
Report To:	Inverclyde Alliance Board	Date:	5 October 2015
Report By:	John Arthur, Head of Safer & Inclusive Communities	Report No:	
Contact Officer:	Sharon Sale	Contact No:	01475 715912
Subject:	'End Prostitution Now: Challenging Demand in Scotland'		

1.0 PURPOSE

- 1.1 The purpose of this report is to ask Inverclyde Alliance to:
- Consider whether it is appropriate for them to support and endorse the 'End Prostitution Now: Challenging Demand in Scotland' call for legislation

2.0 SUMMARY

- 2.1 Inverclyde Alliance has been asked to formally support the 'End Prostitution Now' campaign which advocates for criminalising the buying of sex and decriminalising those involved in prostitution. Specifically this support is in the form of a letter as attached at Annexe 1.
- 2.2 End Prostitution Now supports the position of Equally Safe: Scotland's Strategy on preventing and eradicating Violence against Women and Girls. Inverclyde Alliance supports the Equally Safe Strategy and is implementing its recommendations through the Inverclyde Multi-agency Violence Against Women Working Group The Strategy cites commercial sexual exploitation, including prostitution as part of the wider spectrum of gendered violence and recognises that such violence is rooted in gender inequality.
- 2.3 The decriminalisation and legalisation approach is outlined at 4.3 below along with experiences of the impact of its implementation in other countries.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Alliance Board, following due consideration of the remit of individual members and the evidence outlined in the report:

Supports and endorses the 'End Prostitution Now: Challenging Demand in Scotland' call for legislation which advocates for criminalising the buying of sex and decriminalising those involved in prostitution.

Sharon Sale
Violence Against Women Co-ordinator

4.0 BACKGROUND

4.1 Key facts about prostitution

- The harm of prostitution translates into profound physical and mental trauma for those involved. (NHS Scotland)
- Prostitution is not a free choice for women, with many in Scotland (24% in one study) entering prostitution before the age of 18
- Prostitution is underpinned by supply and demand. There is a major power differential between the man who buys sex and the woman he buys, in terms of her poverty, social status and abuse history. Prostitution and trafficking are linked to huge profits and organised crime, both internationally and nationally
- Men take money from their household income to buy sex. In the UK alone, the annual estimated profits from prostitution runs to over £5 billion. (Telegraph – Office of National Statistics – May 2014)
- Most women and girls emerge from prostitution ill, traumatised and as poor as when they went in
- Women have a human right not to be exploited through prostitution.

The system of prostitution is founded on gender inequality and wholly incompatible with universal standards of human rights.

4.2 The tackling demand approach

In line with Equally Safe, the campaign supports the establishment of a legislative framework in Scotland that is founded on addressing gender inequality as the root cause of gender-based violence.

To effectively tackle demand in Scotland comprehensive legislation is needed which:

- criminalises the buying of sex in any setting
- decriminalises people involved in prostitution
- provides long-term support and exiting services for those exploited through prostitution.

The challenging demand approach, sometimes referred to as the 'Nordic model' advocates that addressing demand is fundamental to reducing violence against women and children and promoting gender equality. It is a logical strategy, aligned with the position of Equally Safe, that aims to prevent and reduce levels of gender-based violence as well as changing attitudes that perpetuate such abuse. As well as criminalising the buyers of sex, this approach decriminalises the sellers (mostly women) and provides long term support for those involved to consider alternative options.

Decriminalising prostitutes would serve to ensure that they would:

- no longer be jailed for non-payment of fines
- retain their tenancies and contact with children
- no longer have a criminal record which would in turn remove a barrier to employment.

4.2.1 Experiences of challenging demand

'The Ban against the Purchase of Sexual Services' an evaluation of the Swedish legislation from 1999 – 2008, published in 2010, reached the following conclusions:

- The number of individuals involved in street prostitution has halved from 1999.
- Neighbouring countries, Denmark and Norway have three times as many individuals involved in street prostitution. (Norway has since criminalised the buying of sex.)
- Prostitution via the internet has increased in Sweden as with other countries. This is not due to the law but to the general development of online technology.
- There is no evidence of an increase in indoor prostitution.

- The law has deterred the establishment of organised crime networks and as concluded by the National Police, the law functions as a barrier against the establishment of traffickers and pimps in Sweden.
- The law has strong support from the Swedish public and has led to significant positive change in attitudes.
- 7.8% of Swedish men have bought sex compared to 13.6% before the law came into force.
- There is no evidence of negative effects on individuals involved in prostitution.

4.3 Decriminalisation and legalisation

Decriminalisation means that both the buying and selling of sex are legal. Decriminalisation allows for those selling sex to operate from flats or in the street without sanction. This is the subject of the proposed Private Member's Bill which is to be lodged in the next Scottish Parliamentary Term at some point after the Elections next year.

Legalisation regulates prostitution by licensing brothels and creating businesses that profit by employing those selling sex. Neither those buying nor selling sex are criminalised. Countries that legalise tend to set legal requirements for those selling sex e.g. signing a national register, undertaking health checks and paying tax.

4.3.1 Experiences of legalisation

The Netherlands, Germany and Australia are some of the countries that have legalised prostitution: legalising the buying and selling of sex. However, the practice of making prostitution a job like any other has not achieved the stated intention of regulating the sex industry and bringing criminal activity under control i.e. prostitution was legalised in the Netherlands in 2000 and in the decade following this, the sex industry expanded by 25%, making it more difficult to tackle organised crime. In 2010, the Mayor of Amsterdam in response to research that the red light district was attracting more crime and that women, including younger women, were being exploited by pimps and trafficking gangs, stated: '*we think the situation is so grave that we must act*'. Similarly, in Sydney in September 2015, a parliamentary enquiry heard that sexual servitude and human trafficking are widespread in Sydney brothels.

4.3.2 Experiences of decriminalisation

At present, only two countries in the world decriminalise prostitution, New Zealand and Australia, New South Wales. In 2012, the Stop Demand organisation in New Zealand published a summary of the impact of decriminalisation over the 9 year period from 2003, when it was passed into law by 1 vote. The summary included the following:

- An increase in the numbers of young people involved in prostitution, including overseas students and foreign women
- A rise in child prostitution
- Continued experience of violence and exploitation of women, including murder
- Negative impact on residential and business communities
- Normalisation of prostitution
- Caused ongoing bureaucratic problems for local councils, wasting local ratepayers funded resources
- Increase in brothels, including a dramatic increase in unlicensed brothels, with links to organised crime.
- Assists traffickers, given that prostitution is the main driver for trafficking for the purposes of sexual exploitation.

5.0 PROPOSALS

5.1 It is proposed that following due consideration, the Alliance Board formally support the End Prostitution Now campaign,

6.0 IMPLICATIONS

6.1 **Legal:** none

6.2 **Finance:** none

6.3 **Personnel:** none

6.4 **Equality and Diversity:** These proposals contribute to the Council's commitment to make sure that the children, citizens and communities of Inverclyde are protected from discrimination, harassment and victimisation.

7.0 CONSULTATIONS

7.1 Not applicable.

8.0 LIST OF BACKGROUND PAPERS

8.1 Equally Safe: Scotland's Strategy for preventing and eradicating violence against women and girls (Scottish Government 2014)

Annexe 1

Liz Curran
End Prostitution Now Campaign Group
Women's Support
Adelphi Centre
12 Commercial Road
Glasgow
G5 0PQ

Letter of Support EPN

Dear Liz

I am writing on behalf of Inverclyde Alliance to support and endorse the End Prostitution Now: Challenging Demand in Scotland call for legislation which advocates for criminalising the buying of sex and decriminalising those involved in prostitution.

This Alliance believes such legislation would address the root cause of prostitution i.e. gender inequality and men's demand to buy sex, which is the main driver for all forms of prostitution including human trafficking. Furthermore it will help in challenging the mainstream cultural messages about the acceptability of prostitution and the harm caused to those involved.

In line with the shift in challenging demand across Europe, this Alliance would welcome the introduction of comprehensive legislation in Scotland that criminalises the purchase of sex and decriminalises and supports those exploited through prostitution.

This Alliance believes that these measures are compatible with Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls.

Yours sincerely,

Councillor McCabe
Chair of Inverclyde Alliance