

Please find attached my submission concerning the The Human Trafficking and Exploitation Bill.

Regards

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## 6. Paying for sexual services of a person

Unfortunately the main flaw with this bill lies in this section: the conflation of sexual labour (sex work, including prostitution) with trafficking is a misuse of the term trafficking, as the vast majority of people in all forms of sex work are not in fact trafficked. This includes both native-born and migrant populations in sex work.

In spite of exaggerated claims made about the commercial sex sector and trafficking in Northern Ireland there have been just 2 prosecutions in the past 10 years. Why is this?

The first reason is because paid sex in public places is relatively rare in Northern Ireland. Studies have shown only a handful of the more vulnerable street based workers in Belfast as opposed to comparable cities like Glasgow.

The second reason is because looking at trafficking as an exclusively sex-related offence means most other cases will be missed. Data shows that the majority of forced labour and trafficking cases are non-sex related, such as agricultural and domestic labour. However, because there is less funding and less NGO pressure to clean up labour abuses in these sectors, there is very little discussion of those problems, in favour of a highly emotional and largely evidence-free "discourse" around sex work.

Data from places where prostitution has been decriminalised (as opposed to legalised) have shown that sex workers report improved relationships with social services and with the police, facilitating relationships where useful and real addressing of forced labour can be investigated and prosecuted.

Additionally, data from places employing the so-called "Swedish model" of criminalising customers of sex workers has been shown to drive the trade underground, resulting in more intrusion of criminal elements, more trafficking rather than less, and more abuses by police and other law enforcement.

For example in Norway where similar laws have been enacted, the industry has become progressively criminalised, with police targeting landlords who rent property to sex workers. This has had the effect of making sex workers homeless, and once their work is known, unable to find any housing situation.

Such laws have also prevented the spread of vital "Ugly Mugs" schemes in several countries, where sex workers protect each other by sharing information on bad customers. These laws give customers the upper hand when negotiating with sex

workers, and this can lead to violence.

As a result of such laws sex workers have become more vulnerable, not less, and a greater strain on social services.

Therefore I feel it is necessary that the discussion of trafficking, which should be addressed, does not single out sex work as a uniquely improper sector of labour, and further, that other elements of anti-trafficking strategy be bolstered to provide support for where the true victims are: domestic and agricultural labour.

The opportunistic international organisations who seek to eliminate sex workers entirely, even if it means actual harm to the women and men involved, have seized on "trafficking" to try to push their agenda, and the Assembly should not be fooled by their intentions.

Further to this, in section 8, it has been shown even when laws are written seeming to codify non-prosecution of victims of trafficking, this is often contingent upon their cooperation in investigations. The coercion results in two problems: workers claiming to have been trafficked even if not to prevent deportation, and victims who put themselves at considerable risk by being publicly involved in the investigation. Both situations are undesirable.

In addition concerns about the rights to privacy of non-trafficked workers have been of concern, as the considerable stigma from being publicly identified as a sex worker has led to preventable deaths such as the death of 'Petite Jasmine' in Sweden at the hands of her abusive ex-husband after her children were taken away. In spite of living in a country where she was supposedly not 'criminalised,' the system nonetheless withdrew its support for her valid concerns of being the victim of violence - which led directly to her murder.

This is one of the many reasons why, although there appear to be provisions in the bill to prevent harm to sex workers, most do not believe those provisions will have a positive effect.

It is apparent from the bill that no organisations comprised of sex workers themselves were consulted. The labour rights of sex workers are important, as too is the issue of trafficking. I highly recommend close work with groups of current sex workers who are engaged in activism and advocacy to make sure the law does not produce unintended consequences, at the price of the safety, health, and lives of sex workers.

There are many people who claim to support women's rights yet deny the rights of large numbers of women whose lives they don't approve of. Evidence shows that places where prostitution is tolerated or decriminalised produce better outcomes for the people involved.

Attacking visible signs of prostitution results in more criminality, not less. There is no such thing as "ending demand". This is documented by research, by statistics. Anyone who supports criminalisation is basically saying to me and people like me, 'women's rights are important, except of course for women like you.' In a modern and compassionate society that simply is not and should not be acceptable.

