

Scottish Consultation on Prostitution on Reducing Demand, Reducing Harm and Enabling Exiting

Link to consultation: <https://consult.gov.scot/violence-against-women-team/equally-safe-reduce-harms-associated-prostitution/consultation/>

If you have 10-15 min, please copy and paste the response to each question here into the consultation. If you have limited time, just copy Que 1 and for the Que 9 (the last question) please just add your own concerns, particularly if you have any experience of the sex trade. Thank you!

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?

To reduce violence against women/girls in the sex industry and to all women/girls in wider society, the overarching aim must be full commitment to a comprehensive (and cost effective) 'exit and prevent' strategy on prostitution, backed at the highest level, rather than a 'harm reduction' approach:

This means:

1. Seek to eradicate demand (surprisingly easy done)
2. Heavily deter pimp/traffickers (prison sentences, assets seized to support prevention/exiting)
3. Never penalise or criminalise in any way (eg via ASBOS, fines or criminal records for soliciting, loitering etc) those who sell sex & wipe all pre-existing criminal records
4. Support those who sell sex with exiting and with long term post exiting support both in terms of mental health (survivor-led, trauma-informed) and practical (liaising with relevant agencies for exiting, support into work/training)
5. Prevent entry through early intervention (including addressing poverty, prior/ongoing abuse, poor mental health and raising awareness of the huge harms of the industry)

6. Prevent entry through zero tolerance to any aspect of the sex trade (strip clubs, escort agencies/massage parlours etc and online advertising of any aspect of it)
7. Recognise that 'harm reduction' is actually 'harm promotion'. This cannot prevent entry, it allows the sex industry (which cannot be regulated) to massively expand; the illegal industry (trafficking, child rape prostitution etc) to flourish; makes it much harder for women to leave and much harder to receive appropriate support once exited. It creates 'no go' zones in prostitution areas for all women and girls. It promotes deeply harmful attitudes throughout society. This has been seen in every country that has enabled prostitution, including here in the UK (the Leeds 'Managed Zone'). It has been seen throughout the UK where the strip industry has been licensed and all attempts at regulation have failed comprehensively – with it clearly serving as a portal for organised crime, drugs, financial fraud, prostitution and trafficking.
8. Any approach other than the Nordic Model is highly likely to be challengeable under UK equality law as a breach of the Public Sector Equality Duty. Under this all public bodies must pay due regard to the need to: 'eliminate harassment, discrimination and victimisation' of women by men and 'foster good relations' between the sexes.
9. Recognise that the financial costs of the sex trade are extortionate (including the associated social care and criminal costs) compared to the cost of properly implemented exiting and prevention
10. Recognise the harm of the sex trade to ALL, not just to those in it. Its presence, normalising and glamourising promotes deeply harmful belief systems to all girls and women and harmful, hyper macho stereotypes to men and boys - the very foundation of violence against women
11. Only fund or work with individuals, NGOs and others who understand prostitution as inherently harmful, who recognise that those in the industry operate in denial as an essential survival mechanism and who are fully committed to a 'prevent and exit' approach.
12. Ensure widespread public awareness, education and training of all stakeholders of the reality and harm of the porn/sex trades, including the media, schools and mainstream providers

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

1. Covid clearly shows prostitution is not inevitable – numerous men have abstained from buying for months across the globe due to mass closure of the sex trade.

2. 'Harm reduction' (legitimising the sex trade through legalising or decriminalising) has done nothing to protect those who sell sex. In fact it is sex sellers (not buyers or pimps) who have been the most penalised and criminalised under 'harm reduction' regimes during Covid: <https://notbuyingit.org.uk/sex-trade-publications/#covid>

3. Covid has simply seen the highly fluid sex trade shift online with a spike in webcamming/intimate image sharing – prostituted women have either turned to this or women have freshly entered the sex industry by this route. This is not materially any different from the physical sex trade - with the same patriarchal structures in place - deeply harmful to those in it (stalking, 'revenge porn', increasingly less income for increasingly dangerous and degrading sex acts even resulting in web camming self asphyxiation) and for wider social attitudes: <https://notbuyingit.org.uk/sex-trade-publications/#typesprostitution>

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?

Table 3 is 15 years out of date (from 2005). extremely confused and confusing and, on several points, appears to be incorrect. It does not use clear terminology or standard, well recognised terms, such as 'Decriminalise' or 'Legalise', but seemingly new terms such as 'New Abolitionism' or 'Regulationism'.

It even appears to give incorrect definitions. For instance 'Abolitionism' is commonly defined as 'seek to abolish (ie end) prostitution', however it is defined here as 'tolerance and non intervention'.

It incorrectly describes Sweden's approach as 'Prohibition' (criminalising all buying and profiteering AND those who sell sex). However, Sweden has actually, very successfully, implemented the Nordic

Model (criminalising all buying and profiteering, *decriminalising* all who sell sex, whilst supporting exiting).

It is concerning that a consultation on this issue is not using clear, or even correct, terminology on the most basic concepts around the sex trade.

However, the policy Scotland does need to introduce is the Nordic Model, which must be properly resourced and backed at the highest level. That is: criminalise all who profit from and buy sex, whilst decriminalising all who sell sex with robust systems to ensure exiting, prevention (including addressing poverty) and zero tolerance towards all forms of the sex trade.

This has proven exceptionally successful, where properly implemented, with a significant reduction in the harm done to those prostituted (including significant reductions in trafficking, child rape prostitution and the black market) a decrease in demand and of the acceptance of men's 'right' to purchase women: <https://notbuyingit.org.uk/sex-trade-publications/#nordic>

It is also highly cost effective: <https://notbuyingit.org.uk/sex-trade-publications/#costnordic>

This is in stark contrast to the human : <https://notbuyingit.org.uk/sex-trade-publications/#humancost>

and financial costs: <https://notbuyingit.org.uk/sex-trade-publications/#financialcost>

of systems across the globe, including in the UK (Leeds), that legitimise (legalise or decriminalise) the sex trade.

These models of legitimising the industry have seen an exponential increase in harm – with far more women in the industry experiencing abuse, an increase in trafficking, child rape prostitution and the illegal sex trade, alongside damaging attitudes that men's demand for prostitution: <https://notbuyingit.org.uk/sex-trade-publications/#legitimising>

It should be made clear to this consultation out that the concept of legitimising the sex trade and thereby expanding it have come from 'sex worker' groups where the only 'sex workers' represented are pimps. This includes organisations led by known pimps and jailed sex traffickers. Of course legitimising and expanding the sex trade suits these 'sex workers' very well: <https://notbuyingit.org.uk/sex-trade-publications/#sexworkeradvocates>

Many of these organisations explicitly act against the best interests of those who sell sex, claiming they can unionise, when very few ever do, and by do not focussing on the provision of exit services, even though 90% of women in the sex trade wish to exit: <https://notbuyingit.org.uk/sex-trade-publications/#sexworkeradvocates>

Whilst the systems they advocate give the prostituted even fewer rights: <https://notbuyingit.org.uk/sex-trade-publications/#sexaswork>

They also promote appalling attitudes in sex buyers – so even the ‘Holy Grail’ of ‘reducing stigma’ (promoted as the real problem for women in the industry) is not achieved, if anything it is increased: <https://notbuyingit.org.uk/sex-trade-publications/#buyers>

Many even classify the children sold in prostitution (ie paid child rape) as ‘sex workers’ ‘turning tricks’: <https://notbuyingit.org.uk/sex-trade-publications/#childsexworkers>

So, far from reducing violence against women, these organisations and the legalising/decriminalising models they advocate equates to a huge increase in violence not only against women, but children.

The Scottish Government defines prostitution as violence against women and girls (‘VAWG’) – how can it listen to those who do not represent those violated in prostitution or adopt systems that massively increase the levels and extent of this violation?

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?

It is shocking how easy the underlying driver for prostitution – men’s demand – could be eradicated, almost overnight. From Sweden to France, Chicago to Ipswich and, as already seen in Scotland itself, the vast majority of sex buyers would stop if faced with small fines or points off their driving license. Up to 90% would stop if they were put on a sex offenders register. On introducing the Nordic Model

in Ipswich, kerb crawling was eradicated within 1 year (typically with minimal penalties on buyers) with 80 women supported out of the sex trade (with no evidence of displacement): <https://notbuyingit.org.uk/sex-trade-publications/#demand>

Tackling demand has to enable action to be taken over even the attempted purchase of sex (regardless of whether this has been followed through). Where necessary, it must include support for men who feel they cannot stop.

This also has to be coupled with far more responsible media and much improved education -in schools, universities, hard hitting public awareness campaigns and of all other stakeholders (police, local authorities, child/adult safeguarding, CPS etc). Education of all those from public bodies needs to be survivor-led, compulsory with evaluation to assess impact and carried out annually with refreshers even for those who have previously attended.

Crucially, this can only be done alongside quality exiting and prevention services (including tackling poverty and educating those who support vulnerable women and children to help prevent entry).

Pornography is a form of prostitution and every bit as damaging – perhaps more so because of its consistent level of abuse and widespread consumption. This equally needs to be tackled by all the above measures, including supporting men (and women and children) to quit porn usage. And seeking the end to all abusive porn as a human rights violation.

Scotland must also urgently push for implementation of age verification of pornography (so preventing children seeing the buying of sex as normal or even necessary and highly abusive sex as normal and desirable).

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

School education is a key way to shift attitudes, as demonstrated in Sweden, where it is now seen as ‘being a bit of a loser’ rather than ‘normal’ or ‘manly’ to buy sex.

The Scottish Government could mirror Sweden's blueprint.

Educational material should be survivor-informed and include survivor testimony (written, audio, video from survivors) as appropriate. This has proven highly effective in France in deterring sex buyers.

It must ensure the use of clear, easily understood and honest terminology - 'prostitution' rather than 'sex work' or 'commercial sexual exploitation'.

There should be the clear message that 'consent' (as in genuine 'mutual desire') cannot ever be bought.

It must be made clear throughout of the danger and harm of all forms of prostitution/pornography – particularly the 'benign' forms now rabidly promoted (such as webcamming and 'sugaring'):

"Stripping is legal. Whenever something is made legal – it doesn't matter what happens inside – it's legal and so it's okay. It can't harm you. [...] When I was talking at a school just about the dynamics of prostitution [...] as soon as we started talking about stripping, the little girls got all giddy and smiling. [...] What had happened was about 25 girls in this particular class – all of them but one aspire to be a stripper. They can't wait until they turn 18-years-old."

- Vednita Carter, survivor

And this needs to be linked to the wider system of objectification/self objectification and the inhering psychological harm of this:

"You're objectified and harassed all the time anyway from about age 11. I thought 'well, this is all I'm worth anyway, I might as well make money out of it'"

- Kylie, formerly in lap dancing and prostitution

Initiatives like ‘stereotype-free schools’ should be trialled at both primary *and* secondary schools. In this gender stereotyping was eradicated from a primary school and children’s households, with astonishing results in terms of boys’ lowered aggression and increased happiness and respect for girls and girls’ elevated self esteem and sense of empowerment (‘No More Boys and Girls’ BBC).

Teachers need specific, detailed guidance, training and support for delivering this. External, survivor-led training of teachers or training delivered direct to schools by survivors/survivor-led NGOs should be undertaken.

There also needs to be widespread public awareness campaigns – perhaps fronted by celebs (a number are already outspoken against the porn/sex trade such as Terry Crewes).

Significant pressure needs to be put on traditional media (from Channel 4 to MTV) to start to behave responsibly on this issue, rather than endless thinly veiled promotions. Ideally this would include compulsory media training (at least of news outlets) by survivor-informed practitioners.

“One of the reasons I went into prostitution was specifically because of ‘Belle de Jour’. An impressionable, young teenager, I thought, ‘well that doesn’t look bad’. Many other women I’ve spoken to from the industry were similarly influenced by the media, including this very film”

- Sharon, survivor

Social media also needs to end the promotion of the sex industry in all its forms and of objectification – this should be a key plank of the Government’s ‘Online Harms’ White paper and Scotland should be pushing for this (or instigating its own, if independence is achieved).

The Scottish Government needs to call for Age Verification of pornography to be enacted by the UK Government (which has now inexplicably abandoned this), or introduce this itself if independence is achieved.

There also needs to be an end to confusing and promotional terminology (such as ‘sex work’) by the media, public bodies and wider society.

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?

Women in the sex trade can often best be accessed by mainstream services (drug services, GUM clinics, GPs, housing, Job Centre Pluses etc).

Hence it is imperative that all mainstream services are trained over the reality of the sex trade, how to broach the issue and that the best way to support those in the sex trade is to support exiting. It should be noted that research indicates that 90% of women in prostitution want to exit.

This means training is needed in how to develop relationships, build trust and initiate conversations over this and in understanding how trauma effects women’s choices and responses.

There could be a shared point of contact across services that anyone who seems to be in/at risk of the sex trade could be signposted to and a ‘routine enquiry’ model should be adopted (as for domestic violence) for anyone thought to be in, at risk of, or previously involved in prostitution.

Mainstream services could also include posters, suggesting exiting as a very real possibility and signposting to advocates (these need to be designed with input from survivors). Similar posters could also be placed in ‘recruiting hubs’ from night clubs to universities to raise awareness of the harms and reality of the sex trade.

All women seeking to exit must have an independent, highly trained, trauma informed (female) advocate to navigate the multiple agencies that are needed. They need to act as their representative. Without this many women find getting the help they need highly traumatising if not impossible and will not exit.

Woman-only services are equally essential – whether hostels, mental health or addiction services.

However, PREVENTION must be seen as a key strand in this. Getting out is unbelievably hard – practically and emotionally. The hardest part in ‘reaching’ women is not physically reaching them, it is reaching them emotionally to break through the denial those in the sex industry must operate under in order to survive.

Fortunately this does not mean a ‘doubling up’ of work. Many of the services which can prevent entry are the same as those who can support exiting – mental health, housing, domestic/sexual violence etc.

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

Please see above.

Numerous examples are provided in countries that have properly implemented the Nordic Model or regions (such as Ipswich).

It must be noted that women often re-enter the industry multiple times before finally exiting because exiting and post exiting support are inadequate.

It should also be noted that it is hugely cost effective to ensure exiting (or, even better, prevention) at the earliest possible opportunity in terms of the human and financial costs (such as social costs). A 2:1 ROI is suggested by the APPG on the global sex trade: <https://notbuyingit.org.uk/sex-trade-publications/#costnordic>

And with the appropriate support (proactive, positive and practical) research indicates that the majority of women can actually leave prostitution quickly. Long term, ongoing support (including mental health, peer support and practical support such as employment opportunities) can then ensure women do not return to the industry.

Obviously exiting has to go hand-in-hand with tackling demand, prevention and zero tolerance to the industry (the Nordic Model) or it becomes a meaningless conveyor belt exercise (and makes it much more likely that those who exit will return).

For exiting to be effective the Scottish Government has to be fully committed to this and the Nordic Model, properly resourcing it and propelling it forward. Strong leadership and commitment to the Nordic Model has been pivotal in all countries and regions that have successfully instigated exiting. Where it is weak, as in Northern Ireland, exiting is poorly implemented.

Joined-up, multi-agency work is also imperative.

A specialist advocate for those who seek to exit to work with these agencies is also crucial (as above).

Whole-community involvement and understanding of the industry is also extremely powerful (as witnessed in Ipswich) – shifting from blaming those who ‘choose’ to sell sex to understanding the effectiveness of a ‘prevent and exit’ approach.

It must be noted that numerous ‘sex worker’ groups appear to be run by and for pimps: <https://notbuyingit.org.uk/sex-trade-publications/#sexworkeradvocates>) and do not support exiting. They should play no part in exiting services or shaping policies to support those who sell sex as a clear conflict of interest.

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?

The overall aim must always be to radically reduce the sex trade, prevent entry and support women out. All harm reduction services must ensure women are aware of exiting services and talk them through how these would work for them in practice and be able to start them on the process of exiting.

But while there is prostitution, all efforts must be taken to reduce the harm to those in it – as it done by most, if not all groups working in this area who assist in exiting.

This could include centres that are permanently open to provide facilities, a place to meet, talk, relax and to gain advice on benefits, immigration or housing with highly trained staff. It could include mobile units within cities and towns or rural areas.

Since much of the industry now operates online, exiting providers increasingly reach out directly to women on line.

A key way to reach women however, as previously mentioned is via the services they will already tend to use – GPs, GUMS etc (Que 6/7) – where carefully designed posters and staff training will be required. It also includes night clubs, strip clubs and universities (with posters and, in some cases, trained staff). Some survivors have suggested the use of ‘Ask Angela’-type posters in women’s toilets in night clubs for women in the industry who can discreetly seek help if they urgently need it.

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.

This consultation was presented in a way that will make it hard for many - including some of the most important potential respondents, survivors - from responding fully, if at all. In particular, instead of asking simple questions, respondents have to read slews of text before they can respond to Questions 1 and 3.

The data given relating to Question 1 in Chapter 2 is likely to be a massive under representation of the levels of prostitution and trafficking in Scotland.

It is also a totally false distinction to separate prostitution from trafficking – the two are inextricably linked.

We would also suggest that nobody would enter prostitution without drivers, which could be argued as ‘trafficking’ under the Palermo Trafficking Protocol - including force, coercion, deception, manipulation and the abuse of power. This includes the coercive drivers of prior/ongoing abuse and other vulnerabilities, including poverty. It is equally fair to say that there is probably no individual who would ‘choose’ prostitution if they could make a genuinely informed choice, free of deception and manipulation. But in Western culture, societal deception over the reality, let alone the harm, of the sex trade and cultural manipulation which, in effect, ‘grooms’ girls from a young age to see the sex trade as not just acceptable but aspirational, makes this impossible.

The often blatant operation of illegal brothels which occurs in Scotland like the rest of the UK (some brothels even seem to have own TV shows) indicates a clear lack of enforcement even of existing legislation.

The licensing of venues that operate as brothels – massage parlours, saunas and similar – equally shows the current lack of enforcement.

The licensing of strip clubs as legitimate, regulatable businesses (which actually serve as the high street ‘shop front’ for the sex trade and organised crime) is also damning. Scotland has only recently introduced, deeply flawed, legislation in line with that in England and Wales to ‘better control’ the strip trade. In the rest of the UK, such legislation has proven a comprehensive failure in all councils that have not implemented a zero tolerance of the industry: <https://notbuyingit.org.uk/strip-publications>

Strip club (SEV) legislation also clearly, yet again, comprehensively demonstrates how ‘harm reduction’ fails when it comes to the sex trade and merely serves to open up the industry and its abuse (not to mention huge levels of associated crime) so both normalising it and the attitudes it promotes.

All branches of the sex trade – from saunas to strip clubs – need to be treated in the same way as ‘recognised’ prostitution. This means shutting them down to ensure zero tolerance to the industry and stopping ‘the conveyor belt’ whilst supporting all women out. (Strip clubs have already been banned as a form of *de facto* prostitution in several countries that have introduced the Nordic Model, such as Iceland and Israel).

A further consideration is equality law or the Public Sector Equality Duty (PSED).

Under this, public bodies must pay due regard to the need to ‘eliminate harassment, victimisation and discrimination’ of women by men and to ‘promote good relations’ between the sexes. This applies not only to women actually in the sex trade, but to women in wider society. Given this, it is impossible to see how any public body can abide by the law whilst enabling the sex trade or prostitution in any shape or form.

However, local authorities (and even higher levels of governance) show little, if any, understanding of this.

This has been now been demonstrated through 2 successful legal challenges against one English council (Sheffield) for its pro-strip industry stance. Leeds, which hosts a prostitution ‘managed (decriminalised) zone’ is equally liable to legal challenge. Whilst the Government potentially faces a High Court challenge for breach of the PSED for dropping Age Verification of pornography.

The Scottish Government could also be challenged in the High Court if it implements a policy that works to the detriment of women in prostitution and in wider society.

We would also like to point out the risks of working with or listening to many who claim to ‘represent sex workers’. Numerous so-called ‘sex workers unions’ are dominated by pimps, support known pimps and even convicted sex traffickers and so push an agenda that suits pimps (legitimising the sex trade), rather than those selling sex (90% of whom want to exit): <https://notbuyingit.org.uk/sex-trade-publications/#sexworkeradvocates>

Unfortunately, this also includes many academics – many of whom publish demonstrably biased, and often poor quality research (peer reviewed by their like-minded colleagues) which is then used to promote an agenda that benefits pimps.

Consideration also needs to be given to others with power who may influence and even determine policy. This can be at the highest level. A sex buyer (preying on vulnerable young migrant men) chaired the Home Affairs Select Committee Inquiry into prostitution, with many others in positions of power rushed to support him, claiming this was not a conflict of interest.