

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(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)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

The Rape and Sexual Abuse Centre, Perth and Kinross (RASAC) are one of Rape Crisis Scotland’s member centres, we offer Support, Advocacy and Prevention services to survivors of all forms of sexual violence. RASAC believe all forms of Commercial sexual Exploitation (CSE) to be a form of sexual violence and as such is rooted in gender inequality. RASAC has a complex Needs Service that works specifically with women who, in addition to, and often due to experiencing sexual violence have additional barriers to accessing support. These barriers include CSE, substance use, poverty, homelessness, offending and currently experiencing abuse (including CSE). Often women accessing the Complex Needs Service experience multiple barriers meaning their day to day lives can be more about surviving financially and can lack structure. The Complex Needs Service often works with these women to increase their safety, and access other relevant services through stabilisation work, before they are in a safe place emotionally and physically to process their trauma in therapeutic support.

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).

RASAC P&K provides support to women aged 18+ and all young people aged 12-18 who have experienced sexual violence of any form and at any point in their lives. RASAC offers a variety of services designed to support survivors of sexual violence at any point in their recovery, including stabilisation and therapeutic support, justice advocacy / general advocacy, groups and helpline. We also deliver prevention workshops, professional and community learning opportunities and raise awareness of issues relating to sexual violence, through community engagement and events. As an organisation that views all forms of violence against women and girls through a feminist lens, the views contained within this response are firmly held at both an organisational and individual level.

Please also note that within the answers supplied we will refer to those we support who have experienced CSE as Women or Survivors interchangeably, however this includes survivors aged 18-24 who would, in our organisation be considered young people.

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”.)

Rape and Sexual Abuse Centre, Perth and Kinross - RASAC
P&K

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.

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.

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.

RASAC are fully supportive of the proposal to remove the previous convictions of those who have been criminalised for the abuse perpetrated against them. Women already carry the misplaced shame, physical impact and trauma of prostitution long after exiting and must be provided with opportunities to move on with their life free from the dread and anxiety of others finding out, and the worry of what that could mean from them. RASAC have worked with women who have not completed job applications or decided not to apply to volunteer for fear of other finding out about these convictions, this is the case even when there is no requirement to disclose convictions. Women who have been supported in our service have described the shame of those convictions being on their record and the fear that long after they have exited, there will still be an existing criminal record that could be disclosed to employers, partners and their children. This is not only a barrier to the practicalities of exiting and moving forward, but also a barrier to healing emotionally from this trauma, no-one should be forced to disclose their own experiences of abuse unless they alone have chosen to do so, as this would be helpful or healing for them. Women who lack faith and trust in the police and criminal justice system are less likely to come forward to report violence or abuse perpetrated against them, they are also less likely to provide information that could identify and / or lead to the disruption of OCG's or arrest of those who benefit from the exploitation and abuse of women.

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.

RASAC would fully support the proposal to provide comprehensive support for people in prostitution. RASAC support and advocacy services, along with other specialist services in Scotland hear from survivors and observe the difference person centred support can make to survivors of sexual violence daily. Survivor centred support would ensure the survivors unique needs and recovery is supported using an intersectional, survivor led approach, and their pace was respected. Services designed to support those involved in / exiting prostitution would understand the reality of women

potentially exiting and re-entering prostitution, possibly multiple times during their engagement. Supporting survivors without judgement, but with empathy to their unique situation and encouragement for them to continue to work towards their own personal recovery goals would be an invaluable resource. Services would ideally be set up to provide support quickly at point of need using a joined up, holistic approach.

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.

In addition to the answer given in question 4, RASAC would fully support the provision of exiting services. Many women are forced into prostitution due to a lack of choices and often this is due to multiple and complex issues and barriers. A diverse range of trauma responsive services available at point of need would be key to supporting women not only to exit but to maintain this ongoing. Often services feel disjointed and long waiting lists can leave women feeling like receiving support for their situation is not a priority. Services to support basic needs such as housing, health, finances and utilities would be important, but often people are unable to sustain these changes due to isolation, loneliness and mental health issues. Services to support women to reconnect and explore meaningful opportunities relevant to them would be an advantage, along with employment and volunteering opportunities when they in a place to explore this.

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?

It would be crucial that the offence of paying for sexual activity was robustly and consistently enforced across all of Scotland's communities, cities, villages and rural areas. The wide variety of spaces where the buying of sexual activity takes place, both physical and online would also need to be considered to ensure this issue does not just change shape to adapt to new legislation. Online platforms who advertise and facilitate the selling of sexual services should be held

accountable for their complicity in the exploitation of people. Landlords offering short term cash in hand lets, hotels and holiday lets should be made aware of their complicity in this crime should they knowingly, or negligently allow this offence to take place. Media awareness campaigns that draw attention to this new offence and highlight the harms would be beneficial in gaining public empathy and encouraging intelligence sharing.

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.

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.

The variety of awareness raising above would ensure a diverse range of people across society could be reached.

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.

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.

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.

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?**