

# A MODEL FOR SCOTLAND

**Briefing Note for Members Debate on Motion S6M-11509 - Ruth Maguire: International Insights, A Model for Scotland, Thursday 18 January 2024**

**Text of Motion:** That the Parliament welcomes the publication of the report, *International Insights*, by A Model For Scotland, which is a campaign group for progressive prostitution law reform; considers that the report highlights important findings related to what Scotland can learn from international efforts to combat commercial sexual exploitation; further considers that, whilst the Scottish Government recognises prostitution as a form of violence against women, and has committed to develop a model for Scotland to challenge men's demand for prostitution, it is currently legal in Scotland to perpetrate and profit from prostitution, and that victims receive sanctions rather than support, including in the Cunninghame South constituency; believes that Scotland's approach to tackling sex trafficking and sexual exploitation can build on the experiences and learning of other countries, and notes the view that Scotland must join the growing number of countries taking action to combat commercial sexual exploitation by ensuring that the new model for Scotland criminalises paying for sex, decriminalises and provides support to women involved in the sex trade and holds pimping websites accountable.

1. **CARE for Scotland welcomes the recent *International Insights* report from A Model for Scotland, and the evidence therein demonstrating the impact of robust legislation in the likes of Sweden and France.<sup>1</sup>**

CARE worked closely with MLAs during passage of similar legislation in Northern Ireland, which criminalised the purchase of sex and requires a strategy to provide support to women who want to exit prostitution.<sup>2</sup> The *International Insights* report highlights the importance of having both these measures in place.<sup>3</sup>

2. **We welcome the Scottish Government's commitment in its refreshed *Equally Safe* strategy of December 2023 to "eradicate all forms of violence against women and girls" (VAWG), and that the strategy identifies "commercial sexual exploitation, including prostitution" as a form of VAWG.<sup>4</sup> We also note the Scottish Government's recognition in the original *Equally Safe* strategy of prostitution as a form of "violence against women", and the pledge to develop a tailored Scottish 'model' to tackle prostitution."<sup>5</sup> In 2023, the EU stated, "various studies show that women in prostitution face more egregious human rights violations, violence and exploitation than women on average, including high levels of gender-based, psychological, physical and sexual violence."<sup>6</sup> **It has been over 5 years since the publication of *Equally Safe* in 2018, and yet action to tackle this recognised form of violence against women has not been taken – a state of affairs that would be unthinkable in any other context.****

3. **The connection between the so-called 'sex trade' and modern slavery is well known.**

CARE welcomes the Scottish Government's recognition in its recent *Slavery and Human Trafficking Statement* (November 2023) of "behaviours which are particularly linked to human trafficking and exploitation, such as commercial sexual exploitation".<sup>7</sup> Scotland has worked hard to tackle human trafficking over recent years, however for as long as it remains legal to pay for sex, **we are failing in our duty to tackle one of the principal drivers of trafficking at source.** The Russian invasion of Ukraine has served to exacerbate the threat to women. It is sickening that extremely vulnerable women and children, displaced from their homeland by war, and in desperate need of a safe place, are at risk of exploitation by traffickers. CARE have issued multiple warnings that criminal networks engaged in trafficking and commercial sexual exploitation will be viewing the influx of vulnerable,

<sup>1</sup> [International Insights: How Scotland can learn from international efforts to combat commercial sexual exploitation](#), Nov 2023

<sup>2</sup> [Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015](#), sections 15 and 19

<sup>3</sup> *International Insights*, *Op Cit*, page 10

<sup>4</sup> The Scottish Government - [Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women & Girls](#) (Dec 2023) pp5, 11

<sup>5</sup> [Equally Safe Scottish Government response](#) (June 2021) pp 5, 15

<sup>6</sup> Regulation of prostitution in the EU: its cross-border implications and impact on gender equality and women's rights, [P9\\_TA\(2023\)0328](#), para H

<sup>7</sup> The Scottish Government – [Slavery and Human Trafficking Statement](#) (Nov 2023) p5

displaced people as an opportunity to recruit. **Statistically, women are primarily trafficked for the purposes of sexual exploitation, a particular cause for concern given that so many of those fleeing Ukraine have been women and children.**

**4. Claims by some that so-called ‘sex work’ laws cause no harm to women have been exposed as an illusion.**

The Organisation for Security and Co-operation in Europe (OSCE) have issued warnings that the threat posed to Ukrainian refugees by sex traffickers underlines the need for politicians across Europe to challenge demand for sex through legislation. OSCE have stated, “Countries that do not criminalise sex-buying experience higher rates of sex trafficking. As current events demonstrate, government action can’t come quickly enough. Laws that tackle online pimping and deter demand from sex buyers are an important step in preventing the exploitation of women fleeing war in Ukraine.”<sup>8</sup>

**5. A new ‘model for Scotland’ that criminalises men who pay for sex is the only way to effectively reduce the harmful impact of commercial sexual exploitation.**

CARE for Scotland believes **achieving the aims of Equally Safe and reducing the harmful impact of commercial sexual exploitation requires making it a criminal offence to purchase sexual services and the provision of robust programmes to support women to exit Prostitution.** A similar approach has been adopted by Sweden, Norway, Iceland, Canada, France, Ireland, Israel, and in Northern Ireland. Scotland must now move without delay to do likewise.

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**About CARE**

CARE’s mission is to bring a uniquely Christian insight to the laws that affect our lives. For four decades we have sought to do this constructively, with civility, and good research and evidence. At the heart of all of CARE’s work is our determination to uphold the truth that human beings made in God’s image are immensely valuable and deserve to be treated with dignity and compassion.

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<sup>8</sup> [As Ukrainian refugees fall prey to sex-traffickers, Scotland has a duty to tackle demand for prostitutes – Valiant Richey, OSCE | The Scotsman](#), 4 June 2022  
 See also [OSCE and UN Special Reps statement on trafficking for the purpose of sexual exploitation and sexual violence in the context of war against Ukraine | OSCE](#) 29 March 2023