

Challenging Men's Demand for Prostitution

Analysis of public consultation responses

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Equally Safe: Challenging Men's Demand for Prostitution, Working to Reduce the Harms Associated With Prostitution and Helping Women to Exit

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Contents

| | |
|---|-----------|
| 1. Executive Summary | 1 |
| 2. About the Consultation | 4 |
| 2.1 Respondents to the consultation | 5 |
| 3. Methodology | 7 |
| 3.1 Data processing | 7 |
| 3.2 Data analysis | 7 |
| 3.3 Terminology and scope of the consultation | 9 |
| 4. Key messages from consultation respondents in Citizen Space | 11 |
| 4.1 Views on the Scottish Government’s approach to tackling prostitution | 11 |
| 4.2 Observations of the impact of coronavirus on women involved in prostitution | 14 |
| 4.3 Policy approaches for preventing violence against women and girls | 17 |
| 4.4 Education and changing attitudes | 21 |
| 4.5 Support for women involved in prostitution | 25 |
| 5. Key messages from the campaign responses | 35 |
| 5.1 Nordic Model Now! campaign | 35 |
| 5.2 SCOT-PEP campaign | 38 |
| 5.3 Additional pro-decriminalisation campaign | 40 |
| Appendix A – Consultation questions | 43 |
| Appendix B – List of organisations responding to the consultation | 45 |

1. Executive Summary

The Scottish Government undertook a public consultation exercise on challenging men's demand for prostitution, working to reduce the harms associated with prostitution and helping women to exit as part of an overall strategy to improve policy on violence against women and girls under the Equally Safe Strategy. There were 1164 public consultation responses from individuals, organisations and campaigns submitted or uploaded to Citizen Space. There were an additional 2839 responses emailed to the consultation email inbox by the 10th of December deadline directly from campaign tools from two campaigns. We also identified a third campaign from an unknown source present within the Citizen Space submissions.

Rocket Science UK Ltd was commissioned to complete a comprehensive and objective analysis of the responses. This report presents the key messages from the public consultation responses and explains the methodology that was used to analyse responses. Rocket Science developed an analysis framework using the qualitative analysis software NVivo and has presented the key messages by theme. The key messages from the consultation are summarised below.

Views on the Scottish Government's approach to tackling prostitution

- Responses to views on the Scottish Government's approach are split with some partially agreeing with the approach and others disagreeing with the approach in its entirety. Responses that partially agree with the Scottish Government's approach approve of the Equally Safe strategy but tend to believe it could adopt additional elements to be more effective in preventing violence against women and girls. Responses that disagree feel that the Scottish Government's approach to prostitution increases the likelihood that women involved in prostitution will be exposed to harm or risk.

Observations of the impact of coronavirus on women involved in prostitution

- There is broad consensus that the coronavirus pandemic has had a profoundly negative impact on women involved in prostitution mainly due to their perceived exclusion from most public financial support schemes. Respondents observe that the reduction in demand during this time puts women at increased risk both from coronavirus and from needing to accept riskier clients.

Policy approaches for preventing violence against women and girls

- Of the policy approaches set out in the consultation, the two policy approaches respondents cite most frequently as preventing violence against women are Prohibitionism and Regulationism. A large majority of those selecting Prohibitionism from the options provided in the consultation (75%) referred to this as the Nordic Model and some of these respondents explicitly state that the Prohibitionism policy outlined in the consultation is missing important elements about support for women involved in prostitution that would make it more akin to the 'Nordic Model'. While decriminalisation was not an approach set out in the consultation, respondents also cited Decriminalisation as an option.

Education and changing attitudes

- There is consensus that additional sex and relationship education in schools that emphasises consent, respect and healthy relationships would be beneficial. Respondents hold opposing views on age-appropriate education about prostitution, with some respondents believing that it is necessary to educate about the harms of prostitution, while others believe it is important to remove stigma around prostitution in order to increase respect for those involved in prostitution and differentiate between consensual and non-consensual activity.
- Responses on the need to shift the attitudes of men in relation to the purchase of sex are polarised. A number of respondents believe that focussing on challenging or ending demand does not improve the lives of women involved in prostitution, which should instead be the focus of any initiatives in this area. Other respondents feel that criminalisation of men who purchase sex is the most effective tool for shifting men's attitudes.

- Respondents commonly identify that men’s attitudes towards prostitution are the result of wider societal issues such as misogyny and societal inequalities and that challenging these wider attitudes should be of primary concern. A rise in online pornography is often cited as an accompanying issue fuelling misogyny.

Support for women involved in prostitution

- A number of respondents note the need for support for women involved in prostitution to be holistic, person-centred, and able to address the multiple, underlying needs of many women. Most frequently, respondents cited financial support, peer-led support, housing support, healthcare, including addiction support, and education, employment, and training as the key types of services needed.
- Respondents regularly reported that stigma and criminalisation experienced by women involved in prostitution made them less likely to access services. Decriminalising all aspects of selling sex and improvement of training for frontline professionals were two commonly suggested strategies for improving access to services.
- Respondents frequently emphasise that not all those involved in prostitution need or want to exit from prostitution, and that exiting should not be a condition to receive support.

2. About the Consultation

The Scottish Government undertook a public consultation exercise on challenging men's demand for prostitution, working to reduce the harms associated with prostitution and helping women to exit from 11 September 2020 to 10 December 2020.

The consultation consisted of nine main open text questions, with the purpose of gathering views on how to tackle prostitution and violence against women and girls from a multitude of angles. This includes the effectiveness of the Scottish Government's current approach to tackling prostitution, the impacts of the current pandemic on prostitution, the effectiveness of international policy approaches to prostitution to prevent violence against women and girls (VAWG), attitudes, awareness raising and education around consent and healthy relationships, considering the different support needs of women engaged in prostitution, and any other considerations.

This consultation is written “through the lens” of Equally Safe, Scotland's strategy for eradicating violence against women and girls. Equally Safe is a collaborative effort initially developed in 2014 by the Scottish Government, CoSLA (Convention of Scottish Local Authorities) and a range of other partners that has since been updated following further engagement with wider stakeholders. The name Equally Safe refers to the vision set out by the Scottish Government that all people be “equally safe and respected”, and that only when this is true can Scotland really “flourish” as a country. At its heart is an understanding that this cannot happen in a society in which violence against women and girls occurs and is tolerated, and a recognition that such violence is not inevitable, but stems from systemic gender inequality. Equally Safe is connected to the Scottish Government's wider ambitions, namely for a safer, stronger, healthier, wealthier and fairer nation.

Rocket Science UK Ltd was commissioned to complete the analysis of the consultation responses and produce a report outlining the messages from the consultation. This report presents the key messages from the public consultation and explains the methodology that was used to analyse responses.

2.1 Respondents to the consultation

Public consultation responses were collected in two ways:

- 1164 public consultation responses were submitted to the Scottish Government's 'Citizen Space' online portal or were uploaded by Scottish Government to Citizen Space, which included responses from individuals and organisations. This number also contained a range of submissions that were informed by campaign text or contained campaign text in parts or in its entirety. In the analysis we are unable to identify how many of those 1164 responses are informed by or contain campaign text. The key messages from the 1164 Citizen Space responses are analysed in Chapter 4.
- 2839 responses were emailed to the consultation email inbox directly from campaign tools from two specific campaigns by the 10th of December consultation deadline. The key messages from the campaigns are analysed in Chapter 5.

Of the 1164 responses submitted or uploaded to Citizen Space, 1039 were from individuals and 125 were from organisations or organisational partnerships. Organisational responses came from a wide range of organisations working across VAWG and other areas including grassroots peer support led groups, faith organisations, and international human rights organisations. Organisations from within Scotland, organisations from the EU (Romania, Italy, Germany), South Africa, Australia, New Zealand, Switzerland, and Canada, as well as organisations with international focus provided consultation responses. A complete list of organisations responding to the consultation is available in Appendix B.

Several public campaigns responded to the consultation using both the Citizen Space portal and the VAWG Consultation email inbox. There were 2839 campaign responses received to the VAWG Consultation inbox by the closing date of 10 December 2020. Of those, 930 were from a campaign called 'Nordic Model Now!' and 1909 were received from a campaign hosted by the peer-led organisation SCOT-PEP, hereafter referred to as the SCOT-PEP campaign. We understand that the Nordic Model Now! campaign went live on Thursday 3rd of December 2020 and the SCOT-PEP campaign went live on 17 November 2020. From these dates individuals and organisations were able to submit the standard campaign response as their submission or use it as the basis for their unique submission

to the consultation. Responses using these campaigns text were submitted by respondents through both the Citizen Space portal and consultation email inbox. We also identified a third campaign from an unknown source in the Citizen Space responses. The views of these three campaign responses are summarised in Chapter 5.

There were also a range of campaign responses submitted through Citizen Space, however these tended to be individuals or organisations drawing on excerpts of campaign text to supplement their own views and responses. The views of these organisations and individuals that drew on campaign text as part of their response are included in the thematic analysis in Chapter 4, section 4.6.

3. Methodology

This chapter outlines the methodology used to analyse the consultation submissions to produce the thematic analysis in Chapter 4.

3.1 Data processing

There were 1164 public consultation responses from individuals, organisations and campaigns submitted or uploaded by the Scottish Government to Citizen Space. The Scottish Government uploaded responses that came through to the consultation email inbox to Citizen Space, except for the campaign responses that came to the email inbox directly from one of the two campaign tools. Rocket Science downloaded these 1164 responses and uploaded them into their qualitative analysis software NVivo for analysis.

Scottish Government counted the number of campaign responses received into the consultation email inbox by the deadline of 10 December 2020. For the purposes of this analysis we use the term campaign to refer to the standard set of wording and messages created by an organisation or group and used to generate a number of identical submissions by providing the mechanism and content for individuals who agree with the messaging of the campaign to submit the standard text as their own response to the consultation.

3.2 Data analysis

Using NVivo, Rocket Science coded the content of the 1164 responses into themes. To do this a coding framework was developed using a sample of 40 responses. This framework was used to categorise responses by theme as the consultants read through the 1164 responses. As new themes and views emerged these were added to the framework. At regular intervals the framework was reviewed and reordered in order to create new categories and merge similar categories as needed.

Following coding, each category was reviewed and analysed in order to reallocate messages that were in the wrong category and produce a range of sub-categorises for the various views within each theme.

Once refined, each category was used to write Chapter 4, providing a summary of the key messages from respondents, and identifying appropriate quotes for inclusion in reporting. Quotes from both organisational responses and from individuals have been used to illustrate the key messages of the consultation responses. Organisational quotes were taken from the responses of groups based in the UK that provide direct delivery of services or support to women involved in prostitution, or from infrastructure organisations that help to coordinate delivery of support.

The key messages from the three campaigns were analysed separately and included in Chapter 5. There are respondents in the 1164 individual and organisational responses in Citizen Space who have used sections of campaign text, the campaign material was paraphrased in respondents' own words, or replicated the campaign text in its entirety. Because of the spectrum of the way campaign text was used, it isn't possible to robustly identify every instance where campaign text was quoted or informed individual responses. We have therefore not sought to draw out the campaign text and exclude it from the 1164 responses analysed from Citizen Space. In practice this means that the analysis in Chapter 4 includes individuals who submitted unique responses and those who submitted responses based on campaign text.

When discussing the prevalence of certain views, we have used the following terms to indicate the proportion of consultation responses that raised a particular point. We have used these terms to refer to prevalence of viewpoints within responses to individual questions, rather than prevalence across the entire consultation.

- “Few”: 5-9%
- “Some”: 10-19%
- “Many”: 20-49%
- “Most” or “majority”: 50-74%
- “Large majority: 75 -89%
- “Consensus”: 90% or more

It is important to note that as with any public consultation, the views described in this report are the ones expressed by the respondents to the consultation and should not be viewed as representative of the broader Scottish population, nor particular subgroups within Scotland.

People with lived experience of prostitution did submit responses to the consultation. The consultation did not ask those with lived experience to state this in their response. Therefore, it is not possible to determine which responses, or how many, come from those who have lived experience outwith responses where individuals explicitly state this. We have drawn out quotes from individuals who identified as having lived experiences where it was possible to do so, but we have not included a systematic analysis of the views of individuals with lived experience.

3.3 Terminology and scope of the consultation

This consultation focuses on adult women involved in on-street and off-street prostitution. Child sexual exploitation, exploitation of those who do not identify as women and other forms of commercial sexual exploitation fall outwith the scope of this research. This report will not directly address human trafficking for the purposes of sexual exploitation.

Respondents to the consultation did comment on the issues above in response to different areas of the consultations, noting that the Scottish Government's approach to women involved in prostitution has the potential to overlap with these other areas. This includes respondents who say that any policy approaches developed about women involved in prostitution will also affect people of other genders engaged in prostitution. Respondents also communicated different perspectives on the relationship of human trafficking for the purposes of sexual exploitation, with some not making a distinction between prostitution and trafficking and others strongly feeling that this needed to be separated from prostitution.

The Scottish Government recognises commercial sexual exploitation as a form of gender-based violence, and within that, prostitution. The Scottish Government uses the term prostitution to refer to the activity of buying and selling sex, both 'on-street' and indoors.

Though not exclusively, the majority of those purchasing sex are men, while the majority of those selling sex are women. This finding is internationally acknowledged. In 2014, the European Parliament passed a resolution to this effect, stating that prostitution is both a gendered issue and a violation of human dignity and rights.

There is some variation in how prostitution is referred to within the report. The terms 'sex work' or 'work' are only used when directly quoting a respondent or where a campaign response uses this term. We note that the Scottish Government does not use the term 'sex work' in the consultation or in relation to this policy area.

4. Key messages from consultation respondents in Citizen Space

This chapter outlines the key messages expressed by consultation respondents. The consultation asked 9 questions. The questions were broad in nature on a range of issues. We note here that the Scottish Government did not put forward any specific proposals or questions on changes to the criminal law within their consultation materials. In some instances, respondents have incorrectly described the consultation materials as suggesting proposals for the criminalisation of the purchase of sex and therefore within the responses there are respondents who provided their views within the context of responding to criminalisation.

In answering these questions there were a large number of messages that overlapped between questions and a number of key themes emerging from the consultation. Therefore, this chapter is structured primarily by theme to more clearly describe the views of respondents. At the beginning of each section, however, we describe the main consultation question or questions that the themes primarily relate to.

4.1 Views on the Scottish Government's approach to tackling prostitution

The consultation asks respondents if they agree or disagree that the Scottish Government's approach to tackling prostitution is sufficient to prevent violence against women and girls.

Responses that agree with the Scottish Government's approach to tackling prostitution tend to approve of the Scottish Government's Equally Safe strategy and the inclusion of prostitution and commercial sexual exploitation as a form of gender-based violence. These respondents believe that Equally Safe provides a significant framework for enabling the support of women involved in prostitution. Respondents see Equally Safe as an important step in addressing violence against women and girls that could be further enhanced by concerted and coordinated policy and additional investment in support services for women engaged in prostitution.

“Scotland’s ‘Equally Safe’ strategy is impressive in its comprehensiveness and gendered analysis, its overarching aim of eradicating violence against women and girls (‘VAWG’) and its focus on prevention and holding perpetrators to account, and I agree wholeheartedly with its understanding of commercial sexual exploitation (‘CSE’), including prostitution, as a form of gender-based violence. However, that understanding is not reflected in the description of Scotland’s current approach to prostitution and CSE set out in the consultation paper. Nor is there recognition that prostitution and other forms of CSE tend to entrench women and girls’ disadvantages and to contribute to the culture of male dominance and to make male VAWG more likely. Therefore, I do not agree that the outlined approach is sufficient to prevent VAWG.”

- Individual response

A number of respondents feel that Equally Safe could adopt additional elements to more effectively prevent violence against women and girls both within prostitution and in society more widely. A proportion of respondents who broadly agreed with the Scottish Government’s current approach but thought it could go further preferred the introduction of the Nordic model as described in Chapter 5. Opinions on what could be added to Equally Safe include:

- The removal of all penalties and prosecution for women engaged in prostitution, on the basis that criminal records and fines make it more difficult for these women to leave prostitution and can cause them to be less likely to seek support services because of stigma.
- Greater focus on deterring those who buy sex and/or legally holding them to account to send the message that buying sex is not acceptable behaviour. For some, this also includes more comprehensive prohibitions on third parties enabling or profiting from prostitution.
- Adaptations to policy and support for women that address how prostitution has been affected by technology and the greater use of online platforms.
- Greater focus on addressing the underlying and systemic disadvantages that women and girls experience, especially economic disadvantage and poverty, but also including issues such as lack of affordable housing and affordable childcare.

Respondents who disagree with the current approach to tackling prostitution do so primarily because they feel that it increases violence against women and girls.

Respondents think that the current criminalisation of some elements of prostitution drives the industry into more marginalised and unregulated spaces and platforms that are less safe for women.

The definition of all prostitution as gender-based violence in Equally Safe is also seen as contrary to many women's experiences and as potentially limiting the ability of women involved in prostitution to seek support or redress for specific experiences of harm and exploitation within otherwise consensual activity. A proportion of respondents who disagreed with the Scottish Government's current approach supported a decriminalisation approach as described in Chapter 5.

Elements of the Scottish Government's approach that respondents cite as increasing risk and harm for women include:

- The prohibitions against brothel-keeping. Respondents feel this results in those involved in prostitution either working alone indoors or working on the street, whereas working with other women indoors is seen as safer. Those who choose to work with others indoors despite the legislation may not report violence and exploitation because of the risk of criminalisation if they contact authorities, with particular risk for migrant women who may also face deportation.
- Current laws against soliciting making street-based prostitution more dangerous by pushing it into more isolated areas where women are less likely to be able to reach help if they experience violence. Laws against soliciting can also make women feel pressured to rush screening of clients, and potentially accept riskier ones, because of the need to avoid attention from the police.

Those who disagreed with the Scottish Government approach felt that the requirement that women's sector organisations sign up to the Equally Safe strategy which defines prostitution as a form of violence against women to receive funding was felt to exclude a number of peer-led organisations that provide support to women involved in prostitution but are under-resourced.

There is a consensus view that prostitution can lead to harms against women and girls, but respondents have different views on where these harms originate and how to reduce them. There is also consensus both among those who agree and disagree with the Scottish Government's approach to prostitution that criminalisation and fines for women engaged in any aspect of prostitution make it more difficult for women to exit and should be removed. The need for the Scottish Government to further recognise and address the structural and systemic disadvantages experienced by women and girls was also a consensus viewpoint. These responses emphasise that many women engage in prostitution because of poverty and lack of other viable employment options. Consequently, respondents view addressing poverty and improving the social welfare system as lessening men's ability to coercively control women engaged in prostitution, as well as in other contexts. However, it was also recognised that the disadvantages experienced by women and girls are societal issues that cannot be addressed by this area of policy alone.

“As a feminist with lived experience working with sex workers over the past five years in Scotland, I agree that gender inequality and violence against women are systemically connected.

- Individual response

4.2 Observations of the impact of coronavirus on women involved in prostitution

The consultation asks respondents for their observations as to the impact of the coronavirus outbreak on women involved in prostitution in Scotland.

There is consensus that the pandemic has adversely affected women involved in prostitution because of perceived or real barriers to accessing public support schemes intended to help mitigate the financial impact of the pandemic, namely the UK Self-Employment Income Support Scheme and furlough. Respondents report that it was difficult for women involved in prostitution to register as self-employed due to:

- Informal working (unable to prove self-employed status).

- Fear of criminalisation from making themselves visible to the authorities, including fear of immigration enforcement for migrant women.
- Fear that stigma about their income source could create personal risks for e.g. their housing situation or child custody arrangements.

These observations and concerns are also observed as barriers for women involved in prostitution receiving other forms of public support provided by the UK government, such as Universal Credit. A number of respondents do not see Universal Credit as sufficient to live on and also note that migrant women would not be eligible for these funds. There is also consensus among respondents that many women involved in prostitution were already experiencing poverty, financial precarity, or housing insecurity before the pandemic, which has been exacerbated by the lack of coronavirus income support for this group.

“As a migrant with no access to public funds, I was ineligible for any of the government support schemes. As someone who can’t afford legally rented, stable housing, I couldn’t rely on the luxury of eviction moratorium. I have been selling sex, I have received money and food vouchers from sex worker led organisations in Scotland and in England, and I have been given cash by my colleagues and my clients.”

- Individual response

“Some women continued to be involved in prostitution and had to disregard public health messages, this meant that the men who were buying sex were also ignoring public health messages and therefore put women at risk of contracting COVID-19. These men were also reportedly more likely to demand more risky or dangerous sexual activities (such as without a condom) as they were well aware of the woman’s vulnerability and lack of choice.”

- Organisational response

“As a sex worker, it has made things more challenging like all sectors. Business has dropped massively and I have received very little support. I see very few clients now to reduce the risk. Cancellations and timewasters are really prevalent just now due to all of the uncertainty.”

- Individual response

“We witnessed a huge amount of panic, anxiety and impoverishment among sex workers due to loss of income during the pandemic. It was a condition of application to our hardship fund that recipients did not have savings to draw on, so the sex workers we spoke to were all at immediate risk of financial crisis and potential destitution. They were extremely worried about how to pay rent and bills, how to buy food for their families and how to buy essential items. We spoke to many sex workers who used top-up prepayment electricity meters and so could not heat their homes or cook when they ran out and didn’t have money to top up.”

- Organisational response

Many respondents report that coronavirus has reduced demand for in-person prostitution, particularly during lockdown periods. Respondents observe that the reduction in demand is correlated with increased risk for women involved in both in-person and online prostitution. Respondents also state that increased risks and harms are likely to be the result of any strategy aiming to reduce demand.

Most respondents feel that the coronavirus pandemic increased the risks to women engaged in prostitution and the harms they experienced. Risks and harms identified include contracting coronavirus, engaging in riskier practices (e.g. unprotected sex), and being less able to be selective about the clients they see, which may increase their risk of experiencing violence. Due to the reduced client base, women are less able to negotiate their rates and conditions if they want to continue to earn income.

Some respondents believe that the coronavirus pandemic has led to an increase of women involved in online prostitution or online commercial sexual exploitation. This includes women new to prostitution because of job loss in other sectors of the economy. Respondents observe that online prostitution is not adequately replacing women’s income because of the investment required to build a client base, the conditions set by online platforms, and because of the number of new entrants to online prostitution. Respondents note that many women involved in online prostitution may not be able to adequately safeguard their digital presence and risk content being shared outside of these platforms without their consent.

4.3 Policy approaches for preventing violence against women and girls

The consultation asks respondents to select the policy approach outlined in the discussion paper which they believe is most effective in preventing violence against women and girls.

Four options were provided in the consultation discussion paper; Abolitionism, New abolitionism, Prohibitionism and Regulationism.¹ Both respondents in favour of Decriminalisation and the Nordic Model feel that the table provided in the consultation discussion paper does not accurately reflect the current policy approaches to prostitution internationally.

Prohibitionism. Under Prohibitionism, indoor and outdoor prostitution is prohibited. There is disagreement amongst respondents about whether Prohibitionism includes the 'Nordic Model'. The 'Nordic Model' is where purchasing sex is criminalised and selling sex is decriminalised and requires long term support for women involved in prostitution as a core part of this model. Despite this, a large majority of those selecting Prohibitionism from the options provided in the consultation (75%) referred to this as the Nordic Model and some of these respondents explicitly state that the Prohibitionism policy outlined in the consultation is missing important elements about support for women involved in prostitution that would make it more akin to the 'Nordic Model'.

Respondents who choose Prohibitionism as the most effective approach in preventing violence against women and girls believe that buying sex is an unacceptable and/or violent act. Those that selected Prohibitionism highlight that, in addition to criminalising the purchase of sex and decriminalising selling sex, the model must include funding for high-quality support services for those involved in prostitution, including support to exit prostitution. Under this model, third parties should be restricted from benefiting from prostitution.

¹ <https://www.gov.scot/publications/equally-safe-consultation-challenging-mens-demand-prostitution-working-reduce-harms-associated-prostitution-helping-women-exit/pages/4/>

Respondents identify a number of reasons why they support this approach:

- Targeting those who buy sex, rather than those who sell sex, shifts the criminal blame away from those who are vulnerable.
- It is not possible to make prostitution safe or reduce harm to an acceptable level.
- Criminalising buying sex will reduce demand.

Some respondents who select Prohibitionism specifically cite the Encompass Network's proposal² for preventing and eradicating prostitution in Scotland.

"We believe that women/sellers of sex should be decriminalised, have any previous convictions erased and be signposted to support services... We believe that the Scottish Government should not apply a model from another country but develop one of its own. There has been research undertaken with women directly involved and a model suggested by the Encompass Network"

- Individual response

"Criminalising paying for sex is necessary for reducing demand for prostitution, holding perpetrators accountable and disincentivising trafficking and other forms of third-party exploitation."

- Individual response

Regulationism. Under Regulationism, indoor and outdoor prostitution are regulated by the state, and therefore not prohibited when exercised in line with regulations. Respondents who choose this approach tend to believe that government regulation could improve protections for women and girls involved in prostitution, making it easier for those being exploited or experiencing violence to report this to the authorities without fear of arrest. Respondents also think that regulation could help improve the relationship of women involved in prostitution with law enforcement and other authorities (as opposed to a model where aspects of prostitution are criminalised and operate more marginalised and less regulated spaces and platforms that are less safe). Respondents think that Regulationism

² Preventing and eradicating prostitution: a proposed approach for Scotland (2018). Encompass Network. Available at: http://www.encompassnetwork.info/uploads/3/4/0/5/3405303/preventing_and_eradicating_prostitution.pdf

would afford those involved in prostitution the ability to be selective about their clients, increase their autonomy, and would reduce stigma. Respondents describe a range of degrees of government regulation they believe would help to prevent violence against women including:

- “Sex work is work” and should be regulated like any other form of employment.
- Regulations should not force medical treatments on women, should not be challenging to adhere to financially, and should not impose strict requirements on where and how prostitution takes place, as this penalises those who are most vulnerable.

“An approach that regulates the exercising of prostitution would best prevent violence against women, but regulation would have to be sure to not make the lives of women working in sex any more difficult i.e. making the regulated work too expensive causing women to move to unregulated work.”

- Individual response

Many respondents who select Regulationism elaborate on their response with an explicit description of Decriminalisation policy, with a few individuals incorrectly citing the New Zealand policy model as an example of Regulationism. This indicates that respondents selecting Regulationism have a spectrum of viewpoints and that many respondents may not see a distinction between Regulationism and Decriminalisation or chose Regulationism because Decriminalisation wasn't available in the consultation.

Abolitionism and New Abolitionism. Under abolitionism outdoor and indoor prostitution are not prohibited but profiting from another person's prostitution is criminalised. New abolitionism is a development of abolitionism where the existence of brothels is also prohibited. Broadly, respondents stated that they believe that not criminalising either clients or women involved in prostitution makes women safer, but that some forms of prostitution or profiting from it should be penalised. Respondents do not articulate Abolitionism or New Abolitionism as highly distinct from other models. In most responses Abolitionism is described in line with Decriminalisation. However, a few respondents describe Abolitionism as equivalent to the Nordic Model. Other respondents who choose

New Abolitionism explicitly support legalising brothels for women’s safety, despite the definition of New Abolitionism precluding this.

One of the approaches that was raised through the campaign responses and filtered through into the individual and organisational responses was **decriminalisation**.

Therefore when developing the coding framework decriminalisation was included as a category, as a majority of respondents feel that this is the most effective approach to prevent violence against women and girls (above the options presented). Under decriminalisation, prostitution is a legal form of value-neutral labour (referred to as ‘sex work’) and is accompanied by appropriate labour protections. Respondents cite a number of reasons for supporting this policy:

- Fear of arrest for women involved in prostitution enables violent clients who know that they are unlikely to be reported.
- Fear of arrest results in rushed screening processes, those involved in prostitution taking on riskier clients and necessitates working alone, increasing harm.
- Criminalisation disproportionately impacts those most marginalised in society, such as people living in poverty and people with disabilities.
- Recognising prostitution as work gives those involved in prostitution rights and access to services, such as healthcare and financial support.
- Decriminalisation is supported by international bodies and human rights groups such as the World Health Organisation, UNAIDS and Amnesty International.

“The harms of sex work are inextricably bound up with its criminalisation, including (but not limited to) gender-based violence, criminal records, fines, evictions, deportations, expulsion from communities and barriers to accessing healthcare. Therefore the policy approach most effective in reducing harms against people who sell sex is full decriminalisation.”

- Individual response

“None of the approaches mentioned in the table are adequately protecting sex workers or reducing violence against women. Decriminalisation is the only way forward, and it is supported by many international organisations such as the World Health Organization and UNAIDS, as well as Human Rights Watch, Amnesty International, and the Global Alliance Against Traffic in Women.”

- Individual response

Some respondents who select decriminalisation specifically cite the policy approach implemented in New Zealand as an effective model for protecting those involved in prostitution from violence. A proportion of respondents who choose Decriminalisation selected Regulationism as a second choice, stating that decriminalisation would be the “ideal approach” but of the options provided Regulationism “comes closest”. These respondents highlight that they do not think the state should police women’s bodies, emphasise that they do not want regulations to become punitive for those involved in prostitution (e.g. fines for missing medical checks) and that any regulations should be codesigned with the women who would be affected by them.

4.4 Education and changing attitudes

The consultation asks respondents to identify measures that would help shift the attitudes of men relating to the purchase of sex, and to detail any specific examples of good practice. The consultation goes on to ask respondents how the education system can help to raise awareness and promote positive behaviours amongst young people in relation to consent and healthy relationships. Responses to these two questions shared many common messages, therefore the findings are presented concurrently.

Many respondents challenge the validity of the focus on shifting men’s attitudes. One of the most routinely cited reasons for this is the suggestion that improving the “material conditions” and safety of those involved in prostitution should be the focus, as opposed to men’s attitudes. Respondents observe that poverty and lack of employment opportunity is an underlying driver for prostitution, and interventions should focus on addressing this by increasing re-employment opportunities. Some respondents believe that reducing stigma around prostitution and decriminalising it would positively influence men’s attitudes. These respondents note that criminalisation changes the status of those involved in prostitution in society and reduces men’s respect for those involved in prostitution.

“It’s impossible to completely eradicate sex work – instead we should all work towards making the environment as safe as possible and in order to do this we need to teach boys to respect women, and we need to fight stigma around sex work.”

- Individual response

An opposing viewpoint expressed by some respondents is that criminalising men who buy sex is necessary to shift their attitudes towards the purchase of sex and challenge their demand for prostitution. These respondents believe that the fear of a criminal record and the stigma associated with buying sex will deter men from engaging with prostitution. They note that the law should send a clear message that the purchase of sex is unacceptable. Another common view held by respondents is that public education campaigns could help raise awareness of the perceived harms of prostitution.

“Education around promotion of healthy relationships, attitudes and behaviours needs to be introduced at a very young age. This should be a golden thread running through all our educational institutions, tailored to appropriate age level. There needs to be an investment in to specialised GBV training for teachers alongside age-appropriate educational programmes from nursery aged children through to University students... By starting conversations appropriately from a young age, you are setting attitudes that prostitution is not acceptable and recognise this as a form of violence, which ultimately impacts on behaviours towards women and how they are viewed within society.”

- Individual response

Another view commonly raised by respondents was that men’s attitudes are the result of wider societal issues, citing misogyny and the objectification of women as underlying factors to attitudes around the purchasing of sex. Respondents tend to feel that challenging these wider attitudes is the primary concern, including better responses to sexual assault and violence against women. Respondents see a need to empower women and girls, increase men’s respect towards them, and improve their portrayal in the media. A rise in online pornography is regularly seen as an accompanying issue fuelling misogyny, with respondents recommending education around this, as well as restricting access for young people. In relation to pornography, respondents see a need for education on ‘porn vs reality’, as well as ‘revenge porn’.

Responses to both questions related to education identify a need for better education around sex and relationships in order to prevent violence against women involved in prostitution and promote positive behaviours in young people.

“Issues of power and control are central to GBV and rooted in gender inequality. The general curriculum needs to promote positive and aspirational role models for girls and boys, and this needs to be intersectional across ethnicity, religion, age, ability, etc. It also needs to ensure that it does not explicitly or implicitly collude with existing gender roles and expectations in terms of educational attainment and career opportunities. The mainstreaming of children’s human rights is an opportunity to integrate sex based human rights along with other aspects of equality (based on the UN CEDAW Convention and the UK Equalities Act). This needs to become a valued part of the national assessment programme for education.”

- Organisational response

A broad range of respondents, including those who support prohibitionism and decriminalisation, identify the following elements of good sex and relationships education within relationships, sexual health and parenthood education (RHSP):

- Strong focus on consent and bodily autonomy, often discussed not just as pertaining to sex, but to all relationships.
- Focus on healthy relationships and respect, including recognising signs of abuse.
- Early and age-appropriate RHSP education.
- Greater emphasis on promoting gender equality at school.

“We would suggest that the education system should adopt a non-stigmatising and sex positive approach, in order to raise awareness and promote positive attitudes and behaviours amongst young people in relation to consent and healthy relationships. This should focus holistically on sexual health and wellbeing, empowering young people to make consensual decisions about the sex they have. We believe that RSHP education that promotes pleasure encourages young people to think about how safety, protection and consent all play a part in them having enjoyable experiences within their relationships.”

- Organisational response

“Discussion of consent should highlight the question of whether consent is possible in a sexual relationship when one party is paid by the other. Both boys and girls need to understand the very real dangers that prostitution (and other forms of sexual exploitation, including pornography and webcamming) cause to individuals and to be able to discuss these issues in a safe environment.”

- Individual response

Respondents differ in the types of education they wish to see around prostitution. Some feel that young boys and men should be educated on the harms of prostitution, viewing prostitution as abuse. Respondents suggest this should be done through school-based education and public awareness campaigns. It is common for these respondents to view language as an important element, with respondents wanting the act of selling sex to be referred to as prostitution rather than sex work. Others disagree, with many believing that the stigma attached to prostitution as an activity should be reduced. These respondents observe that stigma has a “profound” negative impact on those involved in prostitution and their families which should be explicitly challenged through education. They note that children of those involved in prostitution will be in classrooms where RHSP is delivered.

Many respondents see value in outsourcing sex and relationship education to external partners, rather than it being delivered by teachers. In the case that this is delivered by teachers, respondents are keen that they receive training and support. A number of separate points are also raised around the need to tackle homophobic and transphobic bullying in schools, which is described as “rife”, in order to truly create an environment with positive awareness and attitudes around consent and healthy relationships. Respondents feel that much more needs to be done to address this, as well as anti-LGBTQ+ attitudes.

A few respondents suggest that the Scottish Government should review the available evidence on measures which effectively shift attitudes and behaviours, both within education and more broadly. A few respondents raise other points related to education, including that education alone cannot shift attitudes in society and that the education system is already making an impact on attitudes and behaviours and the Scottish Government’s focus should be outwith education.

4.5 Support for women involved in prostitution

The consultation asks three questions about supporting women involved in prostitution: how women's health and wellbeing needs can be better recognised in the provision of mainstream support, what programmes best support women to exit prostitution, and how the needs of women engaged in prostitution throughout Scotland, including in rural areas, can be met. Respondents identified a range of support services that can help meet the needs of women involved in prostitution. This section summarises the different types of support and good practice respondents suggested in response to the consultation.

When sharing their opinions on meeting the needs of women engaged in prostitution, a number of respondents emphasise the need for support services to be accessible to women with a range of needs, who may be engaging in different types of prostitution for different reasons. Respondents mention the following groups who may have accessibility needs when accessing services:

- Migrant women, who may fear deportation, may not be entitled to public funds, and/or need translators or language support;
- BAME women;
- Women from faith communities;
- LGBTQ+ people;
- Disabled women, who may face discrimination in mainstream employment; and
- Women with care experience.

Respondents highlight the importance of both mainstream and targeted support services being confidential, non-stigmatising and non-judgemental about women's different experiences of prostitution. Because of the criminalisation of aspects of prostitution, respondents report that many women are concerned that a disclosure about prostitution will be shared with law enforcement, immigration, social services, or housing providers. Respondents also believe that women who do not experience involvement in prostitution as violence are less likely to engage with support services that subscribe to that view and feel that pressure to exit prostitution may also contribute to lack of engagement.

“I've never told any professionals that I'm involved in Sex Work. When I saw a therapist a few years ago I just edited out that part of my life. My GP doesn't know, and when I was attending the Sandyford Clinic under my real name I didn't tell them either. I don't want the stigma of having "prostitute" on my record. I now go to the Sandyford's Sex Worker clinic (using my work name) which is fantastic [...] Due to health issues I've never been able to work full-time or in a "normal" job. Before I started Sex Work I always struggled to earn enough to get by. For all its faults this job has given me financial freedom that I never had before. When I decide to exit I hope to end up in a situation where I'm still able to support myself.”

- Individual response

“Stigma and judgement in health and other services or a response based on stereotypes associated with sexworkers are equally harmful as women will no longer view this service as a viable route for support... a significant proportion of women who sexwork (in particular those who also are or have been exploited) have significant mental health and substance abuse issues. Few services are able to address both at the same time, in particular crisis services, leaving the onus on specialist services like ourselves or on the police or ambulance to support women although often lack the capacity to address these effectively.”

- Organisational response

Training for frontline professionals (e.g. healthcare, support workers, law enforcement) is described as one element that would help achieve non-stigmatising support provision. Important elements to include in this training that were mentioned were trauma-informed practice, harm reduction practices, and how to respond to and develop supportive relationships with women who disclose involvement in prostitution. There is a split of opinions about whether questions about involvement in prostitution should be included as part of routine service enquiries, with some respondents feeling that this would help normalise it and others feeling that compulsory questions about involvement in prostitution would create a negative service environment where women feel pressured to disclose.

A proportion of respondents believe that it is important to offer women-only support services. A number of respondents' stress that these services should be inclusive of trans women.

4.5.1 Types of support

Overall, a number of respondents think that support services for women involved in prostitution should be holistic, person-centred, and be able to meet multiple, complex needs. Relatedly, respondents highlight the importance of services being responsive to an individual's self-identified material and emotional support needs. Across the types of support described below, respondents identify the need for committed, long-term funding, as short-term funding can make it difficult for service providers to build relationships with women and assure them of ongoing support. A proportion of respondents say that currently prostitution-worker led organisations are not in receipt of government funding to deliver or expand peer-led services, which are one of the key types of support services respondents raise below.

Financial support: Financial support is felt by a number of respondents to be a necessary base level of provision to address women's health and wellbeing needs. Poverty and adverse experiences due to poverty are described as a main underlying cause of the health and wellbeing needs of women involved in prostitution. Financial hardship is also seen as a driving factor for many women's involvement in prostitution, so individuals may not feel able to exit without adequate income replacement and easy to access hardship grants. A proportion of respondents connect the need for financial support for women involved in prostitution to wider issues such as eradicating women's poverty or a need for a form of universal basic income. Respondents note that addressing these underlying issues could also help to prevent women from entering into prostitution.

“What keeps women in the sex industry is not usually some kind of magnetic pull of the industry itself, but a need to make money, often coupled with an absence of alternatives which would enable them to make the same amounts in the same hours. This may be influenced by additional responsibilities such as childcare or studies, vulnerabilities such as undocumented immigration status or drug dependencies, or disabilities or health conditions which affect their ability to join the mainstream workforce. Unless these issues can be solved - which at minimum would require rehabilitating a punitive welfare system and ideally would involve transforming working conditions across all sectors - it will be a struggle for sex workers and support workers alike to navigate exit.”

- Individual response

Peer-led support: Services and support organised and led by those who are currently or have formerly been involved in prostitution are described by many respondents as good practice for meeting the needs of women involved in prostitution. Respondents identify that the benefits of peer-led support include that supporters are already familiar with women's needs and challenges can create a trusted, non-stigmatising environment that increases the accessibility and take up of support. A number of respondents also suggest that peer-support networks could be encouraged and funded in different communities to build local support networks.

"We see every day that the services which are most successful in engaging with and supporting sex workers are those which work alongside sex workers to shape provision, respond to their needs and respects their experiences. Our Research and Development Team holds this role here, alongside other members of staff with current or previous lived experience of the sex industry and their wider networks. We have also developed an education programme which explores how services can best meet the needs of sex workers, informed by their knowledge and experiences. It is vital that services seek to understand sex workers in their own terms, through their own voices and respond to their experiences, rather than assumptions or stereotypes."

- Organisational response

"What we know best is the work we and other sex worker led organisations do: providing rights information, fighting for safety and against police abuse and criminalisation. What we know doesn't work are crackdowns on sex workers, including those that claim to be targeting clients. From our experience, if the service is judgemental and/or not independent of the police and criminal justice system, then sex workers won't use it."

- Organisational response

Access to healthcare: A number of respondents believe that healthcare services need to be more accessible to women involved in prostitution, particularly mental health, sexual health services, and alcohol and drug treatment services. A proportion of respondents are concerned that criminalisation of aspects of prostitution and stigma deter women from seeking appropriate healthcare.

Housing: Respondents report that women engaged in prostitution may need support for a variety of housing issues, from homelessness to insecure tenancies to domestic abuse. Similarly to financial support, these respondents identify the need for stable, secure housing as a baseline need, without which it is difficult for women to focus on other types of wellbeing.

“Housing has also been an area severely affecting women who sell/exchange sex online. Those who were able to sustain themselves in private tenancies or who owned properties have struggled to make rent and mortgage payments, thus risking homelessness. Women who previously were on social housing waiting lists are looking at even longer waiting lists and precarious housing circumstances as the social housing sector ground to a halt. Many have been placed in temporary accommodation, including temporary flats, hotels and bed and breakfast rooms which are frequently in very poor conditions, while those seeking their own tenancy are now unable to provide a source of income or tenancy reference.”

- Organisational response

Employment, education and training: A proportion of respondents identified employment, education, and training as areas where women involved in prostitution may need specific support if exiting prostitution. For example, to address gaps in their work history, to access job training for careers that offer a liveable wage. A number of these respondents feel that support should continue following the women after attaining new employment to help manage what is potentially a significant transition. Additionally, other respondents argue that any convictions or arrests that women may have accrued through their involvement in prostitution should be expunged in order to facilitate future employment outside of the sex industry.

All of the above service types were mentioned by respondents as support that could help women exit prostitution. A proportion of responses emphasised that support programmes should avoid putting any restrictive conditions (such as agreeing to exit or ceasing the use of drugs) on participants. A number of responses emphasise that women should only be supported to exit prostitution if that is desired by the individual, and state that not all woman involved in prostitution needs or wants to exit.

“Our evening drop in and outreach service seeks to engage with women involved in on street prostitution to provide safety advice and harm reduction items with a focus on discussing and exploring alternatives to being involved in selling sex. Staff consistently offer support from the Case Management Team. Our Case Management Team provides one to one support to women which is led by the needs of the woman. There are no conditions attached to accessing any part of [our service] (i.e. commitment to exit prostitution). The Case Management Worker provides a wide range of practical and emotional support to women which is individual to each woman.”

- Organisational response

Across the consultation, but particularly in relation to questions about meeting the needs of women involved in prostitution and the provision of support, a number of respondents emphasise that any support or services should be developed through direct engagement with those with lived experience of prostitution.

“Lived experience is expertise, and co-designed services will always work best. Consider that they are stigmatised and criminalised, so they may not feel safe to engage with you. You have to actively create a safe space. Inclusivity isn't something you are, it is something you do. Actively work to overcome stigma, financial barriers, language, internet access, time, and other barriers”

- Individual response

A proportion of these respondents think that the Scottish Government’s definition of prostitution as violence against women as well as the use of ‘prostitution’ instead of the term ‘sex work’ prevents meaningful engagement with some women and peer-led organisations.

4.5.2 Delivering support across Scotland

Respondents were asked to share ways that the needs of women engaged in prostitution throughout Scotland, especially in rural areas, could be addressed. Key aspects proposed are:

- **Distance support**, including 24/7 helplines, online resources and online counselling and support casework appointments.
- **Mobile resources**, where support workers and/or services can travel to meet women where they are.
- Creating a **first point of contact for support in all local areas** and improving the ability of local services such as GPs to refer on to appropriate services.
- Creating **specialised centres and hubs** with harm reduction and non-stigmatising support including legal, healthcare, and protective services. Respondents propose a variety of different models for this, with some proposing centralised hubs in urban areas, others proposing a hub and spoke model from urban centres to regions, and others more localised networks that do not centre on urban areas.
- **Greater funding** for women's services, prostitution-worker peer-led services, and voluntary organisations so that they can expand their networks and geographic coverage.
- **Non-enforcement of prohibitions against brothel-keeping**, so that women involved in prostitution are able to live and/or work together and provide each other with mutual support.

“We recognise that many women from outside of the City Local Authorities will often travel to more densely populated areas to meet the demand for prostitution. We also recognise that prostitution occurs in less densely populated areas and services which are fit for purpose are required. Both NHS and Social Work Services provide a range of universal services which are already experienced at working with service users who are experiencing multiple overlapping vulnerabilities. Where specific health and social care needs are identified which are specific to prostitution and independent of the care which can be provided by universal services, clear care pathways to specialist prostitution support services is required. This will require identifying the regional supports services

which can be, addressing any practicalities involved, and planning for the contribution that local universal services can provide in tandem.”

- Organisational response

“Similar to trafficking, there seems to remain a myth that prostitution is an urban issue and does not occur in rural areas. Action must be taken to raise awareness that prostitution occurs across all of Scotland and as such affects all local authority areas and all of our communities. All VAWPs must prioritise work on the issue and embed specific actions and outcomes in their local strategies, including access to holistic support and services for women.”

- Organisational response

4.5.3 Examples of good practice in the provision of support

Respondents provided examples of providing support for women involved in prostitution that they considered to be good practice in the UK and internationally. It is important to note that these tables provide a range of examples of what respondents said but not a comprehensive list of all good practice mentioned by respondents.

UK examples of good practice cited by respondents

| Organisation / Initiative | Location |
|---|---------------------------|
| Basis Yorkshire | Leeds, Yorkshire |
| Carr Gomm | Scotland |
| CLiCK (Sacro) | Scotland, online |
| Ipswich Street Prostitution Strategy | Ipswich |
| National Ugly Mugs | UK-wide, online |
| NHSGGC (Healthy Relationships guidance) | Greater Glasgow and Clyde |
| RASAC | Perthshire |
| Routes Out | Glasgow |
| Sandyford (NHS specialist sexual health services) | Glasgow |
| Sex Worker's Alliance Ireland | Ireland |
| SWARM (Sex Worker Advocacy and Resistance Movement) | UK-wide and online |
| Umbrella Lane: Sex Worker Wellbeing Project | Glasgow and online |
| Vice Versa | Dundee |
| WISHES (NHS Women's Inclusive Sexual Health Extended Service) | Lothian |

International examples of good practice cited by respondents

| Organisation/Initiative | Location |
|--|-----------------------|
| Exit Doors Here | Canada |
| Demand Forum | International, online |
| Global Network of Sex Work Projects | International, online |
| Kompetenscentrum Sexuella Tjänster (Prostitution Centre) | Malmö |
| Mikamottagningen | Stockholm |
| Red Umbrella Fund | International, online |
| Stepping Stone | Canada |
| Men Breaking Free | Minnesota, USA |
| Sonke | South Africa |

While not an example of a support service or organisation, the New Zealand Prostitution Reform Act (2003) was quoted by respondents as an example of good practice legislation.

5. Key messages from the campaign responses

This chapter gives a summary of the responses from the three largest campaigns submitted to the consultation. The organisation Nordic Model Now! submitted a campaign in favour of the Nordic Model. Two campaigns were submitted in favour of decriminalisation, one from SCOT-PEP and another from an additional pro-decriminalisation organisation which was unnamed. Responses using these campaigns' text were submitted by respondents through both the Citizen Space portal and consultation email inbox. 930 Nordic Model Now! and 1909 SCOT-PEP responses were submitted via the consultation inbox directly through the tools used by the two campaigns. There were additional responses within the 1164 Citizen Space responses that either quoted or were informed by the campaign messages. There were responses from a third campaign from an unknown source within the Citizen Space responses. Our analysis in this chapter is not weighted by the volume of responses received by the various campaigns.

All campaigns agree that women involved in prostitution have been disproportionately affected by the COVID-19 pandemic. Both those in favour of decriminalisation and the Nordic Model think staff in mainstream and specialist services need to have the right skills and training to meet the needs of those involved in prostitution. There is also general agreement that there are multiple barriers to exiting prostitution and that support for those who wish to exit should address these underlying barriers. Respondents say that criminal records related to prostitution should be expunged to support exit and access to services.

All campaigns state that the Scottish Government's current approach is not sufficient to prevent violence against women involved in prostitution. However, campaigns have polarised ideas about the most effective policy approach to achieve this aim, with one campaign advocating for the Nordic Model, and two campaigns advocating for decriminalisation. All three campaigns draw on bodies of research and evidence in support of their views. Research cited in responses was not analysed for the purpose of this report. This consultation acknowledges the limitations of available data and current research, which is often polarised and regardless of position can be difficult to accept as representative of all women involved in prostitution due to the aforementioned lack of data.

5.1 Nordic Model Now! campaign

Nordic Model Now! (NMN) is a women's group based in the UK that campaigns for the abolition of prostitution. They submitted a campaign response to this consultation in favour of the Nordic Model. [Nordic Model Now! campaign text can be viewed online](#) and is summarised below.

Proponents of the Nordic Model in this campaign believe that prostitution is equivalent to violence against women and is inherently unsafe. Respondents believe that criminalising men who buy sex is the most effective way to reduce the scale of prostitution. This 'end demand' model is coupled with an emphasis on providing a robust package of support for women engaging in prostitution to exit.

“The Nordic Model is not simply a matter of making the purchase of sex a criminal offence and repealing legislation that targets those in prostitution. It must also include ring-fenced permanent funding for high quality services for all those involved in prostitution, including harm reduction services and individually tailored exiting services that are trauma informed and include housing, training, psycho-social support, child care, employment, benefit and legal advice, and help with escaping from pimps, etc. It also needs to clamp down on all forms of profiteering from another's prostitution, including pimping, and advertising and facilitation, whether online or offline”

- Campaign text

NMN are broadly in agreement with the Equally Safe strategy, but do not think that the Scottish Government's current approach is sufficient to prevent violence against women and girls. NMN would like to see the Scottish Government replace the aim of reducing associated harms with prostitution with a more ambitious goal of eradicating prostitution and other forms of CSE by holding perpetrators to account. NMN also state that they support the Encompass Network's seven-element proposal for preventing and eradicating prostitution in Scotland.

NMN highlight that women in poverty have been disproportionately affected by COVID-19. They observe that many women turn to prostitution due to financial difficulties, and that they have seen women turning to prostitution or online CSE for the first time during the

pandemic to earn enough money to survive. NMN also noted a rise in risk for women involved in prostitution, including a rise in unprotected sex as a result of the closure of face-to-face services. NMN appeals to the Scottish Government to address women's poverty to ensure women do not have to resort to prostitution and online CSE.

NMN support the Nordic Model as the “only approach” which can reduce the amount of prostitution occurring and achieve the policy aim of preventing violence against women and girls. They highlight that this model must be combined with the holistic measures set out by the Encompass Network's seven element proposal for preventing and eradicating prostitution in Scotland. NMN emphasise that ring-fenced funding to support women involved in prostitution, and practical alternatives to employment must be provided alongside criminalisation of the purchase of sex.

When asked which measures would help shift the attitudes of men relating to the purchase of sex, NMN comment that the “only things that would significantly impact their own lives would be likely to change their behaviour, such as being added to the sex offender registry, being outed as a sex buyer in public, or a criminal penalty”. They cite the reduction in demand associated with the COVID-19 pandemic and the implementation of the Nordic Model in Sweden and France as evidence for this. NMN emphasise that the word prostitution, rather than sex work, should be used in educational settings, and that there should be a focus on educating young people about the harms of prostitution. They believe teachers require support and training on delivering education about prostitution and other forms of CSE.

NMN do not think women should be subjected to compulsory questions about involvement in prostitution when accessing services. They say that there is a lack of understanding among mainstream services that prostitution is traumatising, and that staff in mainstream and specialist services need to have the right skills to meet the needs of those involved in prostitution. They also advocate for an increase in women-only services.

NMN identify poverty, addiction, being under the control of a “pimp” or trafficker and homelessness as immediate barriers to exiting prostitution that need to be addressed by services. Criminal records for soliciting should be expunged, and prevention work focussed on women leaving prisons, the care system and abusive relationships should be

funded. NMN cite examples from Ipswich, England, Israel and France of successful programmes supporting women to exit prostitution. Research evaluating the initiative supporting women to exit prostitution in Ipswich, which broadly corresponds to the Nordic Model approach deemed the strategy successful, highlighting that the collaborative approach of criminal justice, social, health and voluntary agencies was the key to its success. NMN campaign for the provision of harm reduction facilities across all main cities in Scotland, with exiting services available, but not mandatory. Centres should have proactive workers who travel out to areas outside of cities.

Finally, NMN emphasise that passing Nordic Model style legislation is not sufficient to prevent VAWG and reduce involvement in prostitution, as evidenced by Northern Ireland. They advocate for a joined-up approach, “championed at the highest level in all institutions”.

5.2 SCOT-PEP campaign

SCOT-PEP are a peer-led charity that “advocate for the safety, rights and health of everyone who sells sex in Scotland”. SCOT-PEP submitted the largest pro-decriminalisation campaign to the consultation. [SCOT-PEP's full campaign text can be viewed online](#) and is summarised below. SCOT-PEP, along with other respondents supporting decriminalisation, use the term ‘sex work’ rather ‘prostitution’. This is reflected here in the campaign summary.

SCOT-PEP say that the Scottish Government’s approach to prostitution drives violence against women. They highlight that criminalising brothel keeping means sex workers must operate alone, that criminalising outdoor soliciting results in rushed screening processes and working in isolation. They argue that fines associated with criminalisation trap women in prostitution. SCOT-PEP also disagree with the Scottish Government’s definition of prostitution as violence against women and girls, stating that this is stigmatising, and leads to sex-worker led organisations being unable to access funding.

Respondents from this campaign believe that decriminalisation is the best approach to prostitution and to violence against women and tended to see the criminalisation of any element of prostitution as measurably worsening the lives of women involved. For

example, they believe that reducing demand by criminalising the purchase of sex makes women less likely to be able to afford to be selective about the type of clients they accept, decreasing their personal safety and safer sex practices. These respondents see decriminalisation and expunging convictions as an important part of reducing the stigma women involved in prostitution face in being able to access mainstream forms of support and to exit prostitution.

SCOT-PEP emphasises that the pandemic has hit sex workers, and particularly migrant sex workers, particularly hard. They note that sex workers typically have limited savings and were excluded from government financial support such as the Self Employment Income Support Scheme. Lockdown led to reduced demand for sex work, and SCOT-PEP identifies a link between this reduced demand and increased risk, with sex workers unable to turn away dangerous clients. SCOT-PEP appeal to the Scottish Government to consider that increased harm is a function of reduced demand when considering enacting policies to target demand. SCOT-PEP champion sex-worker led services that provide financial support to sex workers through hardship funds and call on the Scottish Government to fund these organisations, to provide “money and tangible support”.

SCOT-PEP support decriminalisation as the policy approach that best prevents violence against women who sell sex. They detail that this entails removing laws criminalising soliciting, kerb-crawling and brothel keeping and changes in housing law to prevent eviction of sex workers and a moratorium on immigration enforcement targeting migrant sex workers. SCOT-PEP state that decriminalisation is supported by the WHO, UNAIDS and international NGOs such as Amnesty International.

“Fear of arrest drives violence against sex workers as perpetrators know that these workers are likely to be working in isolated ways and unlikely to feel able to report them.”
- Campaign text

SCOT-PEP cite research demonstrating that criminalisation increases harm to sex workers, including examples from implementation of the Nordic Model in France and Ireland. For example, following the introduction of the Nordic Model in France in 2016, Médecins du Monde found that “the law [criminalising clients] has had a detrimental effect on sex workers safety, health and overall living conditions”. They also cite research

showing that criminalisation is opposed by a majority of sex workers and sex worker led organisations.

When asked what measures would help to shift attitudes of men in relation to the purchase of sex, SCOT-PEP focus instead on drawing attention to sex workers' material conditions. They see focusing on men's attitudes as a "harmful distraction". They also note that criminalisation of sex workers shapes negative attitudes against them. SCOT-PEP think more needs to be done to tackle homophobic and transphobic bullying in schools, and that the education system should not contribute to stigma against sex workers.

SCOT-PEP assert that decriminalisation provides the best possible context for sex workers to access healthcare, and that criminalisation of clients obstructs access to healthcare and support services. They suggest that services should focus on each individual's self-determined needs, encompassing both emotional and material support, including housing and addiction services. SCOT-PEP state that peer-led support leads to increased access to services. In order to support sex workers who wish to exit, services should provide holistic support, with goals set by the individual, without exit being forced on individuals. SCOT-PEP cite evidence that client criminalisation increases stigma and does not help people to exit. To address the needs of women who sell sex across the whole of Scotland, SCOT-PEP think the Scottish Government should fund peer-led services that accept sex work as work, with a greater level of funding allocated to women's services in general. They note that by defining all sex work as violence, it becomes difficult for sex workers to seek support when they experience specific instances of violence at work.

5.3 Additional pro-decriminalisation campaign

An additional pro-decriminalisation campaign was submitted to the consultation that did not reference an organisational source. This campaign also refers to prostitution as sex-work and so is referred to this in the campaign summary in this section.

This campaign disagrees with the Scottish Government's approach to tackling prostitution, as respondents do not feel that a focus on challenging or ending demand will in fact lead to the abolition of sex work or have a positive impact on the lives of sex workers. The

campaign believe that the proposed approach will increase violence for sex workers, as sex workers may be forced to accept riskier clients.

The campaign feels that the impact of coronavirus on in-person or full-service sex workers has been “devastating”, with many forced to continue to work due to the lack of support provided to sex workers by the government.

The campaign’s preferred policy approach for preventing violence against women and girls is complete decriminalisation (not criminalising any aspects of selling or purchasing sex). Regulationism, as described in the consultation, comes closest to their preferred approach, but they do not believe that the government should implement any medical controls on women involved in sex work. The campaign does not support a focus on shifting men’s attitudes to purchasing sex, and state that decriminalisation will improve rights and safety for both groups.

In response to questions about promoting education about consent and healthy relationships in schools, the campaign thinks that sex education in schools should be improved, including reaching out to external partners such as sex educators and sex workers to help improve teaching in this area.

The campaign identifies removing the stigma around sex work as the first step to providing effective support for sex workers. Combating stigma includes training for healthcare, mental health, and law enforcement professionals so that they respond effectively to sex workers and do not make them feel unsafe. The campaign emphasises that exiting should not be forced upon sex workers, and that sex work should be able to be a legitimate occupation for those who willingly choose it.

“Sex work must be recognised nationwide as a genuine career path. Banks should be prohibited from discrimination against sex workers. HMRC should accept prostitution as a means of income without workers having to sugar coat it. Funding and helplines need to be implemented. And finally, sex workers should be allowed to live together for safety without it being seen as a brothel.”

- Campaign text

The campaign suggests a range of support services for supporting sex workers whether or not they wish to exit, including safe housing, benefits, mental health support, addiction support, 24/7 helplines, and support centres and networks. Overall, the campaign believes that decriminalisation offers the best way forward for providing better services and safety for sex workers.

Appendix A – Consultation questions

Question 1. Do you agree or disagree that the Scottish Government's approach to tackling prostitution, as outlined in this section, is sufficient to prevent violence against women and girls?

Question 2. What are your observations as to the impact of the coronavirus outbreak on women involved in prostitution in Scotland?

Question 3. Which of the policy approaches (or aspects of these) outlined in Table 3.1 do you believe is most effective in preventing violence against women and girls?

Question 4. What measures would help to shift the attitudes of men relating to the purchase of sex? Do you have any examples of good practice either in a domestic or an international context?

Question 5. Taking into account the above, how can the education system help to raise awareness and promote positive attitudes and behaviours amongst young people in relation to consent and healthy relationships?

Question 6. How can the different needs of women involved in prostitution (in terms of their health and wellbeing) be better recognised in the provision of mainstream support?

Question 7. In your opinion, drawing on any international or domestic examples, what programmes or initiatives best supports women to safely exit prostitution?

Question 8. Support services are primarily focussed within four of Scotland's main cities - Aberdeen, Dundee, Edinburgh and Glasgow - how can the needs of women throughout Scotland who are engaged in prostitution be met, noting that prostitution is not solely an urban issue?

Question 9. If there are any further comments you would like to make, which have not been addressed in the questions above, please use the space below to provide more detail.

Appendix B – List of organisations responding to the consultation

ADPARE

AHT Committee - Archdiocese of Vancouver

Amnesty International UK

Angus Violence Against Women Partnership

Another Way service, Sacro

Asian Women for Equality

Associazione Iroko

Basis Yorkshire

Beyond the Streets

Breaking Free and Building Peaceful Community (2 organisations)

Campaign to End The Leeds Sex Trade

CAP International (Coalition For the Abolition of Prostitution)

CARE for Scotland

Catholic Parliamentary Office of the Bishops' Conference of Scotland

CEASE UK (Centre to End All Sexual Exploitation)

Centre for Gender Studies, University of Sussex

CLiCK (partnership response)

Coalition Against Trafficking in Women

Collective Shout

Community Justice Scotland

Convention of Scottish Local Authorities

Cross Party Group on Commercial Sexual Exploitation

Defend Dignity

Dumfries and Galloway Violence Against Women Group & Community Justice Partnership

Dundee VAW Partnership

East Lothian and Midlothian Violence Against Women and Girls Partnership, within East Lothian and Midlothian Public Protection Committee.

East Renfrewshire Violence Against Women Partnership

Ekklesia

Embrace Dignity

End Demand Switzerland (EDS)

Engender

English Collective of Prostitutes

Equality Now

Erotic Service Provider Legal Education and Research Project

Evangelical Alliance

FiLiA

For Women Scotland

Freedom United

Glasgow City Mission

Glasgow University Amnesty International

Global Alliance Against Traffic in Women (GAATW)

Global Network of Sex Work Projects (NSWP)

HIV Scotland, National AIDS Trust & The Love Tank CIC

Human Rights Watch

Human Trafficking Foundation

International Centre on Sexual Exploitation
Irish SexWork Research Network
Joint United Nations Programme on HIV and AIDS (UNAIDS)
Josephine Butler Society
JustRight Scotland
Living Rent
Mutual Aid Trans Edinburgh
National Ugly Mugs
National Union of Students
NHS Greater Glasgow and Clyde
NIA - Ending Violence Against Women and Girls
Nordic Model Australia Coalition (NorMAC)
Nordic Model Now!
North Lanarkshire Violence Against Women Strategic Group
Not Buying It
Progress in Dialogue Ltd
Public Health Scotland
Rape and Sexual Abuse Centre, Perth and Kinross (RASAC P&K)
Rape Crisis Scotland
Research & Development Team National Ugly Mugs
Resilient Recovery Ltd Counselling & CBT
Resistenza Femminista
Responding on behalf of the 3 Violence Against Women Partnerships in Ayrshire
Restore Glasgow
Routes Out
Ruhama
Sacro
Scot-Pep
Scottish Community Safety Network
Scottish Drugs Forum
Scottish Liberal Democrats
Scottish Women's Aid
Scottish Women's Convention
Sex Work Research Hub
Sex Worker Advocacy and Resistance Movement (SWARM)
Sex Workers Alliance Ireland
Shetland Domestic Abuse Partnership
Sindicato Organizacion de Trabajadoras Sexuales (OTRAS), Spain
SISTERS - für den Ausstieg aus der Prostitution! e.V. (SISTERS - for the exit from prostitution! registered association)
Small Trans Library Glasgow
Soroptimist International, Perth Club
South Lanarkshire Gender-Based Violence Partnership
Stand Against Sexual Exploitation
Stirling Council
Stop Demand Foundation (based in New Zealand but with a global focus)
www.stopdemand.org
Stop Sexkauf (Stop Sex-Buying) Germany; Die Unsichtbaren Männer (The Invisible Men - Germany)
STOPAIDS
Streetlights

TAMPEP - European Network for the Promotion of Rights and Health among Migrant Sex Workers
TERRE DES FEMMES e.V.
TERRE DES FEMMES e.V. Berlin City Groupe
The Christian Institute
The Coalition Against Trafficking in Women, Australia (CATWA)
The Encompass Network
The Free Church of Scotland
The International Union of Sex Workers
The Nordic Model
The Pink Cross Foundation Australia Incorporated
The Reward Foundation
The Salvation Army
The Sexual Exploitation Research Programme (SERP) at University College Dublin, Ireland
The TARA Service, VAW Services, Neighbourhoods and Sustainability, Glasgow City
The Women's Equality Party
The Women's Equality Party- Sex-Based Rights Caucus
Ubuntu Women Shelter
UCU Scotland
UK Feminista
Umbrella Lane
United Sex Workers of the World
Vancouver Rape Relief Society
VAW Services, Neighbourhoods and Sustainability, Glasgow City Council
Waverley Care
Woman's Place UK
women@thewell
Womens Support Project
Womens Voices Matter
WRASAC Dundee & Angus
YES Matters UK
Zero Tolerance
pink peacock. די ראָזעווע פּאַווע



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