

I am writing to express my grave concerns regarding the proposed Bill (Human Trafficking and Exploitation: Further Provisions and Support for Victims).

Firstly, it places undue emphasis on sex workers. Most victims of human trafficking end up working for a pittance (or nothing at all) in industries such as agriculture and construction: whereas the vast majority of illegal immigrants who enter the sex trade do so voluntarily (either because they came to the UK with that intent, or because they tried work elsewhere and then discovered that sex work was more lucrative), and are very well paid. Yes, some incur debts to people-smugglers, but at least sex workers earn enough to quickly pay off those debts, whereas those in other industries are trapped in poverty.

Secondly, actual instances of sexual slavery are extremely rare, and when they occur, they tend to be within tightly-knit immigrant communities: the services of such women are not made available to the general public. The reason for this is obvious: a genuinely enslaved prostitute could tell a customer of her plight, and he could then report the situation to the police (after all, HE has done nothing wrong).

Astonishingly, the Bill seeks to make all payment for sexual services illegal: even those delivered by British prostitutes. This has nothing whatsoever to do with "human trafficking", and appears to be a covert attempt to push another agenda. Throughout the UK, an estimated 80,000 prostitutes cater for one-seventh of the entire adult male population: mostly married men whose wives have lost interest in sex. The attempt to turn all these men into criminals is being driven by ideology (generally either religious or radical-feminist). If it passes, a sexual act between freely-consenting adults will become illegal for the first time since "sodomy" was legalised in the UK. It is institutional bigotry directed against a minority with an "unusual" sexual preference.

In much of Scandinavia, where the criminalisation of the purchase of sex has already happened, the result has been an unmitigated disaster. Even supporters of the legislation can only point to a halving of observed on-street prostitution: here in the UK, only 15% of prostitutes are streetwalkers, so that would only translate to a 7.5% drop even if they all left the sex industry altogether. Of course, that's not what is happening: the industry is being driven underground. While there may be a slight drop in illegal immigration into the sex trade (often referred to as "human trafficking"), there is no evidence of any reduction in the (already rare) cases of actual sexual enslavement. Meanwhile conditions for sex workers have deteriorated, and random unlucky men (generally good, decent men) are having their families and careers destroyed for no good reason.

In the US, where the provision of paid sexual services is illegal, police frequently book a hotel room, contact and book a prostitute, then arrest her when she arrives: she then has a criminal record, making it very difficult for her to gain any alternative employment (and of course she risks ending up in prison if she's arrested again). Under the proposed legislation, presumably this sting operation will be reversed, with police either posing as prostitutes or staking out the premises of genuine prostitutes in order to catch random men whose only "crime" is to be unfortunately deprived of sex: in the UK, they would end up on the Sex Offenders Register along with paedophiles and rapists. Why should we assume that British police will behave any more responsibly than American police do? They have targets to meet, they need to be seen to be "cracking down on crime"...

The Bill could also run afoul of equality legislation. As it stands, the proposed legislation contravenes the Equality Act 2010 (which doesn't apply in Northern Ireland, but presumably similar legislation exists or is pending), because it constitutes "indirect discrimination" against people with disabilities, who are unusually dependent on sex workers for sexual gratification. And has anyone considered the psychological effects of condemning a large chunk of the male population to involuntary celibacy? The spate of sex scandals involving Roman Catholic priests indicates that even some of those who volunteer for celibacy can't handle it. And is it entirely a coincidence that Sweden's rape rate has doubled since similar legislation was introduced there? There is also likely to be a large increase in marital breakdown, divorce, and broken families (prostitution saves marriages).

As it stands, that portion of the Bill that seeks to criminalise the purchase of sex has repercussions that go far beyond the stated intent of addressing "human trafficking". Where it actually has relevance, it is likely to make matters worse. If it succeeds in reducing demand, prostitutes will be forced to accept clients they would previously have avoided, and will increasingly have to work with organised criminal gangs (as they would be dependent for their livelihood on a criminal activity). And if the legitimate, consensual sex industry shrinks significantly, demand for those who ARE victims of sexual slavery will increase accordingly: especially as prospective clients will be wary of approaching sex workers who advertise openly, being fearful of police stings.

The notion of widespread sexual slavery in the UK is propaganda designed to sell tabloid newspapers, promote ideologies (religious or otherwise), or give a veneer of respectability to racism directed against immigrants. That's why police raids keep failing to find actual victims of sexual slavery (e.g. the failure of Operation Pentameter: hundreds of people arrested, but not a single case of forced prostitution uncovered). It also explains why the clause within the Policing and Crime Act 2009 (and its Northern Ireland equivalent, the Sexual Offences (Northern Ireland) Order 2008) which makes it illegal to pay for the services of a coerced prostitute has apparently never been invoked: coercion of prostitutes is very difficult in a society where prostitution is legal but coercion is not, and in the rare cases where it has happened, the police have pursued the coercer rather than the client. Introducing further legislation in this area is entirely unnecessary, as existing legislation is more than adequate to deal with forced prostitution: more emphasis should be placed on policing the activities of gangmasters who exploit immigrant manual labourers.

Clause 6 needs to be removed entirely. It is being disingenuously presented as if it were a minor amendment to existing legislation, but is actually a fundamental restriction on human rights, because it simply erases the notion that coercion is a relevant factor in sexual relations. It suddenly becomes illegal to engage in a specific type of sexual activity, period: regardless of the free consent of those involved. How can this possibly be presented as a passing mention in a Bill devoted to another topic entirely?

Driving cars "creates a demand" for car theft: so this is equivalent to radical environmentalists amending legislation covering car theft so that "driving a stolen car" is changed to "driving a car", thereby quietly abolishing car ownership with minimal publicity. It is a dishonest attempt to subvert the democratic process.

- Simon Penhaligon