1. **Provide examples of the hidden forms of prostitution, and explain to what extent they are recognized and dealt with as such?**

In Scotland prostitution includes **sex for rent**, **transactional or survival sex** and **the mainstream sex industry**. Women with vulnerabilities such as housing issues, migrant status, no recourse to public funds or substance use are offered have their basic needs met such as food or accommodation through having sex.

The Encompass Snapshot 2021 highlighted:

* 63% had experienced homelessness.
* 71% having housing issues.[[1]](#footnote-1)

Levels of transactional/survival sex for rent is difficult to gauge due to stigma and lack of proactive identification. 10% of people who had taken out loan shark’s agreements hadto provide sex for loans or if they defaulted.[[2]](#footnote-2) All of thosewere women. Living Rent estimated between 1,000 and 2,000 women in Scotland have received "sex for rent" approaches annually. [[3]](#footnote-3)

Scotland does not have legislation to specifically address this form of exploitation.

1. **Describe the profile of women and girls affected by prostitution in your country, and provide disaggregated data, where possible.**

Robust data is not collected on women’s backgrounds, settings or impacts on health and wellbeing with no national scoping to gather exiting data.

In 2004, it was estimated approximately 1400 women were involved in street prostitution in Scotland.[[4]](#footnote-4)

The National Human Trafficking Unit scoped online escorting adverts and estimated 3000 women involved featuring 20 nationalities with majority being younger adults.[[5]](#footnote-5)

In 2019 research on the nature and prevalence of prostitution found substantial proportions of women were involved due to constraints and lack of alternatives. [[6]](#footnote-6)

The Encompass Snapshot 2022 highlighted:

* Aged18 – 60 (majority 30-40)
* 37 women with total of 57 children removed
* 14% were care experienced
* Nationalities – Vietnam, Brazil, Jordan, Thailand, Poland, Albania, Romania, Kenya, Nigeria, Somalia, Portugal, Angola, Tanzania, Sierra Leone, Namibia and Hungary
1. **Describe the profile of those who solicit women in prostitution and whether such relations are regulated, and provide supporting data, where possible.**

The WSP undertook research in 2007 with 110 sex buyers in Scotland. [[7]](#footnote-7)

Their average age was 37, ranging from 18 to 77, from different socio-economic backgrounds and professions with the majority in relationships.

It is illegal in Scotland to “kerb crawl” in a public place from 2007. Conviction numbers have fallen from 172 in 2008 to 31 in 2023.

There are challenges to access relevant data as offenses are grouped under crimes associated with prostitution.

1. **What forms of violence are prostituted women and girls subjected to**

Many women have prior histories of violence and abuse with impacts compounded by the harms of prostitution which exposes women to multiple forms of physical, sexual and psychological violence and risk from punters, pimps and controllers, traffickers and members of the public.

* Physical -

Women report slapping, punching, throttling, robbery, stabbing, abduction, threats, (attempted) murder.

 *“I look back and think, "Holy shit you know I could have been murdered…You don't know what they're going to do….what their intentions are. If somebody took me away and done whatever they wanted to me, put me somewhere, it would never have mattered.”* Wendy, [[8]](#footnote-8)

In 2021 the Encompass Snapshot found 81 of 150 had safety issues.[[9]](#footnote-9)

Campbell et al. found 25% of women indoors had experienced physical violence.[[10]](#footnote-10)

Beyond the Gaze 2020 found:

* 41% violence (including physical and sexual)
* 24% fraud and robbery,
* 23% stalking and harassment. [[11]](#footnote-11)
* Psychological –

“*You have to disconnect yourself really from reality to be able to do it… and obviously that goes on to affect you later on. You don't have a lot of self-worth. You don't value yourself. You don't value your opinion. You don't respect yourself. It takes an awful lot away from you …. Every time you go and do that it's taking a bit of you away.…. ”*Joanne Inside Outside

There are complex links between mental health and CSE:-

* mental health acting as a pathway
* coping strategies impacting on long term mental health
* impacts not manifesting until exited.

Psychological harms include public harassment, discrimination, shame and stigma, hyper vigilance, anxiety, changed intimacy and sexual pleasure, confidence and self-esteem which have long-lasting effects, sometimes leading to depression, suicidal ideation, disassociation, and substance misuse.[[12]](#footnote-12)

McKeganey 2006 found prostitution had, *"a profoundly negative impact on their own sense of worth and their private lives with family, friends and partners"* and led to "*a lifestyle of multiple pressures and multiple needs”*[[13]](#footnote-13)

In the Encompass Snapshot 2021, 80% of women disclosed a mental health issue such as anxiety, depression and trauma symptoms along with diagnoses of PTSD, and personality disorders which impacted on many parts of women's lives and engagement with support.

* Sexual -

“*When I speak about bein’ raped and other girls being raped too, it makes me emotional…It was such a common occurrence and happened that many times that I just accepted it.”* Wendy Inside Outside

Women disclose rape, sexual assault and harassment, stealthing, force or intimidation to engage in sex acts. Most goes unreported with perpetrators not held accountable and women prevented from accessing justice.

Encompass Snapshot 2022 found:

* 27 % experienced childhood sexual abuse
* 18 % exploited under the age of 18
* 80 % experienced violence and abuse whilst involved.

In 2016, a specialist sexual health service in Edinburgh found 40% disclosed rape and sexual violence.

Long-term impacts mean women normalise and accept violence which can lead women to self-blame when they are attacked. [[14]](#footnote-14)

* Financial exploitation

“*The way it was described to me it was easy, easy money…And it wasn't. I wasn't prepared…You can make the money but once you're not new anymore, once they've tried you, the money is harder to come by*….” Katie Inside Outside

Women are financially abused, coerced, and controlled with thefts, non-paying punters and must share their profits through “payments” to key players in the sex industry in order to secure clients and continue making money. [[15]](#footnote-15)

The cost-of-living crisis increases women’s vulnerability to both sexual and financial exploitation: -

“*Now, I'm saying yes to people I would have ordinarily said no to. I'm saying yes to acts I wouldn't normally…put myself at risk and do stuff I'm not comfortable with.”[[16]](#footnote-16)*

1. **Who is responsible for the perpetration of violence against women and girls in prostitution?**

*“There's quite a lot of violence…..men think they're buying your silence.., men know that the women are not going to go to the police, so they can turn very violent very easily on you. There was a time that I was raped and I was beaten pretty badly and I literally went and washed my face and went back to work”* Joanne, Inside Outside

Women can come from backgrounds of previous abuse which continues into prostitution where they experience violence from

* members of the public
* punters
* pimps/traffickers.

Encompass Snapshot 2022 found 86% of women had also experienced domestic abuse. Women have disclosed their involvement in prostitution as part of coercive control to frontline domestic abuse staff.[[17]](#footnote-17)

1. **Describe the linkages, if any, between prostitution and the violation of the human rights of women and girls.**

“*It's such a horrible, horrible thing to be involved in… so much you can lose and nothing you can gain.… it takes away from you and it changes you, your personality, and your looks, your everything. You go into survival mode and you do what you have to do to survive.”* - Joanne Inside Outside

Women in CSE experience human rights violations on a regular basis with certain groups such as migrant women, younger women, those experiencing homelessness, disabled women substance using or on the street facing more violations.

The Womens Support Project developed a response to a consultation on Human Rights with details of violations on national and local levels.

1. **What links are there between pornography and/or other forms of sexual exploitation and prostitution?**

The Encompass Snapshot 2022 showed the complex connections women have within the sex industry, involved in different forms either concurrently or previously. Increasingly women must promote their brand on image selling platforms to increase customers.

1. **How is the issue of consent dealt with? Is it possible to speak about meaningful consent for prostituted women and girls?**

*“My advert that was put on the internet – I didn't do that. The pimp's girlfriend did. I told them I don’t do unprotected… and stuff like that but they put everything in the advert.…I had to fight with the customers but I didn't speak very good English at that time. I was like basic talk. I don't know how to negotiate all that.”* Natasha Inside Outside

The legal understanding of consent is “freely and voluntarily” given within a mutual sexual relationship, to every occasion with each partner each time. In prostitution however consent is compromised due to pressure from punters, managers and pimps to sell sex /certain sexual acts.

In prostitution, a coercive context with power imbalances, structured gender inequality and vulnerability is exploited, impacting on how consent is obtained. Money and resources are used to gain acquiescence to unwanted sex.

1. **How effective have legislative frameworks and policies been in preventing and responding to violence against women and girls in prostitution?**

From 2008 Scotland has framed prostitution as a form of VAWG in national strategies but legislation continues to criminalise women selling sex in a public place.

2013-14 to 2022-23 all prostitution crimes have fallen 87%.[[18]](#footnote-18)

|  |  |  |  |
| --- | --- | --- | --- |
|  | 2008 | 2014 | 2023 |
| women criminalised for street prostitution  | 533 | 179 | 6 |
| men criminalised for “kerb crawling | 172 | 138 | 31 |
| brothel keeping. | 24 | 36 | 13 |

1. **What measures are in place to collect and analyse data at the national level with a view to better understanding the impact that prostitution has on the rights of women and girls?**

Challenges exist to have a full picture of scale and prevalence:-

* There is no consistent data collection tool shared across services in voluntary and statutory sectors
* Non specialist agencies do not routinely record if women are involved and there is no routine enquiry model in services.
1. **What measures are in place to assist and support women and girls who wish to leave prostitution?**

*“If I was any government out there, I would be feeling terrible…like I'm keeping all of these people in the same position ..because I'm not giving them options…. stuck in this place with a gun held to their head….all these thousands of women that would really not want to be doing what they're doing but they realise there really aren't any other options* Barbie, Outside[[19]](#footnote-19)

Women highlight the lack of long term consistent and practical support.[[20]](#footnote-20).The Encompass Network published “What next?” which called for robust exiting and detailed approaches and models of best practice in 2021. [[21]](#footnote-21)

To date in Scotland there is no model, framework or strategy detailing a consistent model of exiting support. This specialist support is delivered by a small number of services engaging with women, developing individual plans and advocating into other services.

1. **What are the obstacles faced by organizations and frontline service providers in their mission to support victims and survivors of prostitution?**

**Small sector**

* Few services with specialism limiting capacity to support all women
* Priority on front line delivery
* Little resources for policy or strategic work
* Women have complex needs requiring multi-agency responses
* Women do not disclose involvement to mainstream services

**Funding**

* Short term up to 3 years
* Repeating competitive tendering process
1. **What are some of the lessons learned about what works and what does not when it comes to stemming any negative human rights consequences from the prostitution of women and girls?**

**---------**

1. **Are frontline organizations and survivors' organisations sufficiently included in policymaking at the national and international level?**

The Scottish Government has included services in consultations and key strategic/ policy working groups such as:-

* Multi Agency CSE Group[[22]](#footnote-22)
* Expert group developing national principles[[23]](#footnote-23)
* Joint Strategic Board supporting implementation of Equally Safe [[24]](#footnote-24)
* The Cross-Party Groups on Male VAWG and CSE combines MSPs and service providers[[25]](#footnote-25)

The Encompass Network provides representation on CSE on these groups.

Representation has not necessarily translated into clarity, commitment and concrete actions.

1. **What recommendations do you have to prevent and end violence associated with the prostitution for women and girls?**

The only way to end the violence is to eradicate the system of prostitution.

1. Over a week in November 2021 the 7 specialist CSE organisations that make up the Encompass Network supported 150 women who had been involved in selling or exchanging sex or images. https://www.encompassnetwork.info/uploads/3/4/0/5/3405303/encompass\_snapshot\_2021.pdf [↑](#footnote-ref-1)
2. https://www.centreforsocialjustice.org.uk/wp-content/uploads/2022/03/CSJ-Illegal-lending-paper.pdf [↑](#footnote-ref-2)
3. https://www.scottishhousingnews.com/articles/call-for-state-inquiry-into-scotlands-sex-for-rent-scandal [↑](#footnote-ref-3)
4. https://www.researchgate.net/publication/228125446\_Being\_Outside\_Constructing\_a\_Response\_to\_Street\_Prostitution\_-\_A\_Report\_of\_the\_Expert\_Group\_on\_Prostitution\_in\_Scotland [↑](#footnote-ref-4)
5. https://www.gov.scot/publications/exploring-available-knowledge-evidence-prostitution-scotland-via-practitioner-based-interviews/pages/20/ [↑](#footnote-ref-5)
6. https://research-information.bris.ac.uk/en/publications/the-nature-and-prevalence-of-prostitution-and-sex-work-in-england [↑](#footnote-ref-6)
7. https://whiteribbonscotland.files.wordpress.com/2008/04/challenging\_mens\_demand.pdf?fbclid=IwAR1wVHplvyBY3vE8ni\_YXWy1YKl6PCkgl\_ggTw8Bh8afPKVVRb81ocI3-A0 [↑](#footnote-ref-7)
8. Inside Outside was a participatory project with women involved in or exited from the sex industry in Scotland. The women told their life stories and were mentored to take photographs to illustrate these. www.insideoutsidescotland,info [↑](#footnote-ref-8)
9. www.encompassnetwork.info [↑](#footnote-ref-9)
10. https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/09627250008552877.pdf [↑](#footnote-ref-10)
11. https://www.beyond-the-gaze.com/wp-content/uploads/2018/01/BehindtheScreenTechinSociety.pdf . Beyond the Gaze interviewed 648 people who were involved in sex industry. [↑](#footnote-ref-11)
12. Beattie et al (2020), Mental health problems among female sex workers in low- and middle-income countries: A systematic review and meta-analysis. [↑](#footnote-ref-12)
13. McKeganey, N. (2006) 'Street prostitution in Scotland: The views of working women', Drugs: Education, Prevention and Policy, 13 (2): 151-166. [↑](#footnote-ref-13)
14. Phipps, Alison (2012). Violence against sex workers in the UK. University of Sussex. Chapter. https://hdl.handle.net/10779/uos.23364488.v1 [↑](#footnote-ref-14)
15. Cassy in a podcast for End Prostitution Now outlined the various fees required by different facilitators in the sex industry [↑](#footnote-ref-15)
16. https://www.independent.co.uk/news/uk/home-news/sex-work-cost-of-living-crisis-dangerous-clients-b2222507.html [↑](#footnote-ref-16)
17. The Womens Support Project delivered training with staff in womens aid services and also conducted an anonymous survey with staff in the VAWG sector on experiences of disclosures. [↑](#footnote-ref-17)
18. This data has been gathered from Police Scotland crime statistics . It is very difficult to gain access to detailed disaggregated data on offenses eg we do not know how many brothel keeping offense are women selling sex together or are linked to managers and pimps. [↑](#footnote-ref-18)
19. Outside is a small collection of women accounts of exiting the sex industry in Scotland https://www.insideoutsidescotland.info/uploads/3/4/0/5/3405303/outside.pdf [↑](#footnote-ref-19)
20. https://www.gov.scot/publications/lived-experience-engagement-experiences-people-sell-exchange-sex-interaction-support-services/pages/14/ [↑](#footnote-ref-20)
21. “What next?” proposes a model for Scotland to develop robust exiting support with recommendations – it can be accessed here. it features the experiences of a small group of survivors. [↑](#footnote-ref-21)
22. https://archive2021.parliament.scot/CrossPartyGroups/Session5CrossPartyGroup/Minutes/CSE\_20180925.pdf [↑](#footnote-ref-22)
23. https://www.gov.scot/publications/challenging-mens-demand-for-prostitution-policy-principles/ [↑](#footnote-ref-23)
24. Refresh of Equally Safe was launched in 2024 and aims to prevent and eradicate all forms of VAWG. https://www.gov.scot/policies/violence-against-women-and-girls/equally-safe-strategy/#:~:text=Equally%20Safe%3A%20Scotland's%20strategy%20for,achieving%20greater%20gender%20equality [↑](#footnote-ref-24)
25. These groups combine MSPs and service providers https://www.cpg-cse.com/ [↑](#footnote-ref-25)