Written evidence submitted by Dr Brooke Magnanti

I am writing to contribute to the current consultation on laws regarding the criminalisation of sex work.

While the consultation clearly wishes to shift criminality onto buyers of sex, I would like to put forward an argument that there should be decriminalisation of all parties.

Amnesty International voted in August last year to support full decriminalisation (not just sex workers but also clients, indoors and outdoors), and called on governments to review the prostitution laws and provide resources in the form of “state benefits, education and training and/or alternative employment” to help sex workers leave prostitution if they want.

This was based on years of consultation across many developed and developing countries. Consultations which not only involved sex workers directly (for who better knows how to improve the conditions of work, than workers?) but also followed the lead of previous decisions by international agencies such as UNAIDS and the World Health Organisation.

It was clear from the evidence presented in all of these consultations that decriminalisation offers the best option for harm reduction, reducing disease transmission, and addressing any criminality associated with sex work, such as police abuse and human trafficking. I urge the committee to seek out and thoroughly review the excellent recommendations made by all these bodies.

A well-attended evidence-gathering symposium on decriminalisation in Parliament last November featured evidence from sex workers from 10 countries and a panel of academics. They presented a compelling case for the “burden of criminality” to be removed from everyone involved in prostitution on grounds of safety.

The unfortunate truth as revealed by sex workers currently operating all over the world is that criminalising clients does not decriminalise the workers. In Sweden, sex workers are still victimised by the state. Recent laws put forth in ROI and NI do not include any safeguards protecting the sex workers themselves.

When Rose Alliance, Sweden, came to the UK they told parliamentarians:

“We are still criminalised if we work together in premises, we risk eviction by landlords, condemnation by social workers and even losing custody of our kids because we are seen as ‘bad girls’ unwilling to change. This law should be abolished, not exported to other countries.”

At a time when unemployment, benefit cuts, falling wages, homelessness, and debt are forcing more women, particularly mothers, into sex work, it is unacceptable for MPs to promote increased criminalisation. These proposals will
further divert police time and resources from investigating rape, trafficking and other violent crimes.

In November 2014, the MP proposing an amendment to the Modern Slavery Bill to criminalise clients was forced to withdraw it. The letter writing campaign that achieved this result was co-ordinated by the Safety First Coalition (which includes the Hampshire Women’s Institute, the Royal College of Nursing, Women Against Rape, church groups, trade unionists, academics, lawyers and anti-racist and anti-poverty campaigners). John McDonnell MP, now Shadow Chancellor, who led opposition within parliament set the standard when he said: “We must listen to sex workers.”

Instead sex workers are being bypassed, disparaged and ignored. They have told parliament repeatedly that decriminalisation in New Zealand has made it safer for sex workers – this is supported by ample published evidence - and that parliamentarians who claim to want to abolish prostitution must say how else they are supposed to survive. Any Inquiry must first and foremost address that.

The Committee must listen to people who experience or witness the horrendous impact of unjust prostitution laws. The current sex workers themselves who speak up must be centred in this discussion, as it is both their lives and their livelihoods on the line. We owe it to the people in the work right now to put their voices first.

Dr Brooke Magnanti