

[The Modern Slavery Bill is going to be absolutely appalling](#) [1]

Written by [Tim Worstall](#) [2] | Tuesday 26 November 2013



I know that I shouldn't giggle over such things but the revelation that the three "slaves" recently found were in fact the remnants of a Maoist commune well known to social services (indeed, housed by the local council) does provide a certain amusement as we see various leftish types suddenly running away from the story. However, now onto something a great deal more important. Theresa May and various campaigners are going to use this to try and pass an extremely bad law about modern slavery. And it's worth our all complaining very loudly about this now, as the bill is being drawn up, not later when it is too late.

That May is going to use this story as a basis for her new law is [obvious here](#) [3]:

We still don't know the facts behind the case in London this week. Details are still emerging, the investigation is ongoing and must be allowed to take its course. Whatever the outcome, the one positive is that it has raised awareness of the issue of slavery in the public and media mind. The first step to eradicating the scourge of modern slavery is acknowledging and confronting its existence. The second is accepting it is the responsibility of us all to abolish it once and for all. Because modern slavery is an affront not just to the dignity and humanity of the individuals crushed by it, but of every single one of us. Tackling this abhorrent crime is a personal priority for me.

As well as improving the way victims are identified and supported, I want to prevent future victims. And the best way to protect and reduce the number of victims is to disrupt, convict and imprison the criminal gangs behind much of the modern slave trade. That is why I have made combating trafficking central to our Serious and Organised Crime Strategy and a priority for the new National Crime Agency. And it is why I am introducing a Modern Slavery Bill to consolidate and strengthen legislation. The Bill will be the first of its kind in Europe. It will increase the maximum sentence for trafficking offences to make sure the worst perpetrators get a life sentence. It will introduce trafficking prevention orders to restrict the activity of offenders when they are released so that they cannot cause further harm. And it will create an Anti-Slavery Commissioner to hold everyone involved in stopping this crime and helping victims to account.

The link is not just obvious it is explicit. And given that all of us are indeed against slavery why would anyone at all complain about the idea of a Modern Slavery Bill?

Well, allow me to introduce myself, Tim Worstall, someone who is very much against what I am certain will happen to this bill. For what is going to happen here is what happened with the Poppy Project and their

research into sex slavery. What led to Dennis MacShane's absurd claim that there were 25,000 sex slaves in the UK. They're going to lie to us to bring in the most draconian laws.

Yes, I know, strong stuff but bear with me a moment. As I've mentioned elsewhere there are two meanings to the word "trafficking". Here I explained them in the [context of sex slavery](#) [4]:

...the two meanings of "trafficking" that are used in the debate. Those two meanings are as follows:

1) The transport of unwilling people (usually women, but of course can at times be either men or children) into forced prostitution. This is of course illegal everywhere: it's repeated rape just as a very start. It is also vile and we should indeed be doing everything possible to stamp it out.

2) The illegal movement of willing people across borders to enter the sex trade. Strange as it may seem there really are people who desire to be prostitutes. People would, other things being equal, similarly like to be in a country where they get a lot of money for their trade rather than very little. Given these two we wouldn't be surprised if people from poorer countries, who wish to be in the sex trade, will move from those poorer countries to richer countries. And such is the system of immigration laws that many of them will be unable to do this legally: just as with so many who wish to enter other trades and professions in the rich world. You can make your own mind up about the morality of this but it is obviously entirely different from definition 1).

...

We might paraphrase the two definitions as the "sex slavery" definition and the "illegal immigrant" one. I would certainly argue that the first one is a moral crime crying out to the very heavens for vengeance while the second leaves me with no more than a heartfelt "Meh".

In terms of slavery of the first type, whether sexual or not, of course I'd be, along with everyone else, delighted to have strong and effective laws to fight it. Something we do actually have of course: slavery is illegal and anyone caught enslaving anyone will indeed go to jail. However, I'm entirely unhappy about having strong new laws about the second type of trafficking. Sure, people who smuggle illegal immigrants can be and should be punished as and when caught. But that's the crime there, not slavery.

My worry is that they will use everyone's instinctive hatred of that first definition to impose horrendous punishments for that second definition. As an example, here's one of the things they [are planning](#) [5]:

The Home Office announced that powers will be introduced to help police "hunt the assets of traffickers" and give some of the money to the victims. The money will be used to help victims of modern slavery return home. This measure might end up in the modern slavery bill announced early in August by the Home Secretary, Theresa May. The modern slavery bill is expected to increase the conviction rate for traffickers in the UK, which is currently one of the lowest in Europe. Powers to recover overseas assets already exist in the Proceeds of Crime Act but they are not effective and the amount of seized money is very low compared to the scale of serious and organised crime.

Under that first definition of trafficking I'd have no problem. Under that second a great big girl problem arises. Because "trafficking" now means illegal immigration we thus end up with a law whereby the government can take the financial assets of someone who employs an illegal immigrant. You think this won't happen? Believe me, this is exactly what will happen. Such an extension of confiscatory powers will indeed lead to that sort of thing: it's inevitable.

At this point of course I need to show that they are indeed going to be using that wider, more inclusive, definition of trafficking rather than the one that really does mean slavery. Ms. May:

I have asked Anthony Steen, chief executive of the Human Trafficking Foundation, to undertake a series of overseas visits to look at how we can improve our approach both domestically and internationally.

That foundation says this about [sex slavery](#) [6]:

Trafficking for Sexual Exploitation: The scale of trafficking for sexual exploitation remains largely unknown worldwide since its very nature demands secrecy and reliable statistics are therefore not forthcoming. In the UK, there are some clues as to its scale. For example, in a recent ACPO report, 2,212 brothels were identified in London alone, and the police estimate that up to 50% of those working in the brothels may have been trafficked. Traffickers take virtually all the earnings from their 'slave' and move them around the country so they are not associated with any particular area.

This is at the Dennis MacShane, Julie Bindel end of looniness on the subject. As Operation Pentameter found out, after every police force in the country tried to search out and find sex slaves they found not one single case in the entire country that they were able to prosecute for the crime.

That is, the police went looking for slavery, type 1 definition of trafficking, while this foundation is using the type II definition of illegal immigration (or, to get to that 50% number, simply of immigration, legal or not).

Oh, and [Eaves is involved](#) [7]. They were the people behind the Poppy Project. Which, laughably, claimed that evidence of foreign born women working in brothels in London was evidence of trafficking. Guess all those foreigners working in The City are slaves then, eh?

Just to make this entirely clear here. These campaigners (and that includes May here) are going to use our revulsion of the type I trafficking to pass extraordinarily severe laws against the type II stuff. Up to and including life imprisonment and confiscation of all financial assets. Yet it is only type I that is in fact slavery. Type II is more normally defined as the employment of an illegal immigrant.

Anyone really want life imprisonment for employment of an illegal immigrant? Someone who, entirely of their own volition, tried to make their lives better by breaking the law to come to this country is now going to be defined as a slave?

OK, by now everyone's certain that Worstall has lost it. Seeing something that just isn't there. Ms. May again:

Some victims do not even recognise that they are victims or have been trafficked.

She's certainly arguing for a pretty extensive definition of trafficking if there are people who don't actually realise that they have been enslaved.

Fortunately, there is in fact something we can do about this. We can insist that the law, whatever it actually says will be done to the modern slavers, should in fact only refer to slavers and trafficking. We can do this by insisting that the bill use the United Nations [definition of trafficking](#) [8]:

Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of

deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

That will restrict everything to the type I definition of trafficking and I think all of us are reasonably happy with the idea that people who enslave others should indeed have the book thrown at them. And, of course, by their actions we shall know them. The more those preparing this bill whine and bitch about how it's all more complicated than this, that the definition needs to be wider, the more we shall know that they're not in fact talking about either trafficking or slavery at all, but instead about illegal immigration.

[blog comments powered by Disqus](#) ^[10]

Source URL: <http://www.adamsmith.org/blog/politics-government/the-modern-slavery-bill-is-going-to-be-absolutely-appalling>

Links:

- [1] <http://www.adamsmith.org/blog/politics-government/the-modern-slavery-bill-is-going-to-be-absolutely-appalling>
- [2] <http://www.adamsmith.org/taxonomy/term/5778>
- [3] <http://www.telegraph.co.uk/comment/10470717/Theresa-May-Slaves-may-work-in-your-nail-bar-too.html>
- [4] <http://www.forbes.com/sites/timworstall/2013/06/15/legal-prostitution-and-sex-trafficking-from-the-annals-of-bad-economic-research/>
- [5] <http://www.humantraffickingfoundation.org/news/2013/slavers%E2%80%99-cash-be-seized-victims>
- [6] <http://www.humantraffickingfoundation.org/whats-issue>
- [7] <http://www.humantraffickingfoundation.org/blog/2013/11/eaves-launches-%E2%80%98-tiny-protest%E2%80%99-campaign-calling-government-implement-major-reforms>
- [8] <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>
- [9] http://disqus.com/?ref_noscript
- [10] <http://disqus.com>