

Scottish sex workers need your support to fight the Nordic Model!

The Criminal Justice Committee at Holyrood has now opened the calls for views on Ash Regan's proposed Prostitution Bill, which would criminalise the purchase of sex in Scotland. The link to this is here, along with an overview of the bill itself: [Prostitution \(Offences and Support\) \(Scotland\) Bill - Scottish Parliament - Citizen Space](#). The form has 5 questions, but you are not required to answer all of them.

We are writing to ask if you would submit written evidence to the committee opposing the bill, to help us shut down Regan's attempt to introduce the Nordic Model in Scotland. **The deadline for submissions is 5th September**. We need as many people to respond as possible to help us demonstrate widespread opposition to the criminalisation of the purchase of sex.

We particularly need submissions with evidence on the Nordic model **not** reducing demand, not reducing trafficking/exploitation, and highlighting the lack of consultation with current sex workers in the development of this proposed legislation. It would be great for sex workers in countries with the Nordic Model, particularly Ireland and Northern Ireland, to submit evidence detailing how the Nordic Model has negatively affected them.

If you are struggling with time or lack of resources, we completely understand. We have developed basic templates for the response to the committee, which we will attach to this email. Please see the attached basic templates on how best to focus your answers, but the more you are able to tailor your response, the better this evidence will be to the committee.

We will also be hosting writing drop-ins, if you work better in a group and/or want to ask any questions. Our next drop ins will be sex worker only on 12th, 14th, 28th August and 2nd September from 1-4pm at NUMbrella Lane in Glasgow and online. We will be hosting a sex worker and allies writing drop in at Tollcross Community Centre, Edinburgh, 1-5pm on the 22nd August. This will be hosted both online and in person, please respond to this message to request the link or location.

This link may also be helpful for anyone who has questions about how the committee will use their submission: [Privacy notice: Committees: Submitting your views to a committee | Scottish Parliament Website](#)

If you would be willing to give evidence directly to the committee, we would also very much appreciate this. Please indicate your willingness in an email to the committee clerks :

ProstitutionOffencesAndSupportBill@parliament.scot. Ultimately, who the committee decides to call to provide evidence is their decision, but we can ask to do so.

Please share this consultation amongst your networks, as the more evidence we provide, the more likely we are to defeat this bill. Do let us know if you have any questions about the bill or the consultation, the best way to contact us is via email: scotland4decrim@proton.me. Many thanks in advance for your support.

1. The Bill proposes to create a new offence of paying for the performance of a sexual act by a person. The Bill (at section 1) includes details of the circumstances in which an offence would be committed. The Bill (at section 9) includes a definition of “a sexual act”. The Bill states that activities such as striptease, pole dancing, lap dancing, or other erotic performances are not included in the definition of a “sexual act”.

What are your views on this proposal?

We would recommend that you respond to say you are not in favour of the criminalisation of paying for a sexual service/act.

What do you see as the repercussions of the nordic model upon your work?

- How will it change your safety procedures?
- What are the economic or social reasons you entered into sex work in the first place?
- Will it achieve its stated aim of making you move into different forms of work and if not, why not?
- Have you worked in any nordic model countries and if so how was your experience?
- Criminalisation of clients increases the number of sex workers in poverty, making them more vulnerable to exploitation and abuse
- How will it impact your household finances? Will you have to claim benefits, or will it affect your childcare or caring duties?

2. The Bill proposes to repeal [section 46 of the Civic Government \(Scotland\) Act 1982](#).

Under this section of the 1982 Act, a person who is found guilty of loitering, soliciting or importuning in a public place for the purposes of prostitution commits an offence.

What are your views on this proposal?

We would recommend responding that you are in favour of this section of the Act being repealed. You may want to discuss:

- Have you been issued with a prostitutes caution or any other form of criminalisation due to your work?
- Have you changed the way you work in order to avoid criminalisation, such as avoiding working with a friend in a flat?
- Have you had to access any part of the criminal justice system, such as reporting a crime to the police, and how do you feel that the stigma facing sex workers impacted that interaction and the justice you could access?
- This form of criminalisation increases STI transmission, as often if a sex worker has condoms on their person, this is used as evidence by police for convictions.
- Criminalisation in this form means that less safety checks can be conducted by the worker, increasing levels of danger
- Anything else you think may be relevant here.

3. The Bill proposes to quash historic convictions under [section 46 of the Civic Government \(Scotland\) Act 1982](#), which relates to the offence of loitering, soliciting or importuning in a public place for the purposes of prostitution.

What are your views on this proposal?

We would recommend responding that you are in favour of prior convictions under this Act being quashed. You may want to discuss:

- Having a prostitute's caution and/or a criminal record for a prostitution offence brands sex workers as criminals, making us an easy target for the police and others in authority to discriminate and deny us our rights.
- In practice this means that sex workers:
- are barred from finding other jobs and prevented from leaving the industry
- lose custody of our children, are deported or prevented from travelling to other countries - have you had to turn down job opportunities due to DBS checks?
- are made more vulnerable to exploitation and violence and are denied compensation and insurance, among other injustices.
- The impacts of a criminal record for prostitution are compounded for sex workers who are migrant, trans, women of colour, street workers and working class.
- Anything else you think may be relevant here.

4. The Bill proposes (at section 6) to place a duty on the Scottish Ministers to ensure that a person who is or has been in prostitution is provided with assistance and support. The Bill sets out a non-exhaustive list of the types of assistance and support that may be provided.

What are your views on this proposal?

We would recommend that you highlight the lack of concrete proposals, aligned with no financial backing to these services. You may wish to discuss:

- If you are based in Scotland do you have any experience of trying to access the Scottish Government emergency funding for sex workers during covid?
- Do you have any personal experience around the difficulty accessing mental health support/NHS healthcare/addiction support etc that you have then had to pay for privately - have the financial benefits of sex work supported your health needs?
- That funding for exit services was supposed to be part of the Nordic Model roll out in Sweden, but has not been implemented. Sex workers in Sweden point to a lack of truly comprehensive or effective support that would help with finding alternative employment to commercial sex. Instead, money has been spent on policing.
- The same issue has been seen in France, with offers of financial support not being implemented.
- The lack of financial support available for mental health and addiction services, the lack of affordable and social housing, and restricted access to legal aid already. The Bill offers a right to support to these things to anyone in prostitution, but has not detailed associated costs that would be required.
- There is a danger that this support would also align with common practice in support services, that the person requiring help must no longer engage in sex work. Anyone, whether they must continue engaging in sex work or not, deserves a right to support.

Anything else you think may be relevant here.

5. Do you have any other comments on the Bill which you have not already covered elsewhere?

We would recommend using this section to discuss:

- The dangers that the Nordic Model poses to sex workers
- Evidence that demonstrates that the Nordic Model does not reduce demand, does not reduce trafficking and/or exploitation
- The lack of input by current sex workers in the creation of this bill, and why it is important to centre those with lived experience and who will actually be affected by the implementation of this bill

- Evidence from countries with the Nordic Model to highlight the above, with a particular emphasis on evidence that was created with sex workers and platforms their voices.