

A briefing on Equally Safe: A consultation on challenging men's demand for prostitution, working to reduce the harms associated with prostitution and helping women to exit

Question 1. Do you agree or disagree that the Scottish Government's approach to tackling prostitution, as outlined in this section, is sufficient to prevent violence against women and girls?

We do not believe that the approach currently taken by the Government, including its efforts to tackle prostitution, is sufficient to prevent violence against women and girls (VAWG).

As correctly noted in Equally Safe, VAWG is a complex and multi-dimensional phenomenon, rooted in gender inequality and extremely harmful to women and girls, with prostitution and more broadly, Commercial Sexual Exploitation (CSE), being one form of this violence. While the safety of women involved in prostitution is paramount, and it is essential that adequate support services are in place to address the consequences of violence, the Government must do more to prevent VAWG from happening. Prevention must be at the centre of the Government approach, addressing all forms of violence at their roots. This is an even more pressing priority in the light of the consequences that the pandemic and its mitigation measures have/will have on women and girls and VAWG.

Only by challenging the attitudes, values and structures that sustain VAWG and perpetuate gender inequality across society, can we prevent VAWG, in all its forms, from happening. To do so effectively, the Government must commit to a comprehensive primary prevention agenda that:

- (1) addresses all forms of VAWG consistently;

- (2) works across levels and sectors of society, to transform the toxic social context in which violence flourishes, not limited to education settings, but working on shifting attitudes in the broader social environment;
- (3) is inclusive: gender inequality is an intersectional issue and cannot be separated from other forms of inequality (e.g. racism, ableism, ageism, classism, homophobia and transphobia), thus calling for coordinated implementation of policies and strategies that consider the needs of those at the intersection of inequality;
- (4) ensures accountability: accountability mechanisms are required to hold to account those accountable for service delivery and policy implementation.

Clear preventive measures that address VAWG comprehensively should not only be central to Equally Safe and its Delivery Plan, but mainstreamed into all other policies relevant to gender equality and their implementation (such as the Gender Pay Gap Action plan).

Bearing this in mind, we agree with the Equally Safe approach of recognising gender inequality as the root cause of gender based violence and considering CSE, including prostitution, as a form of VAWG. This approach is in line with international human rights and equality standards and the basis for effective action. We further agree that Equally Safe positively aims to propose a comprehensive approach to tackling all areas of VAWG including prostitution and other forms of CSE, and proposes an overall strategic focus on prevention.

However, we remain concerned with the operationalisation of this approach and the actual reach of the strategy, as well as the overall coherency of the Government's action across other relevant policies. When it comes to CSE and prostitution, we agree with that noted by the Women Support Project, that it is unclear whether Equally Safe can actually benefit the women involved in the sale of sex, deter sex buyers from exploiting them and challenge the behaviours of those who profit from prostitution.

Equally Safe does not provide a clear programme of action against CSE and prostitution. CSE also receives comparatively less attention than other forms of VAWG, with vague and broad language used through the strategy (e.g. 'we will work with others to *develop thinking* around Commercial Sexual Exploitation' - Section 3, Priority 1)

Equally Safe Delivery Plan identifies only three priority actions specifically relating to CSE (1.14, 3.12, 3.13), leaving us in doubt that this can lead to implementation of the strategy which is well-resourced, well monitored and which effectively and consistently tackles CSE.

Beyond programmatic and broad intention, concrete actions are needed at the strategic and policy level in order to really benefit women and girls and reflect a comprehensive understanding of VAWG, that works on the structural and socioeconomic factors that perpetuate it in all its forms, including drivers of prostitution.

We thus call for a more consistent application of Equally Safe across all forms of VAWG, with more concrete actions and necessary investment to tackle CSE - across different areas of policy and legislation, including anti-trafficking legislation and, in line with international obligations, such as the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Prostitution, sexual exploitation, and human trafficking especially are closely related and, as noted by the UN Committee for the CEDAW, it is clear that CSE partially persists due to States' failure to discourage demand, in addition to failing to address other aspects of prostitution (see reference 1 below). It is thus a duty of the Scottish Government to take action to effectively address CSE and its demand.

To meet national priorities and international obligations, it is clear that further work must be done in the area of prevention. In light of international research and practice (see reference 2 below), this work should include:

- Targeted information campaigns directed to the general public on the harms and realities of prostitution and targeted campaigns aimed at men who

purchase sex;

- Preventive measures, including educational programmes on discrimination, gender equality, and the dignity and integrity of every human being^[1]_[SEP]
- Raising awareness of the important roles and responsibilities of civil society in identifying the demand from men to buy sex in prostitution as a root cause of human trafficking. ^[1]_[SEP]

References:

- (1) General recommendation No. 38 on trafficking in women and girls in the context of global migration, available at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/38&Lang=en

- (2) Directorate General for Internal Policies, European Parliament (2014) *“Sexual exploitation and prostitution and its impacts on gender equality”*, European Union,

available at: <https://op.europa.eu/en/publication-detail/-/publication/3623a253-ea26-4f62-b287-3f3e3ba6cf99/language-en>

Question 2. What are your observations as to the impact of the coronavirus outbreak on women involved in prostitution in Scotland?

As an organisation, we do not work directly with women involved in prostitution and, as such, we refer the Government to the responses of those organisations that have direct knowledge and experience of this reality as to acquire first-hand observations on the impact of the outbreak on women involved in prostitution (in particular, please, see the response of the Women Support Project).

We can nevertheless see how the pandemic has further entrenched women’s inequality, causing additional challenges for those at the intersection of disadvantage.

In the case of women involved in prostitution, Encompass Network research (see reference 1 below) has shown that the pandemic has had and continues to have a **significant negative impact** on the lives of women who sell sex, whether on street and/or in off street settings. The research provides useful insights into the specific challenges suffered by women involved in the sale of sex. Below we outline some of the findings from the research that show the specificity of challenges suffered by these women and, refer the Government to the report for additional information and for recommendations on how to respond to the challenges presented:

- The pandemic has considerably affected the **financial situation** of women involved in prostitution, with additional challenges due to a lack of savings and safety net, lack of knowledge of, and access to, the benefit systems;
- Loss of income and support due the pandemic and social distancing measures have also **caused women to return to prostitution and newcomers to enter**;
- Women involved in prostitution have experienced challenges with regard to **housing and essentials**, often being exploited in exchange for accommodation, being unable to or concerned about paying rent or mortgages;
- Women have encountered very specific challenges with regard to **safety**, including:
 - not being able to use measures they normally would adopt to keep themselves safe while selling sex,
 - being pushed to accept clients they would not normally take,
 - breaching social distancing and other pandemic mitigation measures,
 - increasing issues around coercion and control by those who exploit them,

- reluctance to report crimes for fear of the consequences of being in breach of pandemic mitigation measures;
- Women who sell sex struggled to **access mainstream health services, sexual health services and supplies, as well as addiction services** due to social distancing measures, stigma and increased caseloads;
- The **mental health** of many women involved in selling sex was impacted, as women had limited or no access to online support, no access to social media, Internet or smart phones through social distancing. This is especially true for trafficked women who experienced extreme social isolation, and it included women who have exited the sex industry, who struggled with trauma and isolation;
- Finally, in order to mitigate the losses caused by the pandemic, women have also been forced to **move to online aspects of the sex industry**, without experience of it and, with online practices registering increased competition, higher pressure on women to override their boundaries about type and quantity of content, as well as impacts on their safety, relationships and future opportunities.

While these are some (non-exhaustive) effects of the pandemic on women involved in prostitution, we are also aware that extreme hardship caused by the pandemic will **not only have effects in the short term, but also longer term** both for women already in the sex industry and women who may be pushed or drawn into prostitution because of economic hardship. With the impact of social distancing measures and pandemic mitigation measures disproportionately impacting women, **more women and girls are currently vulnerable to be sexually exploited, making prevention and support extremely necessary and urgent**, with the need of a clear and effective approach to be taken at national and local level.

Considerations should also be made with regard to **access to legal services/aid** with regard to immigration status for non-EU women with complex immigration histories and those from mainland Europe who, in light of **Brexit**, may be affected in their ability

to access advice about their status and be concerned about having to disclose their involvement in prostitution.

Reference:

- (1) ENCOMPASS (2020) COVID-19: Moving Out of Lockdown - The experiences and needs of women in the sex industry, September 2020, www.encompassnetwork.info

Question 3. Which of the policy approaches (or aspects of these) outlined in Table 3.1 do you believe is most effective in preventing violence against women and girls?

Prostitution is a form of VAWG, a consequence of the structural gender inequality and a form of abuse of men's privilege. As such, we strongly believe that it needs to be prevented. We have however not considered the evidence sufficiently at this time to hold a clear position on how to do that most effectively and with the safety of the women involved at the centre. The Government must work to determine the best legislative agenda to eradicate prostitution. While it does so it must work to challenge the 'conducive context' of violence, transforming the broader social environment within which the legislation can be introduced – shifting societal attitudes towards women and girls (See reference 1 and 2 below – Liz Kelly).

In 2017, the Encompass Network proposed a 7-point action plan for preventing and eradicating prostitution in Scotland, based on the experiences of women involved in prostitution, service staff in the front line and available evidence from research and practice (see below reference). The seven-point plan includes:

1. Comprehensive primary prevention that supports healthy relationships and sexuality;
2. Increased public awareness of the causes and impact of prostitution as a form of gender-based violence;

3. Capacity-building so that staff in mainstream and specialist services have the right skills to meet the needs of those involved in prostitution;
4. Support and harm reduction services for people involved in prostitution;
5. Support for people who wish to leave prostitution, and to help them recover from their experiences;
6. Decriminalising selling sex in a public place (section 46) and removing such convictions from the record;
7. Disrupting prostitution markets and reducing demand by criminalising the purchase of sex.

We agree that this plan offers a route map to preventing prostitution. However, all too often in discussion around prostitution priority is given to debating the veracity of, and the best way to achieve, points 6 and 7, resulting in a polarised debate. While we believe legislation is required to eradicate prostitution, there is also a need for discussion, investment and meaningful action across all seven points.

We further recommend special consideration of the impact that any statutory change made by the Government has on women who are involved in prostitution, making sure that their needs are always protected and at the centre of the policy/legislative process.

Reference:

- (1) Kelly, L. (2016) The Conducive context of violence against women and girls, published in Discover Society on 1 March 2016, available at: <https://discoversociety.org/2016/03/01/theorising-violence-against-women-and-girls/>
- (2) Kelly L. (2007) 'A conducive context: trafficking of persons in Central Asia', in M. Lee (ed) Human Trafficking. Cullompton: Willan Publishing.

(3) Encompass Network (2020), Preventing and eradicating prostitution: a proposed approach for Scotland, available at:

https://www.encompassnetwork.info/uploads/3/4/0/5/3405303/preventing_and_eradicating_prostitution.pdf).

Question 4. What measures would help to shift the attitudes of men relating to the purchase of sex? Do you have any examples of good practice either in a domestic or an international context?

Based on our experience as an organisation whose work is rooted in challenging attitudes that normalise violence and abuse against women and girls, we believe in the need for a prevention approach that is comprehensive and mainstreamed across policies and sectors, with **primary prevention being the key area of intervention** when it comes to changing attitudes around the purchase of sex.

As mentioned in our answers above, our collective responsibility lies in preventing violence from happening and only an effective and comprehensive prevention approach that tackles all forms of VAWG, can challenge VAWG at its roots.

As a long-term strategy, primary prevention addresses the whole population and it tackles the primary and underlying causes of violence, including attitudes around sex and its purchase. It is also a more efficient use of resources than dealing with the many serious, long-term consequences of violence (See reference 1 and 2 for more resources on primary prevention).

With regard to prostitution, we consider that any agreed policy and legislation should firmly be rooted in a consistent, intersectional primary prevention agenda that address all forms of VAWG across all sectors of society and policy areas (as detailed in answer 1). In line with the 7-point action plan proposed by the Encompass Network, we further agree that prevention should respond to all drivers of prostitution (Action 1) and that

the Government should promote increased public awareness on the causes and impact of prostitution as a form of VAWG (Action 2) (See reference 3).

This requires addressing women's inequality to reduce the socio-economic factors that push women into prostitution. It requires including teaching about healthy respect in relationships in Personal and Social Education as well as tackling gender stereotypes across early years and school settings. And, as mentioned earlier on, it should not be limited to educational settings, but work to transform the broader social context in which violence flourishes. Public and social education and awareness raising must be used to challenge beliefs about men's entitlement to sex, and challenging the demand for paid-for sex, raising awareness about concepts of choice, consent and control in individual relationships, along with challenging beliefs about entitlement and privilege.

While work such as Zero Tolerance's [Under Pressure training](#) is important, we must ensure that it is not just young people who are challenged and educated, but all ages and parts of society.

In terms of good practices and what works, in addition to the above, Zero Tolerance (funded by the Scottish Government) recently commissioned research on what can transform attitudes towards women and girls and ultimately promote gender equality. While it did not focus on prostitution, the research provides insights into what works (and what does not) in shifting attitudes, and offers models for the implementation of a future framework and approach. As such it is an important piece of research when it comes to this question and to the development of an effective programme of action.

The report by Nevens, Yaqoob and Hutchinson is soon to be published (see below for full reference). Here we offer a short summary of some of the results, while we refer the Government to the full report, with particular focus on Chapter 3, for a more comprehensive understanding of this question.

From the review carried out, it is clear that the process of attitude formation is complex and nuanced, and that further research is needed when it comes to exploring the long-

term impact of practices. However, the reviewers were able to identify a number of practices and factors that work in shifting attitudes. In particular, they observed that:

- Relationship building is key. Relationships are key drivers in attitude and behaviour change with an individual's actions being significantly impacted by the actions of its network and community;
- Projects need to be tailored to their contexts and include multiple stakeholders;
- Longer-term engagement using multiple methods tends to have more significant outcomes than single, one-off interventions and trainings, which do not work on their own;
- 'Quick fix' role models may not have the desired impact, while approaches at community level to encourage modelling of desired behaviours are considered effective;
- Material and social benefits are more likely to support attitude change than changes in laws;
- Communication campaigns need to be accessible, relatable and positive, while myth busting and 'sympathy-inducing' campaigns often backfire;
- Storytelling and messaging that focuses on values can be particularly effective, especially with individuals sharing their personal experiences and stories; this can be a crucial part of changing public perceptions about particular groups and challenging prejudice and stigma, though backlash, especially in toxic social media environments often affect those sharing;
- Policy change can help change minds.

The researchers were also able to identify common challenges. In particular, it is clear that intersectional approaches are currently missing and that gender-mainstreaming is still lacking when it comes to third-sector programmes in Scotland. In the current environment, practitioners encounter difficulties in working long-term and at scale and, collaboration is limited by distrust across sectors and by the difficulty, especially for small organisations, to access spaces to share learning and collaborate.

In light of the above, the research proposes a list of 10 principles to guide the implementation of this work going forward:

1. The use of collaborative and collective approaches;
2. Centring experiences of women and examining ideas around 'expertise';
3. Recognising that attitude change requires long-term engagement and sustained multiple, multi-track interventions;
4. Recognising the importance of highly tailored and small-scale community interventions to an overall picture of change;
5. Making sure to build upon existing work in Scotland and helping build bridges across sectors and communities;
6. Understanding and challenging power dynamics;
7. Prioritising intersectional approaches and analysis across all streams of work;
8. Ensuring safe, inclusive spaces online and offline that promote community wellbeing;
9. Working towards systemic, transformative change;
10. Embracing complexity, risk and failure.

Following this research, Zero Tolerance has recommended to the Government that they invest in the next stage of development of an organisation to shift attitudes towards women and girls. Our recommendation is based on the three models for such an organisation that the researchers developed. Detail will be forthcoming in the report but in summary, we urge the Government to invest in an organisation to tackle attitudes towards women and girls. This will help tackle not only attitudes towards prostitution, but all forms of VAWG.

References:

- (1) Zero Tolerance, Briefing on primary intervention, <https://www.zerotolerance.org.uk/what-is-primary-prevention/>

(2) *Our Watch, Putting Prevention into Practice*

(2017) <https://www.ourwatch.org.au/getmedia/a8d9dc3d-2291-48a6-82f8-68f1a955ce24/Putting-prevention-into-practice-AA-web.pdf.aspx>

- 3 Encompass Network (2020), Preventing and eradicating prostitution: a proposed approach for Scotland, available at:
https://www.encompassnetwork.info/uploads/3/4/0/5/3405303/preventing_and_eradicating_prostitution.pdf
4. Nevens, Yaqoob and Hutchinson (2020, forthcoming), "We need this to do things differently": A framework for a new, inclusive and intersectional organisation to transform attitudes towards women and girls and promote gender equality in Scotland.

Question 5. Taking into account the above, how can the education system help to raise awareness and promote positive attitudes and behaviours amongst young people in relation to consent and healthy relationships?

Zero Tolerance's work is rooted in promoting gender equality and challenging attitudes that normalise violence and abuse, with much of our work in the past 15 years focusing on primary prevention, among children and young people.

This area of work is extremely important and the educational system does play a key role in changing attitudes amongst young people. However, while a lot of focus is on young people and education, we must recognise, in line with that stated in our previous answers, that the education system cannot alone bring the shifts required to prevent VAWG. We must consider the impact of the broader social environment on attitudes around VAWG and ensure that action is taken to promote positive attitudes – not only working with youth and children in educational settings, but also - through media, employment and community settings.

Nevertheless there is a clear need for the education system to do more. Based on our experience working with young people (and those that support young people such as teachers and youth workers) to promote healthy, respectful relationships, we believe that the best way for the education system to help raise awareness and promote positive attitudes among young people is through primary prevention.

In order to prevent VAWG, ensure gender equality in education and promote positive attitudes amongst young people, we recommend the following:

1. A **strong preventive approach should be intersectional** and should inform all policy actions of the Government.

2. **Gender stereotypes should be tackled in early years and throughout primary and secondary education**, helping to protect children from the negative consequences of inequality and discrimination as they grow into adults and supporting their ability to form respectful and authentic relationships. This is in line with the Government's vision for Scotland presented in the Gender Pay Gap Action Plan and its recognition of the role that early years curriculum can have in tackling gender stereotyping. Zero Tolerance's work in the early years with nurseries continues to show that with appropriate support there can be real and positive change fostering learning environments that actively promote inclusiveness for all and equality (see reference 1). Key to this work, in addition to the role of parents, is the creation of policy drivers for tackling gender stereotypes in the early years, including drivers that motivate staff to take action and ensure that awareness about gender inequality is effectively incorporated in early education (one of these drivers being the role of inspectors and the Care Inspectorate's inspection framework).

3. Further work is needed to **ensure greater gender equality when it comes to subject choice**, in line with that envisioned by the Gender Gap action plan, with continued funding towards the promotion of women in STEM, as gender stereotyping is still discouraging girls from choosing these subjects and careers.

4. Comprehensive and **high-quality Relationships, Sexual Health and Parenthood education should be offered through a gendered approach**. Comprehensive sex and

relationships education that tackles sexualisation and gendered attitudes is vital not only for young people's sexual health but their self-esteem, ability to form respectful relationships and to reduce their risk of experiencing or perpetrating violence.

We believe that good-quality comprehensive RSHPE (Relationships, Sexual Health and Parenthood Education) should be based on values of equality and respect and have a strong gender component. Based on our research with youth (see reference 2 below – He's the stud and she's the slut), we believe it should include information on:

- LGBT relationships;
- consent;
- sexualised media and pornography, including the different ways these target and portray men and women;
- emotional literacy within intimate relationships, including the importance of empathy and dealing with rejection in a healthy way;
- the positive aspects of sex and sexuality for both women and men, including desire and pleasure.

5. When it comes to CSE and prostitution and shifting the attitudes of men buying sex, we agree with that expressed in the 7-point plan presented by Encompass Network. Prevention should **include providing information about the harms of prostitution and CSE** when teaching personal and social development and healthy respect in relationships in schools and other educational settings. This means that, within these contexts and **as appropriate to age and stage, prostitution must be named and addressed as a form of VAWG and young people must be supported to explore it** in relation to concepts of power, choice, and consent.

In line with that noted in our previous answers, these types of interventions – in order to be effective - must be part of a broader and more comprehensive effort to create environments that are conducive of positive change and challenge current inequalities. This includes **ensuring that schools and learning environments promote**

gender equality at all levels, including through whole-school approaches and ethos based on values of equality (see references 1 and 2 for our recommendations).

We are pleased to be involved in a number of Government workstreams to integrate gender equality into mainstream education and urge the Government to continue this work at pace and with inclusivity of all at its heart. However, for all these actions to have an impact it is imperative that the Government implement the actions from their Gender Pay Gap Action plan to ensure the ‘scrutiny activities’ of the Care Inspectorate and Education Scotland **hold institutions to account for challenging gender stereotypes and encouraging equality in early years, primary and secondary education** (Chapter 3, Gender Pay Gap Action Plan). We have seen limited development of this action since the pay gap was published and yet it is critical to progress.

References:

- (1) Zero Tolerance UK (2016), Healthy Relationships in Primary Settings, available at: <https://www.zerotolerance.org.uk/resources/Healthy-relationships-in-early-primary-settings.pdf>
- (2) Zero Tolerance UK, He’s the Stud, She is the Slut, available at: <https://www.zerotolerance.org.uk/resources/Hes-the-stud-and-shes-the-slut.pdf>
- (3) Scottish Government (2019), A FAIRER SCOTLAND FOR WOMEN: Gender Pay Gap Action Plan, available at: <https://www.gov.scot/publications/fairer-scotland-women-gender-pay-gap-action-plan/pages/6/>

Question 6. How can the different needs of women involved in prostitution (in terms of their health and wellbeing) be better recognised in the provision of mainstream support?

As an organisation, we do not work directly with women involved in prostitution and, as such, we refer the Government to the response to this consultation made by the Women Support Project.

Question 7. In your opinion, drawing on any international or domestic examples, what programmes or initiatives best supports women to safely exit prostitution?

As an organisation, we do not work directly with women involved in prostitution and, as such, we refer the Government to the response to this consultation made by the Women Support Project.

Question 8. Support services are primarily focussed within four of Scotland's main cities - Aberdeen, Dundee, Edinburgh and Glasgow - how can the needs of women throughout Scotland who are engaged in prostitution be met, noting that prostitution is not solely an urban issue?

As an organisation, we do not work directly with women involved in prostitution and, as such, we refer the Government to the response to this consultation made by the Women Support Project.

Question 9. If there are any further comments you would like to make, which have not been addressed in the questions above, please use the space below to provide more detail.

1. Overall, we agree that Scotland has progressed towards a broadened understanding of what constitutes VAWG and recognising the link between different forms of violence. It has been understood at the policy and strategic level that the country

needs to address VAWG as a whole, with a consistent approach to all its forms, including Commercial Sexual Exploitation (CSE).

However, consistent, well-resourced and concrete action must follow this understanding. And this is lacking. Any policy which tackles prostitution in Scotland must be based on the principles of gender equality, be gender-sensitive and recognise that these phenomena take place in societies where structural gender inequality is a problem, with women being structurally and systematically discriminated against, making necessary working on the structural and systemic causes of this discrimination.

If Scotland really wants to achieve gender equality and end all forms of VAWG the issue of demand for prostitution and those structural inequalities that create it must be addressed.

Some evidence exists that men who buy sex have more negative attitudes towards women, with more degrading or more hostile images of women and that the normalisation of prostitution can lead to more violence against women, with men buying sex showing characteristics in common with men who are at risk of committing sexually coercive acts against women or other acts of violence against women (see references below, Farley 2011, Farley 2016).

This makes it clear how important it is to act on the demand for prostitution and, that primary prevention must be at the core of Scottish policies tackling prostitution, VAWG and mainstreamed across policies about gender equality.

2. Gender equality and primary intervention work are essential to changing the attitudes that drive prostitution and other forms of VAWG and to providing a context in which policy and legislative change can occur and be effective. Any legislative change should then be based on a sound evidence base, specific to the Scottish context and always mindful of the needs of women and girls who are affected by it.

Reference:

- (1) Farley, Melissa & Macleod, Jan & Anderson, Lynn & Golding, Jacqueline. (2011). Attitudes and Social Characteristics of Men Who Buy Sex in Scotland. *Psychological Trauma: Theory, Research, Practice, and Policy*. 3. 369-383. 10.1037/a0022645.
- (2) Farley M, Golding JM, Matthews ES, Malamuth NM, Jarrett L. Comparing Sex Buyers With Men Who Do Not Buy Sex: New Data on Prostitution and Trafficking. *Journal of Interpersonal Violence*. 2017;32(23):3601-3625. doi:[10.1177/0886260515600874](https://doi.org/10.1177/0886260515600874)