

Criminalising people who pay for sex won't help anti-trafficking fight, says police chief - BelfastTelegraph.co.uk

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PSNI Detective Superintendent Philip Marshall

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The man in charge of tackling human trafficking and organised prostitution in Northern Ireland has come out against proposals to make it an offence to pay for sex here – believing it might hinder the fight instead of help.

PSNI Detective Superintendent Philip Marshall has denied that human trafficking is a bigger problem here than elsewhere and revealed that men purchasing sex have sometimes reported human trafficking to the police.

Outlawing the purchase of sex is a key provision on the draft bill, the Human Trafficking and Exploitation Bill, being put forward by Lord Morrow of the DUP, which receives its second reading at Stormont later this month.

Lord Morrow has argued that similar legislation in Sweden led to a big decrease in human trafficking and street prostitution.

These assumptions have been challenged by DS Marshall, who takes the lead on human trafficking and organised prostitution for the PSNI.

Speaking exclusively to the Belfast Telegraph, Mr Marshall said "this bill would present difficulties around the criminalisation of anyone purchasing sex".

"It would be hard to prove, it would be hard to police," he said.

"Actually we already have legislation on statute which deals with the purchasing of a sexual service from someone who has been subject to exploitation. That is an absolute offence."

This means that saying you didn't realise a person was trafficked or forced into having sex is no defence.

Six people have already been charged with this offence here but none have been convicted because of the difficulty in proving what had happened. DS Marshall fears that Lord Morrow's proposal would not help matters and would prevent men purchasing sex reporting any suspicions they had about human trafficking.

"The police have received reports both directly, and indirectly through Crimestoppers, where individuals purchasing sex have had concerns around human trafficking," the detective said.

Lord Morrow's bill does not punish the person selling sex, only the purchaser. DS Marshall says

LORD MORROW'S BILL DOES NOT PUNISH THE PERSON SELLING SEX, ONLY THE PURCHASER. DS MARSHALL SAYS UNDER UK LAW THE SELLER WOULD BE OPEN TO CONSPIRACY CHARGES AND MIGHT DISCOURAGE PEOPLE FROM ALERTING THE AUTHORITIES.

Nowadays prostitutes here are generally contacted through websites offering escorts for "companionship". DS Marshall said buyers were committing a criminal offence if they missed the signs of trafficking.

"They may find that the person is not the one shown in the photograph. The person may not be able to speak English, and may only know the amount of money and the telephone number," he said.

Mr Marshall believes that much of the fall in street prostitution in Sweden since the law was changed in 1999 is really down to the internet. In fact, a similar reduction has occurred here in the same 14-year period.

The PSNI is aware of only 15 to 25 prostitutes soliciting for clients on the streets, mainly in Belfast and Londonderry. In contrast, around 175 are advertised as 'escorts' on websites each day.

"The internet is what has changed the prostitution model here and that is also reflected in Sweden. It has seen a great reduction in the level of street level prostitution but there has been a corresponding increase in off-street prostitution."

DS Marshall chairs the UK Organised Task Force sub group on immigration and human trafficking, which found that at least half of human trafficking is for purposes other than sexual exploitation. "The rest of the UK looks on with envy at our joined-up approach," he said.

Statutory agencies, law enforcement bodies and charities like Barnardos have a duty to report trafficking concerns to the National Referral Agency.

In 2012, there were 15 referrals originating here, seven of which involved allegations of sexual exploitation. The remainder were for activities like forced labour. That is 1% of the total number of referrals in the UK, although we make up 2.9% of the UK population.

"This is a serious problem but the figures show that we are not the capital of Europe for human trafficking and we are not the human trafficking capital of the UK either," DS Marshall said.

BACKGROUND

Currently individual consenting adults are allowed to buy or sell sexual services here. But many associated activities like organising prostitution, kerb crawling or soliciting in a public place are illegal. Some people here, particularly immigrants, have been trafficked into prostitution. Lord Morrow, a DUP MLA, is promoting a bill that aims to combat human trafficking by outlawing the purchase, but not the sale, of sex.