

Should it be illegal to pay for sex? Panel verdict

Tuesday 24 March 2015 | **Laura Lee, Julie Bindel, Margaret Corvid, Rahila Gupta**

LAURA LEE: This legislation would force us to work alone

The debate on sex work is heating up, and [I've decided to challenge a new law in Northern Ireland that makes it illegal to pay for sex](#). While abolitionist groups scaremonger and selectively use statistics, I'm with the sex work advocacy groups that are fighting for our labour rights with increasing visibility in the media.

[Prostitution](#) cannot be eradicated. There has never been a society without those who sell sex and nor will there be. Once you've accepted that, your priorities should change: the focus should be on maintaining the safety of those who choose to stay in the industry while assisting those who want to exit, with real support. This is where the "Swedish model" of making it a crime to pay for sex falls down. Advocates for criminalisation will argue that "prostituted persons" (a despicable term that denies our agency) will be decriminalised under the new proposals. That's not true: if we wanted to work together for safety – something entirely justified and appropriate – then it's possible we could be arrested for "pimping" from one another under that system. And all the while we'd also be viewed as "victims".

The result is we're forced to work alone, sitting targets for would-be attackers who know that we are vulnerable, on our own, and carrying money. No one would ask an A&E nurse to work a Saturday night shift without any support, so why should we have to? Since 1990, 149 sex workers [have been murdered](#). I'm adding my voice to those asking how many more of us have to die before the state recognises that the real violence towards us comes as a result of its archaic laws.

JULIE BINDLE: Prostitution can never be made safe

The human trafficking and exploitation bill, passed after some controversy last year, made [Northern Ireland](#) the first region of the UK to make the buying of sex illegal, following in the footsteps of Sweden, Norway and Iceland, as well as South Korea. The controversy continues with claims that the legislation is a breach of European human rights law. From where I am sitting, the human rights abuses inherent to prostitution are against those who sell sex, not those who buy it.

The "Nordic model" that Laura Lee is set to challenge decriminalises the sale of sex acts and criminalises the buying. The Council of Europe has named it "the most effective tool for preventing and combating trafficking in human beings".

The law in Northern Ireland is the only one in existence that includes a pledge to provide exiting services in the body of the bill. This came about because survivors of prostitution lobbied Lord Morrow and explained that the majority of women wish to get out of the sex trade but are rarely able to access the type of holistic support necessary to do so. Pretty Woman is 25 this week. The myths about prostitution are far older. The feminists and other human rights defenders calling for the Nordic model are human rights activists, not anti-sex moralists.

Of course there are women and men who choose to enter the sex trade and are happy to remain in it, but laws and policy are not based on the experiences of a minority. The law to tackle demand reduces sex markets and therefore reduces the violence and harm so inherent to it. Not one woman involved in Sweden has been murdered as a result of her involvement, and yet in countries where the sex trade is legalised, such as Germany and the Netherlands, there have been significant numbers of fatalities.

Critics of this law claim that criminalising demand puts prostituted women in danger. But prostitution can never be made safe. [Research has shown](#) that prostitution is easy to get into but very hard to get out of. I spend much of my time with other sex trade abolitionists, many of whom are survivors of prostitution. In the dozens of interviews I have conducted with women, most told me they would always say they loved their work prior to exiting, in order to cope.

Men who pay for sex do not have a human right to do so. [One buyer I interviewed](#) showed his contempt for all women when he said: "Maybe if men could get [prostitution] on the NHS, if they are disabled, it would prevent them from raping." Another charmer said: "In the beginning [the women] have emotions, but it becomes a routine, they die off after a while."

This same study found that most buyers would be deterred from buying sex by very little, such as a small fine or a letter sent to their home. It was also clear that many who pay for sex feel unhappy and ambivalent about doing so.

By criminalising the buyers and offering exit strategies for those who wish to leave the sex trade, the law sends the message that women and girls have a right not to be prostituted.

MARGARET CORVID: We have a right to profit from our sexual labour

There's a sort of feminism that thinks it can solve patriarchy through prisons and police. It promises that "ending demand" is an enlightened response to the so-called problem of sex work, but when [98% of Northern Irish sex workers agree that it's a bad idea](#), it's a bad idea. In the Nordic countries, sex workers say that the result of criminalising clients has been to drive sex work further underground.

[Criminalisation doesn't end demand – it just makes clients more afraid](#), and destroys any trust between worker and client. It [makes it difficult to screen our clients or to practise safer sex](#). In street-based sex work, clients and workers now avoid well-lit areas, and meet in isolated places or in the client's home. In indoor sex work, it's harder to screen clients by phone, or with deposits, and our clients can't really trust us. How can this possibly help us?

We do sex work for the same reasons anyone works – to make a living.

Austerity and cuts in benefits and social services makes sex work an essential tool for survival for many. Sex work is the oldest profession, and when all work becomes unnecessary, so will sex work.

Until then, if we truly believe women have a right to their bodies, we have a right to profit from our sexual and emotional labour. As a socialist and feminist, I'm astonished that anyone could have anything but solidarity for sex workers. And we want decriminalisation. In New Zealand, decriminalisation has improved safety and health outcomes for sex workers. [They have the same workers' rights and health and safety rights as other workers](#). If you truly believe in feminism, solidarity and safety, give us what we want.

RAHILA GUPTA: Reduced demand will act as a brake on trafficking

I strongly believe that the buying of sexual services must be criminalised if we are to tackle the problem of human trafficking. I therefore welcome the Northern Ireland legislation, the human trafficking and sexual services bill, even though I share none of the Christian beliefs of its prime mover,, Lord Morrow.

Only reduced levels of demand within the sex trade will slowly squeeze the supply pipeline and act as a brake on traffickers, as the evidence from Sweden, where punters are criminalised, suggests. Trade is conducted so openly now that "[slave" auctions](#) have reportedly taken place at coffee shops at Heathrow and Gatwick where brothel keepers are bidding for women. We criminalise employers of forced labour in catering and construction, so why should prostitution be a special case?

Supporters of the sex industry respond by denying the scale of human trafficking because it undermines a key plank in their argument that women freely choose to go into prostitution, and the state therefore needs to butt out of their private lives. Laura Lee who plans to challenge this law all the way to Strasbourg, claims most women in prostitution are single mothers trying to earn a living in hard times. Economic hardship cannot be interpreted as enabling a free choice of occupation by any stretch of the imagination. Every prostitute who has left the industry describes the horrendous violence she has faced from pimps and punters, an occupational hazard that characterises this kind of work.

Imagine how much worse it is for women who have no immigration status because they have been trafficked, who may not know the language and have good reasons to fear the police and immigration authorities. If deported, they are in danger not only of being re-trafficked but also of being shunned by their families for dishonouring them.

The green light for traffickers must be changed permanently to red. Despite the battery of laws designed to prosecute traffickers, there are more victims of trafficking than traffickers in prison for so-called immigration offences. If we want to shift the criminal burden from vulnerable women, both trafficked and local, to men, we have to criminalise the punters.

<http://www.theguardian.com/commentisfree/2015/mar/24/should-it-be-illegal-to-pay-for-sex-work-law-northern-ireland>