, the CPS is trying to stop!)

17. If this Enquiry really wishes to help women and prevent violence against them, rather than going down the well-worn route of prohibition (one which has failed time and time again, see alcohol, drugs and, of course, prostitution), they should have the courage to look at models of decriminalisation such as those in New Zealand which are much more effective in protecting women, reducing assaults, reducing levels of STIs and allowing women to work in safe conditions where they are not victims of either pimps or the State.

18. What the Enquiry really needs to decide is whether it is taking these decisions for the actual benefit of the women involved, or simply for the moral aggrandisement of its members.