



Response to the Proposed Prostitution Law Reform (Scotland) Bill

LGBT Youth Scotland

1 December 2015

About LGBT Youth Scotland

LGBT Youth Scotland's mission is to empower lesbian, gay, bisexual and transgender young people and the wider LGBT community so that they are embraced as full members of the Scottish family at home, school and in every community. We deliver direct youth services and support professionals to ensure their policies and practices meet the needs of LGBT (young) people.

Discussion

LGBT Youth Scotland partially supports the proposed *Prostitution Law Reform (Scotland) Bill*. We support the aim to decriminalise the sale of sex in order to increase the safety and health of those involved but we do not agree with the remainder of the Bill as currently proposed. It is our view that simply removing barriers does not necessarily result in the access to or enjoyment of rights. We would like to see the proposal include discussions on increasing safety measures beyond a change in policing focus, and programmes to reduce the impacts of inequality on individuals who sell sex.

Our youth work with LGBT young people is framed within a harm reduction approach. We work with young people in relation to their current experiences and circumstances to ensure that they are as safe and healthy as possible, providing them with information and education to make informed choices about their health, wellbeing, and safety. We also link them in with appropriate services, and help them to consider their options and plans while building steps to positive outcomes. This is the same approach that we use when working with LGBT young people involved in selling sex. It is for this reason that we support measures to decriminalise selling sex to enable individuals to implement safety strategies and have increased confidence to seek sexual health or criminal justice services. We urge further consideration of the ways in which public services may help bridge the gap between individual safety planning and the social attitudes and inequalities that threaten the health and wellbeing of those selling sex.

This proposed Bill does not go far enough to address inequality for the majority of those selling sex who do so out of reduced choices. As noted in paragraph 2 of the proposed Bill, life choices for those who sell sex and those who do not are limited due to 'inequalities such as poverty, sexism, racism, transphobia and homophobia'. It goes on to state: 'It is important to recognise...that even in the face of limited options, or dire financial need, the decision to sell sex can still be made voluntarily i.e. without external force or coercion'. Regardless of voluntary choices, further consideration is required as to how to address the constrained choices as a result of social and structural inequality that often lead individuals to sell sex.

Conclusion

LGBT Youth Scotland supports the decriminalisation of the sale of sex proposed within the Bill, but we do not support the additional proposals. Further development of the Bill is required to ensure that health and safety measures and inequalities are proactively addressed in order to meet the Bill's stated aims.

We agree to making this response public. For more information, please contact:
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