

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(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)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

CEASE (the Centre to End All Sexual Exploitation) is a national human rights charity.

Our mission is to expose and dismantle the cultural and commercial forces driving all forms of sexual exploitation in the UK. Sexual exploitation does not occur in a vacuum, and only by addressing the wider context can we hope for real, lasting change.

As a charity, we join the dots between our hypersexualised, objectifying, pornified culture and public attitudes and behaviours towards sex:

- We demonstrate how the mass consumption of online pornography depicting the humiliation, violation and degradation of women and children has real-world consequences.
- We shine a light on the widespread exploitation and harm caused by commercial sex industries that undermine our human rights.

We are neither a religious nor an ideologically driven charity but seek to bring together a broad alliance of groups from many backgrounds around a common stance. CEASE's work is based on peer reviewed research and survivors' accounts; it takes the form of advocacy, awareness-raising campaigns, events, lobbying and other strategic actions.

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".)**

Gemma Kelly, Head of Policy and Public Affairs, CEASE  
(Centre to End All Sexual Exploitation): <https://cease.org.uk>

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.

CEASE believes that prostitution is violence against women and girls and that one of the most successful ways to reduce the prostitution market and protect women and girls is to address the demand for prostitution through criminalising the purchase of sex. This type of new criminal offence places men as perpetrators of violence, who when they purchase another human being are committing a crime.

As Claude (2010) states, 'it challenges and criminalises an age-old male right to look at women's bodies as if they were goods to be bought and sold. Sex buyer laws disrupt the sex industry and create a hostile environment for human trafficking. Given that 'it is the scale and demand of the sex industry that is the defining feature in the number of trafficked women supplied to the market' (O'Connor, 2019) laws that target demand are vital to decreasing trafficking and prostitution. Further, there is extensive research evidencing the real-world effectiveness of shifting the burden of criminality off victims and onto perpetrators -including pimps and sex buyers - in order to prevent sexual exploitation. This 'demand reduction' approach to prostitution and sex trafficking has so far been adopted by France, Ireland, Northern Ireland, Norway, Israel, Iceland and Canada.

According to the Not For Sale campaign (2024) Sweden, the first country to criminalise paying for sex and decriminalise victims of sexual exploitation in 1999, has provided over two decades of evidence which demonstrates that demand has dropped, public attitudes have transformed, and traffickers are being deterred. In Ireland, the demand-reduction approach has "increased the likelihood that women in prostitution will report violence committed against them without fear of being criminalised themselves."

In France, hundreds of women have been supported by exiting programmes, with one major service reporting, "90% of those who have finished an exit programme...have found a stable job at the end." Meanwhile, 78% of the French public support the country's new approach to prostitution

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.**

Women and girls involved in prostitution are victims of violence and exploitation and as such they should never be criminalised for their own exploitation. Instead, all criminal responsibility should be firmly placed on the men who buy them and the pimps who facilitate it. Women and girls involved in prostitution are some of the most vulnerable in society, they should not be criminalised for being victims of vulnerability. Intersecting vulnerabilities such as poverty, a history of sexual and physical abuse and neglect, experience of racism and other forms of discrimination are all mitigating factors in a person's entry into prostitution. According to a report by the UK All Party Parliamentary Group on Commercial Sexual Exploitation (2018) the majority of women involved in sexual exploitation were highly vulnerable before their involvement in prostitution: Approximately 50% were paid for sex acts before they were 18 years old. Up to 95% of women in street prostitution are believed to be problematic drug users. A study involving 133 women in prostitution in five locations across England found that over half of the women had been raped or indecently assaulted. The recent COVID pandemic, as well as the current cost of living crisis in the UK is driving more and more women into prostitution, as a means of survival. A 2016 report commissioned by the House of Commons estimated that approximately 72,800 individuals are involved in prostitution in the UK, with approximately 32,000 of this group based in London. An estimated 95% of this group were women. Other research included in this report estimates that 17,000 migrant women were involved in prostitution in England and Wales, with 15% reporting being trafficked. The criminalisation of

women involved in prostitution makes it almost impossible to exit prostitution, acting as a further barrier to accessing employment, housing, education, trauma services and a multitude of other supports that are required to help women exit.

**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.**

As above

**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.**

Affording victims and survivors of prostitution the legal right to support is critical to ensuring they can receive the appropriate support services and provisions to safely exit prostitution. The provision of social services (and health care), as well as exit services, are critical and require full implementation, including statutory funding. As in France this must also be available on a statutory basis to migrant women, regardless of their immigration status.

**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.**

As above

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?**

See below Question 7

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

Police should be given all the necessary powers in order to fully implement the offence, including on the spot fines. It is also vital that police are fully supported and actively encouraged to implement this offence. In England and Wales, despite laws on prostitution being in place, they are woefully implemented.

Analysis in 2024 by UK Feminista and CEASE reveals:

- Convictions for the offence of 'placing of advertisement relating to prostitution' (Section 46 of the Criminal Justice and Police Act 2001) fell by 99% between 2010 and 2023, from 327 convictions in 2010 to just two in 2023.
- Convictions for 'paying for sexual services of a prostitute subjected to force etc. (Section 53A of the Sexual Offences Act 2003) fell by 100% between 2010 and 2023, from 43 convictions in 2010 to zero in 2023.
- While convictions for 'Soliciting another for the purpose of obtaining their sexual services as a prostitute in a street or public place' (Section 51A of the Sexual Offences Act 2003) rose sharply between 2010 and 2011, from 64 to 208, the number of convictions then proceeded to drop by 88% between 2011 and 2023, from 208 convictions in 2011 to 25 convictions in 2023.
- Statistics also show enforcement of other sexual exploitation offences has been persistently low during the same period.

It is vital that any law that is passed to protect victims of prostitution while criminalising those who create the demand

for it, must be taken seriously by the Police Service of Scotland.

**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 services are necessary, should be fully and robustly funded by government. The fines collected from the criminalisation of sex buyers can be used towards the financing of these services as is practised in France and some states in America.

**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.**

**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.**

Legislation is required to achieve these aims, for numerous reasons, including all of the above - removing the criminalisation of victims and survivors of prostitution, holding to account sex buyers through criminalisation and through statutory services for those involved in prostitution and those who wish to exit.

## **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.**

While CEASE fully support this bill, we believe that the proposals would have a significant financial impact on the Scottish Government in the medium term. Substantial additional resources are required to ensure the proposed bill's effective and robust implementation, particularly in relation to deterring and policing sex buyers and the provision of support and exiting services for those exploited in the sex trade. This is not something that should be shielded away from. Providing the necessary frameworks and infrastructure across government and public services is critical to the effectiveness of this Bill and needs to be included in departmental budgets and plans. Fully funded implementation is critical.

## 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.**

Prostitution disproportionality affects people who already suffer other forms of intersecting inequalities including on the basis of disability, race and ethnicity, sexual identity and gender reassignment. As well as those who have a history of childhood sexual abuse or foster care, homelessness, poverty, and 'entry into prostitution as a child' (i.e. child sex trafficking/exploitation).

In contrast, studies have consistently shown that sex buyers come from privileged demographics. In the United Kingdom, the APPG on Commercial Sexual Exploitation (2024) reports that:

"Home Office research has found that the profile of a sex buyer is 'a man of around 30 years of age, married, in full time employment, and with no criminal convictions.' A study of sex buyers in East London showed that the majority (88.4%) were in paid employment and 22.3% had children. Further research has found that men most likely to have paid for sex in the past are single men aged 25- 34, in managerial or professional occupations and those who reported high numbers of (unpaid) sexual partners. Men who binge drink at least once a week or who have taken hard drugs in the past year are also more likely to pay for sex."

In another study of British men who purchased sex, the average age of participants was 38 years old, over half of participants identified as White British, and 88% of participants identified as heterosexual. 12% reported buying over 130 women throughout their lifetimes. 65% believed "most men" purchased sex at some point or another. 60% purchased sex at a brothel. Nearly half of the interviewed participants also reported purchasing sex abroad. 24% believed the concept of rape did not exist for women in prostitution – similarly, 27% reported they believed after purchase, a man was entitled to carry out any sort of act with a woman in prostitution. (APPG Commercial Sexual Exploitation).

This type of legislation will protect the most vulnerable in society from the violence of prostitution.

## 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?**

Prostitution is violence against women and girls, there can never be a just society when the most vulnerable girls and women are being bought and sold for sex. Prostitution is a fundamental obstruction to a just and fair society, and it is incompatible with equality.

At the launch of the Nordic Model Bill in the Swedish Parliament in 1998, the Social Democratic Minister with Special Responsibility for Gender Equality Issues, stated that; "we think that prostitution is one of the worst expressions of the unequal distribution of power between men and women and it does not only affect women in prostitution or those who buy the services of these women but the whole of society." (Arnberg, Laskar and Sundevall, 2015 in Månsson, 2017)