Written evidence submitted by Steve Elrond

I am not going to present you with reams of academic evidence, and front line evidence which tells you the existing laws on prostitution are dangerous to all concerned, sex workers and clients. You only need to go to the English Collective of Prostitutes and the evidence they have placed in parliament during their sessions back in November. You can gather evidence from the National Ugly Mugs, and from the UKNSWP whose front line member projects want to see complete decriminalisation of sex work. Talk with Amnesty International who spent two years gathering evidence and proved total decriminalisation is the best way forward. Gut feel is that decriminalisation must be the answer. Many laws around sex work, meant for the safety of sex workers, all have unintended consequences, resulting in sex workers being the target of criminals, bad clients, the police and police records, which result in sex workers being unable to report crimes, and to exit sex work. Don’t look at shifting the burden of the law, look to remove the laws on prostitution. Strengthen the trafficking, rape and assault laws. Consult with active sex workers, use intelligence gathered from sex workers and clients in a decriminalised environment to target the abusers. Remember the only people to benefit from criminalisation of a pastime which many consider consenting, are the criminals. Look at prohibition in the USA in the 30’s and the present failed war on drugs.

Instead I want to tell you from the perspective of a sex buyer how the law is wrong, and how criminalising clients will increase the dangers for sex workers.

I consider myself to be a good client. I first read the sex workers adverts on the various websites, to see if the services she offers match my requirements. This is a vital first step for a consensual appointment. I always check with the sex worker that she is happy with my requirements. I don’t bargain down the prices. I respect her and abide by her rules. This includes during the appointment, where here consent is paramount and must be continually be checked.

Buying this service is not only just about sex, it is also about companionship and the sharing of common interests. I use the services of sex workers for meals, and for companionship when I am working away from home. I use their services for going out to concerts. Our mutual pleasure is important to me. Cheekily I have asked sex workers to recommend decent hotels in a city I might be working in. They have tried most hotels.

I am open with my companion as to who I am. I phone with registered phones and non withheld numbers. I chat on forums and social media openly, so I am very easily identifiable to her and to the police should they want to find me. I book hotels with my name and credit card details. My name is used for contact and the escort/agency check on my hotel room. I am very traceable.

What would happen if the burden of the law fell on me, and I was criminalised for paying for sex in a consensual transaction? The sex made illegal, only because a payment was made. Would there be any harmful consequences for the sex worker?

I would still continue to buy sex and companionship, the chances of being caught would be small, the risk worth it. I would though become VERY discreet. I would resort to burner mobile phones, and even phones acquired abroad. All bookings would be done with withheld numbers,
and untraceable phones. I would not participate in online forums or social media. When checking forums and online advertising, I would always be using untraceable web access through proxies and TOR. The forums and advertising sites would all be hosted overseas, making it harder for the police to collect log information. Even if they did collect the log information, this will be complicated by log less proxy servers in foreign countries the traffic flowed through. All payments will be by cash, and not bank transfers which I presently sometimes do. I would be virtually invisible, except at great expense to the police to do the detection.

The sex worker will have many of her mechanisms for checking that I am good date removed. She won’t be able to check whether I am a good date, or a bad violent client. She could have checked my number with National Ugly Mugs, or seen if I had good feed back on Adult Work. Normally without these checks she would have rejected me. If the majority of her potential customers are doing the same, then she won’t have a choice but to accept my business. Now she is more at risk of meeting one of the bad clients, purely because she has lost the ability to insist on these checks. I won’t be out there to harm her, but a small number of violent ‘clients’, and criminals will be using the same techniques to avoid the sex workers security checks, and ultimately detection by the police.

Sex workers use sites like Adult Work, and other private forums to vet clients with feed back and shared information. Many sex workers won’t take bookings if there is no positive feed back. Clients, (as has already been reported in Northern Ireland by sex workers) will become reticent in using the booking functions of these sites, and divulging personal information. Sex workers will become forced to accept bookings where they have been unable to perform these checks. Forced because they have an income target to look after their children, and pay for their homes in austerity Britain. Forcing sex workers to accept clients without giving them a way to vet their clients will endanger their lives. By not criminalising clients you allow sex workers to vet, and accept those clients who are good clients. The bad clients can be rejected, and those not providing their details can be immediately discarded.

Increasing demand for sex workers, or politically more correct, reducing the supply of sex workers by targeting the reasons why women become sex workers will do more to improve sex worker safety. Prices would rise, sex workers would not have to accept so many clients to meet their target earnings, and thus can be more picky on who they choose as their clients. Yes I personally know of a sex worker who was attacked and robbed, she had accepted a client who normally she would not have been happy with, but had little option because her earnings for the week were low.

The shifting of the burden is also a misnomer. I know of no country where sex workers have become decriminalised when the the law has been changed to criminalise the clients. The same laws exist in Sweden, Norway which criminalise sex workers where they work together. The brothel keeping laws are always used against sex workers in these countries. The same laws are used to evict sex workers and force landlords not to rent to sex workers.

I hope you look at the New Zealand model with an open mind. They decriminalised sex workers, clients and managers allowing sex workers to work how they like. Health and safety (mandatory condoms) and planning laws were introduced, like for any other business. The law
though allows them to work together in safety in small owner operated brothels without planning permission. This was an important step, because if planning laws are required for all brothels, we would get the situation where councils would say no to brothels, and we would be back to unsafe working practices and illegal small brothels which have to stay under the radar. It is a fair requirement that planning should exist where a large (more than 4 people) commercial brothel was proposed.

Importantly, New Zealand allows sex workers to advertise online, and in papers, and meet clients online on websites run in their own country. Running the site in their own country allows for quick access by police into server logs, for crime resolution. It allows sex workers to hire advertising agents, drivers, maids etc without these employees being in fear of prosecution. It allows legal operators to operate in a safe framework.

Criminalisation of any sort increases the criminal element, traffickers and criminal third parties enabling the transaction. Again New Zealand saw more sex workers working for themselves in cooperatives, while big brothels had difficulties recruiting. This is different to Sweden where more criminal third parties are now involved in the transaction and trafficking has increased. The ‘legalised’ system of Germany and Holland ensures sex workers can only legally work in big corporate licensed brothels. Both these models are not where we want to go.

Criminalisation of a legal activity (sex between consenting adults is legal), just because a payment is involved, brings with it many questions. I can’t think of any other activity this applies to. If I buy a ticket, and offer expense payments to a sex worker to attend a music festival with me, and we have sex, am I guilty of purchasing sex? In that case most dinner dates between friends would fall under the same law.

*** end 17th February 2016 ***