



Ash Regan MSP
Minister for Community Safety
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

23 February 2022

By email: MinisterCS@gov.scot

Copy: VAWG Directorate VAWGJustice@gov.scot

Re: Inclusion of sex worker representative groups in policy development

Dear Minister,

We are writing as the representatives of Scot-Pep, National Ugly Mugs (NUM) and 'NUMbrella Lane' the leading sex worker support charities in Scotland. We are seeking urgent clarification from you about the consultation of sex worker groups as the Scottish Government develops new legislation on sex work (or a 'model for Scotland').

As you will be aware, the Scottish Government's desire to criminalise the purchase of sex, often called the Nordic Model or 'challenging demand', is a source of serious concern for sex workers. There is extensive international evidence showing that such an approach results in increased violence, financial precarity, stigma and other harms to themselves and their communities.

Concerns have been raised repeatedly about the Scottish Government's refusal to engage with groups that represent sex workers in the formulation of new legislation, with working groups focusing their consultation on organisations willing to sign up to a declaration that sex work constitutes a form of violence against women. This excludes all sex worker organisations, which is completely unacceptable as a starting point for formulating sex work policy.

In response to these concerns about a lack of engagement, you have repeatedly pledged that the Scottish Government will consult those with lived experience of sex work in drawing up principles to underpin the new legislation. Most recently, speaking in the chamber on February 10, you said that Scot-Pep is 'inputting' to these principles through the Government's reference group for the legislation, and that "we are listening carefully to what it has to say. I agree that that is really important". In response to parliamentary questions, you have also undertaken that this reference group would be "convened with opportunities to input into the development of the draft principles work".

While Scot-Pep is a member of this reference group, the group has not met, and we have no indication that it will be convened. The reference group has been sent a single set of minutes and has been asked to provide input once with just four days' notice. By contrast, the Government gives itself two months to send out the minutes from the short-life expert group meetings. This in no way constitutes being consulted in any meaningful way, and yet Scot-Pep's name has been misused to imply their substantial, meaningful involvement. It appears that the short life expert working group – which no

sex worker representative groups have been invited to join – will formulate the principles underpinning the legislation without any input from those working in the sector.

Given the above, it is hard to see how the Scottish Government will make good on its commitment to consult sex worker representative groups in the formulation of the legislation. It appears that Scot-Pep's inclusion on the reference group amounts to no more than a fig leaf to allow the Scottish Government to maintain an illusion that it is engaging with workers in the sector.

As you yourself have said, it is vital that sex worker representative groups are consulted in the formulation of legislation that represents an existential threat to their ability to earn a living. It is now clear that the reference group will not provide the means for that consultation, and that the main short-life working group constitutes the only forum through which groups with an interest in the legislation can be engaged.

We are asking:

- that places be made available in the short-life expert group for one representative each from Scot-Pep, NUM, and NUMbrella Lane as soon as possible to ensure that sex workers' voices are represented in this policy discussion.
- that resources be made available to respect the organising time and support that our groups will need to facilitate sex workers' involvement as experts on this matter.
- that this be addressed appropriately by 7th March 2022.

As peer-led and sex worker-serving organisations, it is our responsibility to bridge the relationships between our communities and people like you, who hold political power and can influence sex workers' safety and quality of life. The spirit and intention of this letter is to correct the record about what you have said regarding Scot-Pep's involvement in policy development, and to offer our insights and expertise as lateral and full partners in policy change toward the improved status of sex workers in our society. If you are willing to develop evidence-informed policy and step away from the polarising debate, our groups are fully committed to join you in this endeavour.

Yours sincerely,



Dr. Raven Bowen
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