Written evidence submitted by Dr Selby Whittingham

I am writing as a historian rather than an expert. My interest was first aroused as a schoolboy when accompanying my mother, the daughter of a vicar, on her study of the history of Southwark in the 1950s and learning that (to her amusement) the Stews had been owned by the Bishops of Winchester. Becoming an art historian, the involvement of artists with prostitution cropped up. Meanwhile I have followed the discussions about it in the media (notably the BBC) and the researches and surveys now plentiful online. I sent a comment to the committee chaired by Graham Shuker MP a year ago. As a liberal I believe that the liberalising reforms of recent generations have done more good than harm.

I make the following points, which I keep brief, as I expect others more expert will provide plenty of evidence.

1. Criminalising payment to prostitutes is in effect criminalising prostitution, albeit by the back door.
2. Sex work and trafficking/slavery are distinct issues.
3. All the “vices” (sex outside marriage, gambling, alcohol, gluttony, drugs, smoking, etc.) can lead to very serious harm, even death.
4. They can all sometimes do good, including prostitution, which can benefit clients who are disabled, lonely, stressed, frustrated etc, and also the prostitutes, who benefit financially and can find satisfaction in the work and prefer it to other more, in their eyes, soul-destroying jobs. Of course there are different classes of prostitute, some confined to the streets, some high-class ones who become rich, marry into the aristocracy etc. This suggests that prostitution is not evil or harmful per se, but that any evils derive from wider social ones.
5. Sex, moreover, is a natural activity and cannot be outlawed and is not addictive, at any rate to the degree that some of the other vices are. In a society where it is practised freely, it is not clear why sex for payment is more to be deplored than promiscuous sex; the prostitute at least gets some money, whereas the drunk innocent may get a load of problems.
6. If one believes in Christianity, one believes in free will, the ability to choose between good and evil and not in harm being made impossible by law (as if that were possible).
7. Many have always had a visceral repugnance to the idea of prostitution; so they have had to homosexuality. But that should not be a deciding factor when making law.
8. Ultra feminists see sex work above all as examples of male domination. But some women plausibly claim that they freely choose to do it. Men and transsexuals also engage in it. If domination is a factor, that results from inequalities of wealth and pay. Domination and exploitation can occur within marriage or partnerships. While Charles II cherished Nell Gwynne, a Countess of Strathmore was barbarously treated by her second husband.
9. So one needs to ask: are those wanting to outlaw prostitution primarily concerned to reduce harm incurred through prostitution or is their main motivation either mistaken feminism or an inherited feeling of repugnance to the behaviour?
10. Some wishing to ban seem to feel so strongly that they are deaf to contrary arguments, even if those come from people, sex workers, who one may presume to have a better grasp of the facts.
11. Examples of prostitutes who have suffered harm reported in the media generally seem to have been harmed first (from broken homes, poor education, drug addiction etc) and to have taken to prostitution second. The remedy is surely to treat the antecedent causes, which may ruin lives whether prostitution is legal / stamped out or not.
12. The answer is education, not prohibition.
13. That requires the matter being brought into the open and not treated, as homosexuality was, as too awful to acknowledge. Terms such as “immoral earnings” should be removed from legal and official language. The police should be taught to respect prostitutes (which is asking no more – or less – than Jesus Christ did). Then they can be helped, whether by limiting their vulnerability or helped (rather than harangued) to give it up.

14. Education is too much geared to “getting on” and too little to moral questions. Teenagers can be engaged in moral debate, as has been done by the Public Philosopher, which can expose the contradictions involved in immoral behaviour rather than enjoin a particular code, against which some teenagers will automatically rebel.

15. People should remain free, however, to say they think prostitution immoral, to advocate chastity before marriage, to wear the hijab etc. A South African mayoress has decided to reserve university scholarships who girls who can prove that they are virgins (The Times, 11 February 2016), which outrages some. Some views might have seemed obvious once, but increasingly freedom of speech is taken to mean freedom to say only what some currently deem politically correct.

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