

**PROPOSED CRIMINALISATION OF THE PURCHASE OF SEX  
(SCOTLAND) BILL (2)**

**RHODA GRANT**

**SUMMARY OF CONSULTATION RESPONSES**

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## INTRODUCTION

This document summarises and analyses the responses to a consultation exercise carried out on the above proposal.

1. The background to the proposal is set out in section 1, while section 2 gives an overview of the results. A detailed analysis of the responses to the consultation questions is given in section 3. These three sections have been prepared by the Scottish Parliament's Non-Government Bills Unit (NGBU). Section 4 has been prepared by Rhoda Grant MSP and includes her commentary on the results of the consultation.
2. Where respondents have requested that certain information be treated as confidential, or that the response remain anonymous, these requests have been respected in this summary.
3. In some places, the summary includes quantitative data about responses, including numbers and proportions of respondents who have indicated support for, or opposition to, the proposal (or particular aspects of it). In interpreting this data, it should be borne in mind that respondents are self-selecting and it should not be assumed that their individual or collective views are representative of wider stakeholder or public opinion. The principal aim of the document is to identify the main points made by respondents, giving weight in particular to those supported by arguments and evidence and those from respondents with relevant experience and expertise. A consultation is not an opinion poll, and the best arguments may not be those that obtain majority support.
4. Copies of the individual responses are available on the following website: <http://www.rhodagrants.org.uk> Responses have been numbered for ease of reference, and the relevant number is included after the name of the respondent.
5. Lists of respondents are set out in the following
  - Annexe A - List of all responses (numbered as received)

## SECTION 1: Background

1. Rhoda Grant MSP's draft proposal, lodged on 11 September 2012, is for a Bill to:  

make it an offence to purchase sex.
2. The proposal was accompanied by a consultation document, prepared with the assistance of NGBU. This document was published on the Parliament's website, from where it remains accessible:  
<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/29731.aspx>.
3. The consultation period ran from 11 September to 14 December 2012.
4. In total 259 organisations and individuals were sent copies of the consultation or links to it. These organisations included support groups, sex worker, faith, rights, academics, criminal justice and unions
5. The consultation process is part of the procedure that MSPs must follow in order to obtain the right to introduce a Member's Bill. Further information about the procedure can be found in the Parliament's standing orders (see Rule 9.14) and in the *Guidance on Public Bills*, both of which are available on the Parliament's website:
  - Standing orders (Chapter 9):  
<http://www.scottish.parliament.uk/parliamentarybusiness/26514.aspx>
  - Guidance (Part 3):  
<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/25690.aspx>

## SECTION 2: Overview of responses

1. A large number of responses were received, 953 in total, of which 88 were from organisations, and consequently the responses covered a wide range of opinions and experiences. The list below of individuals who gave some background information on their occupations and lifestyle gives a general flavour of the variety of the many views expressed.
2. Of the total responses received, 231 were anonymous with a further 32 requesting confidentiality. These responses were included in the summary but will not be identified.

Individual responses were received from

- campaign and community workers (in a personal capacity but with experience of working in relevant organisations (Wellcome Trust, Exodus Cry Houston Prayer Watch, Cardiff and Merthyr Tydfil group, Street Ministry, NGO, Navigators, Stop the Traffick, Act for Justice, Youth with a Mission (YWAM), Stellas Voice charity, Act for Justice group, Dunfermline)
- Queens Park Baptist Church Action for Justice Group, Glasgow
- co-ordinator & befriender for Destiny Lifeline which is part of Destiny Church
- workers with a faith-based justice non-profit organisation
- anti-trafficking workers and supporters
- director of Prevention for Exodus City
- worker with homeless and city mission
- worker with victims of abuse
- worker in a women's hostel
- volunteers with Glasgow City Mission
- workers with homeless charities
- worker for Women's Aid refuge
  
- sex workers (male and female)
- homosexual sex worker
- migrant and sex worker
- independent escorts
- worker in a massage parlour
- contributor to an escort forum
- people who use escort services
- worker in psychosexual somatics
  
- Christians
- parish minister
- parish worker
- church goer
- baptist minister
- member of the North Devon House of Prayer in Barnstaple
- local church Senior Pastor in east end of Glasgow
- manager of a Christian drop-in centre

- academics
- lecturer
- guidance teacher
- teachers
- counsellor
- psychotherapists
- psychologist
- undergraduate Law student
- student
- independent researcher on male violence against women
- German researcher based in Berlin
- retired solicitor and criminal prosecutor

- trained paediatric occupational therapist
- military doctor
- GPs
- addictions medical officer
- health visitor
- social worker
- family mediator
- victims and offenders mediator
- workers in nursing

- scientist and scientific journal editor
- freelance writer
- writer and performer

- business owner
- foster parents
- worker with Barnardo's Scotland
- registered child minder

- worked in the Police force
- retired police officer

3. Several of the respondents provided additional evidence to inform their responses. This evidence has been noted but because of the sheer volume of responses received only the main body of their response has been included in the consultation summary.
4. Out of 865 individual respondents, 47 identified themselves as either currently or formerly working in the sex industry. Eleven respondents cited their experience of using escort or similar services in their replies. One respondent was in the past a victim of abuse.
5. A total of 88 organisations responded to the consultation. These organisations generally fell into groups such as campaign, faith, sex worker, violence against

women, prostitution exit support, women's business, health, equality, local authority, criminal justice, communities and union.

### *Terminology*

6. The terms used in responses to describe a person involved in prostitution varied depending on the individual or organisation's view of the issue. The summary reflects the wording of the responses where appropriate otherwise, where NGBU provides original explanatory text, the word "prostitute" will be used for consistency as this was the term identified in paragraph 16 of the consultation.

## SECTION 3: Analysis of responses

### OBJECTIVE OF THE PROPOSED BILL

**Q1: Do you support the general aim of the proposed Bill? Please indicate “yes/no/undecided” and explain the reasons for your response.**

<b>Yes -</b>	<b>758 (see note below)</b>
<b>No -</b>	<b>187</b>
<b>Partially Supportive -</b>	<b>1</b>
<b>Undecided -</b>	<b>4</b>
<b>Not stated -</b>	<b>2</b>
<b>No comment -</b>	<b>1</b>

**The total of 758 includes 48 identical responses (Nos. 887-894 and Nos. 896-934) from the Queens Park Baptist Church Action for Justice Group, Glasgow. They will be identified where they have been included in any cumulative totals**

### Breakdown of 88 organisations

There are 70 organisations supporting the proposal:

- Aberdeen Cyrenians (769)
- Action for Change Multi-Agency response (Clackmannanshire, Falkirk, Stirling, Forth Valley) (811)
- Amnesty International (Paisley branch) (349)

*(please note that any comments from the Paisley branch in this summary do not reflect the Amnesty International UK position)*

- Angus Violence against Women Partnership (AVAWP) (486)
- Angus Women’s Aid (639)
- Anonymous (21, 55 & 160)
- ASSIST (684)
- Baptist Union of Scotland (591)
- Bearing Armor (87)
- Bearsden Baptist Church (746)
- Burning Hearts Ministries (702)
- CARE for Scotland (537)
- Caucus of Exited Women (696)
- Champion Life Church (384)
- Church in Society Committee of the Scottish Episcopal Church (487)
- Church of Scotland (741)
- Dundee Violence Against Women Partnership (527)
- Eaves and OBJECT – Demand Change campaign (860)
- End Prostitution Now (EPN) and Buying Sex is not a Sport (BSINAS) (644)
- Engender (937)
- Equality Now (779)
- Esclavitud XXI (Spanish organisation) (259)
- Evangelical Alliance (785)

- Exodus Cry (American anti-human trafficking organisation) (672)
- Feminist Blether (821)
- Full Gospel Church (716)
- Glasgow City Council and Glasgow Community and Safety Services (781)
- Highland Violence Against Women Multi-Agency Partnership (803)
- Inverclyde Violence Against Women Multi-Agency Partnership (858)
- Leith Links Community Council (432)
- Leith Links Residents' Association (103)
- LGBT Youth Scotland (806)
- New Forest House of Prayer (313)
- NHS Greater Glasgow and Clyde (NHSGGC) (490)
- NHS Scotland (363)
- North Ayrshire Violence Against Women Partnership (538)
- North Lanarkshire Council (936)
- North Lanarkshire Violence Against Women Working Group (536)
- Oasis Church Portsmouth (474)
- Open Road (763)
- Organisation for Women's Liberation (OWL) (447)
- Perth and Kinross Council (685)
- Quarriers (715)
- Queens Park Baptist Church Glasgow (152)
- Rape Crisis Scotland (798)
- Safe Space (Dunfermline based charity) (761)
- Salt and Light (267)
- Salvation Army (606)
- Scottish Borders Rape Crisis Centre (819)
- Scottish Churches Anti-Human Trafficking Group (590)
- Scottish Coalition Against Sexual Exploitation (SCASE) (736)
- Scottish Sexual Health Promotion Specialists (810)
- Scottish Women Against Pornography (SWAP) (861)
- Scottish Women's Convention (344)
- Soroptimist International (Scotland North and South region) (586)
- Soroptimist International Inverness and Nairn (330)
- Soroptimist International Scotland North Region (679)
- Soroptimist International, Hamilton (809)
- St Fillan's Episcopal Church (326)
- STUC (862)
- The Gathering (49)
- United Free Church of Scotland (758)
- Victim Support Scotland (604)
- West Lothian Violence against Women Strategic Group (608)
- White Ribbon Campaign (2)
- White Ribbon Scotland (759)
- YWCA Scotland (819)
- Zero Tolerance (706)

There are 15 organisations against the proposal:

- E Designers Ltd (833)
- English Collective of Prostitutes (822)
- Global Network of Sex Work Projects (662)
- International Committee on the Rights of Sex Workers in Europe (ICRSE) (800)
- International Union of Sex Workers (762)
- Josephine Butler Society (341)
- LadyFest Glasgow (784)
- New Zealand Prostitutes' Collective 2012 (714)
- SCOTPEP (485)
- Sex Worker Open University (767)
- Soroptimist International Kirkcaldy (353)
- Streetwork (680)
- Support and Advice for Escorts (SAAFE) (430)
- Terence Higgins Trust (830)
- UK Network of Sex Work Projects (UKNSWP) (427)

1 organisation made no comment

- NHS National Services Scotland (17)

1 organisation was undecided

- Association of Chief Police Officers in Scotland (ACPOS) (627)

1 organisation did not state a view

- Law Society of Scotland (727)

### **Reasons for supporting the general aim**

7. A variety of reasons were given as to why legislation to criminalise those who purchase sex was considered the right policy approach. The most common reason provided was that the legislation would reduce the incidence of prostitution and protect women against violence. This corresponded with the aim set out in the member's consultation paper, although the paper acknowledges not all prostitutes were female. It was noted that a few respondents, although supportive of the proposed bill, would have liked to see the policy extended to include the decriminalisation of the sale of sex, so that vulnerable people were not further penalised. Reasons given in support are set out in more detail below:

#### *Reduction in demand for prostitution*

8. One hundred and ninety three of all respondents agreed with the statement that prostitution is a form of violence against women, and criminalising the purchase of sex would tackle demand and reduce the incidence of violence against women. Dundee Violence Against Women Partnership (DVAWP) (527) expanded on this view, in answering question 2 on the effects, "The legislation will firmly frame responses to prostitution in Scotland as focussing on challenging demand and reducing harm to vulnerable women. The legislation will more effectively focus attention on the minority of men who choose to purchase

sex as being harmful and the root cause of prostitution. It will also validate the beliefs and choices of the vast majority of men in Scotland who chose not to purchase sex. The legislation demonstrates a commitment to challenging demand and reducing the impact of prostitution on women (and communities) over the long-term". An individual (492) thought "it could massively reduce it [prostitution] as police could deal more effectively with the root of the problem".

9. Some individuals made reference to building a society that valued all, for example an anonymous (814) response, stated "most women in prostitution are not there through free choice, and allowing it to continue harms not only those women, but generations of young girls growing up to whom the Scottish Government has a responsibility to offer equality and the best possible chances in life – not the possibility of filling a market, for newer, younger women to be exploited". While another individual (765) said "everyone has the right to live a life of freedom and know the worth that each individual has. To simply state that all women working within the sex industry have voluntarily chosen that career is a clear indication of the naivety of Scotland. This is a severe issue going on worldwide and it is about time that we became a voice for the voiceless and stand to bring them freedom that they truly deserve".
10. Zero Tolerance (706), a charity working to end men's violence against women, was of the view that "Scotland has excellent responses to domestic abuse, including specialist courts and policing task forces. It has a sexual violence specialist unit in the Crown Office and Procurator Fiscal Service and trafficking is to be a core concern of the serious crime unit of the new single police force. It has ACPOS-led campaigns on consent to sex to tackle rape myths. Prostitution is the missing part of the puzzle – the one form of Violence Against Women which is still widely tolerated, perhaps because people think it is inevitable and unsolvable; or because it is largely hidden and affects mainly an underclass of women who are seldom heard. This is not acceptable".

#### *Consequential reduction in human trafficking*

11. Although human trafficking (for sexual exploitation) was not the main focus of the proposed legislation many respondents felt that sending out a message Scotland would not tolerate the purchase of sex would act as a deterrent to those who buy sex, which would reduce the demand for sexual services in Scotland and therefore impact on the profits that could be made by those in the industry with the likely effect of deterring human traffickers to Scotland.
12. One hundred and eighty-four respondents (total includes 48 identical responses from the Queens Park Baptist Church Action for Justice Group, Glasgow) believed criminalising purchasers would reduce both prostitution and human trafficking for sexual exploitation. The latter was also given as an answer to question 2 as an effect of legislating. Victim Support Scotland (604) stated their vision was "no more victims". It explained that "Buying sex should not be seen as a harmless, victimless act. There is a clear link between prostitution and trafficking, it should be seen as exploitation of women and as such it should not be tolerated".

### *Recognition prostitution not a lifestyle choice*

13. Another explanation provided in support was that prostitution was not an occupation choice. The White Ribbon Campaign (2), a global campaign group to ensure men take more responsibility for reducing the level of violence against women, suggested “It would counteract the myth that prostitution is a commercial transaction between ‘consenting’ adults and a form of employment willingly entered into, and this in turn would allow for more work to be done to support those wishing to leave prostitution”. Similarly, Rape Crisis Scotland (798) said, “We reject the argument that prostitution is a career choice which is chosen free of constraint or coercion. This may be the case for a small number of women, but not for the majority. Involvement in prostitution is frequently due to constraints and lack of alternatives. Many women in prostitution have already experienced significant neglect, violence and abuse”.
14. Glasgow City Council and Glasgow Community and Safety Services (781) also commented that “the legislative focus should now turn to those who purchase sex. It is well documented that the majority of women (and men) who sell sex do so because they are disadvantaged. In the experience of both services it is rare that women make a lifestyle choice to sell sex. Rather their choices are limited and women are required to make difficult decisions in order to survive”.

### *Prostitution perpetuates inequalities*

15. Equality Now (779) highlighted the positive equality aspects of the member’s policy and supported the proposed legislation because, “Prostitution is a form of violence against women and girls and violates their human rights, including the right to equality and non-discrimination, dignity, health and the right to be free from violence, torture, inhuman and degrading treatment. As demand is the driving force behind prostitution and other forms of sexual exploitation, efforts must be made to tackle it”.
16. On the consequential effects of prostitution on health and social equality, NHS Scotland (363) supported the general aim of the proposal, and gave the following reasons for its support: “Gender-based violence, which includes prostitution and other forms of commercial sexual exploitation, is a major public health problem.... The majority of women and men exploited in prostitution are amongst the most marginalised and disadvantaged within society, experiencing greater health and social inequalities than any other group. Involvement in prostitution is associated with significantly higher levels of physical, mental and sexual ill-health, including [Post-Traumatic Stress Disorder] PTSD, depression anxiety etc..... The pathways into street prostitution include previous experience of sexual abuse, socio-economic deprivation etc..... Health policy across NHS Scotland recognises the key role of prevention in tackling inequalities and promoting health and well-being”.

### *Changing attitudes toward purchasing sex*

17. In response to this question, the Church in Society Committee (487) thought “a key role of a civilised society is the protection and the empowerment of the vulnerable. There is a need to ensure all citizens live with dignity and freedom. At present women and men violated by prostitution are denied these rights.

Within a civilised society, power should be demonstrated creatively encouraging all to maximise their potential”.

*Decriminalisation of the sale of sex*

18. Although supportive of the Bill, several respondents felt that one crucial aspect was missing. As well as criminalising the purchaser, they considered the sale of sex should be decriminalised. West Lothian VAW Strategic Group (608) recognised “prostitution to be harmful, survival behaviour, resulting from a lack of real choices....” and as such believed “that the criminalisation of the purchaser should also be coupled with the de-criminalisation and de-stigmatisation of those involved in prostitution. Furthermore, legislation should be aimed at ending the social exclusion and stigma attached to adults and children involved in prostitution and should focus on prevention and exit programmes. Decriminalisation will avoid further victimising those who are involved in selling sexual services and facilitate access to services that support women, men and young people to exit prostitution”. Rape Crisis Scotland (798) described this addition as “crucial”.
19. While Demand Change! Campaign (860) stated that “alongside the criminalisation of the purchase of sex acts, we strongly recommend the decriminalisation and the provision of services to support those exploited in the sex trade to be able to exit prostitution safely and permanently”. Scottish Women Against Pornography (SWAP) (861) suggested that “decriminalising the selling of sex has meant those in prostitution do not have to contend with harassment and arrest from police, which can enable the women to feel less stigmatised. Furthermore, this system serves to prevent the ‘revolving door’, and means that services can be explicitly directed at assisting women to leave prostitution”.
20. Also supportive of decriminalising the seller was LGBT Youth Scotland (806), the largest youth and community-based organisation for lesbian, gay, bisexual and transgender people in Scotland. The organisation referred to its experience of working with vulnerable young people exploited through escorting services and young people exchanging sex for somewhere to stay, alcohol or gifts. In its response, the organisation stated “LGBT people, especially young LGBT people, are far more likely to experience homelessness, mental health issues and substance misuse problems, all of which make young people more vulnerable to exploitation. Recent research looking at transsexual women’s experiences found that due to the additional layers of transphobia and discrimination that they face, transsexual women felt that they were more vulnerable to sexual exploitation, both online and through prostitution. It is for these reasons that we would ask that the bill go further in decriminalising the selling of sex”.
21. Scottish Borders Rape Crisis Centre (820) thought that “This proposed legislation is compatible with the overall strategic approach in Scotland, which recognises prostitution and other forms of commercial sexual exploitation as a form of violence against women as set out in ‘Safer Lives Changed Lives’. However it is essential that the sale of sex is decriminalised including all forms of prostitution, especially street prostitution as this is where many of the most vulnerable women are exploited. This will ensure that we do not punish the vulnerable who are forced into prostitution”.

22. The Law Society of Scotland (727), which did not state an overall view on the bill, offered a view on the decriminalisation of the seller. The Law Society commented on the general aim of the proposed bill, “in choosing not to tackle the sale of sex, lacks the ambition of the 2011 consultation”..... “to a lesser extent than the 2011 consultation, is likely to reduce the risk of harm by deterring those persons who purchase sex albeit it is unlikely to deter persons who seek to make commercial gain from the sale of sex”.

*Prevention best approach*

23. One respondent (317), who had worked in the police force and in social work, expressed concern “that broken lives are very slow to mend and to prevent the harm in the first place is better than trying to provide support after the event”.

**Experience of supporting ‘sex workers’**

24. Several organisations gave evidence of their experiences working in supporting sex workers. A selection of these is set out below:

- Some survivors [of childhood sexual abuse] have found themselves involved in prostitution and without exception they have not considered it a ‘life choice’. Once involved they have found factors such as threats of violence to themselves or their family, make it increasingly difficult to exit. This is the case for males and females. (Safe Space) (761)
- The majority of our service users who are involved in prostitution are involved in street prostitution. Our experience, which is supported by research evidence, local surveys and service user profiles, strongly supports the view that for this client group, the vast majority have become involved as a result of complex social circumstances including dependent drug use, previous sexual exploitation, mental health problems, poverty and low self-esteem etc. Most are unhappy with their lifestyle and would not actively choose to be involved. (Drugs Action, Quay Services) (817)
- I have worked in areas with high levels of unemployment, deprivation and disadvantage with young women and men who feel that prostitution is the only way for them to bring money into their homes. I have seen young women becoming involved without a full realisation of what it may mean for their emotional and mental health. Their entry into the sex industry was made without this information and was certainly never covered as part of the recruitment process by escort agencies and brothel managers. Many found it very difficult to leave again; feeling even more trapped and limited than they were before. It is time that we removed prostitution as the final option for survival and instead of focusing on the individual and their choices – we acknowledge that it only exists because there is a demand for it. (774).

**Reasons for not supporting general aim**

25. The key reason put forward by respondents as to why the legislation should not be progressed was that it made prostitutes more vulnerable rather than safeguarding them.

*Policy approach detrimental to 'sex workers'*

26. It was pointed out by 47 respondents that legislation that criminalises the purchase of sex results in harmful outcomes for sex workers. This included an increased risk of HIV and abuse and exploitation and would limit access to healthcare and support services. UKNSWP (427) a network of more than 60 member projects across the UK, voiced its opposition to the general aim of the Bill for similar reasons. The organisation believed the proposed Bill would “create a framework within which it would be even harder to provide accessible needs-based quality health, safety, social care, exit support and other support interventions for sex workers”.

27. The response from the English Collective of Prostitutes (822) warned that “criminalising clients will not stop prostitution, nor will it stop the criminalisation of women who work as prostitutes. But it will make it more dangerous and stigmatising for sex workers..... Since clients in Scotland were criminalised in October 2007, the number of assaults on sex workers has soared. Attacks reported to one project almost doubled from 66 in 2006 to 126 in 2007, including eight reported rapes and 55 violent assaults. To ignore this evidence shows a total disregard for the lives of women in the sex industry”. An anonymous response from a sex worker (147) articulated the stigma issues faced, “What I did find dehumanizing and degrading was the treatment I received from members of the community, the police, and health care professionals due to my status as a sex worker. My work was criminalized and the stigma resulting from this pushed me away from supports and services that would have benefited me. I was evicted, twice, without notice by landlords who came to know I was doing sex work in my own home”.

*Lack of evidence to support change in law*

28. Several respondents questioned why the proposal would wish to go against international evidence that demonstrated the policy approach is misguided. The International Union of Sex Workers (762) stated “there is no evidence that the majority of sex workers are unwilling. There is no evidence that most purchasers of sexual services wish to buy services from the unwilling. There is no evidence that demand for commercial sex is the primary cause of trafficking: trafficking occurs in the sex industry for the same reason it occurs in other industries”. A response from a group of six academics (613) explained that “prostitution, like drug and alcohol abuse, is multi-faceted and multi-factorial. Research from across a range of settings has indicated that simply criminalising one side of such a profoundly complex social issue will not solve the problems that the proposal is attempting to solve. Criminalising the purchase of sex has not, so far, produced any conclusively tangible effects in terms of increasing the safety of women, or decreasing levels of violence and exploitation in prostitution. There are only a small number of international comparators and these are with countries with distinctive cultural and social contexts. It is extremely difficult to measure the impact since much research has been ex post facto, but what credible research there is suggests displacement of sex work and further threats to the safety of workers”.

### *Prostitution is a form of employment*

29. Those who identified themselves as 'sex workers' (past and present) expressed the view that the consultation regarded prostitution as sexual exploitation and violence against women and that the majority of those who were involved in prostitution were unwilling participants was a misrepresentation. One respondent (531) advised "There are a lot of sex workers that are aggrieved by the presumption that they do not act freely, intelligently and have defiled their own dignity/worth by practicing their chosen profession. I am one of them. Another respondent (532) highlighted what the benefits of being a 'sex worker' were "I chose to escort for money. I enjoy it. I do not feel exploited or dehumanised. I feel liberated, excited, expressive, creative and earning good money. I am one of very few people who ACTUALLY enjoys their job. This job has allowed me to support myself, allow myself to explore things I wouldn't have been able to otherwise and opens opportunities for me for further education. I feel that I am able to do so much more with my life in every sense since I chose to work in this line of work. I have a mortgage, I'm supporting myself, I went full time when I got made redundant in March. I haven't claimed benefits and putting additional pressure against the welfare. I work hard and proud".

30. A respondent, (20) who had experience as a 'sex worker', summed up the viewpoint of many of the respondents involved in prostitution when she explained that she did not feel that her chosen profession exploited her, or that it was any kind of physical abuse; "It is not a treatment or degradation but a form of income and in a 21st century Scotland I do not think women should be dictated to by the state". A view shared by another respondent (567) who stated "I am not being exploited; I am willingly providing a service. (A service which I believe is very valuable to certain men, for example, disabled clients and those who may have great difficulty achieving intimacy or sexual contact.) I take pride in the way I run my business and I handle all the marketing and advertising myself. Like many people, my work involves providing a service to others. I do not believe my job reduces me to a commodity. I do not believe that prostitution is "inherently harmful and dehumanising". This may be some people's experience of sex work, but not mine. My experience of the sex industry has been largely positive."

### *Fundamental change to criminal law*

31. UK Network of Sex Work Projects (UKNSWP) (427) was concerned that the member's proposal would change the balance of the law in this area "the proposal to criminalise the purchase of sex represents a radical change to the criminal law in this area. No Parliament in the UK has ever taken such a step, particularly one that is not well supported by either public opinion, academic evidence or many practitioners working front line delivering support to sex workers from the UK or abroad. We are concerned that the proposed reform has a narrow focus on criminalisation and that responses will be similarly narrowed into either supporting or rejecting intervention".

**Q2: What do you believe would be the effects of legislating to criminalise the purchase of sex (as outlined above)? Please provide evidence to support your answer.**

### **Positive effects of legislating**

#### *A reduction in demand for prostitution*

32. With regard to the effects of legislating to criminalise the purchase of sex, 377 respondents (total includes 48 identical responses from the Queens Park Baptist Church Action for Justice Group, Glasgow) out of the overall total believed that it would dramatically reduce the level of prostitution and human trafficking for sexual exploitation in Scotland. While two respondents hoped it would stop prostitution altogether.
33. Several respondents believed the sex industry functioned like other businesses. One response (63) explained the “sex trade like any other business model is based on the desire to make money. That money comes from demand and if you remove the demand the business has no profit and thus cannot continue. With harsh, properly enforced punishments on the people paying for sex you reduce the demand”.
34. Leith Links Community Council (432) provided an example of how legislation could result in a reduction in demand for prostitution. The Community Council advised “Demand would drop. If there are fewer customers' prostitutes can genuinely get the help needed to stop.” In its response, it referred to the use of “a prostitute tolerance zone” which it explained “resulted in a massive influx of kerb-crawlers”. However the Community Council said “When the Prostitution (Public Places) (Scotland) Act 2007 was introduced there was a marked drop in kerb-crawling activities”.
35. Some respondents referred to other jurisdictions and international evidence where they considered a similar approach had worked, for example, Sweden and Norway. They stated Sweden had reduced prostitution and trafficking and Norway had adopted the same measures. An individual (294) believed “Evidence from elsewhere would indicate that similar legislation in western democracies has led to a sharp reduction in people trafficking and prostitution. It is also interesting to note a change in the attitude in those societies to the sale and purchase of sex following the introduction of such legislation. This view was echoed by other respondents:
- The knock-on effects will be that there will be less trafficking because of less demand, and thus there will be a reduction in the abuse and violence that often accompany these activities. (169)
  - Not only would this help reduce prostitution, but the kidnap and slavery known as human trafficking. It has been proven that there is a greater incidence of human trafficking in countries where prostitution is legal. In countries, including Sweden, where prostitution has been made illegal, the rate of prostitution has decreased. (198)

### *Change in society's attitude*

36. In relation to the Swedish model, NHS Health Scotland (363), the national agency for improving the health of our population, pointed out that “the evidence of public support for this legislative mechanism in Sweden and the corresponding shift in attitudes towards disapproval of the purchase of sex, particularly among young people, are encouraging. Whilst acknowledging the different cultural context of Sweden, it is conceivable that the normative effect of the law on such attitudes may also occur in Scotland.” If this proved to be the case, NHS Health Scotland considered this may support its efforts “to promote sexual relationships as consensual, equal and respectful which are identified outcomes in both the Sexual Health and Blood Borne Virus Framework and Road to Recovery policy”.
37. A change in societal attitude was also highlighted by Amnesty International (Paisley branch) (349). It considered that “legislation has been shown to change attitudes; this can be demonstrated by the Equal Pay Act, making wearing a seat belt compulsory and recently banned smoking in public. Attitudes of young men in Sweden have changed after the purchase of sex was criminalised there; research showed that after 7 years post legislation far more men thought having sex with a woman involved in prostitution was wrong compared to before the Act”. An individual (827) highlighted the positive effect of the proposal on future generations “In legislating the criminalisation of the purchase of sex, Scotland is also advocating gender equality. Why should the women who were tricked into, coerced into or trafficked into the country for the purpose of prostitution be criminalised when they are caught kerb crawling while the men who exploit them go scot-free? In putting this legislation in place, Scotland is laying a foundation for the future generation to adopt gender equality as an important value”.
38. Many respondents, who were supportive of the proposal, considered this legislation would make clear Scotland's approach to sexual exploitation and one respondent (248) thought it would show “that Scotland is prepared to take a stand against the flood of sexual exploitation and human enslavement that is seeking to engulf our communities”.
39. Several respondents went on to explain that it would place the responsibility for ending prostitution with the buyer, with one respondent (814) stating that “A clear message would be sent to those who buy sex and those who condone it that the Scottish Government are serious about equality and eliminating the harm caused both directly to women enduring unwanted sex, and to all women via the negative social messages tolerances of prostitution encourages. It would place the responsibility for ending prostitution with the buyer, rather than as now with those who enter prostitution due to limited options”.

### *Increasing effectiveness of legislation*

40. In addition, a number of responses highlighted the need for further measures to increase the effectiveness of the proposed legislation. Victim Support (604) acknowledged “that the attitudes and beliefs which currently fuel the demand for prostitution are to a great extent rooted and ingrained in modern culture and society and as such require more than legislation alone to tackle effectively. Legislation must not only be readily and effectively enforced, it must go hand-in-hand with social and economic initiatives, such as awareness raising and

education aimed at deterring purchasers, challenging attitudes, and supporting women out of prostitution”.

41. The Salvation Army (606) raised a similar point. It stated “the criminalisation of the purchase of sex will be ineffective unless it is accompanied by the provision of practical and appropriate options for the women, and men, who feel that working in the sex industry is their only choice for making a living. Making the purchase of sex an offence may have the effect of reducing prostitution, but it will not work unless people who currently work in the sex industry are given a good deal of help to seek other employment opportunities, to gain education and skills which will allow them to exit the sex industry”.

### **Negative effects of legislating**

42. The main detrimental effects identified by respondents to the consultation related to the increased risk to the safety of prostitutes, further stigmatisation of those selling sex and the consequential effects on prostitutes accessing support services.

#### *Would increase the risk of violence against sex workers*

43. Several respondents felt that it may lead to a reduction in the size of the industry but would, by driving it underground, place those working in the industry at significantly increased risk of harm. Criminalising the purchase of sex would also be likely to increase the stigma attached to sex work. A number of responses referred to the UNAIDS Advisory Group on HIV and Sex Work which found that criminalising sex work in fact makes sex workers more vulnerable to abuse and exploitation, with less access to effective healthcare and support services. Also a number of responses quoted from the Global Commission on HIV and the Law’s report ‘HIV and the Law: Risks, Rights & Health’ which stated that countries should “decriminalise private and consensual adult sexual behaviour including voluntary sex work”.

#### *Views of sex workers on proposal*

44. Some negative effects identified by ‘sex workers’ were:

- keeps away 'good' clients (who fear prosecution) while more reckless or dangerous clients continue buying sexual services;
- pushes sex work into more clandestine situations thereby enabling abuse;
- makes sex workers afraid of the police and less likely to contact them when attacked, or to share data about attackers;
- reduces sex workers' incomes to the point where they are willing to compromise on their safety, both in terms of security and sexual health;
- further stigmatise sex workers and prevent them accessing health or other support services;
- prevents sex workers from being in contact with each other and thereby forming networks of mutual support which would make them more vulnerable to violence and discrimination.

45. Some of these effects were illustrated in the responses received by those who identified themselves as ‘sex workers’. A couple of these responses focused on the detrimental impact of the proposed policy on their employment, “I’m making a

living and I enjoy my job and by you passing this law you will leave me unemployed as well as other ladies in my same situation” (15). Another respondent described the impact such legislation would have on those working in saunas, “I believe that saunas would see a dramatic fall in customers they would subsequently close. The girls working there who are financially secure and have a sensible head on their shoulders would either become unemployed or would rent premises and advertise and work independently.” (20)

46. One ‘sex worker’ advised that the intended legislation would have a negative impact on people with disabilities, “I am fluent in sign language and massage and many of my clients are deaf, blind or wheelchair bound consideration must be given to them also.” (339) While another individual described the effect a change in the law would have on assistance they provided to the police, “At the moment knowing I and my clients do not break the law means I have no fear in coming forward should a crime be committed and share as much information as I can give to assist the police. Should this change I would find myself unable to do so, which would be a very sad thing”. (37)

#### *Evidence not supportive of legislation*

47. Some responses considered the basis for change was not rooted in sound evidence. The International Committee on the Rights of Sex Workers in Europe (800) stated “As members of an extremely stigmatised community, we denounce the instrumentalisation of statistics that are biased, taken out of context, the results of flawed methodology when not simply fabricated”. The response went on to say “Before analysing these statistics, we would like to emphasise that we know, better than anyone else, the level of violence faced by sex workers. We know, because we are the ones who suffer from it”. It continued “Because violence against sex workers is such an important issue, we are determined that policies which aim to tackle such violence should be based on evidence, and we regret that this Bill proposal fail to do so”. An individual (31) felt similarly, “the reason these types of studies are so flawed is because they never come into contact with us normal working girls who never encounter the police, drugs services, mental health services or any other similar organisation, thus you don’t have the chance or opportunity to interview us or find out our feelings on this matter. The studies are clearly all aimed at women involved with the police, drugs teams, mental health services and probably street sex worker outreach projects”.

#### **Other effects**

48. ACPOS (627) noted in its response that “In the absence of any proposal to remove from the statute books the s.46 Civic Government (Scotland) Act 1982 offence, the proposed Bill would create disparity with existing legislation in terms of creating a differing approach to ‘sellers’ dependant on whether the scenario was ‘on-street’ or ‘off-street’.” ACPOS highlighted in respect of the proposed legislative position, “It is recognised that on-street prostitution is often thought to create a greater likelihood of public nuisance and perhaps that is all the distinction that is needed. However, members of the public affected by off-street prostitution might have strong opinions about the nuisance it causes, and

whether criminal culpability should be imposed on both the off-street seller and off-street purchaser”.

49. The Paisley branch of Amnesty International (349) pointed out that in Northern Ireland there was currently a proposed Bill which sought to criminalise the purchase of sex. The organisation thought “If that becomes law it may force more traffickers and pimps to operate in Scotland. If we legislated here they will have to go elsewhere”.
50. A small number of responses indicated that legislating would make no difference, for example, one response considered those prostitutes (escorts) who operated at the top end of the market would continue unaffected. (885)

**Q3: Are you aware of any unintended consequences or loopholes caused by the offence? Please provide evidence to support your answer.**

### **No consequences or loopholes**

51. From the overall total, 137 respondents did not foresee any unintended consequences from legislating as proposed by the member. Equality Now (779) responded “we believe such legislation would have the added benefit in promoting sex equality by sending the clear signal that women are not for sale, but are equal to men”. Many individuals considered an offence of purchasing sexual services was a necessity in order to tackle prostitution. This was summed up by an individual respondent (413) “I believe it is totally unacceptable to buy women, or children for the purposes of sex and any legislation to stop or deter it in any way can only be helpful”.
52. Many of the individuals who responded to this question pointed to the success of a similar offence in Sweden and Norway, “In Norway and Sweden there have been nothing but positive consequences. Advertisements for sex have been reduced by 28% in Norway and if the "Johns" can't find the prostitutes it reduces the supply as the demand disappears” (21). Another individual (295) pointed to the beneficial effects the creation of an offence might have, “Criminalising sex in Norway has been effective in reducing advertising. Any legislation which brings publicity to the sex trade can only be good”.
53. Others took the view that the risk of loopholes was not a barrier to tackling the purchase of sex, while an individual (516) stated “The threat of any loopholes emerging cannot take away from the fact that criminalising prostitution will cause a massive decrease in it. Those saying that criminalising prostitution will drive it underground should keep in mind that prostitution is already an underground profession. There is nothing above board about it; it is a dangerous profession where rape and physical abuse are very real risks not to mention the drug addiction tactics that many pimps employ to keep prostitutes on a leash”.
54. Although supportive of the general aim of the proposed Bill, some responses highlighted areas where they believed further consideration should be given. The first point which required further clarification was in relation to escorts. Glasgow

Community & Safety Services (781) thought the “Legislation should also consider escorts and escort websites. Many escort websites contain a caveat stating that payment is for companionship only and that any sexual relations are between two consenting adults. This will require clarification for legislative purposes”.

55. The other area related to obtaining evidence that an offence had been committed. A few responses drew attention to difficulties where payment is made to a third party “the level of evidence for prosecution may be difficult to establish where monies or favours are paid through third parties” (506). Another response (298) described how the offence might be evaded “if the price for time with a woman/ girl changes from a fee to “suggested donation” or “consent is given with expenses covered to meet” or “here is a gift for you” with it being more secretive it will be easier to pass it off as the woman's will and right to sleep with whom she chooses”.
56. While another respondent (69) thought it would be difficult to pursue a successful prosecution because the element of ‘knowledge’ was subjective, “I see major loopholes that can be taken advantage of in court ... how can one prove or disprove that he/she were “unaware” that the person he/she had sex with was a prostitute? In court, how would the prosecutor prove that person B did in fact know when “knowledge” seems to be so subjective? And, if you cannot prove that B did not know, then what would stop B from blaming A for his error? I believe both A and B should be criminalised, for A paid for the service, and B was involved in the sex service. Both are wrong”.
57. Seven responded stating they were not aware of any consequences and two others were unsure.

### **Unintended consequences**

58. In response to this question a large number of respondents took the opportunity to discuss the argument that creating an offence of purchasing sex would, or would not, drive prostitution ‘underground’.

#### *Prostitution would not be driven ‘underground’*

58. Of the total responses received 307 respondents (total includes 48 identical responses from the Queens Park Baptist Church Action for Justice Group, Glasgow) to this question thought that “the argument that criminalising the purchase of sex would drive it underground was not based on any evidence”. Respondents argued this would not be the case because the nature of prostitution was such that it had to be visible to clients, “If the men who purchase women are able to find the women, then trained police will too”.
59. The Scottish Borders Rape Crisis Centre (820) agreed with this assertion. The Centre stated that “prostitution operates as a ‘commercial business’ and needs a point of contact between ‘supply and demand’, increasingly using technology such as websites, blogs, social networking and mobile phones. These would provide solid means for investigation and evidence by the police.” The Rape Crisis Centre quoted Matthew and Easton 2010, “this proposed legislation would mean the police will be able to investigate these premises more systematically

and it is evident from interviews with women involved in prostitution in saunas that current police activity is having a destabilising effect upon trade”.

60. One respondent (853) made a comparison to the current situation, “Prostitutes are currently open to prosecution and it has not gone ‘underground’ so there is no evidence that making the purchase of sex criminal would make it go ‘underground’. With the correct training and intelligence police will be able to tackle those who flout the law, as they already do with other criminal acts” While another respondent (54) pointed out that “the purchase of sex is already underground. It is worldwide and claiming the freedom of thousands of innocent lives through corruption and coercion. Simply because something is restrained does not mean the solution is to lose it. The consequence would be chaos and an invitation to organised crime which has never been able to be contained and limited by government”. The Salt and Light organisation (267), who work with women and men in street prostitution, referred to its local situation, it commented that “prostitution in Glasgow had already gone underground”. An expansion of this point was made by another respondent, (856) who agreed that the “sex trade and trafficking are already run underground everywhere”, however they hoped that “it would deter the day to day male from the temptation of buying sex”.

#### *Prostitution would be driven underground*

61. Twenty three respondents felt that one of the main consequences would be to drive the sex industry underground, “It will drive the sex trade more underground. The income received by the girls may be all they get particularly if required for drugs etc. So what support will there be for the girls. Prostitution will be only one part a chain of activities. There will be a knock on effect” (280). Some highlighted, including English Collective of Prostitutes (822), that the consequence of this would “make it harder for sex workers to get protection from rape and other violence”. While others suggested legalisation of prostitution was the answer. They cited their experience as swingers who found they could be paid for what they do. They warned that “You will not stop this you will just push it further underground, you would be better legalizing it and making it safer for people to work in groups where girls on their own have help at hand if needed, but we have never experienced any problem (864).

62. A number of other issues were raised in relation to the creation of an offence of purchasing sex.

#### *Enforcement issues*

63. Several respondents argued that the policing of this law would be as difficult as that of policing the sale of drugs. One respondent (144) added that “the argument that the sale of sexual services is as accessible to the police as to those seeking to use these services doesn't appear a strong one. 'Underground' situations where these activities take place are by definition outside of the purview of the authorities, and often effectively monitored by those seeking to prevent detection and prosecution”.

64. Others were of the view that police enforcement of this law would be essential to its success and although this could be time consuming and expensive it should not however be an obstacle to its implementation. One respondent (5) wrote “I

feel the offence would have a greater benefit than doing nothing at all. There will always be loopholes in a first draft of legislation, but the overall effect is much better than leaving the situation as it is. The need for action despite possible issues, was echoed by another respondent (225), “People will say it is too costly, that prostitution is unpreventable, that the legislation is unenforceable that is an attack on personal freedom, that you are a prude or a puritan, that government should not moralise, that this will drive prostitution underground, that it will feed organised crime, that it is a legitimate life choice to be a sex worker, and more besides ... All of them are attempts to defend the indefensible”.

#### *Consequences for prostitutes*

65. A number of respondents considered the creation of an offence would affect prostitutes’ continuity of clients; one respondent (559) stated “This law will discourage 'regular' clients: if you criminalise the purchase of sex, men will be more likely to go from prostitute to prostitute, rather than return to the same person each week and risk detection. This law will also discourage 'regular' clients from reporting violence, lest they find themselves targeted by the very same law”.

66. Amnesty International (Paisley branch) (349) felt that “There may be a negative impact on the women who are currently dependent on prostitution for their living, repayment of debts etc. It is critical that funds should be made available to provide financial provision to support both the women concerned and the organisations that help women exiting from prostitution. Money from fines from the purchasers of sex could contribute to this. Sometimes people think an unintended consequence of criminalising prostitution would be an increase in the number of rapes. We do not believe this to be the case. Indeed the evidence is strongly the other way, that when women are objectified they are more likely to be the subject of sexual harassment”.

#### *Interaction with existing legislation*

67. Concerns were raised about how the proposed legislation would interact with existing legislation. The Women’s Support Project (799) expressed that “people involved in street prostitution would still be criminalised through Section 46 of the Civic Government (Scotland) Act. This is an unhelpful contradiction and so we support the decriminalisation of loitering and soliciting in public”. The STUC (862) cautioned “there may be other pieces of legislation which will interact with this proposal, and this should be explored carefully, to ensure the aim of focusing on successfully criminalising the purchase of sex, without continuing to criminalise the person receiving the payment”.

#### *Prosecution of the offence*

68. Leith Links Residents’ Association (103) shared its experience of trying to bring a prosecution “Having met with the Procurator Fiscal and Lothian and Borders police to discuss the poor prosecution rate of kerb crawlers it would appear that the Prostitution (Public Places) (Scotland) Act 2007 is almost impossible to enforce as corroborative evidence is required and is almost never available”.

### *Swedish model*

69. Perth and Kinross Council (685) was not in favour of criminalising the purchaser. The Council considered social policy means a better method of tackling prostitution because “social policy context in Sweden differs from Scotland and there may not be a transferability of experience”. While the Council was “attracted to aspects of the Swedish approach (e.g. the programme of public education)” it considered there was “insufficient evidence to support the totality of the approach and would not choose the Swedish way forward for this country at this time”.

### **Q4: What are the advantages or disadvantages in using the definitions outlined above?**

70. Many varied views were expressed in answer to this question.

Those that were supportive of basing the definitions on the 2005 Act commented:

- the definitions were clear and defined
- comprehensive; reasonable; unambiguous
- excellent
- step to increasing the flexibility of law enforcement
- well balanced
- wide reaching
- more difficult for loopholes to be found
- helpful in openness towards the intent of the law
- will strengthen the existing legislative framework
- removes the need to define every sexual act

Also, in contrast, views were expressed about the unsuitability of the proposed definitions:

- lack of clarity
- too broad
- scope for dispute over exactly which activity was paid for
- not specific
- covers all types of sexual activity
- highly problematic
- too shallow
- the lack of definition of sexual activity is a fatal flaw
- need further development
- hugely subjective

### **Advantages**

#### *Both definitions*

71. Some responses provided further explanation as to why following the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 precedent was the correct course of action. A common response was that because both definitions were similar to those used in other legislation they should be familiar to law enforcement agencies seeking to bring a prosecution. The New Forest House of Prayer (313) felt the definition already in place in the 2005 Act “means

there is already an understanding and established case law to support this definition”.

72. Several respondents felt that the definitions allow the law to capture the breadth of ‘payment’ and ‘sexual activity’ and considered that this was important to avoid the abuse of loopholes to perpetuate prostitution. Scottish Women Against Pornography (861) said that “If the definitions are not used there are numerous arguments defending prostitution which can be exploited by those who control the industry”.

#### *Definition of payment*

73. In terms of the definition of ‘payment’ LGBT Youth Scotland (806) considered it “important that any definition of payment is wide ranging and includes non-cash payments such as drugs, food and someone to stay for the night. This is vital in ensuring that vulnerable people within Scotland are protected under the law.” LGBT Youth Scotland drew attention to research which had found that these forms of payments are common and also that its anecdotal evidence from young people that LGBT Youth Scotland work with supported these findings. As such the organisation advised, “We would therefore support the proposed definition of payment and would be against any moves to narrow it”.

74. In agreement North Lanarkshire Violence Against Women Working Group (536) considered that “It is necessary that the definition of payment is extended beyond that of monetary payment. The definition contained within the Prevention of Sexual Offences (Scotland) Act 2005 would seem to fit well for the proposed Bill”.

#### *Definition of sexual activity*

75. Safe Space (761), a support and counselling service to survivors of sexual abuse, considered the advantage of using the definition was that it avoided specifying every type of sexual activity, “a virtually impossible task”, adding “It should always be for criminal justice services to decide”. An individual (33) agreed with this wider definition for similar reasons, “While more vague and requiring more discrimination by judges and juries, it is better than a list which would always turn out to be more or less extensive than it should be, or miss out a sexual activity, the purchase of which could then not be prosecuted”.

76. Although the White Ribbon Campaign (2) thought that “the use of a reasonableness test to define sexual activity in the Act has the obvious advantage to catch activities that may otherwise be missed due to unintentional omission”, it considered “a less ambiguous definition would avoid the exclusion of activities deemed inconsequential by those who believe sexual activity is limited to sexual intercourse and oral sex”.

#### **Disadvantages**

77. Many of the respondents considered the definitions were too broad. It was believed that this could risk creating loopholes thereby increasing the potential for someone to be falsely accused as a result. One respondent (836) set out their concerns in this respect describing the definitions as “nonsensical”. The respondent questioned the definition of sexual activity - “what on earth

constitutes a reasonable person?" In relation to the member's intention that the definition of 'sexual activity' would mean the offence would not be limited to sexual intercourse or oral sex but could potentially include a wider variety of sexual activity, the respondent continued "that could criminalise practically any kind of sexual relations or relationship with ill-defined parameters. This only further seeks to enhance the fact that the unintended consequences of such a bill would be limitless".

*Both definitions*

78. The Law Society of Scotland (727) suggested the member should give further consideration to both definitions as the Law Society believed the definitions were too wide. The Law Society explained that the Act the definitions were based on set an appropriately high threshold for the protection of children. In this instance, such a wide definition of sexual activity "runs the risk that any conduct of a sexual nature by adults which may not be considered inappropriate nevertheless being criminalised".

79. ACPOS (627), who remain undecided on the proposed legislation commented on the policing aspects in connection with using the proposed definitions. ACPOS although supportive of the definition of payment warned that "securing sufficient evidence of any payment for a sexual service remains a key concern and challenge for the police. This is not as simple as applying existing investigative techniques which, quite correctly, are often tied, in terms of proportionality and human rights, to the seriousness of the offence. In this context, "seriousness" is typically measured by the punishments available for any given offence" and went onto add on the definition of sexual activity that it "understands the desire to use a widely constructed definition and the challenges faced in otherwise attempting to define all the possible conduct that might be envisaged, However, by not specifying any conduct at all, there is a risk that a court might reach a decision that excludes conduct specifically intended to be covered.....Consequently, it is suggested that certain specific types of conduct should be clearly defined, followed by a catch-all section at the end of the definition".

80. Also in relation to policing, Dundee Violence Against Women Partnership (527) conveyed some questions about police enforcement of the proposed offence raised by Tayside Police. One issue concerned the circumstances in which payment was deemed to have been made, "it is less clear whether or not payment has to have been made or if an arrangement to make payment constitutes an offence." The other concerned corroboration, in particular "How will evidence of the act or payment be corroborated? Whilst appreciating that the law relating to corroboration is currently being examined, the police envisage that payment will be challenging to corroborate in practice. Often a potential source of corroboration will be the women exploited in prostitution who for a variety may be unwilling or unable to provide information to the police." In regard to further development of the definitions, Tayside Police suggested, "there may be learning from other jurisdictions with existing legislation that would help to resolve some of these concerns".

81. An individual (631) commented "the definitions need further discussion but the information provided is a useful starting point". The respondent added "It is

important that the focus is on prevention i.e. that the legislation can be applied to the situation before the prostitution act is completed ... I feel that what is important is that any future legislation will support the criminal justice system in being able to protect the most vulnerable, and that it will also disrupt the sex markets”.

82. While the Caucus of Exited Women (696) suggested “the language of the bill is problematic as our laws recognise that prostitution is violence against women so I don't think it's appropriate to say it's paying for 'sex' - it's paying to abuse someone with impunity. We suggest a change to 'paying for prostitution”.

#### *Definition of payment*

83. One respondent (325) referred to this area as “notoriously tricky and convoluted”, the response went on to explain why, “Payment in terms of drugs or alcohol could arguably include encounters that would be defined as ‘one night stands’, for example. In Sweden, legislation has come to be very selectively applied, used to target public and visible street prostitution. Little attention is paid to off-street prostitution unless trafficking is suspected”.

84. Another respondent had concerns that the definition of payment actually achieved its stated aim. The response quoted from the consultation paper: “any financial advantage, including ... the provision of goods or services (including sexual services) gratuitously or at a discount”. The individual warned “Under this definition, 2 or more people engaging in a completely unpaid-for sex are actually paying each other for sexual services by providing sexual services gratuitously. This definition criminalises Scotland full stop. It also criminalises marriage where one of the partners is out of work; a housewife provides sexual services to her husband in exchange for food, clothing and housing. Asking a woman out for dinner and dessert is the same”. (807)

#### *Definition of sexual activity*

85. The main issues highlighted were around what was meant by a sexual activity and how ‘reasonable’ would be interpreted. One respondent (116) provided an example of what might, or might not, be a sexual activity, “the proposed definition of sexual activity (using a “reasonable person” test) has the disadvantage of lack of clarity about what is criminalised. It is not clear to me, for example, whether a reasonable person would include so-called “cyber-sex” as a sexual activity that should fall within the domain of the proposal. While recognising the advantages of flexibility to address a range of unforeseen circumstances, I think the definition of sexual activity needs to be rather more objective”.

86. While another (950) suggested that there was perhaps an underlying reason to the definition - “I am concerned with the vague definition of “sexual activity” and how it may be interpreted and applied to lap dancing clubs, strip clubs, BDSM providers, web-cam performers, chat lines and a plethora of other activities, many of which do not involve skin to skin contact and none include penetrative sex. Although this consultation distances itself from MSP Godman’s all-encompassing net of prohibition, I question what other sexual activities would be captured within the “wider variety of sexual activities” – or is this legislation by stealth aimed at all sexual activities that do not meet moral approval”?

87. One anonymous response (20) highlighted how the definition could be interpreted depended on your views and experiences - "The disadvantage for sex workers, clients, campaigners and members of the public alike is that what we deem reasonable others may not".

88. Others questioned the ability to ever define 'sexual activity' sufficiently, (816) responded "you have not clearly defined 'sexual activity', probably because it is impossible to clearly define. You say 'sexual activity' is defined as an activity 'that a reasonable person would, in all circumstances, consider to be sexual'. Who is to judge what is reasonable? There are many areas of sexuality that are perfectly normal to one person but would be seen as weird to another. Having different tastes or not fully understanding something can lead to all sorts of confusion, danger and misjudgements".

**Q5: What do you think the appropriate penalty should be for the offence? Please provide reasons for your answer.**

89. This question was answered by 587 respondents with 46 of this total opposed to having any penalties as they did not consider an offence would have been committed.

90. A common theme that arose in response to this question was that there should be a staged approach with first time offenders being dealt with differently from repeat offenders. Some respondents thought first time offenders should be given the option of avoiding a fixed fine by attending violence awareness or rehabilitative training courses or community service. Whereas repeat offenders should be subject to a range of penalties from fines to imprisonment and in some cases added to the sex offenders register. One of the individual responses (851) received summed up this approach "I think that the publicity that would come from a conviction would be as much of a deterrent for some as actual punishments. Community payback orders could be used in conjunction with attendance at anti-violence against women courses which would hopefully re-educate offenders away from future offending. Fines and custodial sentences will be necessary for the most harmful offenders including repeat offenders".

**Fines**

91. A range of fine levels were suggested by respondents as set out below. It was noted that the most common fine level was level 3 or above:

- High fines to cover prison costs
- Level 3 fines
- Level 4 fines
- £1000 - £5000
- fine sufficient to be a true deterrent for buyers

92. The White Ribbon Campaign (2) felt that "the violent nature of prostitution has long been masked by the myth that it is simply a commercial transaction between consenting adults in a "free market", a myth bred by use of commercial language

such as sellers, purchasers, services, industry, etc.....we put forward that fines should be levied within a system where the money accrued should be used to help to help victims, for instance by financing programmes which help people leave prostitution”.

93. Angus Violence Against Women Partnership (486) believed that “any punishment should involve a degree of public shame and, therefore, must include court proceedings. We would not be in favour of this offence being dealt with by way of fixed penalty notice. We believe that the police should also be empowered to seize the vehicles of persistent offenders if they are used in the course of the offence”. This view was shared by some of the individual respondents, with (153) saying that “I do not think that a simple fine - whatever the amount would be sufficient a deterrent for the people involved. For many money is really not the issue (ask anyone who has a speeding fine - it is the points on the license which are much more of a deterrent). I feel strongly that involvement of the courts with the possibility of public knowledge is much more important with possibly even a prison sentence”.

94. Evangelical Alliance (785) was “in favour of a greater deterrent such as an income linked fine, prison sentence or a short spell on the sex offenders register. We would suggest that the sex offenders register would be a very effective way to change social attitudes by adding an already established stigma to those who buy others for sex. It would be cost effective and the legislative framework is already in place”.

95. Some individuals provided explanations as to why certain levels of fine were appropriate. A response from an individual (63) explained why a level 4 fine was appropriate, “The penalty must be higher than a simple slap on the wrist if it is to be an effective deterrent. Fines of up to level 4 (£2,500) or short term custodial sentences seem appropriate (around 3-6 months). The deterrent must have a sufficient knock on effect on the culprit’s life if it is to effectively dissuade”. Other individuals agreed that a level 3 fine was commensurate with the seriousness of the offence. A respondent (393) explained their rationale “If the bill is aiming to protect vulnerable people then their abusers/discriminators (including those who purchase sex) should receive a suitable penalty, as would someone who discriminates against or abuses people from any echelon of society.

### **Prison sentences**

96. The views on court involvement and prison sentences varied and covered a wide range of options:

- involvement of the courts with the possibility of public knowledge
- 6 months minimum
- 1-5 years
- 10 years minimum (176 For)
- with counselling offered

97. A number of respondents provided context to their answers, “I am not in favour of custodial sentences for anything but the more serious and violent offenders, as I

believe that community sentences have been shown to be more effective at reducing reoffending and facilitating re-integration into society” (33). While other responses considered “Because of the links with potential exploitation and people trafficking that leads to even greater consequences within society the punishment should reflect the bigger picture of purchasing sex. I would advocate a custodial sentence with appropriate programmes that will inform the offender of the magnitude of the crime and prevent further re offending” (359).

98. Others believed the length of sentence should be linked to the part played in prostitution, “Those who are running prostitution (i.e. pimps) should receive very lengthy prison sentences, and those who are caught using prostitutes should receive shorter but still significant prison sentences” (217).

99. ACPOS (627) “had no view on whether any particular prostitution related offence should be punishable by any particular penalty, whether imprisonment or otherwise. This is not a police matter in Scotland where responsibility for policing is strictly separated from the responsibility for taking criminal proceedings and the responsibility for imposing penalties on those convicted of offences. Whilst remaining consistent to this position, it does remain important to understand that, in Scotland, the availability of a key police power to investigate any particular offence is tied to whether or not the offence is punishable by imprisonment”.

## **Other Penalties**

### *Flexible penalties depending on the circumstances*

100. In its response Amnesty International (Paisley branch) (349) stated that “after looking at the Sexual Offences Act 2009 and noting that sexual assault on summary conviction carries a penalty of up to 12 months imprisonment and/or a fine not exceeding the statutory maximum, as does coercing a person into being present during a sexual activity; coercing a person into looking at a sexual image; communicating indecently etc. Clearly these offences can also carry greater penalties on conviction on indictment. In line with that we'd suggest buying a person for sex could carry a maximum penalty on summary conviction of imprisonment for a term not exceeding 6 months or a fine not exceeding level 3 on the standard scale i.e. £1000 (or both). Given the variety of different circumstances through which this offence may take place and consequent degree of abuse involved, this would allow sentencing options for the court which would reflect the degree of the offence and considerations relevant to the offender, public interest etc.....perhaps as a deterrent one could impound a car used for paid sexual activity, (as one can now do for not displaying a tax disc) then the social disruption to the purchaser and the explanations he would have to supply could have a deterrent effect without requiring much change in current procedures”.

101. An individual (580) explained why they considered flexible penalties were appropriate, “I feel that the penalty has to be significant not only financially but also have social consequences in terms of affecting livelihood and social standing. Otherwise, it will have very little fear factor and those who engage in this behaviour could be willing to 'risk it' fearing little for the consequences”.

### *Penalties to support behavioural change*

102. NHS Health Scotland (363) thought that “penalties should therefore reflect an understanding of the context within which prostitution operates i.e. links with organised crime, different motivations of purchasers, persistent offenders etc. As noted in the evaluation of the Swedish experience, there may be a reluctance to pursue offenders if the crime does not carry sufficiently high tariffs. Given competing priorities this could impact negatively on the commitment of police resources and time which may work to the detriment of enforcement. Those who seek to purchase sex are not a homogenous population. Although the evidence is weak on effective interventions to promote behavioural change in this field, there is a need to consider the potential for other disposals which could support this aim”.

103. While noting that this is a matter of sentencing policy, the Law Society of Scotland (727) believed “that a diversion scheme which forces an offender to challenge his or her views in respect of the purchase of sex could be considered as a realistic and sensible sentencing option. Such a scheme would assist in educating the offender. Experience in other areas has shown that professionally designed and delivered courses can have an educative effect on the offender. Such a sentencing option would include a financial element in that a course fee would be payable by the offender”.

### *Seizing of assets*

104. Safe Space (761) summarised the opinions of many respondents in their response which stated “the links between prostitution and organised crime are well known with women often trapped by fear and violence. The complex nature of prostitution means there are many other criminal activities linked to prostitution which run simultaneously. Seizing assets of those involved would see offenders treated as seriously as criminal networks involved with drug distribution and assets could be used toward funding exit strategies, health care and housing for women”.

### *Loss of anonymity*

105. Equality Now (779) thought that for “repeat offenders, there should be the option of imposing more severe penalties including jail time. Considering that buyers deem loss of anonymity to be a strong deterrent, any measures removing that anonymity, such as sending letters of arrest and/or conviction to the perpetrators’ home address, or publishing convicted buyers’ photos on police websites and/or newspapers, would likely also serve as strong deterrents and thus further enhance the efficacy of the law”.

## **Individual responses to penalties**

106. A selection of views from individuals provides an understanding of the wide range of views on this aspect of the proposal.

- I think it should be severe enough that it will be a legitimate and significant deterrent. Purchasing sex is not something people have to do. Most people probably do it because it is relatively easy to do and they can do it without

their friends, family, and others knowing about it. If they received substantial fines, jail time, and the possibility of being branded as a sex offender, I am fairly certain many purchasers would not consider it worth the risk. (169)

- It was mentioned in the consultation document the increased workload for the courts anticipated by the number of new cases that will come through as a result of this legislation. I don't think this is likely to be greater than that experienced by the courts when the new hate crime legislation came into force. There was a clear policy direction aimed at taking football sectarianism seriously, focusing on such things as sectarian songs etc. This was to be across the board from policing, reporting, prosecution and in court. This worked well, possibly because it had such strong direction from the government, which would obviously be required here. (452)

### **Argument against legislation**

107. Organisations such as UK Network of Sex Work Projects (UKNSWP), SAAFE, International Union of Sex Workers and Sex Worker Open University along with the majority of respondents against the legislation did not think there should be any penalties. They believed sexual activities which take place between consenting willing adults should not be unlawful regardless if it is commercial or not. Indeed, UKNSWP questioned whether this offence was even enforceable.

108. An anonymous respondent (4) thought that "our current legislation against coercion and trafficking stands alone as more than adequate, with harsh penalties that can often also be applied to the exploitation of minors which has its own, separate, comprehensive and equally adequate legislation. Legislating to destroy the income and lives of sex workers will be of no tangible benefit to either circumstance". Other anonymous responses stated:

- There should be no penalty, as criminalising clients does nothing more than damage working girls and put us in danger. (31 Anon)
- I do not think any penalty is appropriate as I do not think the legislation is appropriate in any democratic society. (20 Anon)

109. Terence Higgins Trust (830) expressed concern "that increasing the criminal penalties around sex work will serve to increase the risks to men and women involved in selling sex. In other areas of the UK where law enforcement has been rigorously pursued our service users have reported taking more risks (working alone, working in places they are unfamiliar with, seeing clients they are unsure about etc). Criminal sanctions against buyers of sex could see a decrease in the numbers of men willing to buy sex. However, rather than improving the safety and wellbeing of women and men involved in selling sex, this could result in sex workers being forced to agree to dangerous practices such as travelling with buyers to more secluded places to have sex or agreeing to more dangerous sexual practices such as condomless sex. We do not believe that this point can be ignored or dismissed when it pertains to the safety and wellbeing of many vulnerable people in Scotland".

**Q6: How should a new offence provision be enforced? Are there any techniques which might be used or obstacles which might need to be overcome?**

### **Enforcement general**

110. In answering this question it was widely agreed, by those who supported the proposed bill, that the criminal justice system should send out a clear message that those breaking the law would not be tolerated. Many also suggested methods which could support the implementation of the legislation. For example, public awareness and information campaigns were suggested as necessary to change public perception and understanding. Others highlighted specific enforcement techniques which they considered useful: internet site monitoring; CCTV camera for surveillance; and a facility for public to be able to provide anonymous tip-offs. Also considered important, was the need to ensure agencies and systems were put in place to support sex workers into an alternative means of earning a living.

### **Training**

111. It was suggested that the police should be given comprehensive training (69 respondents) to enforce the legislation. In addition, either/or specialist inter-agency teams or police task forces being formed. Training should also be provided to social workers, court officials and counselling services.

112. Amnesty International Paisley branch (349) commented "Training of Police Officers would be required as the change in the law would require a major shift in thinking about prostitution. Police would also need to be resourced and directed to prosecute such cases. We think special training should be available for the police in the internet and web practices of the purchasers and pimps. A national task force to train and advise local police might be the best option. There would need to be a public campaign to promote and raise awareness of the law as was undertaken in Sweden and close working with associated agencies and organisations would be essential. We think it is critical that awareness raising of the issues regarding prostitution and trafficking need to be incorporated into the personal and social education curriculum in schools".

113. An individual (593) discussed the need for police training and specialist units, "There needs to be a specific team searching for prostitution (underground and above ground) and helping individuals who have been prostituted get out and get the treatment they need. Having both men and women on the force is a necessity as a woman that has been abused by a man may not believe or trust a man offering to help".

114. Aberdeen Cyrenians (769) considered that "In order for a new offence provision to be enforced, police resources will need to be dedicated to the enforcement and monitoring of this legislation. There will also be a need for training and awareness raising across a variety of sectors, in particular: the police force, whose primary role will be to enforce legislation; Criminal Justice – courts,

sheriffs, procurator fiscals, legal services, social work services, all of whom who will be involved in the prosecution process; Support services, both voluntary and statutory, who support those who are and have been involved in prostitution”.

115. In order to ensure effective enforcement of legislation tackling demand, Equality Now (779), thought “providing members of the criminal justice system with adequate tools, powers and training - as proposed in the consultation document – is essential. Law enforcement must know that enforcing any new law is a priority. Also important is the proposed implementation of public education programmes of the new offence in order to raise awareness among the general public that purchasing a sexual act is a crime”.
116. The Evangelical Alliance (785) believed that enforcement coupled with exit services should be the approach adopted, “The new approach should be enforced by the police. However this should also be backed up by a comprehensive strategy to support people exit prostitution and to help those in danger of being drawn into the industry. There may be a necessity for a short term high profile policing campaign to enforce the new law but an equally high profile effort to help people out of the industry should mitigate against the use of police resources.”
117. Victim Support Scotland (604) “we acknowledge that the attitudes and beliefs which currently fuel the demand for prostitution are to a great extent rooted and ingrained in modern culture and society and as such require more than legislation alone to tackle effectively. Legislation must not only be readily and effectively enforced, it must go hand-in-hand with social and economic initiatives, such as awareness raising and education aimed at deterring purchasers, challenging attitudes, and supporting women out of prostitution”.
118. The Law Society’s (727) responded “The Committee agrees that enforcement alone is inadequate to address the problem. Societal changes in attitude and the perception of prostitution is needed. Prosecutorial options, having regard to the circumstances of the offence and the personal circumstances of the offender, should include the option of a diversion scheme. Alternatives to a prosecution such as fiscal fines may not have the same deterrent or educative effect as a diversion scheme”. The Law Society suggested the Police and COPFS would be better placed to answer this question more fully.

### **Policing the new offence**

119. Ten respondents pointed out that in responding to the former MSP Trish Godman’s consultation on her proposed Bill criminalising the purchase of sex, the Association of Chief Police Officers in Scotland (ACPOS) stated that they would not support the Bill due to concerns about implementation.
120. ACPOS (627) set out the current policing position in Scotland and its impact on minor crimes not punishable by imprisonment; it stated “a key police power is only available for use in respect of crimes punishable by imprisonment. This is the power conferred by section 14 of the Criminal Procedure (Scotland) Act 1995 which allows officers to detain a person for a period of 12 hours to allow further

enquiries in the crime alleged. At the conclusion of that period the suspect must be released or charged. However, recent court decisions on solicitor access prior to a police interview under caution have significantly constrained the ability of officers to effect interviews with a suspect under any circumstances other than at a police station. The current position impacts on the ability of officers to gather evidence in respect of minor crimes not punishable by imprisonment”.

121. On evidence gathering, ACPOS felt that the proposed bill would create offences which would present significant challenges. Notwithstanding the issues outlined above regarding current police powers, the transactions and contact covered by the proposed offences would predominately take place in private and outwith the presence of others. The availability of certain police powers was, correctly in terms of proportionality, confined to the most serious offences.

122. In contrast, Zero Tolerance (706) cautioned “in over-stating the difficulties of enforcement, given how commonly arguments about the unenforceability of different laws seeking to drive social progress (such as the smoking ban) have been proven wrong. There is an added imperative for the criminal justice authorities to seek ways in which to make any new prostitution laws work, to avoid creating the impression that there is a culture of inertia or indifference to women’s inequality”.

123. The Women’s Support Project (799) believed that “the focus of enforcement should be on collecting information from the buyers, pimps/managers and customers, rather than on the prostituted women (or men). Resources would be needed to monitor and collect information on print and online advertising of prostitution services. Investigative techniques, which have been refined and adopted in other countries, could be reviewed and assessed for implementation in Scotland”.

#### *Enforcement in Sweden*

124. Thirty one respondents suggested that the Scottish police force should consult with Swedish counterparts while a few others thought that advice could be obtained from enforcement agencies in other countries where such legislation was already in force. It was pointed out by an individual (318) that “it has been said that the police dislike laws which they find hard to implement. Sweden police have managed over the last 12 years to implement the law rather successfully and now Norway. The Scottish police would need to consult with them to see how it might be managed and what training would be necessary but I am sure they could cope with it eventually”.

125. Evidence from Sweden was quoted in many of the supportive responses. These responses generally suggested implementation of the law should include a package of training and awareness raising about the underlying principles, together with resources dedicated to enforcement and monitoring of the law. Those responses mentioned that over a decade into implementation of the law, the Swedish police were supportive and had found criminalisation of the purchaser to be an extremely effective way of finding ‘pimps’ and traffickers, significantly more so than through their contact with the women being sold. Many responses asserted that Sweden had shown this approach was workable and

practical. They believed prostitution could only exist if a viable forum exists for marketing prostitutes. In order to advertise the sale of sex, 'pimps' and organised crime gangs would expose themselves to discovery and prosecution. Even advertisement on the internet was subject to police scrutiny. Other investigative techniques such as surveillance, phone taps, the use of informants, and tracking of money laundering activity were cited as appropriate, particularly in cases where organised crime gangs were involved.

126. Scottish Coalition Against Sexual Exploitation (SCASE) (736) offered the evidence that "in Sweden the initial criticism of the law as being difficult to enforce ceased and one year after the program began in 2003, there was a 300% increase in arrests. This is believed to be the result of the investigating officers' better understanding of the reasons behind the legislation, their deeper comprehension of the conditions that make women vulnerable to becoming victims of prostitution and trafficking, and the development of better investigation methods".

### **Problems with enforcement**

127. A number of responses pointed toward the report into Human Trafficking in Scotland by the Equality and Human Rights Commission in 2011, and in particular to the introductory comments by Baroness Kennedy QC that: banning [prostitution] ....was both unworkable in law and in practice.

128. Many of those against had issues about human rights and privacy and this was summed up by one respondent (224) who felt that "the new offence will require monitoring the movements of prostitutes that would intrude into their private lives. I do not believe that this is acceptable or justified. The sex industry will adapt, as it always has, but become more discrete and hidden from the authorities, depriving them of valuable information. There is no better way to lose information, control and regulation than to criminalise an activity".

129. Another individual (709) explained that "in terms of investigating the new crime the consultation observes that sex work has to make itself visible in order to attract clients. Quite true, but that does not equate to the offence being visible. It seems likely that sex workers would have to be subjected to a significant degree of police surveillance and intrusion during any investigation. Sex workers may not be criminalised but they would certainly feel harassed and their privacy violated. The impact on their non-sex work life, with regard to family, friends or employment, could be severe. A comfortable relationship between sex workers and police will be unlikely".

130. Another respondent (31), a sex worker, strongly believed "that support should be in place, nationwide that helps girls leave prostitution if they want to, and more importantly helps vulnerable and poor women. Criminalising clients will not help us live, we will still work but it will be more dangerous and risky for us. The lack of jobs, affordable education and opportunities can lead to this, and criminalizing clients will not stop it".

131. SAAFE (430), a website and forum for escorts, thought that “enforcement of such an offence would be difficult, expensive and time consuming”, and SAAFE envisaged that “any prosecutions attempted directly as a result would be doomed to failure because of the sheer impossibility of proving an offence had been committed. It is surely not a worthwhile use of police time or taxpayers money to have officers combing the internet in order to target sex workers and their clients”.
132. One individual (628) respondent who expressed concern stated “that this move would so isolate women working in the sex industry (not to mention the male and transgender workers that this would also affect) that enforcement of the new offence would be made very difficult by the sex workers themselves. I would worry that they'd be less likely to co-operate with people (women's charity workers, anti-exploitation workers, police-officers, lawyers, journalists and politicians) who they may view as having abandoned and dismissed them. I feel much more could be done to persuade sex workers themselves that this policy will protect them from exploitation and male violence at work.”

### **Current experience of enforcement**

133. ASSIST (684) (a specialist domestic abuse advocacy service that provides advocacy and support to victims of domestic abuse) cited the multi-agency approach adopted by Glasgow Community and Safety Services as best practice, “They give support to those involved in prostitution and it is linked with the targeting of perpetrators. Routes Out already work in close partnership to tackle prostitution, as does ASSIST in relation to domestic abuse and this approach could be spread across Scotland”. The organisation also believed that the move to one police force would allow for a coordinated approach.
134. North Lanarkshire Council (936) agreed with ASSIST that “utilising the experience of existing agencies and encouraging the establishment of bespoke agencies e.g. agencies like Glasgow Community and Safety Services”, although the Council was cautious about sharing information to identify purchasers and felt this could be an issue.
135. Dundee VAW Partnership (527) referred to its experience of working in partnership to challenge demand which has focused enforcement activity of Tayside police stated that “Over recent years the police have developed their response to the enforcement element of local work and have learned from practice in other force areas. The key learning is that enforcement activity must be sustained and consistent, and that this is challenging within the current resource/economic environment. It has also been essential that there are well resourced support services for women to ensure that enforcement activity does not increase the risk they are at and provide a referral point for non-specialist services. It may be that the introduction of a single Scottish police force will offer opportunities for consistent, sustained and ongoing enforcement activity across all areas of the country. It is also likely that this will facilitate sharing of best practice and innovation to ensure that as prostitution evolves in response to update legislation, changing support services and developing public awareness the police are better equipped to respond with new investigative techniques”. The

Partnership added that “Tayside police have expressed concerns that if the legislation is not able to be enforced effectively that its deterrent impact will be short-lived as men purchasing sex become aware of enforcement difficulties”.

### **Enforcement techniques**

136. Responses varied, but there was general agreement on education and raising awareness:

- The barriers to such legislative changes will always be argued as difficult to implement however we have already witnessed a number of changes in legislation to protect women and children with consultation process through the Scottish Parliament playing a key role in this. Publicity campaigns are crucial to backing any legislative change and raising awareness of the law. Campaigns also foster change in public attitudes and perception. Prostitution has to be challenged by the Criminal Justice System for its part in the continuum of violence against women and children as an Equality Duty and should no longer escape public debate and scrutiny. (761 Safe Space)
- We believe an important technique which should be used to enable the new offence to be effectively put into force is violence awareness training of both law enforcement officers and staff of establishments where prostitution is commonly found, such as bars, casinos, nightclubs. If those put in charge of policing the law or deterring the offence from happening in their locales are not fully aware of the violent nature of the offence the success of the legislation would be severely limited. Another related technique of significant importance would be the considered use of language in the legislation, steering clear of commercial language. (2 White Ribbon Campaign)
- Initially a warning should be issued until the new legislation has been in place for 6 months to make sure everyone is aware of the new laws. There should be a high profile advertising campaign paid for by the government to ensure everyone knows about it. (9 Anon)
- Raising community awareness of the new law and the sex trade going on in their city will cause the people to take ownership of this law. Awareness is a great key to move masses of people into abolition. Along with a national awareness campaign, a national "Crime Stoppers" hotline could be instituted. That way, people can call in and report illegal sexual activity to the police on this hotline. (69)
- A public educational programme, a change in society's attitude and new training across Scotland's Police Force would all have to lead up to the enforcement of the legislation. Internet monitoring and mobile phone records make an increasing contribution to evidence for conviction in a number of crimes and we assume increased police resources in this area would also be required when the purchase of sex becomes a crime. (289 United Reformed Church)
- I believe that the issue of prostitution and its harmful effects on society should be introduced into a “Social and Citizenship” curriculum in schools. (332)

- Law enforcement continues to develop effective initiatives to investigate, prosecute and deter aspects of serious crime. These agencies have the capacity, knowledge, intelligence and creativity to develop effective enforcement strategies. (470)
- There needs to be a strong police presence on the internet. Police need to work closely with social work, schools, and services for women exiting prostitution in order to identify areas in which they can target purchasers. There should be a sustained educational campaign, primarily in secondary schools, colleges, and universities. The campaign should target boys and young men, for the most part, and send the message that girls and women are not for sale and it is their responsibility to not create a demand for exploited women. (447 Organisation for Women's Liberation (OWL))

### **Obstacles to enforcement**

137. Several respondents felt that either a lack of resources or lack of enforcement could be an obstacle.

- Obstacles that might need to be overcome are our basic human rights, freedom of choice, the justice system. (20 Anon)
- There are concerns from the police about not finding or not having enough evidence. Prostitution needs to get advertised to exist. Every form of that can be followed up to find the people behind it. (302)

138. One obstacle, that Soroptimist International Hamilton (809), presented "would be that women who are currently working as prostitutes may feel that they have been marginalized. They may be resistant to the changes being proposed or feel that they have to work in different conditions. Therefore it is essential that funding for agencies working for those trying to exit prostitution needs to increase along with training, education and employment opportunities so that realistic alternative options are available to those affected by the change in legislation".

139. Finally, the White Ribbon Scotland (759) felt that "too often, we have encountered victim blaming in this area of work. We would recommend that police are trained and supported in ensuring that women involved in prostitution are not victimised or blamed for their experiences and that men are given a supportive platform to report activity as non-perpetrators (rather than fearing how they may be perceived). Support should be given to local authorities to enforce legislation, create a 'zero tolerance' approach to purchase of sex and educate their constituents on the change in legislation. Support could be provided to women who have entered prostitution to prevent suffering the harms associated with it whilst also being supported to exit prostitution".

**Q7: What is your assessment of the likely financial implications of the proposed Bill to you or your organisation; if possible please provide evidence to support your view? What (if any) other significant financial implications are likely to arise?**

140. Most of the individual respondents felt there would be little or no financial implications to them personally although several respondents assumed that there would need to be an increase in taxation to cover the initial costs of training and support services to implement the proposed legislation.

141. Individual respondents believed initial costs would be incurred for:

- Court cases
- Public campaigns
- Training for police and agencies

But ultimately there would be savings as prostitution rates fell in respect of:

- Police and court costs
- NHS costs
- Social care

142. This general view about costs and potential savings was shared by some organisations too. Leith Links Community Council (432) considered that “costs incurred in publicising the new law, court costs and policing costs would ultimately be balanced by income from fines and a future reduction in social care and health costs for women and men physically and psychologically damaged by a life of prostitution”. While Zero Tolerance (706) suggested that future saving might outweigh initial costs - “the costs of allowing a damaging system of exploitation to flourish must be significantly higher than the costs of dismantling it. We would expect criminalisation of purchasing sex to bring significant long-term savings to the public purse e.g. to the NHS, criminal justice, addiction services etc. as rates of prostitution lessen”.

143. Safe Space (761) interpreted the meaning of cost to specifically include “costs arising from this proposal should be considered relative to the toll on life, physical and mental health, wellbeing, safety, family structure, community and society through toleration of prostitution. Doing nothing to take this forward should not be considered an option”.

144. Concern was also expressed for the hidden costs that new legislation could cause for the police service with more formal and specialised training along with updating IT systems including crime recording, custody recording and case reporting systems.

145. Many felt that funding should be put into support groups and charities providing help to women and men to leave the sex industry and to integrate them back into society and suggested that the funds from fines paid should be reinvested in these groups and charities.

146. SCOT-PEP (484) considered “the costings section appeared to be incredibly sparsely populated with evidence. The narrative seems to rely on conjecture about the supposed cost impact and enormous assumptions about decreasing court costs due to a 'reduction in prostitution', your hoped-for deterrent effect meaning our police force would spend LESS time on enforcement in the long run. Your proposals will place an additional burden on the new Scottish single police force and will divert resources from the detection of (for example) human trafficking, which you claim you wish to address, to enforcement of this legislation. This also comes at a time when those resources are already under extreme pressure”.
147. Amnesty International (Paisley branch) (349) considered that “there will be an initial cost to our society, but there would be a saving in the long run, however this is both difficult to prove or to quantify. ‘When similar legislation came into force in Sweden (1999) approximately SEK 7 million (the equivalent to 1 million US dollars) were put aside by the government for police enforcement. In 2003 the Swedish Government granted another SEK 30 million (equivalent to 4.1 million dollars)’. However, the lives of those involved in prostitution are blighted by ill health, drug and alcohol abuse, breakdown in family relationships, imprisonment and loss of children to the care system. This chaotic lifestyle already costs the tax payer millions of pounds that is unquantifiable in the NHS, prison system, social work and probation services and the police. The result of this lifestyle on the children of women involved in prostitution is that they often grow up facing similar problems and so the cycle of vulnerability continues as does the colossal drain on the public purse. If we take one person out of this succession of deprivation we take out their children and the cost to the tax payer reduces year by year to what it might have been”.
148. The STUC (862) agreed that “additional support and resources are needed to support women (and men) who may have been seeking to rely on income from those purchasing sex, and this support should include support with housing, independent income, and seeking employment. There may be additional financial implications on the resources needed to monitor the internet and other outlets for advertising sale of sex. We would envisage significant savings, longer term, as policing needs are reduced, and the demands on health, child protection, and addiction services would eventually be reduced”.
149. On the other hand, NHS Health Scotland (363) remained doubtful of any financial benefits, “we consider the financial implications of implementation are potentially far greater than envisaged in the proposal. There will clearly be costs associated with training and education across a range of services in the short-term which may be significant. The claims around longer-term cost benefits are speculative with no evidence base. If, as is stated in the proposal, there is an intention to refer people involved in prostitution into support services this will have an ongoing resource demand for a considerable period, particularly since their needs are often complex. Reducing the ill-health and social marginalisation of this group will require additional resources and more effective coordination of services. Unless accompanied by other measures to provide alternatives, offer coherent and effective supports and challenge existing cultural assumptions it is unlikely to yield the benefits claimed”.

150. The Church in Society Committee of the Scottish Episcopal Church (487) pointed out that benefits may take years to be felt as initially costs such as “the training of Police Officers, support for those leaving prostitution, increased caseloads for the courts and other ancillary costs would be increased and budgets would need to be adjusted accordingly and some for quite a few years as this is not a “quick fix” bill as changing perceptions and attitudes is a long, slow business.

151. A few individual respondents thought that the financial costs would be immense, covering widespread and constant police surveillance, legal proceedings, jobseekers’ allowance and financial support for prostitutes.

### **Personal financial loss**

152. Some individual responses discussed the financial implications for them:

- My clients will not want to break the law in any location where they can be found out. So I will either face financial hardship or face the inconvenience of setting up independently. (20)
- I may have less money which could result in me losing my home and being homeless, and I will have to see undesirable clients who could beat or rob me, to make the money I need. What evidence can I use to prove this would happen? Your bill will not stop me needing money, or men wanting to buy sex. It will only possibly put decent law abiding clients off, and will not put off clients who don’t care for the law (and thus beating or robbing a woman). I feel this bill will damage my safety ridiculously. (31)
- This law would take away the customers and end up povertising women who work in the sex industry, who would pay the bills, feed and clothe their children (38)
- I want to challenge the idea that sex work is inherently harmful, prostitution was the way that I was able to have control over my life and have a job that enabled me to have the time and income to learn other skills and find the community that I needed. (126)
- The financial implications for sex workers have been entirely overlooked. Regardless of whether client activities are legal or not, sex workers will continue to need to earn money. It is remarkably naïve to expect these needs to simply go away, and that risks will not be taken in an increasingly desperate economic climate. It is also significant that sex workers, whose safety is already severely compromised by legislation such as the criminalisation of brothels, are expected to pay taxes to the same state that takes so little interest in their well-being. (416)
- What you plan would seek to take money directly out of my pocket. It would make it harder for me to make a living doing the job I love, and make it more risky as well. (818)

153. Support and Advice for Escorts (SAAFE) (430) explained “Women, men and transgender people engage in sex work for reasons which are as diverse as they are, but the constant is that everybody needs money to live on, and this need will not be altered by the proposed Bill. Many supplement their incomes with occasional instances of sex work when in dire financial need, and then disappear again until next time – ‘topping’ up in this way is a lifeline. Some are studying and choose prostitution because they want to avoid running up huge debts and also devote as much time as possible to concentrate on their courses – why should they have to work in menial jobs for thirty hours a week when they can earn the same amount in a couple of hours and thus use their increased time for their studies if they choose to? Others cannot take full time employment due to illness or disability, or because they are caring for a sick or disabled child, partner or other relative, but still require the same (or higher) level of income to meet everyday needs. What useful purpose will making it harder for them to earn this money serve? If this proposed Bill was not intended to cause severe hardship to people already living in poverty, and given that welfare cuts are likely to increase the numbers of such people exponentially, how will this unavoidable consequence be tackled?”

154. Zero Tolerance gave a different perspective. It quoted “The Tyneside Cyrenians ‘*Hidden for survival*’ study (Feb 2008) found that sex was sold for as little as £5 (the average charge was £37), dispelling the myth of the lucrative career that media portrayals of prostitution such as ‘Belle de Jour’ perpetuate. This cannot be understood in isolation from a wider analysis of women’s poverty – women experience significantly more poverty, in significantly different ways from men. Women have a lower income than men during work and retirement; smaller, if any, savings; and are more likely than men to experience unmanageable debt. This is the context in which prostitution flourishes”.

### **Previous experience with legislation**

155. Dundee VAW Partnership (527) envisaged there would be significant financial implications saying that “this reflects our experience of the introduction of the Prostitution (Public Places) Scotland Act 2007. The legislation will offer a new tool that can enhance the effectiveness of work that is already ongoing in local areas”.

### **Funding for project work and services**

156. The White Ribbon Campaign (2) felt the most significant financial implication would be “the need to fund programmes that will support those wishing to leave prostitution. Offering routes out of prostitution will be important to ensure that the legislation does not cause further hardship for the victims of prostitution. Support for those leaving prostitution will need to be substantial and cover numerous aspects, including financial compensation (this could be funded by channelling fines to victims or by supporting cases brought by victims for civil damages), mental health care for those suffering from after-effects of prostitution such as Posttraumatic Stress Disorder, and alternative employment programmes.”

157. In responding, the UK Network of Sex Workers Projects (UKNSWP) (427) expressed concern that although the proposal “did not affect them directly as an organisation, there are potential consequences for sex work projects in Scotland, which are already under-funded and frequently operating on limited resources. The proposals if enacted might result in more resources being needed to access and keep in touch with sex workers, who are likely still to be selling sex, but may be reluctant to approach services or authorities for help, thus requiring more intensive outreach. There would also be potential additional work for projects supporting sex workers dealing with the consequences of legislation, in terms of reduced levels of safety for sex workers as a result of their working in more risky ways to avoid their clients being arrested, with the possibility of more incidents of serious violence against sex workers. Evidence from evaluations of the criminalisation of the purchase of sex in Sweden indicate that there are also probable negative implications for the sexual and general health of sex workers, due to their reluctance to access services, which may have longer-term repercussions for services. Given the mobility of sex workers and their clients across borders a further potential outcome of the criminalisation of the purchase of sex in Scotland may be displacement of sex work into England, and thus there may also be financial implications for projects in England if there is a need to provide services to increased numbers of sex workers”.

158. Scottish Sexual Health Promotion Specialists Group (810) agreed that “we are aware that the costs associated with training for other agencies could be significant, certainly in the short term. We would also expect that colleagues working in services that support men and women involved in prostitution may experience a significant increase in demand. This could have considerable impact in the current financial climate”.

159. The Women’s Support Project (799) stated that “currently we do not have any specific resources for support work for those affected by prostitution and we are therefore unable to meet all the requests for support. If we do not reduce prostitution then this harm may increase in line with the recession and growing economic pressures. We would call for a commitment to provide initial resources to support those people who are already involved in prostitution to explore alternatives and move towards exiting. We also acknowledge the difficulties many people face when trying to exit and so would call for resources to train staff in mainstream and specialist services to be able to effectively respond to those involved in prostitution”.

### **Consequences for ‘sex workers’ projects**

160. The International Union of Sex Workers (762) advised it “receives no funding and all work is done by volunteers, mostly current, active sex workers across the UK. This bill directly seeks to decrease our income and to enshrine discrimination against us in statute. It will increase the stigma we endure and impede those organisations which seek to offer support informed by service user need, rather than driven by ideology and the desire to impose their aims – for example, exiting prostitution – upon us. The scarce resources of needs-lead projects would be further depleted by the increased difficulties of locating and building relationships of trust with people who sell sex”.

161. Sex Worker Open University (767) “has been organising sex workers since April 2009 with almost no funding. One of the main obstacles we face is the fear of sex workers to have their identity disclosed. The further criminalisation of our activities will make it even harder to organise safe spaces for sex workers”.

162. The response from Queens Park Baptist Church Glasgow (152), although acknowledging there would be no direct financial implications to it as a result of the Bill, advised “Hope for Justice is looking to establish 9 regional hubs in the UK which will provide a local provision for rescuing victims, perusing prosecutions and rising awareness of human trafficking. It is proposed that each regional hub will cost approximately £250,000. This amount gives an indication of the costs involved.”

**Q8: Is the proposed Bill likely to have any substantial positive or negative implications for equality? If it is likely to have a substantial negative implication, how might this be minimised or avoided?**

163. In answering this question 428 respondents (total includes 48 identical responses from the Queens Park Baptist Church Action for Justice Group, Glasgow) believed the bill would have positive implications for equality and would improve gender equality. Eighteen considered there would be negative implications. Seven respondents thought there would be no negatives and two respondents felt it would have no impact at all and finally, one respondent felt it would reinforce negative stereotypes.

164. Many individual respondents quoted the same view that “prostitution is not just about the commodification of sex, but is actually a manifestation of sex inequality thus criminalising the purchase of sex is an effective way to reduce this inequality and change attitudes that objectify women by seeing women as objects that can be bought and sold. Across the world research shows that women are the majority of those being sold in prostitution, and men are those buying. This is evidence that prostitution is a manifestation of sex inequality, and that sex trafficking is largely a gendered injustice. If it were not so, and if the phenomenon of prostitution was only about the commodification of sex, then men would be sold to women in an equal manner as women are sold to men, but this is not the case. Therefore, if gender equality is ever to be accomplished, and the oppression of women overcome, there cannot continue to be a sub-group of women being sexually exploited through prostitution”.

165. A summary of views from respondents who supported the positive implications were that:

- any society that sees women as objects or commodities takes away from the principal that all human beings are created equal and have equal rights to freedoms, education and opportunities
- it would change attitudes of those who see women as objects that can be bought and sold

- gender equality will never be achieved while there is a sub-group of women legally being sexually exploited through prostitution
- while equality seems to be of concern justice and protection of the vulnerable is an important issue which this bill would go some way to providing.

Individual responses on the positive implications:

- This bill will hopefully have a positive effect on equality. I hope that it will change the way that society treats women, and view it has of prostitutes. I hope that it will place women on a more even footing with men. The bill fails to address, however, the economic disparities between men and women. It is the financial insecurity of women that so often drives them into prostitution. It is crucial, therefore, that legislation seeking to end prostitution tackles the roots of the supply, as well as the roots of the demand. (148)
- As a country where human rights are taken for granted, we cannot justify allowing our men to violate these most basic human codes. I believe that we are in a very privileged position, and as such can take action in a way that will affect the global sex slave trade, not only protecting women of our nation, but women and children worldwide. (115)
- Though no legislation can change perception overnight, taking steps that codify the criminalization of purchasing sex will have long-term positive implications for gender equality. The vast majority of prostitutes are women, and the idea that purchasing sex from a woman is permissible only perpetuates long-standing negative gender stereotypes – stereotypes that hold women to be a commodity, and their bodies to be saleable goods. (468)

166. The United Reformed Church (289) believed the Bill could do more for equality by “penalising the purchasers as well as the sellers of sex would be a more equal outcome”.

167. A summary of the views from those against the bill were that:

- we are already equal - men sell sex and women buy too
- it has nothing to do with gender equality, it's simple biology and economics
- very misguided and will cause more problems than it will solve
- this only offers unreasonable restrictions under law not equality
- proposal is gender biased and if gender neutrality is objective both or neither participant should be criminalised
- would turn a large number of respectable hard-working women into second class citizens
- discriminates against Scottish men

- harmful outcomes for sex workers
- would be a greater stigma attached to prostitution further alienating them from society
- implications for vulnerable and disabled people.

168. Individual responses on the negative implications on equality were:

- I don't want my rights as a woman to work in the way that I want in the industry that I choose to work in to be taken away from me. (65)
- there may be an even greater stigma to those in prostitution further alienating them from society. Support networks and counselling would be a must to help in these situations. (86)
- when so many organisations are recommending against the criminalization of sex work, including a recent UN report on Asia Pacific sex work conditions and the tying of laws against sex work to higher HIV rates, I cannot understand how a government would try to bring in increased policing. Please take the words of sex workers into account when making decisions about our lives. (126)
- the proposal fails to address the economic disparities between men and women. It is the financial insecurity of women that so often drives them into prostitution. It is crucial, therefore, that legislation tackles the roots of the supply, as well as the roots of the demand. (148)
- if the wellbeing and safety of sex workers is a concern of yours then you have to actually listen to sex workers, find out what would make our already stigmatised jobs safer and focus on those who are forced and abused. This is what those in power should be focused on, not the criminalisation of the innocent. (179)
- the proposal is sexist, discriminatory and destructive of human rights (219)
- I draw an important distinction between the sex worker who has little option, for various reasons, and those that provide a sexual service as a choice of their own freewill. One needs real alternatives while the other demands respect and recognition just like any other worker. (224)
- attitudes towards sex workers and sex work, and the likely consequences of the bill, constitute bullying, harassment, and oppressive behaviour under the definitions given by ACAS (258)

*Substantial negative implications*

169. The UK Network of Sex Work Projects (427) felt that the proposal “lacks gender nuance and fails to consider the complexity of the male and transgender

sex work industries, since it has been documented that some groups of sex workers may have a range of additional, complex needs relating to their engagement in sex work. It also proposes taking away the sole livelihood of substantial numbers of women and men, many of whom are consensually sex working to support themselves and their families. Many sex workers have few feasible alternative employment options available to them, for a range of reasons, and thus the proposals if implemented would take away their only source of income, leaving them potentially destitute”.

170. While one individual (454) felt that there would be major negative implications. “Prostitutes from Eastern Europe already face discrimination because of the mere suspicion that they might have been "trafficked", and this will not help. These are likely to be driven further underground than the very obviously non-trafficked native prostitutes”.

### **Gay sex workers**

171. A respondent who identified as an ex-gay escort (531) stated that “there is also the fact that the most profitable and prolific sex work in Scotland is now among gay sex workers. This has been ignored and is indicative of a sexist approach in mainstream politics/media to the issue I believe, by feminist campaign groups purporting to act in the name of all women in Scotland. This very bill deems sex work as an attack on the worth of women and makes scant mention of the male sex industry. While two wrongs do not make a right, parliament must not tackle the issue by removing consent from others who freely participate, as they do in a lot of cases, in exchanging sex for money”.
172. This was echoed by another individual respondent (423) who wrote “although the law is meant to apply across the board it has never been enforced in gay areas. Until the police are willing to enforce this law across the board it will not produce equality. The explanation given by Lothian and Borders Police was that their refusal to arrest people in gay areas was part of their drive towards a culture of positive discrimination – this view does not protect the sex worker who is equally as vulnerable as the female prostitute”.
173. SCOTPEP (485) went further saying that “your proposals barely take account of male or transgender sex workers, or for example female clients of sex workers. Your proposals do not mention gay male sex workers or clients. We believe your understanding of the sex industry is not sufficiently nuanced to make the claims you do with regard to the impact on equalities. Sex workers are already subject to extreme levels of stigmatisation, discrimination and marginalisation. This legislative proposal will only serve to exacerbate these well documented feelings attached to working in an already heavily criminalised context. At the expense of offering equal rights to sex workers, this bill represents a moralistic, paternalistic "helping hand" to those who choose to engage with the portrayal of themselves as victims to be pitied and rescued, whilst simultaneously further excluding those who do not align with your views. By choosing to ignore the agency of individuals involved in sex work, and instead putting forward a moral agenda that is premised upon the victimhood of women, you are strategically ignoring the diverse voices and experiences of sex workers in Scotland.

174. Soroptimist International (Scotland North and South region) (586) highlighted that “the male gay community may suggest that there is a bias towards women. The proposed bill is not gender specific and therefore appears to cover any sexual activity as defined in its content”, while Quarriers (715) believed “it is important that exploitation is recognised as non-gender specific and that, whilst prostitution can be perceived principally as an abuse of women, it is our experience that young men can be equally vulnerable. But because of the dual stigma of both prostitution itself and resulting sensitivities around sexual identity, we have found that young men are far more reluctant to report incidents of sexual exploitation or rape, and we believe that male prostitution is significantly under-reported”.

#### **SECTION 4: MEMBER’S COMMENTARY**

175. Rhoda Grant MSP has provided the following commentary on the results of the consultation, as summarised in sections 1-3 above.

176. I would like to thank everyone who responded to the consultation. It was a huge response – greater than I expected. I am also grateful for the press and media coverage of the issue which ensured that the consultation was well publicised and encouraged a greater number of responses. Also of note were the organisations and groups who provided electronic forms to make it easier for individuals to respond and share their personal views based on their knowledge and experience. I was heartened by their efforts to reach as many people as possible to ensure the consultation collected widespread information. I note the high level of support I received for my proposal, but I also welcome opposing views as these have been valuable to me in highlighting areas where I can refine my legislation.

177. I believe that this consultation in itself has helped to highlight the effects of prostitution and the reality that purchasing sex is not a victimless activity.

178. Because of the nature of the consultation and my need to hear all sides of the argument I was very conscious of the need to provide anonymity to those responding who requested this given the sensitivity of the issue. I have taken this further in that I have redacted personal information where people could have been easily identified but did not ask for their response to be confidential.

179. I note the summary has included responses from those who have responded anonymously to me. It is unusual and there is the drawback that their responses cannot be followed up – but I hope people will respect this approach, particularly as I consider it important to share their views, on both sides of the argument, as they are so directly relevant. To have insisted on contact details would have meant that some people would not have had their views heard at all. This ensures that the consultation is as transparent as possible while providing the necessary safeguards.

180. Many of the arguments provided in response to the consultation have been put forward in the past. However, it was invaluable to have so many responses with direct knowledge and experience both from those who are or have been prostituted and those who work closely with them. This first-hand knowledge makes difficult reading but really informs the consultation.
181. Many responses agreed that legislation would reduce demand. This point was made by people who support and do not support the proposed legislation. Those who did not support legislation were concerned that this would create problems for those who earned their income from prostitution. The degree to which poverty is a driver for those who enter prostitution is made clear by the responses received. To me this highlights the need to continue fighting poverty as a whole and also to deal with the gender inequalities that still exist in our society especially in terms of the gender pay gap and by increasing employment opportunities. These issues are the cause of prostitution rather than prostitution being an answer to them.
182. It was clear that the majority of those who have already exited prostitution were in favour of legislation, while those currently involved were fearful of the impact on them. What this highlights to me is that regardless of legislation more support must be given to those who wish to exit. Both emotional and practical help is needed to assist people to escape poverty and a life in prostitution.
183. It was also clear that the stigma of prostitution was a barrier to those exiting. This requires a change in the attitude of our society. I believe my legislation will help with this. Before pursuing my proposal, I gave serious consideration to decriminalising the seller, however, I am concerned that to do this through members' legislation might mean inadvertently interfering with the routes out of prostitution that are currently available. It is my hope that in time 'routes out' will move from criminal justice services to social work services, meaning that there would be no negative impact of decriminalising prostitutes. I see my proposed Bill as the first step towards tackling the impact prostitution has on individuals and communities. As demand reduces, resources can be focused on those who are still in need.
184. The responses to the consultation show that there are some issues I will need to give further consideration to, such as definitions of payment and sexual activity in order to capture those who perpetuate sexual exploitation by ensuring enforcement and prosecution can take place more easily.
185. There was also a wide range of views about penalties which I have fully considered. It is clear from the responses that the offence will be difficult to identify given the private nature of the crime, however and in order to enable police investigation, it appears to me that a custodial sentence would be required to ensure that effective enforcement action can take place. Therefore I need to reflect further on this issue.
186. It was also clear that there was a need for education, both for those dealing with prostitution and for society as a whole – although this goes beyond the scope of this Bill I hope the Scottish Government will support my efforts to move

Scotland forward on this issue and provide the necessary resources to continue to tackle the causes of prostitution.

187. Those against legislation said that it would be detrimental to prostitutes and would lead to attacks. However, rape and attacks happen now, these are illegal now. While those who currently break the law will not see the criminalisation of the purchase of sex as a deterrent many others will. Alongside that there will be a reduction in the market for sex meaning fewer people will become involved in prostitution. It also gives prostitutes who suffer rape and assault another tool to seek redress and thereby offers another layer of protection.
188. Some respondents said that criminalisation of the purchase of sex would be detrimental to the elderly and disabled. The implication is that if you are elderly or disabled you should not seek or have a fulfilling sexual relationship – I find this argument offensive. It also implies that sex is a human right that overrides another person's right to live without abuse – this is not the case.
189. Some respondents who did not support legislation said the consultation did not take account of the fact that men and transgender people were also prostituted. My consultation made clear that I am aware of this issue. As I said then, while the majority of those who are prostituted are women and in the main it is men who purchase sex I am clear that the same issues affect all prostituted people, regardless of gender or sexual orientation and the impact is equally detrimental.
190. Male, female and transgender prostitutes face the same risks of violence and rape, the same issues regarding the mental health impact. Moving the onus onto the buyers and holding them to account will reduce the market for prostitution saving many vulnerable people from this impact and make buyers responsible for their actions. This will change the attitudes that pervade in our society that say that purchasing sex is acceptable. However, it is also clear that much more needs to be done in dealing with the underlying causes of prostitution and providing help and assistance to those who have been prostituted. It is my hope that this proposed legislation will begin that process.

Number	Name
1	Kalsi, Liz
2	White Ribbon Campaign
3	Kermode, Jennie
4	Anonymous
5	Anonymous
6	Stuart, Jaclyn
7	Anonymous
8	Smith, Heather
9	Anonymous
10	Peters, Erin
11	Confidential
12	Lyth, Sarah
13	Hunter, Fraser
14	Brown, John
15	Anonymous
16	Nicholas
17	NHS
18	Anonymous
19	Roworth, Susan
20	Anonymous
21	Anonymous
22	Frank, Rebecca
23	Anonymous
24	Anthony, Mike
25	Hair, Jim
26	Anonymous
27	Brown, Daniel
28	Anonymous
29	Warren, Fiona
30	Regan-Denham, Ashten
31	Anonymous
32	Anonymous
33	Murdarasi, Karen
34	Sim, Jaime
35	Kelly, Sally
36	Anonymous
37	Anonymous
38	Schevtschenko, Peter
39	*Name redacted
40	McDade, Carrie
41	Shimomura, Marie
42	Mortimer, Tasha
43	Chang, Simon
44	Anderson, Lydia
45	Loren, Amy
46	Zastrow, Patrick

Number	Name
47	Confidential
48	*Name redacted
49	De Kluetz, Estreitta (The Gathering)
50	Anonymous
51	Anonymous
52	Anonymous
53	Anonymous
54	Jeffries, Rachel
55	Anonymous
56	Hopkins, Kelli
57	Anonymous
58	Nonnenmann, Gabi
59	Anonymous
60	Sara
61	Anonymous
62	Tyminska, Anna
63	Macfarlane-Grieve, Callum
64	James, Anthony
65	Anonymous
66	Nolot, Benjamin
67	Leir, Ashley
68	Walter, Daniel
69	Beth
70	Craib, Jamie
71	Anonymous
72	Craib, Carina
73	Mann, Nicola
74	Pilkington, Blaire
75	Davies, Sophie
76	Medicott, David
77	Clarke, Anthony
78	Thibodeaux, Damon
79	Kasper, Megan Leigh
80	Anonymous
81	Anonymous
82	Stewart, Shelley
83	Pearson, Allan
84	Brook, Susanna
85	Becconsall, Bethany
86	Anonymous
87	Bearing Armor
88	Confidential
89	Anonymous
90	Anonymous
91	Confidential

## ANNEXE

Number	Name
92	Macdonald, Margaret
93	Confidential
94	Beattie, Laura
95	Greenhalgh, Chris
96	Anonymous
97	Powell, Drew
98	Brown, Stephen
99	Scopes, Peter
100	Cuthbert, Pauline
101	Cochrane, Naomi
102	Anonymous
103	Leith Links Residents' Association
104	Rose, Stefan
105	Anonymous
106	Alexander, Alan
107	Sutherland, Terri
108	Girvan, Jonathan
109	McFetridge, Claire
110	Smith, Martin
111	Dodds, Benjamin
112	Clark, Rosh
113	Mann, Stephanie
114	Gregg, Andrew
115	Crookston, Anastasia
116	Merchant, Dr Christopher
117	Dryden, Sara
118	Confidential
119	Hulse, Elspeth
120	Anonymous
121	Henderson, David
122	Mason, Shona
123	Hayes, Michael Dr
124	*Name redacted
125	Ford, Susie
126	Anonymous
127	Brown, Chester
128	Anonymous
129	Collins, Joseph
130	Downie, Angela
131	Confidential
132	McClue, Susie
133	Anonymous
134	Callaghan, Darren
135	Vitel, Veneta
136	Christoffersen, Martin

Number	Name
137	Kennedy, Heather
138	Prall, Emma
139	Bump, Jerry
140	Peacock, Frank
141	Raller, Thaom
142	Meeks, Connor
143	Rivard, Joanne
144	MacArthur, Neil
145	Anonymous
146	Somerville, Joel
147	Anonymous
148	Euan
149	Christine
150	Anonymous
151	Landels, Colin
152	Queens Park Baptist Church, Glasgow
153	Fiona
154	Anonymous
155	Anonymous
156	Banfill, Pat
157	McNally, Catherine
158	McNeish, Sarah
159	Lloyd, Christine
160	Anonymous
161	Anonymous
162	Gibson, Ernie
163	Anonymous
164	Lim, Rachel
165	Teo, Ambrose
166	Matheson, Donella
167	Fletcher, Caitlin
168	Gillespie, Catherine
169	Carter, Lance
165	Teo, Ambrose
166	Matheson, Donella
167	Fletcher, Caitlin
168	Gillespie, Catherine
169	Carter, Lance
170	Shields, Robert
171	Sui, Frank
172	Anonymous
173	Miehe, Tamara
174	Dillon, Anthea
175	Anonymous
176	Ross, David

Number	Name
177	Evans, Helena
178	Anonymous
179	Anonymous
180	Confidential
181	Duncan, Benjamin
182	Harvey, Stuart
183	Grieve, Teri
184	Guy, Anna
185	Anderson, Andrew
186	Geddes, Iain
187	Sharp, David
188	Sharp, Rebecca
189	Fraser, Margaret
190	Austin, Geoff
191	Anonymous
192	Anonymous
193	Hutchison, Dr Stephen
194	Anonymous
195	Anonymous
196	Baker, Alice
197	Griffin, Ben
198	Brown, Dr Susan
199	Taylor, Hannah
200	Anonymous
201	Anonymou
202	Anoymous
203	Stroud, Lawrence
204	Watt, Elaine
205	Dodds, Jennifer
206	Lucas, Richard
207	Reid, Seonaid
208	McCrudden, Heather
209	Leslie, Sarah
210	Jane
211	Anonymous
212	Anonymous
213	Confidential
214	*Name redacted
215	Glen, Sunil
216	Anthony, Hannah
217	Roseweir, Duncan
218	James
219	Raven, John
220	Hewitt, David
221	Anonymous
222	Mosteller, Terry

Number	Name
223	Smith, Lydia
224	Glass, P
225	Swan, Graham
226	Barton, Chris
227	Dreiheller, Eva
228	Craib, Rev John
229	Philip, Rev Andrew
230	Ferguson, Lorna
231	Mason, Sylvia
232	Stewart, Fiona
233	Agenbroad, Eliza
234	Wang, Cecilia
235	Strachan, Susan
236	Green, Marion
237	Cheryl
238	France, Bethan
239	Teevan, Kathleen
240	Sammon, Elizabeth
241	Confidential
242	Confidential
243	Anonymous
244	Anonymous
245	Anonymous
246	Confidential
247	Anonymous
248	Herbert, Diana
249	Barakat, Shona
250	Anonymous
251	Ainsworth, Mary
252	Anonymous
253	Kidd, David
254	Franco
255	Case, Rebecca
256	Confidential
257	Cowan, Meg Dr
258	Anonymous
259	Esclavitud XXI
260	Anonymous
261	Hanna
262	Anonymous
263	Tarblanche, M
264	France, Louise
265	Fleming, Donald
266	Hall, Lesley
267	Salt and Light
268	Muir, Diane

## ANNEXE

Number	Name
269	Kennedy, Moira Dr
270	Anonymous
271	Anderson, Judith
272	Gregson, Jessica
273	McClintock, Darrell
274	O'Reilly, Deirdre
275	Kienast, Esther
276	Robertson, Jennifer
277	Anonymous
278	Anonymous
279	Hubbard, Phil
280	Robertson, Malcolm
281	Drennan, Maureen
282	Anonymous
283	Lowe, Pam
284	Macleod, Marion
285	Anonymous
286	Cunningham, Marion
287	Anonymous
288	Nagel, S
289	United Reformed Church
290	Soroptimists Int. Dundee
291	Matchett, Ian
292	Sparks, Sarah
293	Paget, Gwen
294	*Name redacted
295	Campbell, E
296	Dick, Julia
297	Smith, D
298	Foreman, Charlie
299	Maclean, John
300	Hall, Lisa
301	Rudd, Malcolm
302	Scholle, Sophie
299	Maclean, John
300	Hall, Lisa
301	Rudd, Malcolm
302	Scholle, Sophie
303	Anonymous
304	English, Elizabeth
305	Confidential
306	Hill, David
307	*Name redacted
308	Merriweather, Faith
309	Anonymous
310	Lau, Joanna

Number	Name
311	Dillon, Maureen
312	Confidential
	New Forest House of Prayer
313	Anonymous
314	Anonymous
315	Greaves, Jennifer
316	Johnston, Liam
317	Anonymous
318	Wanless, Ann
319	Anonymous
320	Renfrew, Lisa
321	Thompson, Helen
322	Martin, H
323	Perry, Andrew
324	Paterson, Ann
325	Levy, Jay
	St Fillan's Episcopal Church
326	Anonymous
327	Anonymous
328	Johnny
329	McCulloch, Neil
	Soroptimist International Inverness and Nairn
330	Dempster, John A H
331	Smith, Catherine
332	Mackenzie, Alexander
333	Moore, Courtney
334	Hutchison, Ingrid
335	Weir, Alexander
336	Anonymous
337	Armstrong, Lynzi
338	Anonymous
339	Gui, Nigel
340	Josephine Butler Society
341	Anonymous
342	Anonymous
343	Scottish Women's Convention
344	Pointon, Neil
345	Anonymous
346	McKnight, Jean
347	*Name redacted
348	Amnesty International (Paisley branch)
349	Confidential
350	Confidential
351	Vernon, David

## ANNEXE

Number	Name
352	Anonymous
353	Soroptimists International Kirkcaldy
354	Sanderson, Hannah
355	Anonymous
356	Gray, Alan
357	McKee, Zoe
358	Anonymous
359	Fleming, Aileen
360	Weir, Gordon
361	Confidential
362	Daniel, Gillian
363	NHS Health Scotland
364	Anderson, Gillian
365	Anonymous
366	Anonymous
367	Anonymous
368	Taylor, Fiona
369	Confidential
370	McCool, Ann Revd
371	Knight, Pamela
372	Anonymous
373	Begarnie, Steve
374	McShane, Chris
375	Anonymous
376	Anonymous
377	Bretherton, Catriona
378	Confidential
379	Anonymous
380	Fleming, Mark
381	Anonymous
382	Confidential
383	Masson, David
384	Champion Life Church
385	Anonymous
386	Stanger, Paul
387	Bassett, Will
388	Fleming, Ann
389	Anonymous
390	Allan, Janet
391	Anonymous
392	Mankowski, Lukasz
393	Thatcher, A
394	Cowpland, Lucy
395	Anonymous
396	Anonymous

Number	Name
397	Anonymous
398	Hall, Ann
399	Currie, Iain
400	Corville, Norman
401	Shields, Ivor
402	Euliano, Helen
403	Inees, Donna
404	Anonymous
405	Morrow, Tom
406	Anonymous
407	Bevan, John Prof
408	McCreadie, Lorna
409	Anonymous
410	Anonymous
411	Anonymous
412	Anonymous
413	Cowx, Jacqueline
414	Anonymous
415	Bald, Janis
416	Nine
417	Anonymous
418	Anonymous
419	Connelly, M
420	Kay, James
421	Stewart, Gordon
422	Anonymous
423	Forsyth, David
424	Malcolm, Katie
425	Peng, Lu
426	Anonymous
427	UKNSWP
428	Roger, Alison
429	Paton, Tom
430	SAAFE
431	Ross, Iain
432	Leith Links Community Council
433	Brown, Margaret
434	Anne
435	Anonymous
436	Drew, Jennifer
437	Confidential
438	Confidential
439	Homer, Dr
440	Anonymous
441	Agenbroad, Tim

## ANNEXE

Number	Name
442	Thomson, Mary
443	Blackhall, S, Mr
444	Anonymous
445	Anonymous
446	Anonymous
447	Organization for Womens Liberation
448	Confidential
449	Anonymous
450	Helgadottir, Sofia
451	Confidential
452	*Name redacted
453	Macdonald, Colleen
454	*Name redacted
455	*Name redacted
456	Anonymous
457	*Name redacted
458	Anonymous
459	Born, Gabrielle
460	Lovas, Nancy
461	Gandi, John
462	O'Neill, Rochelle
463	Burrows, Tara
464	Robertson, Brian
465	McNamee, Rita
466	Sickler, Angie
467	Jo, Eunah
468	Dyck, Lorelee
469	Jones, Tammy
470	Sheafer, Tiffany
471	*Name redacted
472	Kay, Leslie
473	Alderson, Chris
474	Potter, Stephen, Rev - Oasis Church Portsmouth
475	Mackelvie, Karen
476	Queen, Alastair
477	Hall, Yvonne
478	Howson, Lynn
479	Fish, Josie
480	Milne, Pat
481	Barton, Rosalie
482	Smyth, Angela
483	Rooney, S
484	Bradshaw, Kirsten
485	SCOT-PEP

Number	Name
486	Angus VAW Partnership
487	Church in Society Committee of the Scottish Episcopal Church
488	Anonymous
489	Anonymous
490	NHS Greater Glasgow and Clyde
491	Anonymous
492	Anonymous
493	Anonymous
494	Anonymous
495	Confidential
496	Anonymous
497	Confidential
498	Anonymous
499	Anonymous
500	Anonymous
501	Anonymous
502	Confidential
503	Anonymous
504	Anonymous
505	Anonymous
506	Martin, Ian
507	Emslie, Elizabeth
508	Radcliff, A
509	Banks, Helen
510	Melbourne, Sarah
511	Davidson, Euan
512	Sanger, Ronald
513	Finlayson, Matthew
514	Trotter, Eilidh
515	Lindsay, Ina
516	Finlayson, Marcus
517	Dawson, Jim
518	Ellis, Elizabeth
519	Dawn
520	Rebecca
521	Dawson, Patricia
522	Anderson, Sarah Dr
523	Stirling, Morag
524	*Name redacted
525	*Name redacted
526	Pyke, Tristan
527	Dundee VAW Partnership

## ANNEXE

Number	Name
528	Anonymous
529	Anonymous
530	Anonymous
531	Anonymous
532	Anonymous
533	Anonymous
534	Anonymous
535	Anonymous
536	North Lanarkshire VAW Working Group
537	CARE for Scotland
538	North Ayrshire VAW Partnership
539	Angiboro, H
540	Lim, Helen
541	Chung, Lynette
542	Binnie, Brenda
543	Satchell, Eileen
544	Semple, R
545	Haddow, Morag
546	King, K
547	Moir, Abigail
548	Moir, Philip
549	Foo, S
550	McLean, Thomas
551	Shaw, Andrea
552	Christie, Alan
553	Gordon, James
554	Jolyon
555	Magnanti, B Dr
556	Plenderleith, Reverend A
557	Davidson, Sheila
558	*Name redacted
559	Laite, Julia
560	*Name redacted
561	Anonymous
562	Anonymous
563	Anonymous
564	Anonymous
565	Anonymous
566	Anonymous
567	Anonymous
568	Anonymous
569	Roy, Stevie
570	Nicolson, Peter

Number	Name
571	Spencer, Richard
572	Szymanski, Andrzej
573	Paton, Neil
574	John
575	Priestnall, Fiona
576	Donita
577	Abbot, Linda
578	Assheton, Jon
579	Anonymous
580	MacLeod, S
581	Cumming, Rebecca
582	Cumming, Kathleen
583	Jack, Anna
584	Anonymous
585	Brush, Susan
586	Soroptimist International Scotland North and South Region
587	Anonymous
588	Cumming, Lauryn
589	Borgan Glen, June
590	Scottish Churches Anti-Human Trafficking Group
591	Baptist Union of Scotland
592	Clements, Helen
593	Anonymous
594	Helen
595	Reilly, E
596	Anonymous
597	McCrea, Cal
598	Anonymous
599	Donaldson, A
600	Anonymous
601	Lehmann, Matthias
602	Maher, Anne Louise
603	Castor, Meredith
604	Victim Support Scotland
605	*Name redacted
606	The Salvation Army
607	Morland, Alice
608	West Lothian VAW Strategic Group
609	Anonymous
610	Anonymous
611	Green, Suzanne
612	Anonymous

Number	Name
613	Group of Academics
614	Anonymous
615	Worden, Michael David
616	Duffy, Holly
617	Andrew
618	Cunningham, S
619	Hendry, Karen
620	McNay, Rachel
621	Symes, Colin
622	McAuley, John-Paul
623	MacLellan, Robin
624	Brooks, Dr Niaomi
625	Smart, Lexi
626	Cummin, Malcolm
627	ACPOS
628	Hine, Ana
629	Ayoade, Mobolaji
630	Anonymous
631	Macleod, Jan
632	Anonymous
633	Leeson, F
634	Anonymous
635	Donald, Rab
636	Anonymous
637	Newland, J
638	Morris, Carly
639	Angus Women's Aid
640	Hartley, J
641	Powell, D
642	Weir, Ruth
643	Confidential
644	End Prostitution Now (EPN) and Buying Sex is not a Sport (BSINAS)
645	Anonymous
646	Irwin, Stephen
647	Sophia
648	Finlayson, Maria
649	*Name redacted
650	*Name redacted
651	Alderson, Megan
652	Scott, Linda
653	Burrige, Mandy
654	Cload, Carolyn
655	Miles, Stacy
656	Rosalind

Number	Name
657	Thomson, Alan
658	Moyes, Jean
659	*Name redacted
660	Confidential
661	Liandu, Michael
662	NSWP Global Network of Sex Work Projects
663	Debbie
664	Anonymous
665	Smith, Nathanael
666	King, Alice
667	Confidential
668	Anonymous
669	Bingham, John
670	Anonymous
671	Lee, Laura
672	Exodus Cry
673	Fox, Douglas
674	MacNeill, Kathryn
675	*Name redacted
676	Millar, Cynthia
677	Confidential
678	Brown, Hannah
679	Soroptimist International Scotland North Region and SI Inverness and Nairn.
680	Streetwork
681	Emma
682	Anonymous
683	Anonymous
684	ASSIST
685	Perth and Kinross Council
686	Morton, Dr Rachel
687	*Name redacted
688	Anonymous
689	Triay, F
690	Robinson, Bella
691	Campbell, Robert
692	Preston, Susan
693	Gaylin
694	Sophie
695	Bleier-Wilp, Susanne
696	Caucus of Exited Women
697	McHaffie, Sara
698	Anonymous

Number	Name
699	Peter
700	Reid, Susie
701	Miles, Corbin
702	Burning Hearts Ministries
703	Roberts, A
704	Clark, Samuel
705	MacCallum, Dr
706	Zero Tolerance
707	Taylor, Jennifer
708	Anonymous
709	Balsillie, Allan
710	McNeill, Maggie
711	Evans, Barbara
712	*Name redacted
713	Murchie, Peter
714	New Zealand Prostitutes' Collective 2012
715	Quarriers
716	Full Gospel Church
717	Fraser, Louise
718	Anonymous
719	Smith, L
720	Morrison, Callum
721	Holliday, Kendra
722	Anonymous
723	*Name redacted
724	Macrae, Robert
725	Anonymous
726	Anonymous
727	The Law Society of Scotland
728	Campbell, Karen
729	*Name redacted
730	Whittaker, Rebekah
731	Anonymous
732	McDonald, Ruth
733	Anonymous
734	Miller, David
735	Bosley, Lisa
736	Scottish Coalition Against Sexual Exploitation (SCASE)
737	Stephen, Helen
738	Anonymous
739	Anonymous
740	Charles, David
741	Church of Scotland

Number	Name
742	Meiklejohn, Rachel
743	Anonymous
744	*Name redacted
745	Anderson, Jonathan
746	Bearsden Baptist Church
747	Mankowska, Agnieszka
748	Hollowell, Dr C
749	Anonymous
750	Anonymous
751	Anonymous
752	Anonymous
753	Jamieson, Anna
754	Forbes, Heather
755	Cheung, Amy
756	Stanger, Sarah
757	Smith, Jenny
758	United Free Church of Scotland
759	White Ribbon Scotland
760	Lousada, Mike
761	Safe Space
762	IUSW
763	Open Road Service
764	Lois West
765	Crichton, Ailsa
766	Anonymous
767	Sex worker open uni
768	Anonymous
769	Aberdeen Cyrenians
770	Thornton, Avril
771	Bennachie, Dr
772	Willis, Stephen
773	Gordon, Giles
774	Anonymous
775	MacLeod, Stewart
776	Maclean, Suzanne
777	Anonymous
778	Anonymous
779	Equality now
780	Gordon, Anne
781	GCC and GCSS
782	Gardener, Matthew
783	Confidential
784	LadyFest Glasgow
785	Evangelical Alliance
786	Jamieson, Victoria

Number	Name
787	Brook, Dr O
788	Hainey, Carol
789	Redfern, Amanda
790	Anonymous
791	Wilson, Andrew
792	Turner, John
793	Jemima
794	Anonymous
795	Meehan, Emma
796	Bruce, Shona
797	Finlay, Kate
798	Rape Crisis Scotland
799	Women's Support Project
800	ICRSE
801	Anonymous
802	MacRae, Ross
803	Highland VAW Multi-Agency Partnership
804	Richardson, Sally
805	Dunsmore, Angela
806	LGBT Youth Scotland
807	Mariengoff, Jill
808	Anonymous
809	Soroptimist International, Hamilton
810	Scottish Sexual Health Promotion Specialists
811	Multi-Agency response (Clacks, Falkirk, Stirling, Forth Valley)
812	Anonymous
813	Bibby, Joanna
814	Anonymous
815	Reid, Dr
816	Lowrie, Rebecca
817	Drug Action Quay Services
818	Lucious Tart
819	YWCA Scotland
820	Scottish Borders Rape Crisis Centre
821	Feminist Blether
822	English Collective of Prostitutes
823	Grant, Catriona
824	Winslow, Arianne
825	Anonymous
826	Woolley, Sarah

Number	Name
827	Yee, Lynn
828	Agyeman, F
829	Yates, Simon
830	Terrence Higgins Trust
831	Lilia
832	Simpson, Andrew
833a	E Designers Ltd
834	Anonymous
835	Williams, James
836	Anonymous
837	Anonymous
838	Anonymous
839	Anonymous
840	Anderson, Philip
841	Borgrave, Alain
842	Quek, Melissa
843	Graham, Catherine
844	O'Connell, Gerry
845	Anonymous
846	Anonymous
847	Tatlow, Claire
848	Tatlow, Phil
849	Cannon, A
850	MacRae, Anne
851	Stephen, Jane
852	Miller, Stuart
853	Eunson, Elaine
854	Anonymous
855	Bates, Julia
856	Minto, Jayne
857	Anonymous
858	Inverclyde VAW Multi-Agency Partnership
859	Prince, Tony
860	OBJECT and Eaves
861	SWAP
862	STUC
863	Anonymous
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882	Anonymous
883	Hay, John
884	Anonymous
885	Anonymous
886	Anonymous
887	Auld, Karen
888	McCallum, Cheryl
889	Eunson, Sue
890	Tait, Katrina
891	Young, M
892	Young, Liz
893	Pert, Hazel
894	White, Amanda
895	Anonymous
896	Spruell, Elizabeth
897	Gates, Diane
898	Markie, Lynne
899	Thomas, B.I
900	Campbell, Fay
901	Tulley, Susan
902	Turner, A.R
903	Tuner, W.J
904	Kenp, Jack
905	Cox, Wendy
906	Rayanpour, Iman
907	Mohamad, Abazari
908	Calder, Patricia
909	Hendry, M
910	Hooper, Ashley
911	McCall, Robyn
912	Robertson, Charles
913	Khatoon, Abeeda
914	Chapman, Lorna
915	Sexton Reid, Sue
916	Reid, Jessica
917	Fulton, Pamela

Number	Name
918	MacAulay, Brenda
919	Brown, Deborah
920	Clubb, Kirsten
921	Bayne, Ray
922	McDowall, Bruce
923	Smith, Stanley
924	McGregor, Alison
925	Barnard, H
926	Skirvinl, S
927	Fletcher, Nicholas
928	Mackay, Mahiri
929	McDonald, Kathryn
930	O'Brien, Mark
931	Dick, Craig
932	Fergusson, Helen
933	Miller, Sandra
934	Vint, Gareth
935	Sunhathakur, Mrs
936	North Lanarkshire Council
937	Engender
938	Anonymous
939	Harper, S
940	Jones, Margaret
941	Cumming, K
942	Robertson, L
943	Black, Cameron
944	Reid, Beth
945	Bretherton, P
946	Anonymous
947	Anonymous
948	Anonymous
949	Ball, Deb
950	Anonymous
951	Larson, T
952	Hardiman, H
953	Anonymous

\*Name redacted for data protection reasons