

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(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)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

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- I would like this response to be considered, but not published (“not for publication”)

If you have requested anonymity or asked for your response not to be published, please give a reason. **(Note: your reason will not be published.)**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 **(Note: The name will not be published if you have asked for the response to be anonymous or “not for publication”.)**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.**

We welcome the proposal to criminalise paying for sexual services. We believe that prostitution is inherently immoral and unethical. It is profoundly detrimental to all those who are prostituted as well as to society more widely. It exhibits degradation of women, girls, men and boys who are prostituted by requiring them to sell sexual acts and the use of their body parts, thus impairing their own mental and physical integrity and wellbeing. Those paying for sexual services are facilitating the degrading treatment of people – mostly women – and should face the force of the law. Sex should be between a man & women (married couple).

**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.**

We acknowledge that most of those who are involved in prostitution are in that situation due to having been groomed, coerced, trafficked, or due to severe restriction on ability to earn a living. However, there are those who are there who advocate for decriminalisation because they approve of prostitution as 'sex work'. We believe it is necessary to continue to criminalise soliciting, as this preserves the

disincentive to enter prostitution and sends the message that prostitution is inherently immoral. The challenge in terms of care for those who have entered prostitution due to being victimised is to provide adequate exit and support services, and to ensure that prosecutions for soliciting target those who have been trafficking/recruiting others into prostitution and preventing them from exiting

**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.**

Repealing previous convictions is not a good idea for similar reasons to our response to question 2. People who disobey the law at the time it was in force should not be entitled to have their offence repealed as if they did not break the law at the time

**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.**

Given that long-term grooming, coercion and exploitation are likely to have had a mental effect on people in prostitution, their sense of hope for a better life, earning a living in a normal way is likely to have been severely diminished. Creating the legal right to support should, if implemented through properly staffed, funded and advertised mechanisms, make the hope for exit into normal, mainstream society visible and possible

**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 very important for similar reasons to those given in our response to question 4. Including provisions for exiting services in the bill puts them on a statutory footing and means they are more likely to require regular review by a committee of the Scottish Parliament. These exiting services should be complemented by regular recording and publication of monitoring data which looks at the background of those people who are assisted, including whether or not they entered prostitution as minors, from outside the UK, etc

**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?**

A fine cannot be the sole penalty for paying for sexual offences, as this would lead to bias whereby the more well-off would not really be deterred.

Seeking out prostitution is linked to dangerous attitudes to women, boys and girls, as well as dangerous paraphilias and anti-social behaviour. It would therefore be a good idea to look into the range of penalties used for sexual offences as deterrents.

Prison may need to be considered in order to maintain a level of consequence to stop people doing it - may even need to have protection programs for the people in the middle of it all.

**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.**

Support workers are needed due to the aforementioned problem of people losing realistic hope of exiting prostitution, as well as the increasingly hidden nature of prostitution indoors since the Coronavirus pandemic. The inclusion of specialist medical consultations, access to drug and alcohol services, and access to counselling and psychological treatment services, is imperative not least because they provide those in prostitution with regular contact with the NHS, social services and third sector bodies. Access to counselling and psychological treatment services should be free. Specialist housing schemes are very important; these should not be located near red light districts. It may be that women in crisis should be encouraged not to be on the open Electoral Register once they are housed by such schemes, to lessen the risk of detection by former 'clients' who might try to track them down. Support to access education, training or work is also imperative given that destitution or sudden, unexpected and unplanned-for job loss is a factor behind entering prostitution as an adult. Outreach services in the cases of church leaders would be fantastic.

**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.**

Some awareness-raising methods are likely to be more appropriate than others. Use of internet and social media is the most appropriate and likely the most effective. Billboards likewise would give awareness campaigns visible authority. It is not clear exactly how and where the four sets of materials are to be located, e.g. where would 'materials to support and exiting services, etc.' be found? It would be more challenging to distribute materials to areas where prostitution is known to occur as not all of those are residential areas, and as prostitution has mostly moved indoors, distributing material in residential areas may have the unintended effect of attracting more people in search of prostitution. It is not clear to us whether inclusion in secondary education is appropriate; much depends on exactly how individual schools handle RSHP classes. Given that the approach to pornography in RSHP is often neutral or even supportive, and yet that pornography is essentially prostitution on film, this suggestion requires more detailed consideration than this consultation can provide. It may require amending RSHP in Scotland

**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.**

I think legislation is required in order to maintain a level of control regarding the crime and to lower the levels of the crime as well as educate people rather than having a grey area so to speak.

## **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.**

There are extensive costs to society of allowing prostitution to continue unchecked and these costs will be saved by clamping down on those who pay for sexual services and the other measures proposed in this Bill to help women exit prostitution. Prostitution is linked to breakdown of family and marital relations which is a massive cost to society. It is also linked to poor well-being and outcomes for children brought up by women who have entered prostitution. There are associated health costs for all those involved which would be saved by clamping down on prostitution. Prostitution is also associated with other criminal activity which costs society and will be reduced by cutting prostitution.

## **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.**

It seems that most people involved in prostitution are women and girls, though there are also young men and boys. Therefore, the most relevant protected characteristics here are sex and pregnancy and maternity. We cannot see that these proposals would have negative impacts on particular people. It is also important to take into account that those who are poorer and in serious financial difficulties are more likely to enter 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?**

With some of the changes and emphases that we propose, these proposals make an important contribution to creating a healthier and more just society for future generations. There are multiple health risks associated with prostitution which will be reduced by clamping down on prostitution. Cutting back on criminal activity which dehumanises and degrades people will result in a healthier society in every level and will serve to reduce criminal activity overall in society