HOW THE MODERN SLAVERY ACT 2015 FAILS WOMEN AND GIRLS
"When we pass new laws, we'll listen not to the mighty, but you. When it comes to taxes we'll prioritize not the wealthy, but you."
‘Modern slavery’ is not defined in international law. The practices it covers fall under the UN definition of ‘human trafficking.’
So why not call it the Human Trafficking Act?
“The only issue is defining [trafficking] so nothing anyone wants to defend is covered.”

Catharine MacKinnon
What might the men in power want to defend?
traffic

VERB (trafficking, trafficked, traffics)

[NO OBJECT]

Deal or trade in something illegal
Ownership of a another human being IS slavery
Protocol to Prevent, Suppress & Punish Trafficking in Persons

Especially Women and Children
“You can sell a kilo of heroin once; you can sell a 13-year-old girl 20 times a night, 365 days a year.”

– Tony Talbott
“People think prostitution is about having consensual sex for money. It’s not. Those men don’t want to pay for that...”
Whereas prostitution is incompatible with the dignity and worth of the human person and endangers the welfare of the individual, the family and the community...
States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.
exploitation
NOUN

1. The action or fact of treating someone unfairly in order to benefit from their work.

2. The action of making use of and benefiting from resources.
Trafficking has three elements:

- **Act**
- **Means**
- **Purpose:** exploitation
• Threat or force
• Coercion, deception or fraud
• Abduction
• Abuse of power or position of vulnerability
1. Exploitation of prostitution
2. Forced labour or services
3. Slavery or servitude
4. Removal of organs
The essential feature of sex trafficking is third party involvement in a woman’s prostitution – i.e. it is “straight up pimping”

– Catharine MacKinnon
“Prostitution as actually practised in the world usually does satisfy the elements of trafficking…”

Sigma Huda, UN Special Rapporteur on Trafficking 2004–2008
Modern Slavery Act 2015

PART 1: OFFENCES

1. Slavery, servitude & forced labour
2. Human trafficking
3. Meaning of exploitation
2. Human trafficking

“A person commits an offence if the person arranges or facilitates the travel of another person (‘V’) with a view to V being exploited.”
3. Exploitation

- Slavery, servitude, forced labour
- Sexual exploitation *
- Removal of organs
- Securing services by force

* Not defined in the Act
Under the Modern Slavery Act

- Pimping women in prostitution
- Forced labour

NOT A CRIME

CRIME
It is possible to prosecute sex trafficking as ‘slavery, servitude or forced labour,’ but this is complicated & frames prostitution as labour.
“Three men forced a group of Hungarian women to work as prostitutes. The women were trafficked to the UK with the promise of legitimate jobs. Their identity documents were taken and they were forced into sex work.”
Are these really the same?
Now you see it, now you don't.
How could this happen?
“A culture, cascading from the top down, of deference, subservience and silence, in which bullying, harassment and sexual harassment have been able to thrive and have long been tolerated and concealed.” – Dame Laura Cox
He’s going to make my life hell if I don’t let him do it.
Guess who she’s shagging...

What a slut!

Everyone knows she slept her way to the top.
Child sexual exploitation

“Forced”

Free choice!
Controlling a child prostitute

Controlling a child in relation to sexual exploitation

Serious Crime Act 2015
Prostitution
Sexual exploitation
Sexual Offences Act 2003

Controlling a child in relation to sexual exploitation
14 years (any age of child)

Paying for sexual services of a child
Life sentence (if child < 13)
Prosecution must prove the defendant didn’t reasonably believe the child to be 18 or over.
Measures must criminalise:

a. Causing a child to participate in prostitution;

b. Profiting from or otherwise exploiting a child for such purposes;

c. Having recourse to child prostitution.
Recommendations

▪ Correct the definition of human trafficking in the Modern Slavery Act.
▪ Reframe child sexual exploitation as sex trafficking.
▪ Make all offences involving children under 18 years of age strict liability.
Requires measures to prevent trafficking

- Alleviate poverty, underdevelopment and lack of equal opportunity.
- Reduce the demand that leads to trafficking.
Savings from austerity measures

14% Borne by men

86% Borne by women
Benefit, pension & tax credit changes, & zero-hour contracts are driving many women into desperate poverty.
Open all hours!

Discretion guaranteed
Guidance on “Kerb Crawling”

Enforcement on ‘customers’ is not encouraged as this is likely to result in displacement and put those selling sex at greater risk.
Artwork by Suzzan Blac
Survivor of prostitution
http://suzzan-blac.webnode.com
“So long as men’s ability to buy sex in Europe is not checked, all our attempts to contain the influx of victims of human trafficking from Sub-Saharan Africa into Europe will be an effort in futility.”

Arinze Orakwue
Let’s make the world fit for our girl children.

www.nordicmodelnow.org