

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(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)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

Lanarkshire Rape Crisis Centre exists to improve the welfare and relieve the distress of women & girls who, at any time in their lives have been subjected to any form of sexual violence. Our consultation response is informed by our

organisational stance regarding forms of sexual exploitation, as set out in Equally Safe National Strategy, and by that of the position statements of the Violence Against Women Partnerships in North and South Lanarkshire.

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- I would like this response to be considered, but not published (“not for publication”)

If you have requested anonymity or asked for your response not to be published, please give a reason. **(Note: your reason will not be published.)**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

Lanarkshire Rape Crisis Centre

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.

Women, as those overwhelmingly affected, should not have their bodies commodified or reduced to a transactional dehumanised status. This offence will directly contribute to the aim of challenging men's demand. We fully support criminalisation of purchase as it also serves to send a clear message that women have equal value and therefore are valued more than the 'services' or 'products' relating to their bodies. Women who have received support from LRCC and have had prior involvement in sex industry, share that they felt they had absolutely no option to seek justice if they were subjected to rape or other forms of violence during that time. They knew how negatively they would be perceived and they would be told 'it was a hazard of the job'. Justice outcomes are currently poor for survivors across the board and the current 'legalisation' of purchase reduces the routes to justice even further for anyone involved in the sex industry.

## 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.

It is unacceptable that women selling or exchanging sex in this way face punishment; this has been shown to be a poor deterrent and serves to push women in dire situations into further poverty and exclusion. This is an outdated part of the Act which is out of alignment

with Equally Safe and the focus now needs to be squarely on buyers.

**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.**

Women deserve to be free from any stigma and barrier that any historical involvement has resulted in. Women who have previously engaged in soliciting were frequently already in disadvantaged situations; it is an unacceptable situation that women who have exited and are moving forward have reduced options for work opportunities due to these kinds of convictions.

**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.**

As we see with women who have received support from the rape crisis sector; effective and meaningful support options are crucial not only to making that initial decision to move away from selling or exchanging sex, but having formal rights to support would mean higher chances of not re-engaging within the sex trade. LRCC has worked in positive partnership with the Women's Support Project and we fully recognise the huge life challenges for women in exiting. There exist good practice models of specialist services working in tandem; addressing health, substance use and crisis support needs in a trauma skilled and sustainable way. The creation of a right to support would demonstrate Scotland's commitment to women who have been subjected to this form of sexual violence and give recognition of the harms caused by the sex trade.

**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.**

Its shameful that even in highly populated parts of Scotland there are so few services that have a role currently to help people exit. The services that do operate do so on unstable funding models and low capacity. A hub and spoke model of support services would be an effective model of delivery, addressing individual need and being responsive to demand. Violence Against Women Partnerships are well placed to co-ordinate the necessary statutory services within this model and lead on bringing all partner agencies and specialist support services on board. We have confidence in the strong partnerships in North and South Lanarkshire to deliver on this outcome.

**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?**

This question outwith our area of expertise

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

This question outwith our area of expertise

**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 of the above types of support should be considered as they address the range of issues that women involved can face. Local networks of third sector agencies are in strong positions to pilot innovative approaches to delivering co-ordinated support services. Survivors who have had involvement in the sex industry have shared with us the long-term impacts ranging from physical and emotional to financial and practical and so services need to be very well connected to respond to the immediate and longer-term needs. A good example of a service addressing a wide range of need is 'Tomorrows Women', the Glasgow based model of support for women involved with the justice system. Positive outcomes can be achieved from the multi-agency, trauma informed approach and the incorporation of a range of services including substance use, personal development and life skills.

**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.**

We believe this campaign will be most effective if traditional and digital media methods are used to reach a range of demographics. Its particularly important to also have this awareness included in RSHP to reflect the focus on prevention in the Equally Safe Delivery Plan. From

our work in Lanarkshire schools its clear that young people receive messages from their social media content around 'sex work' which legitimises, normalises and promotes it. There is currently no clear factual information to counter this.

**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.**

Due to the deep inequality from the high financial and personal gains to those who exploit women, legislative change in this area is the most clear and direct way to robustly challenge demand and improve support access for those exploited.

## **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.**

We note that budget advisors with experience of forecasting impact of legislative change, are best placed to model for the costs over time, especially around policing/justice. We would, however, expect the measures in the Bill to result in significant increased costs around implementation particularly due to the long standing under resourcing of services required to support women to exit. The long-term societal benefits and direct benefits to women would clearly result in reduced costs to the state, due to a range of improved personal outcomes (women and any children they have, less reliant on crisis health and other statutory services).

## **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.**

We wouldn't expect any particular group of people to be negatively impacted to any great extent due to a protected characteristic. The reverse will be true, women who are already marginalised due to their status, for example black or minority ethnic women who have been targeted for exploitation, would be a group who benefit from a right to support, so this legislative change would serve to improve a range of outcomes for them.

## **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?**

Based on local research by the Women's Support Project, which is echoed by international findings, the detrimental health impact on women involved in the sex trade is well evidenced. These proposals will directly challenge demand, and, combined with reducing stigma for women and ensuring meaningful support to exit, there will be wide ranging and significant benefits to society as a whole. As noted in other answers, LRCC is directly involved in sexual violence prevention with young people in schools and the local community. We have seen a deeply concerning escalation in misogynistic and negative views of girls and women primarily as sexual objects. The influences include the 'normalisation' and mainstreaming of forms of CSE such as OnlyFans. There is significantly more work to be done to tackle the various types of CSE, however the proposals will, not only address the areas of focus, but will deliver a key piece of symbolic progress for Scotland in being a country that views women as equal and deserving freedom from all forms of violence.