Written evidence submitted by the Scottish Soroptimists

Executive Summary.

- Prostitution is recognised as violence against women in Scotland and the other countries of the UK.
- Prostitution is commercial sexual exploitation of predominately vulnerable women and girls. The profiteers are pimps who can be human traffickers, organised crime bosses or abusive partners.
- Societies, such as ours, who strive toward gender equality recognise that prostitution is about the commodification of women and girls and as such is unacceptable.
- Sixty-six percent of the human trafficking victims in Europe have been trafficked for sexual exploitation.
- It is recognised that countries who decriminalise prostitution see a rise in the number of young women trafficked from Eastern Europe into the sex industry. Conversely countries who have adopted the Nordic Model -Norway, Sweden - where those who purchase sex are prosecuted see a decrease in victims of human trafficking.
- We believe that the Sex Buyer’s Law - which criminalises the purchase of sex, decriminalises the sale of sex and helps women to exit prostitution - should be enacted in each country of the United Kingdom as has already been done by Northern Ireland.

Scottish Soroptimists.

We are Scotland North and Scotland South Regions of Soroptimist International Great Britain & Ireland (SIGBI). Soroptimist International is a worldwide women’s organisation that seeks to improve the lives of women and girls. Soroptimists are committed to a world where women & girls together achieve their individual & collective potential, realise aspirations & have an equal voice in creating strong & peaceful communities worldwide. SIGBI has Special Consultative Status at the United Nations.

Although Scotland is politically devolved from England and Wales on matters of prostitution we have submitted a response to this inquiry as decisions made in Westminster will impact on any future decisions made in Scotland.

1) 'Whether criminal sanction in relation to prostitution should continue to fall more heavily on those who sell sex, rather than those who buy it.'

- Soroptimists believe that prostitution is violence against women. Prostitutes need to be protected from this violence. This is best achieved by criminalising the purchase of sex and those who seek to exploit women and girls.
- More than 50% women involved in prostitution in the UK have been raped and/or sexually assaulted – the vast majority of these assaults committed by sex buyers. (Hester, M. & Westmarland, N. (2004) Tackling Street Prostitution: Towards an Holistic Approach, Home Office: London)
- More than 50% of prostitutes in the UK enter into paid sex work before the age of 18 years. (Paying the Price: A Consultation Paper on Prostitution’, Home Office, 2004)
- Sex workers are often exploited or victims of human trafficking and as such should not face criminal charges for their work
- Northern Ireland, Canada, Norway, Sweden and Iceland have criminalised the purchase of sex with the aim of driving down the demand for prostitution. Ending the demand for prostitution is the only way to reduce the number of sex workers in our country and to reduce the number of victims of human trafficking who are brought to the UK to work in the sex industry. The Sex Buyer’s Law goes further in that not only would those who purchase sex be criminalised, but
the sex workers would be decriminalised and provided with support services to exit prostitution.

- We believe that decriminalising the sale of sexual services without criminalising the purchase of sex, as some are campaigning for in Scotland, would have disastrous consequences for women, girls and boys caught up in the sex industry. Germany has done this and now has super brothels and millions of men regularly buying women’s bodies as if commodities. There is also evidence of a large increase in the number of women trafficked into Germany from Eastern Europe and beyond to service this growing industry. (Prostitution and human trafficking cannot be separated » (Interview with Manfred Paulus)2014/09/03).

2) 'What the implications are for prostitution-related offences of the Crown Prosecution Service's recognition of prostitution as violence against women.'

- Soroptimists applaud the fact that the Crown Prosecution Service recognises prostitution as violence against women. This is consistent with the Scottish Government position.
- Although the Crown Prosecution Service recognises that prostitution is violence against women the current laws do not reflect this. Currently it is quite legal to pay for sex but women can be prosecuted for selling sexual services despite the fact they are often exploited by abusive partners or pimps.
- The Sex Buyer’s Law needs to be adopted in order to protect women from sexual exploitation. Ending the demand for sexual services will have the positive effect of reducing the number of women and girls controlled and exploited by pimps and brothel keepers.

3) 'What impact the Modern Slavery Act 2015 has had to date on trafficking for purposes of prostitution, what further action is planned, and how effectively the impact is being measured.'

- Ending the demand for sexual services, by criminalising the purchase of sex, will reduce the number of victims of human trafficking from Eastern Europe and beyond, as has been shown in countries such as Sweden. However traffickers do not just move victims across international boundaries but across countries as we have seen in the recent scandals of Rotherham and Rochdale.
- Sixty-six percent of the human trafficking victims in Europe have been trafficked for sexual exploitation. United Nations Office of Drugs and Crime 2014.
- The Modern Slavery Act fails to address the demand from sex buyers which drives the trafficking of women and girls into prostitution. In 2014 the European Parliament passed a non binding resolution which stated that ‘EU Countries should reduce the demand for prostitution by punishing the clients not the prostitutes’. This resolution stressed that prostitution violates human dignity and human rights, whether it is forced or voluntary, and calls on member states to find exit strategies and alternative sources of income for women who want to leave prostitution. (http://www.europarl.europa.eu/news/en/news-room/20140221IPR36644/Punish-the-client-not-the-prostitute).
- The Council of Europe has named the Sex Buyer’s Law as “the most effective tool for preventing and combating trafficking in human beings” (‘Sex Buyer Laws Win Council of Europe Support’, STOP Traffick! 1 April 2014.)
- In Scotland in 2011 an inquiry led by Baroness Helena Kennedy QC for the Equality and Human Rights Commission concluded, “Demand is a key driver for human trafficking. This fact underlines the need for ‘destination’ states, such as the UK and Scotland, to take responsibility to act to tackle trafficking through targeting demand.” ( Inquiry into Human Trafficking in Scotland: Report of the Equality and Human Rights Commission, 2011. p.52)
- The Northern Ireland -Human Trafficking and Exploitation Act 2015 - did criminalise the purchase of sex. Scottish Soroptimists believe that the Westminster Government should adopt The Sex Buyer’s Law to reduce the demand which will in turn lead to a decrease in the numbers of victims trafficked into, and across our country, for sexual exploitation.

4) 'Whether further measures are necessary, including legal reforms, to:'

-
-'Assist those involved in prostitution to exit from it'
- Those who are exploited through prostitution should be decriminalised. Having a criminal record for soliciting can be a significant barrier to exiting and finding employment.
- Adopting the Sex Buyer Law would be the best way to help women exit prostitution. Provision would have to be made by local authorities and other agencies to provide support for those wishing to leave prostitution.
- There should be local centres of excellence established to support those wishing to exit prostitution. Support should include: health care, psychological support and training opportunities to improve employment prospect. If they are victims of human trafficking then further support will be necessary as required by Modern Slavery Act.

-'Increase the extent to which exploiters are held to account'
- Prostitution is violence against women and the commercial sexual exploitation of women and girls who are treated as commodities to buy and sell. Criminalising the purchase of sex shifts the burden onto the purchaser and makes him responsible for this exploitation of women. Research among Scottish male purchasers of sex has shown that 79% would stop buying sex if they risked conviction and time in jail. (Macleod, J., Farley, M., Anderson, L. & Golding, J. (2008) Challenging Men’s Demand for Prostitution in Scotland, Women’s Support Project.)

-'Discourage demand which drives commercial sexual exploitation'
- The Sex Buyer’s Law should be adopted to end the demand for sexual services. If there is no demand there will be no commercial sexual exploitation, no abuse of women and girls caught up in the sex trade and no human trafficking of duped young people into prostitution and all the misery this brings to their lives.
- In countries that have adopted Sex Buyer’s Law, there is evidence of a change in public attitudes; an increasing number believe it is unacceptable to buy sex from another. In 1996, 45% of women and 20% of men in Sweden supported criminalising paying for sex. By 2008, support for this legal principle had risen to 79% among women and 60% among men. (Waltman, M. (2011) Sweden’s prohibition of purchase of sex.)
- There is significant evidence showing that criminal sanctions are a key method of deterring demand. This will drive down the number of clients which in turn will drive down the number of women and girls trafficked into the country for sexual exploitation as seen in Sweden and Norway. (‘Trafficking of women for sex in UK worth £130m’, the Telegraph, 7 October 2013).

In conclusion

Scottish Soroptimists would welcome the criminalisation of the purchase of sex as in the Sex Buyer’s Law. We applaud the fact that the Northern Ireland - Human Trafficking and Exploitation Bill 2015 - did include the criminalisation of the purchase of sex. Many, including Scottish Soroptimists, campaigned for this to be included in the Scottish Parliament’s Human Trafficking and Exploitation Bill but this was unsuccessful.
We would be delighted if the Westminster Parliament adopted the Sex Buyer’s Law as this would encourage the Scottish Parliament to do likewise and so make the United Kingdom a place where women and girls were no longer bought and sold. Our country would become a fruitless place for those pimps and traffickers who seek to profit from the sexual exploitation of our young people.

Submitted by Dr Pamela Cairns - Scottish Soroptimist’s spokeswoman on Human Trafficking and Exploitation