Written evidence submitted by Nick Batley

1) ‘Whether criminal sanction in relation to prostitution should continue to fall more heavily on those who sell sex, rather than those who buy it.’

I believe that sex work should be taken out of criminal law altogether. Homosexual activity was decriminalised in 1967, and there is no reason consenting sex between two adults should suffer any kind of legal penalty. Sex work has been decriminalised in New Zealand since 2003. It has been shown to improve sex workers’ conditions, and to increase the likelihood of reporting incidents of violence to the police. Sex workers also found it gave them more rights, and led to it being easier to refuse clients if necessary. See sources here and here.

2) ‘What the implications are for prostitution-related offences of the Crown Prosecution Service’s recognition of prostitution as violence against women.’

No difference is drawn by the CPS between small groups of sex workers working together for each other’s safety, and establishments run by coercive bosses. Women Against Rape believe that criminalising clients would simply divert police time away from pursuing cases of violence against sex workers that are reported.

3) ‘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.’

A proposal to criminalise clients was defeated during the debating of the Modern Slavery Act.

Also, sex trafficking statistics are often greatly exaggerated, and in reality are nowhere near as prevalent as trafficking into other forms of labour. According to an article in the Evening Standard, “many migrants prefer working in the sex industry rather than the “unrewarding and sometimes exploitative conditions they meet in non-sexual jobs”.”

4) ‘Whether further measures are necessary, including legal reforms, to:’

– ‘Assist those involved in prostitution to exit from it’

Rather than criminalising sex workers (and that is still what criminalising clients would effectively do), why not challenge benefit cuts, homelessness, domestic violence and low wages, rather than attempting to shut women (and it mostly women) out of an avenue of work?

– ‘Increase the extent to which exploiters are held to account’

Who is exploiting? Most sex workers would argue that, with the seizure of their proceeds, and regular harassment, and threat of arrest, that they are more exploited by the police than by most clients. Trafficking law often more directly targets those trafficked than the traffickers themselves.

– ‘Discourage demand which drives commercial sexual exploitation’

“Research on the Swedish law which criminalised clients found: “no convincing empirical evidence that the law has resulted in a decline in sex work . . .””. Sex workers are often forced to hurry screening procedures, and may feel less safe due to the criminalisation of clients. The Rose Alliance says that 63% of sex workers believe that the Nordic model has led to more prejudice against sex workers.