Written evidence submitted by David Clarke

I am writing with a few views which I haven’t generally seen reflected in the media on this current issue.

The Practicalities and Costs of Policing

Firstly, quite how practical would it be to actually change the law?

What seems to be forgotten in all of this debate is the fact that we don’t have a police force anywhere big enough to enforce these laws.

A few weeks ago a man broke into both the cars outside our property and tried to force his way into my house whilst my two children were sleeping upstairs. That seems like quite a significant crime to me but the best police response we could get was a chat with their call centre, they didn’t have the resources to visit and potentially find the assailant at any time either during or after the crime.

Given that, are we seriously expecting our police to be investigating what are ultimately consenting sexual experiences [fuelled by money] in preference to actually trying at least to some degree at keeping the public safe? Are the police literally going to be late to an incident of assault outside a nightclub or where a mentally ill person needs to be escorted home in favour of policing an act of consensual sex? In a country where we are struggling to pay for cancer treatments and are still running up significant public sector deficits we simply can’t afford it.

I don’t know the results of a poll asking whether prostitution should be legal or not but I am sure if you asked the public what they think the police should be spending their time on I think it’s quite obvious that serious wrongdoing has to be countered first.

I can understand why some people hate prostitution, really feel it in their guts, but this would clearly be a mis-allocation of public resources.

Realities of a Change in the Law

So it is obvious that should this law come into affect there will in actual fact be little enforcement. I understand that so far in Northern Ireland only one arrest has been made, let alone a charge but what we would see are real efforts being made by the buyers of sex to protect their anonymity. It will be the kind of law where the police can, if they choose get you, particularly when they will soon have open access to your internet records, and so from the point of view of the buyer of sex he will have to seek to be as anonymous as possible.

Rather than engaging with websites [particularly Adultwork] where he can be given feedback which can give sex workers the chance to assess his suitability [many escorts on the site will only meet people with previously good feedback]. Instead it will just be pay as you go phones, a completely anonymous appointment with God.
knows who. A bad experience? A violent client? Well, we have no idea who he is, he can just get a new pay as you go sim card and do it all over again. The sex worker can no longer demand feedback about him. For the sex worker their safely would be clearly impacted. Sex workers demand openness because they know it helps to keep them safe. That is the least the state should be trying to do for them.

Sex workers currently compare phone numbers to try and identify problem clients. Again, a dangerous client would just change his sim card, the sex worker can’t demand feedback when the state has now decided that what he is engaged in now is a crime. It seems to me to completely go against trying to protect the women and men involved in prostitution. And these people will still be there, their problems and need for money will not just suddenly vanish.

If it is now against the law the chances are that punters would more likely pick out trafficked women, with both their pimps and the client having too much to lose by jeopardising their confidentiality. So the very people you are looking to protect may see their situation worsen because of the consequence of this change in the law. There have been recent reports of exactly these problems in Sweden where apartments from trafficked women have been hired from Airbnb. There, with a much larger police force proportionate to the population and where the laws proposed here have been in place for the past 15 years still encounter the same, predictable problems, a consequence of human nature.

Many people who engage with prostitution already face being ostracised by their friends and family, divorce, financial ruin, it is difficult to see how this change in law would actually change their behaviour with regard to buying sex. If they are already displaying so much obsessive compulsive behaviour and where the actual likelihood of being charged is so low.

The Lack of Reporting of Crime demands Openness, not Prohibition for things to change

The great crisis I see within prostitution currently is the lack of reporting of crime, this can only be reversed by building up solid, trusting relationships with local police forces which this law change could only make worse as the sex workers by definition will have to defend the identities of their clients. By identifying violent and dangerous individuals earlier this not only keep prostitutes safer but also society at large.

Our Freedom as Adults

Do we genuinely want to live in a society where police are looking at couples to determine whether they are ‘genuine’, is there too much of an age gap?

Conceptually the idea that a consenting pair of adults, in private, behind closed doors engaging in sexual activity can be a crime, whether money is involved or not is very troubling. Do we really have so little free will as individuals now? Don’t we get to make choices as adults? A great way if you wanted to punish a neighbour you don’t like would be to call the police and report ‘the crime’. Are we literally going to have police cars outside people’s houses waiting for them to come out and be arrested? Wow, what kind of country will we have become?

Listen to Sex Workers

Finally, I am so sick and tired of the views of sex workers being deliberately and aggressively ignored. There is a long history of that in these debates. If you believe
we live in a truly democratic country then their views should be given the same weight as every other man or woman in this country.

Apparently we are meant to listen to junior doctors, tube workers, public sector workers but when it relates to prostitution their views are given so little credence by people with their own agendas. This, as a democrat, is what truly makes me feel sick in the pit of my stomach.

Thank you for your attention

David Clarke