

Questions

About you

(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)

1. Are you responding as:

- an individual – in which case go to Q2A
- on behalf of an organisation? – in which case go to Q2B

2A. Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose “Member of the public”.)

- Politician (MSP/MP/Peer/MEP/Councillor)
- Professional with experience in a relevant subject
- Academic with expertise in a relevant subject
- Member of the public

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:

2B. Please select the category which best describes your organisation:

- Public sector body (Scottish/UK Government or agency, local authority, NDPB)
- Commercial organisation (company, business)
- Representative organisation (trade union, professional association)
- Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)
- Other (e.g., clubs, local groups, groups of individuals, etc.)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g., whether it is the view of particular officeholders or has been approved by the membership as a whole).

Not Buying It is led by the former director of Object – a campaigning NGO that ensured the introduction of laws to allow for the regulation of strip clubs and make it a criminal offence to purchase sex acts from anyone coerced. Not

Buying It has since been involved in several successful legal cases around the sex industries across the UK. This has included challenging Council's pro-strip club decisions as breach of equality law, fending off of legal action against it by Spearmint Rhino after exposing its operations and, most recently, ensuring the NPCC (National Police Chiefs' Council) review its 'sex work guidance', which advocated prostitution as 'work' and a close policing partnership with online pimping sites. Not Buying It works closely with survivors and whistle blowers and has collated a wealth of public-facing relevant information, testimonies and research.

3. **Please choose one of the following:**

- I am content for this response to be published and attributed to me or my organisation
- I would like this response to be published anonymously
- I would like this response to be considered, but not published ("not for publication")

If you have requested anonymity or asked for your response not to be published, please give a reason. **(Note: your reason will not be published.)**

4. **Please provide your name or the name of your organisation. (Note: The name will not be published if you have asked for the response to be anonymous or "not for publication".)**

Please provide a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. **(Note: We will not publish these contact details.)**

Data protection declaration

- I confirm that I have read and understood the [Privacy Notice](#) to this consultation which explains how my personal data will be used.

If you are under 12 and making a submission, we will need to contact you to ask your parent or guardian to confirm to us that they are happy for you to send us your views.

- Please ONLY place an x in the brackets if you are UNDER 12 years of age.

YOUR VIEWS ON THE PROPOSAL

1. What is your view of introducing a new criminal offence of paying for sexual services? (This is the only mandatory question)

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Don't want to express a view

Please explain the reasons for your response.

You can only possibly understand and then properly deal with the porn/sex industries once it is recognised as a form of MVAWG which means all in it are victims and all buyers AND enablers are criminals.

2. What is your view of repealing section 46 of the Civic Government (Scotland) Act 1982: the offence of soliciting for the purposes of prostitution in a public place?

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

Again under a MVAWG model, no victim is criminalised

3. What is your view of repealing previous convictions under section 46 of the Civic Government (Scotland) Act 1982: the offence of soliciting for the purposes of prostitution in a public place?

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

It is telling that 'sex worker' groups refused to support survivors in their legal action to secure a partial wiping of past convictions for prostitution.

4. What is your view of giving people in prostitution the legal right to support?

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

This MUST be a legal provision if there is any chance for it to be enacted and enacted properly. Measures must be in place to ensure it is not 'sex worker' groups who receive the relevant funding– who provide no exiting and whose real purpose is to keep women trapped in the industry even longer and lobby for the decriminalisation of pimps and punters. There must be care to fund only appropriate NGOs. In our experience, many funders view prostitution as 'work' some even overtly state that they support full decriminalisation and that they will only fund pro sex work groups. We have been involved in several successful legal challenges against public bodies for breach of equality law in their pro-sex industry decisions. We would suggest NOT providing exiting support could already be a breach of equality law - which could even now be challenged by victims in the UK Court.

5. What is your view of including provisions for exiting services in the bill?

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

This is imperative or this is not the Nordic model and it is totally ineffective (as well as cruel).

6. How should the proposed offence be enforced. Are there any

particular techniques which you think should be used or obstacles which might need to be overcome?

Enforcement can be as simple as small fines, points off driving licenses or naming and shaming. Learning (and training) from elsewhere that already enforce on this issue would probably be helpful.

Obstacles could include from the police themselves – not interested in enforcing this or viewing sex buying as a ‘non crime’. Given the NPCC view prostitution as work and the NCA works closely with online pimping sites, we hope Scottish policing is more enlightened! Training will need to be provided to police. Training via other police (eg Alan Caton who oversaw the Nordic Model for street prostitution in Ipswich) would be particularly effective. Including the voices of survivors would also be highly effective to help hit home the importance of enforcement.

ALL profiteering from the prostitution of another needs to be prevented – as the most efficient means of stopping the sex trade in its tracks. Ideally such profiteering should be criminalised (not just ‘pimping’ ie where coercion is involved). This would bring this form of profiteering in line with brothel keeping (which is illegal regardless of whether coercion/trafficking involved). This means all online prostitution procurement sites would be seen as illegal – which is where the vast amount of sex buying now takes place.

But is it the case that for any Nordic Model country that ALL online pimping sites are DEFAULT illegal – because they are aiding and abetting an illegal activity (i.e. sex buying). So, is it possible that specific legislation against all 3rd party profiteering from the prostitution of another (online or off) is not, actually needed?

Another point to bear in mind is that the sex trade is highly adaptable, even if online pimping could be prevented, the industry will quickly find ways around this. Overt advertising of escorts might disappear, instead there will be replaced by ads for ‘stripping’, ‘stripograms’, ‘home massage’ etc etc etc. This, or future Bills, need to be broad enough to address this also.

7. **Do you believe that there are any new policing powers that would be necessary or beneficial for enforcing this offence?**

8. **Please indicate which of the following forms of support and/or services you think should be provided for people in prostitution and exiting prostitution (place an x into the brackets of as many options as you agree with):**

- Exiting support workers
- Drop in services
- Outreach visits to brothels, saunas and other similar premises
- Specialist medical consultations
- Access to drug and alcohol services
- Access to counselling and psychological treatment services
- Specialist housing schemes for women in crisis
- Support to access education, training or work
- Financial advice, debt support etc
- Other (please give details)

Please explain the reasons for your response and provide examples of best practice.

All imaginable support is needed – given the complex, severe, multiple needs of those in prostitution.

9. Please indicate which of the following ways of raising awareness of the new offence you believe to be most effective (choose as many as you agree with):

- Internet and social media advertising
- TV advertising
- Print media advertising
- Billboards in public places and transport
- Leaflets to households
- Materials to support and exiting services for people involved in prostitution
- Materials targeted at areas where prostitution is known to occur
- Materials to health and mental health services
- Materials to further education sector
- Inclusion in secondary education (Relationship, Sexual Health, Parenting classes)
- Other (please give details)

Please explain the reasons for your response.

It is important to couple direct campaigns like this with media coverage/documentaries/social media expose´ and school education of the reality and harm of prostitution (which best demonstrates WHY this is an offence). This helps deter sex buyers not through fear of being caught but through understanding the extreme harm they are causing (whilst also deterring girls from entry).

10. Do you think legislation is required, or are there are other ways in

which the Bill's aims could be achieved more effectively?

Please explain the reasons for your response.

How else can sex buying be ended? Given that the law can alter behaviour, usually without prison sentences or even a significant burden on buyers, this is hardly a radical infringement on sex buyer's 'rights'

Resource implications

11. Taking into account all those likely to be affected (including public sector bodies, businesses and individuals etc), is the proposed Bill likely to lead to:

- a significant increase in costs
- some increase in costs
- no overall change in costs
- some reduction in costs
- a significant reduction in costs
- do not wish to express a view

Please indicate where you would expect the impact identified to fall (including public sector bodies, businesses and individuals etc). You may also wish to suggest ways in which the aims of the Bill could be delivered more cost-effectively.

As the consultation outlines there will be initial costs but the more effective enforcement and exiting provision, the more quickly savings will be made.

Great care must be taken to ensure the right services are funded to support exiting, education, awareness raising and the other activities needed. Not the wrong services, as is so often the case eg sex work groups which merely further entrench women in the industry or those without real expertise.

And funding needs to be long term – it takes decades to recover for many. Some will never fully recover.

Equalities

12: Any new law can have an impact on different individuals and groups in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation. What impact could this proposal have on particular people if it became law?

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

There are only benefits except for Women without recourse to public funding MUST be eligible for support. Could they potentially take legal action if this support is not provided?
A small number of those in the industry who are particularly in denial or making large sums will also see this law as detrimental. It is unlikely that they will see the law as beneficial until exited and they have had time and space to see the physical and emotional cost of the industry, which no amount of money can ever compensate for.
The Hawaii model of providing income to exited women would be one of the most significant and meaningful sources of support and help encourage even some of the more unwilling to exit/feel they can exit. Although this will cost the state, it will be a lot less costly than potential class action law suits that sex industry survivors could (and, frankly, should) take against a state that has allowed prostitution to flourish, effectively enabling the abuse of 100,000s with life long consequences.

Sustainability

13. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations. Do you think the proposal could impact in any of these areas?

It can only impact positively on all these aspects