

**The Local Politics of Prostitution
in two Scottish Cities**

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Abstract

Local policy responses to the ‘problem’ of prostitution in Glasgow and Edinburgh are strikingly different. Whereas Glasgow tends to take an abolitionist approach to prostitution, Edinburgh favours regulation. In this paper, we present some preliminary findings from our initial mapping exercise in these two Scottish cities. To account for and to explain the contrasting approaches taken by each city, we first examine how prostitution is represented as a ‘problem’ within local policy networks. While prostitution is represented foremost as a ‘health’ problem in Edinburgh, in Glasgow it is represented as fundamentally a ‘social welfare’ problem. Moreover, whereas discourses of ‘choice’ and ‘work’ predominate within the Edinburgh policy network, those of ‘abuse’ and ‘vice’ are more prevalent in Glasgow. These contrasting problem representations are contextualised in terms of the considerably different circumstances in which policy has been formulated in each city. In the absence of overt political leadership, the development of Edinburgh’s ‘blind eye’ policy of toleration was incremental and ‘pragmatic’; it was driven predominantly by public agencies within an informal policy network. By contrast, Glasgow’s recent focus on prevention and exit strategies has been self-consciously (re)defined by anti-abuse femocrats who have been pro-active in formalising and reconfiguring an existing policy network around a common ‘ideology’.

Introduction

This paper describes the preliminary findings of a pilot research project which aims to map the pattern of policing, regulation, policy innovation and practice with respect to prostitution in Scotland. This paper reports on our initial mapping exercise which examines the factors which shape policy response in different localities; outlines different and changing policy discourses and forwards some suggestions about the dynamics of change.

Our research consists of semi-structured interviews with key policy actors, including police, local government, health boards, advocacy groups and related agencies. Analysis of these is informed by a survey of policy documents and newspaper coverage since 1993.¹ We examine the ways in which prostitution policy is currently framed; trace the different discourses through which the issue is understood; describe the approaches taken by various agencies; and identify key policy actors. We tap the perceptions of key personnel in the relevant agencies about present approaches and preferred options for reform. We also seek to identify instances of multi-agency working and innovative policy and practice.

Our research focuses upon two cities in Scotland rather than a British-wide study for a number of reasons. Firstly, although the Scottish Parliament is a very recent creation, significant institutional and legal differences from England, and other parts of the UK, have always existed. Although legislation was (prior to devolution) made by the Westminster Parliament, it has been framed by Scotland’s different legal traditions and enacted through Scotland’s different legal system. A high degree of administrative devolution has existed in

¹ We would like to acknowledge our gratitude to Jenny Shaw, an undergraduate student in the Politics Department, for her work on the newspaper survey.

Scotland for a considerable period of time, primarily through the Scottish Office (Paterson, 1994; Brown et al, 1998), and has given rise to distinctively Scottish institutions, systems of administration, policy elites and networks.

Secondly, different legal systems means that prostitution is dealt with under different legislation that although there are broad similarities between Scotland and England/Wales. Prostitution itself is not illegal. However most activities relating to it, such as soliciting, importuning, loitering for the purpose of prostitution, running a brothel and living off immoral earnings are criminal offences.

In Scotland street prostitution is dealt with under the Civic Government (Scotland) Act 1982, section 46 (1) of which states that:

“a prostitute (whether male or female) who for the purposes of prostitution
a) loiters in a public place,
b) solicits in a public place or in any other place so as to be seen from a public place or
c) importunes any person in a public place,
shall be guilty of an offence.”

These offences are not imprisonable but are instead subject to a fine (ranging from £50-£500, averaging £150). However, many women end up in prison for non-payment of fines. Prostitution is classed as a ‘crime of indecency’, a sex-offence in the same category as sexual assault. As such it must be disclosed to potential employers and can act as a barrier to employment, particularly in the child care and related sectors.

The same legislation (Civic Government (Scotland) Act 1982) gives local councils the power to issue licences to premises for public entertainment. This has been used by some local authorities (particularly Edinburgh) to issue licences for ‘saunas’ (many of which are, in reality, brothels). However running brothels and ‘living off immoral earnings’ remain criminal offences.

A major difference between Scotland and England/Wales is that there is no specific legislation directed at clients in Scotland in contrast to the ‘kerb crawling’ offence in the Sexual Offences (England and Wales) Act 1985. A client or ‘punter’ may be charged with a ‘breach of the peace’ although, in practice, this seldom happens.

Thirdly, although difficult to verify, a number of informants argue there are differences in the characteristics of the prostitution ‘scene’ in Scotland and England. In particular, it is argued that there is no organised pimping in Scotland; less under-age prostitution; and that the sex-industry in terms of saunas/brothels are generally small-scale business ventures rather than involving big business or organised crime.

Differences between Edinburgh and Glasgow

Edinburgh and Glasgow are very different cities: Edinburgh is the capital of Scotland and the seat of the new Scottish Parliament. It is a city of around 440,000 population on the East Coast of Scotland. It has traditionally been the centre of the Scottish legal profession (around a quarter of all Scottish solicitors are based in Edinburgh), public administration and financial services. In terms of social indicators, the city is generally prosperous, for example its unemployment rate is lower than both the Scottish and the UK average. However, there

are pockets of poverty and multiple deprivation. Glasgow is the largest city in Scotland with a population of around 620,000. It is situated in the West of Scotland and is Scotland's principal commercial centre and one of the United Kingdom's main retail and office centres. Glasgow is also one of the poorest cities in Western Europe, with some of the worst levels of unemployment, poverty, drug misuse, low educational attainment and poor access to training opportunities, poor health and high mortality. Between 1993 and 1995, the overall mortality rate in Glasgow was about 20% above the Scottish rate, which in turn was higher than the rate for England and Wales and many other European countries. Traditionally there has been great rivalry - and some hostility - between the two cities which continues to the present.

The prostitution 'scene' in the two cities is seen to differ in a number of respects. In Glasgow, there is both a high incidence of street prostitution and high levels of intravenous drug use. In Glasgow police estimate that around 1000 women are involved in street prostitution, mainly in the city centre; around nine out of 10 of whom are injecting drug users. It is conventionally understood that the vast majority of prostitution in the city takes place 'outdoors' (90%) with a small 'indoor scene'(10%). Women involved in street prostitution experience 'routine' violence and there have been several unsolved murders and suspicious deaths. Historically, policing practices have been 'heavy-handed' and local government has sought to limit the spread of 'indoor' prostitution. However, a sense of crisis resulting from recent events appears to have contributed to a re-evaluation of existing policy and the development of a multi-agency partnership to address the issue of prostitution in the city.

In contrast, prostitution in Edinburgh is largely 'indoors' (90%) with only around 50 women involved in street prostitution. Intravenous drug use amongst all women involved in prostitution is reported to be low. An ad hoc regulatory system has been developed by state agencies since the 1970s. While 'soliciting' remains a criminal offence throughout Britain, the City of Edinburgh has developed a liberal licensing policy for saunas, where most prostitution in the Scottish capital takes place. This has enabled the state to impose a quasi-official regime of regulation on the sex industry, via several agencies including police, environmental health and the health board. The comparatively low incidence of street prostitution in Edinburgh is regulated through a "zone of toleration" in the dock area of the city.

The different approaches to prostitution that are taken by Edinburgh and Glasgow are reflected in the media coverage of the issues.² All the newspapers agree that 'the problem' in Glasgow surrounds the issue of intravenous drug abuse funded by street prostitution, precipitating a dangerous and often violent situation, as eight murders over the last decade or so show. In Edinburgh 'the problem', if there is seen to be one at all, is seen to be the consequences of the licensing of saunas under entertainment licenses, in particular the opposition of residents to the siting of saunas in local neighbourhoods. A secondary 'problem' is the public nuisance that is seen to be presented by the 'zone of toleration' and the operation of the prostitution drop-in in respect of local residents.

² The review surveyed the local evening tabloid newspapers in the two cities: The Glasgow Evening Times and the Edinburgh Evening News; and Scotland's two national daily broadsheets, the Herald (which is traditionally associated with Glasgow and the West Coast) and the The Scotsman (which is traditionally associated with Edinburgh and the East Coast).

There is less of a consensus as to ‘What Can Be Done?’ Media debate generally revolves around the question over whether or not Edinburgh’s ‘enlightened pragmatic’ approach could be a solution to the situation in Glasgow. From this coverage there emerges something of a rivalry between the ‘civic pride’ of Edinburgh and the ‘civic shame’ of Glasgow that has come from their respective problems and the different ways they are dealt with by the authorities.

Our research appears particularly timely, as prostitution is presently on the local political agenda in Scotland. In Glasgow we are witnessing the formation of a new regulatory approach and a shifting policy emphasis. In Edinburgh, policy actors generally support maintaining the present “blind-eye” policy, although they are wary of public debate. Moreover, although policy surrounding prostitution has been effected primarily by local policy actors and service providers in the past, devolution and the establishment of the Scottish Parliament, which has jurisdiction over most pertinent legislative and policy areas in relation to prostitution, presents us with a new and potential powerful actor. One of the political parties, the Scottish National Party, has signalled its support for a review of legislation although there appears to be little political will at present to change the status quo in terms of legalisation/decriminalisation. The parliament will, however, be the focus for any future lobbying activity.

A ‘What’s the Problem?’ approach to understanding the policy process

In this paper we begin from what Carol Lee Bacchi has referred to as a “What’s the Problem?” approach to studying the local politics of prostitution in Edinburgh and Glasgow. This approach requires foremost that we examine the ways in which prostitution is represented as a ‘problem’ by policy actors. Thus we proceed by an analysis of the discourses through which policy problems are represented.

Such an analysis does not presuppose that problems exist independently of policy makers, waiting to be properly *identified* (as do rational decision making theories). Nor does it presuppose that good policy making depends upon finding the most appropriate *definition* of a problem (as do incrementalist or pluralist theories). Rather a ‘What’s the problem?’ approach is underpinned by the view that ‘we need to break out of monocausal formulations of problems wherever they appear’ (Bacchi 1999: 69). In Bacchi’s view, monocausal explanations are undesirable since they exclude certain issues from the policy process. Discourses set limits on what their subjects are both *able* to say and *permitted* to say. Moreover, it is argued, each representation of a problem through a particular policy discourse is likely to carry ‘a distinct programmatic orientation with respect to funding, institutional siting and control, service design and eligibility’ (Fraser in Bacchi, 1999: 10).³ Whereas both rational decision making and pluralist theories seek discursive closure by a solution-oriented approach, Bacchi emphasises the importance of discursive diversity through a representation-oriented approach.

Representing the ‘problem’ of prostitution

³ Bacchi is concerned primarily with problem representation rather than with implementation. There are limitations with this approach. Policy analysts such as Outshoorn (1991) have demonstrated the ‘creeping process of issue modification’ which takes place over the course of the policy process.

Prostitution policy is a paradigmatic case in which it is possible to observe the play of competing discourses, each of which enable and constrain the ways in which the ‘problem’ may be represented by actors. It also demonstrates the slipperiness of trying to pin down the various discourses available to actors. This is largely due to the fact that the issue of prostitution is somewhat over-determined: because prostitution appears to us as a classic ‘hard-case’ it has been an area over which a whole range of academic debates have been played out. For instance, debates about gender, power and freedom, sexuality (constructivist vs. “essentialist”), sexual abuse, epistemology (structural explanations vs. actors meanings), markets and their limits, the role of the state and the content of rights have all been played out over the issue of prostitution. Moreover, the range of interests, which various protagonists bring to debates about prostitution has led to some unlikely “alliances”: for example, between free marketeers, sexual libertarians and feminist advocates of corporate rights for prostitutes on the one hand and conservatives and anti-violence feminist campaigners on the other.

Thus, we need to keep in mind the possibility that policy actors may line up behind a particular discourse for instrumental reasons (i.e. in terms of policy objectives) even where it does not accord entirely with their own values (Bachii 1999: 10). The consequence of such a strategy, however, may be that actors find it difficult to voice particular concerns they have within the dominant policy discourse. This is clearly borne out in the context of Australian and Dutch femocrats who made a pragmatic accommodation to the “sex-work” discourse (elaborated below). Gorjanicyn (1998: 183-4) and Outshoorn (1998: 195) report that these femocrats considered the decriminalisation of prostitution desirable in terms of the welfare of women presently involved prostitution. However, they found that the ensuing prevalence of the sex-work discourse within the policy system closed down the discursive space in which it was possible to articulate feminist concerns about the exploitative and harmful aspects of prostitution.

Representing the ‘problem’ of prostitution

Numerous schema for differentiating discourses around prostitution are presented within the literature on prostitution (e.g. Gorjanicyn, 1998; Jeffreys 1997; Outshoorn, 2000; Zatz 1997; Pheterson, 1996). However, when examining prostitution from a public policy perspective, a difficulty with much of the literature is that it conflates ethical and policy concerns. In order to conceptually distinguish actors’ values and beliefs from policy programmes and prescriptions, in this paper we differentiate ‘characterising’ discourses from ‘policy-orienting’ discourses.

Whereas characterising discourses refer to the ways actors understand what prostitution is (i.e. its ‘essence’ or ‘nature’), policy-orienting discourses refer to how prostitution manifests itself as a ‘problem’ (or non-problem) for the state. Characterising discourses frame ethical arguments about the rights and wrongs of prostitution as a social practice. Policy-orienting discourses frame the way in which prostitution is understood as an appropriate object of state attention. Prostitution is variously characterised as: i) choice; ii) work; iii) vice; iv) sex or; v) abuse. In terms of public policy, prostitution may be understood to constitute a: i) health; ii) social iii) law and order or; iv) social justice ‘problem’. Each of these discourses is elaborated below. While the characterising discourses we describe are drawn from a review

of the (predominantly feminist) theoretical literature on prostitution, the policy-orienting discourses are based principally on empirical observation.⁴

'Characterising' discourses of prostitution

i) Choice: The characterisation of prostitution as choice calls attention to the agency of the women (or men) involved in prostitution. Given a plurality of conceptions of the good life, we must make a morally necessary presumption that the individual knows what is best for her (Mill, Rawls). Since prostitution does no harm to others, society or the state is not justified in restraining such activity. Circumstance or necessity may make prostitution a choice from limited options, however coercive state action only limits choices further. Alternatively, a 'right to prostitute' might be defended on the basis that the most fundamental property right is property of one's body (Locke, Nozick). Characterising prostitution as choice situates it as a 'private' matter of individuals/markets and hence as an illegitimate object of public policy.

ii) Work: The characterisation of prostitution as work draws attention to the conditions in which prostitution takes place. While it focuses on the vulnerability of those involved in prostitution to exploitation, violence and health risks, these hazards are not considered to be inherent to the institution of prostitution. Rather, they result from 'whore stigma' (Pheterson 1996). Prostitutes are discriminated against and marginalised by society in ways continuous with the oppression of women and other low-status social groups. The characterisation of prostitution as work seeks to undermine 'whore stigma'. Moreover, it underpins a claim for the extension of ordinary workers/human rights to prostitutes (e.g. safe working conditions, the right to unionise, pensions, etc.).

iii) Vice: The characterisation of prostitution as vice draws attention to the moral character of those involved in prostitution and to the negative influence of the institution of prostitution to the moral order of society. Prostitution is destructive to social order since it undermines the norm of monogamous heterosexuality and the institution of the 'traditional family'. Thus it demeans women (who should be virgins or mothers) who are paid for sex and corrupts (married) men who pay for sex. Where individuals are coerced into prostitution (by circumstance or human agency), a paternalistic response to help them out of it is warranted. However, where prostitution is chosen, individuals are in need of social disciplining.

iv) Sex: The representation of prostitution as sex draws attention to social constraints on sexual expression. Sexual desire may be represented as a natural urge which is inhibited by artificial social taboos (Erricson 1980). While sexual taboos lead society to devalue those involved in prostitution, we should recognise the socially valuable function they perform in eliminating sexual misery. Alternatively, sexuality may be understood as socially constructed. However, the privileging of particular sexual practices and the persecution of 'erotic communities' which this lends itself to is unjust (Rubin 1984). Rather, we should celebrate sexual diversity and recognise all forms of sexual expression (including prostitution, lesbianism, paedophilia, etc.) as equally valid. Characterising prostitution as sex presents repressive social-sexual norms as the problem.

v) Abuse: The characterisation of prostitution as abuse draws attention both to the harm done to prostitutes by their male clients and to the extent to which prostitution both institutionalises and perpetuates gender inequality in society (MacKinnon 1989, Jeffreys

⁴ See also Pheterson, 1996:10 for some alternative policy-orienting discourses.

1997). Prostitution reinforces women's subordinate position in society by institutionalising men's right to view and treat women as sexual objects rather than social equals. Prostitution is unethical since through it men 'buy the right' to treat women in a ways which are unacceptable in any other context (i.e. to sexually harass and demand unwanted sex). Moreover, prostitution has damaging effects on those involved (through dissociation and undermining self-esteem). Characterising prostitution as abuse presents male behaviour and attitudes toward women and the social construction of gender/sexuality as the problem.

'Policy-orienting' discourses of prostitution

i) Health: Prostitution has long been understood as a public health issue by policy makers. This was evident in the nineteenth century when prostitutes were understood to be the main spreaders of social transmitted diseases (STDs). More recently the emergence of HIV/AIDS in the 1980s led to a similar focus on those involved in prostitution as a threat to public health. This an increased amount of public funds being channelled into projects aimed at reducing the perceived public health risk from prostitution. However, prostitution is also understood as a 'health' problem in terms of the personal health of those involved in prostitution. Prostitutes are not only vulnerable to infection with HIV/AIDS and STDs but are subject to a range of other health problems such as drug dependence, mental health and injuries from violence. Women's involvement in prostitution often impedes them from accessing mainstream provision of health services and so services need to be targeted directly to them as a group.

Representing prostitution as either a public or personal 'health' problem tends to lead to isolating 'prostitutes' as a particular needs-group in society. Services will be targeted directly to them. Where the focus of the problem is on health, key policy actors are likely to be health boards and 'one-stop' service providers (e.g. drop-in centres or outreach workers). The focus on health may also lead to development of strategies to establish safe and secure working conditions, thus reducing the attendant health risks of prostitution.

ii) Social Welfare: Where prostitution is represented as a social problem, those involved in prostitution are likely to be understood as deviants in need of normalisation or 'social inclusion'. Prostitution is likely to be situated in terms of a range of other social problems, which need to be simultaneously addressed (e.g. poverty, drug-use, education). The emphasis is shifted away from the individual needs of women and men in prostitution to the broader underlying social structures which lead to their involvement in prostitution. The representation of prostitution as a social welfare problem implies a public responsibility to address the problem (Bachii 1999: 10). Where this policy discourse is prominent, social work is likely to have a pronounced role. Moreover, it may lend itself to increased multi-agency working in order to take a more 'holistic' approach to broad social problems.

iii) Law and Order: When represented as a law and order problem, prostitution is likely to be understood as a public nuisance which needs to be contained or abolished. The nuisance aspects of prostitution arise from the visibility of social undesirables (and potential corrupters of children) within a neighbourhood and from punters cruising streets and harassing non-prostitute residents (i.e. 'good' women). Prostitution is also a law and order issue due to its association with drug-use and other criminal activities. Where the discourse of law and order is prominent, police, local residents groups and local government are likely to be key players.

iv) Social Justice: Represented as a ‘social justice’ or ‘gender justice’ problem prostitution is understood to be a gender issue concerning both the ways in which women and men involved in prostitution are treated by male punters and the effect of this on the wider social relation between men and women. The human rights of prostitutes are sometimes highlighted (Pheterson, 1996). Where this discourse is prominent, femocrats and non-state feminist activists are likely to be significant policy actors. Moreover, there is likely to be some struggle between pro-choice and anti-abuse feminists.

Key actors and policy communities

As noted above, the role of particular actors, agencies and institutions is likely to be more or less foregrounded depending on the prominence of a particular policy orienting discourse within a given network. For instance where prostitution is represented as a ‘health’ problem the role of health boards and health service providers is likely to be emphasised. Where it is understood as a law and order problem, the police, legislative body, courts and local government (as regulators) will play a more significant role. Where prostitution is constructed as a social welfare problem, we can expect the role of social workers and social service providers to be pronounced. And where represented as a ‘social justice’ problem the role of femocrats and strategic women’s equality organisations are likely to be highlighted.

Whilst this approach may be useful for mapping the discursive contours of the issue; these discourses and the key actors must be placed within a concrete context. Here we draw upon the framework of policy networks (see Marsh and Smith, 2000 for a recent overview). Policy networks consist of individual and institutional actors - state, quasi state and non state - who are inter-connected, have common interests and are involved in policy making in particular sectors. There is consensus about the broad policy agenda, although there may be disagreements in terms of specific policies. Policy networks are seen to play a crucial role in problem-representation, agenda-setting, and the development and implementation of policy in many policy sectors. According to Marsh and Smith:

“Networks involve the institutionalization of beliefs, values, cultures and particular forms of behaviour They are organizations which shape attitudes and behaviour. Networks result from repeated behaviour and, consequently, they relieve decision-makers of taking difficult decisions; they help routinize behaviour. They simplify the policy process by limiting actions, problems and solutions.”(2000:6).

For the purposes of this study we identified the following actors as ‘key’ to problem representation, and the shaping and implementation of policy at the local level: police, local government (in terms of its regulatory functions, its social welfare service provision and its strategic policy functions), health boards, street-level service providers, women’s organisations (when involved in local policy networks), and the media. Within these groupings we have classified some actors as ‘femocrats’ which we have defined as feminists who work in strategic gender equality policy-making or programme development within state agencies (e.g. local government, health boards) or carry out that function within other related organisations and agencies (including voluntary agencies which can be said to play a role in wider governance). It can be argued that these key institutional and individual actors operate within discernible policy networks. In the case of Edinburgh this is a relatively stable network which over the years has shaped and informed the City’s ‘non-policy’ (see below).

The network is characterised by relationships and informal links rather than through official fora. There is little evidence of a ‘femocrat’ involvement. In Glasgow, a new more formalised policy network is emerging in response to specific political contexts. This new network includes femocrats for the first time.

These actors and networks operate within a broader policy framework, in part determined by the European Union, in part by central UK Government (Westminster) and in part through the former devolved administration of the Scottish Office - and more recently the devolved Scottish Parliament and Scottish Executive.

Our thinking is at a preliminary stage however we would argue that the policy networks are potentially useful explanatory factors in understanding the different approaches and developments. We follow Marsh and Smith’s (2000) view that policy networks should be seen as involving a dialectical relationship between structure and agency, network and context; and network and outcome. In addition, discourses both shape networks and are, in turn, shaped by networks. We see this process most clearly in current developments in Glasgow.

While it is often important conceptually to distinguish the role of policy-makers from service providers - or ‘steerers’ from ‘rowers’ - in practice both kinds of actors contribute to the policy process, so this distinction is not made clearly here.⁵

Next we briefly discuss the policy ‘stories’ of prostitution in the two cities, drawn from interviews with key actors, media analysis and policy documents. We examine the ways in which prostitution policy is currently framed; trace the different discourses through which the issue is understood and describe the approaches taken by various agencies.

Edinburgh’s Story

Edinburgh’s licensed saunas are starting to rank with the Festival and the Castle as tokens of the city’s fame abroad. Liberal opinion everywhere is impressed with the Old City’s robust policy of seeking to regulate what it cannot eradicate and to move the sex industry off the streets and into safe, controlled environments... Our own view is that the council’s policy is indeed enlightened, and also that it is right. Prostitution on the streets of Edinburgh is as old as the streets themselves and there is no evidence in Edinburgh or anywhere else, that it can be prosecuted or persecuted out of existence.

(Leader Comment in *The Scotsman*, 27 March, 1995)

Among local policy actors in Edinburgh there is a general consensus that prostitution is foremost a ‘health’ problem for the state and characterising discourses of choice, work and sex predominate. The emphasis of all agencies involved in the management of the problem of prostitution is primarily on harm reduction. The dominance of the health discourse and harm reduction response within the policy network underpins an informal but integrated policy of ‘toleration.’ There are three core elements to this policy: i) a ‘zone of toleration’ policing strategy for street prostitution; ii) quasi-regulation of ‘indoor’ prostitution through issuing of public entertainment licences; iii) provision of health and other services to women in (street)

⁵ However, the significance of this distinction in terms of the ways ‘steerers’ and ‘rowers’ some times contribute differently to the policy process will become clear later in this paper.

prostitution through a 'one-stop shop' drop-in-centre. These three aspects of state policy combine to form what is portrayed by the local print media as Edinburgh's 'enlightened' approach to prostitution. However, prostitution remains a politically sensitive issue in the City.

Policy Evolution

Existing policy with respect to prostitution in Edinburgh was described variously by interviewees as 'modern', 'enlightened', 'pragmatic', 'liberal', 'a policy that is not a policy' and 'not a wonderful policy by design but an evolutionary accident'. There was widespread agreement that the present policy was created incrementally and was more a pragmatic adaptation to the prevailing institutional and political environment than a rational 'solution' to the 'problem' of prostitution. Within the policy network and indeed, within the media we came across a common policy story or narrative concerning the history of prostitution in Edinburgh, which was offered in order to explain/justify the present set of arrangements. A Police Chief and a former Council Regulator (Environmental Health) were commonly identified as having been instrumental in developing the present policy.

The policy story runs something like this: there has always been prostitution in Edinburgh, especially in the dock area of Leith where sailors were historically the main clientele. In the 1960s and 1970s prostitution was not much of a problem for the City. Police had a good working relationship with the women with whom they shared the streets of Leith and there was an orderly and well-run brothel catering for middle-class professional men in the genteel suburb of Stockbridge. However, in the late 1970s the well-respected owner of the Stockbridge brothel died and former clients increasingly turned to street prostitutes. At the same time the impact of the first wave of cheap heroin to hit the City's housing estates was felt and there was an influx of young drug-dependent women onto the streets of Leith. This was accompanied by a rise in associated crimes. Moreover in the early 1980s there was an increasing awareness of the public health risks of HIV/AIDS, two murders of prostitutes took place, and there were several serious assaults upon both prostitutes and punters.

All this contributed to a sense of crisis in the City. According to the Police Chief, the police and the City in general had lost control over the situation. The 'old systems of informal control' and intelligence gathering no longer worked'. It was in this context that the present nest of policies among the various agencies within the local context was developed in the 1980s and 1990s:

...we didn't put this in place overnight. Nobody wrote in on a bit of paper and put it in place. It evolved through sheer pragmatism over twenty years and it evolved because we were almost in a meltdown situation in the late seventies, early eighties with an uncontrolled, violent disorganised street scene with a lot of girls, with drug habits and you know murder and mayhem literally.

(Police Chief)

Confronted with an intractable policy problem, in the Police Chief's view, the City had three options: i) The City could try to abolish prostitution. However, this had never worked in the past, but only led to displacement of the problem and even less control by state authorities; ii) The City could ignore that there was a problem. But again, this would mean that the Police and other authorities would lack critical intelligence concerning what was actually going on,

or iii) The City could take a pragmatic approach, which it did. This involved recognising that the sex-industry does exist and developing multi-agency partnerships in order to ‘contain, regulate and ensure it operates in the safest and healthiest environment possible while working to discourage re-offending and the incursion of criminal activity’ (Police Chief).

1. Toleration Zone

Street prostitution is regulated through the policing of a ‘zone of toleration’. Due to adverse media attention, Lothian and Borders Police have more recently referred to this as a ‘non-harassment area’. Through this informal policy, police seek to confine street prostitution to a certain area (the so-called ‘Coburg triangle’ in Leith). Women working outside the area are moved on. However, where the number of women working inside the area is below a certain figure (at the time of interviews this was 20) and where public nuisance is minimised (no drunkenness, verbal abuse, drug use or pimps present) the police say they will ‘find other things to do’ rather than charge women for soliciting.

2. Licensing of Saunas

However, the majority of prostitution within Edinburgh takes place ‘indoors’ and this is regulated through the issuing of ‘public entertainment’ licences by the City of Edinburgh. While soliciting and living off immoral earnings remain criminal offences within Scotland, the Licensing Board officially ‘turns a blind eye’ to what actually takes place within ‘saunas’, although it is clear that councillors are fully aware of the nature of these establishments. The issuing of licences provides the Police, Environmental Health and other agencies with the right to inspect premises. It also gives agencies the opportunity to comment on or veto applications or renewals of licences on the grounds of the background of the applicant (Police) and suitability of the premises (planning, environmental health).

Our interviews confirmed that the role of the Licensing Board (made up of elected councillors) is basically passive in terms of licensing decisions with respect to ‘saunas’. Decisions concerning the issuing of licences are effectively made by Police and the (Council) Department of Environmental Health. This is evident in the fact that a ‘pre-meeting’ is usually held on the day of a Licensing Board public meeting. Behind closed doors at the pre-meeting agency representatives can speak frankly to councillors about any problems that have been occurring on a particular premises and make recommendations concerning the issuing of a licence on this basis.

3. Health and Social Welfare Service Provision: SCOTPEP

The third major aspect of local policy is related to provision of health and other services to women in prostitution. SCOTPEP is the major service provider in this respect. It runs a drop-in centre for street prostitutes and is located in the Coburg triangle in Leith. SCOTPEP is modelled on the US prostitutes collective ‘CALPEP’ and is thus underpinned by a self-help ethos and advocates prostitutes’ rights. Its founding members were all sex-workers. While SCOTPEP focuses predominantly on street prostitution, it does some outreach work to women in saunas. It is funded principally by the Lothian Health Board. Initial funding was targeted at women in prostitution because of a public health panic with regard to the spread of HIV. However, Lothian Health continues to fund SCOTPEP due to a recognition that women in prostitution are not able to effectively access mainstream health services and so require targeted services. SCOTPEP focuses on harm reduction through provision of medical

services, health advice, safe sex supplies (i.e. condoms) and needle exchange. It also seeks to reduce the risk of violence by providing a safe space and by encouraging sharing of information among the women and with the Police regarding violent ‘punters’ (Kenrick 1997: 24-35). The drop-in centre also complements the Police’s toleration zone policy by providing somewhere for women to go when the number working within the area exceeds the threshold set by Police.

Discussion

The “Deacon Brodie” idea

One of the most striking aspects of the present policy arrangements in Edinburgh is the fact that while officially local authorities turn a ‘blind eye’ to prostitution in ‘saunas’, in practice ‘indoor’ prostitution is subject to considerable regulation by the state. As the Council Regulator described:

...anything but a blind eye was turned to it [prostitution]. As a matter of fact there was great focus on ways of controlling it and regulating it but officially no member of the police authority and no member of the local authority or the health authority would ever say ‘yes’, we are governing and regulating prostitution in the City.

(Council Regulator)

Most of the our interviewees suggested that this situation reflects a peculiar hypocritical moral/political culture within the City: the ‘Deacon Brodie’ idea. Deacon Brodie is a popular figure in local mythology (or at least the local tourist industry). He lived in Edinburgh in the 17th Century and was a respected townsman by day (a locksmith) and a burglar by night (he was eventually exposed and executed). Robert Louis Stevenson reputedly based his *Jeckyll and Hyde* novel on the character of Deacon Brodie. Brodie was presented by The Health Official as representing something characteristic about Edinburgh, a prim and proper exterior with all sorts of corruption beneath the surface. Similarly others, noted that ‘...it is Scotland and John Knox is not dead’ or referred to the licensing arrangements as a ‘classic Scottish hypocritical compromise’.⁶

As intriguing as the hypocritical moral culture explanation is, the present policy may be more adequately explained by the existing legislative context (determined by Westminster) and by the fact that local policy arrangements were created by public agencies in the face of particular crises (for example HIV/AIDs) and in the absence of overt political leadership. As several interviewees pointed out, given the vehemence and often polarised views of many citizens around the issue of prostitution, Councillors have little to gain and potentially much to lose (electorally) by way of taking a principled stance on prostitution. Thus while state agencies such as the Police and Environmental Health favoured regulation on the basis that it was ‘better to have some control rather than none’ (Police Chief), for local politicians the most prudent thing to do was to ‘keep their heads down’ (Council Regulator). For instance, following the ‘revelation’ by an investigative journalist in the 1980s that a particular licensed sauna was actually a brothel, there apparently followed a ‘public outcry’, (mainly by residents concerned that such a business was operating in their neighbourhood). Following some particularly heated public debates and demonstrations at the Licensing Board meetings,

⁶ These comments may have been ventured because the interviewer happened to be from Australia, which is popularly perceived to be a particularly ‘liberal’ society due to recent decriminalisation of prostitution in some states.

however, no shift in policy occurred. As the Council Regulator put it, ‘the biggest decision [taken by the Board members] was not to make a decision. Nobody actually put it down.’

Better off the streets...

A common assumption, underlying the policy of harm reduction through the licensing of saunas, is that women involved in prostitution are better off working ‘indoors’ than on the streets, since they are less vulnerable to violence from punters. Although this raises the politically sensitive issue of whether saunas are situated which can cause media and public controversy. We see this in the coverage of the *Edinburgh Evening News* which on the one hand views street prostitution as dangerous to women, but on the other hand is anti-saunas, particularly in residential areas.⁷ This NIMBY (Not In MY Back Yard) approach is illustrated with story-lines such as, ‘Residents claim the sauna will lower the tone of their neighbourhood by attracting men looking to pay for sex’ (EEN, 5/8/97); ‘Plans to for a steam room in a building which already houses a sex shop were blasted by a nearby restaurateur. And female students in adjacent flats fear the business could entice sex pests to the area.’ (EEN 8/ 11/ 95) November 1995). This local coverage is contrasted with the stance of both national broadsheets which are generally supportive of the ‘Edinburgh Solution’.

The idea that women are safer in saunas than on the street and, by implication, that state regulation of saunas is an effective means to reduce violence against women in prostitution is prevalent in the policy network and in the media. The Council Regulator explained how he became motivated to ‘do something’ about prostitution following the murder of a prostitute within his neighbourhood in the early 1980s:

Within the security of a regulated and controlled building ... that would never have happened. And there are cases, well documented cases, of women who are on the street that are being subject to repetitive abuse and violence... There is no doubt at all that these activities are, if no, non-existent, a lot less within a sauna.

Council Regulator)

Policy makers are perhaps overly complacent: certainly, there is some truth to the fact that women are more vulnerable to violence from punters when working street than in a sauna; however, while the risk of violence from punters may be reduced, women are often subject to coercion and control from sauna owners (Kenrick 1997: 21, McKegey & Barnard 1996: 20).

It may be that (as the Prostitute Drop-in Manager suggests) the health and safety discourse actually functions to cloak a law and order focus among policy actors: it is more desirable to have women off the streets and in saunas because they constitute less of a public nuisance there and can be controlled and regulated.

It is often implied that the City’s ‘liberal’ licensing policy is the reason why there is a much smaller street scene in Edinburgh than Glasgow and, consequently the reason why prostitution is much less of a ‘problem’ for the City in general. However, this is

⁷ Saunas are spread thinly across the city in mixed retail/residential areas, thus promoting discretion and good behaviour (potential complaints by residents discipline owners and ‘punters’) and preventing their concentration in any one area (thus avoiding a ‘red light’ district).

unconvincing given that working shifts in saunas is generally perceived as incompatible with child care needs and with the chaotic lifestyle of many drug-using prostitutes (McKegenay & Barnard 1996: 20). Alternative explanations offered were that there was a more effective methadone program in Edinburgh than Glasgow, which meant that prostitution was less often seen as necessary. Also, that prostitution was not seen as a socially acceptable way to pay for a habit among intravenous drug-users in Edinburgh (Drop-in Manager). Again neither of these explanations are particularly convincing. We are still puzzling over why there is such a low incidence of street prostitution relative to 'indoor' prostitution in Edinburgh and, indeed, why there appears to be a lower level of intravenous drug-use among prostitutes in Edinburgh.⁸

Edinburgh: a model to follow?

Local policy makers from other cities have, in the past, looked to Edinburgh as providing a potential model to emulate, due to its apparent success in regulating the sex industry. Several UK cities have sent 'fact-finding missions' to Edinburgh to see how the City deals with prostitution. However, it appears that these are generally met with the perhaps disappointing official response that there are no licensed brothels in Edinburgh and that since the present policy has evolved rather than being planned, it cannot be easily transplanted.

Most of our interviewees felt that the present policy in Edinburgh is the most effective response to an intractable 'problem'. In particular, the Police Chief and the Councillor interviewed favoured the status quo. According to the Police Chief the reason Edinburgh has not grown into 'another Amsterdam' is that the police in Edinburgh have greater discretion: the position of sauna owners is insecure and thus remain compliant so long as their business remains semi-illicit. Similarly, The Councillor commented:

The policy is not really about turning a blind eye because we ARE looking. We actually have a policy that is not a policy, nothing is written down, so we have control. We don't have to argue with lawyers ... if we decide saunas are not opening, they are not opening.
(The Councillor)

The fact that both the Police and Licensing Board support the status quo is unsurprising given the extraordinary degree of discretionary power the present regulatory regime affords them.

However, the Council Regulator (who is no longer with the City council) felt there was a need for a more formalised policy, not just at the local level but at a Scottish level. While, he felt that street prostitution should continue to be an offence, he advocated the introduction of a special licence for 'indoor' prostitution. This would require sex-workers to have regular personal health checks, for the state to check on whether there was any intimidation taking place on a premises and for the background of the licence holder to be checked out. Another condition of the licence would be that sex-workers had free access to health education and

⁸ This traditional low drug dependency appears to be changing; in Edinburgh recent figures suggest that an increasing number of women involved in street prostitution - perhaps as many as 1 in 4 - are now intravenous drug-users (Herald, 14/3/2000). Lothian Health has funded a part-time drugs support worker to work from SCOTPEP in response to this perceived increase. However, the scale of drug misuse remains low in comparison to Glasgow, where around 90% of women involved in street prostitution are intravenous drug-users.

community medicine and to drug counselling and support. This intrusion and control by the state can be seen to fit well with a 'vice' discourse.

While the Drop-in Manager considered Edinburgh's sex-industry to be one of the best and safest in the world, she believed that some kind of policy or strategy at the Scottish level was desirable. While the status quo represented a 'comfortable system for the council and police' it was 'still not a comfortable system to work as a prostitute'. In contrast to the Council Regulator, the Drop-in Manager considered that all legislation which criminalised or singled out prostitution specifically should be removed. In her view all the occupational hazards presently associated with prostitution could be addressed through general legislation covering health and safety at work and employee rights. So while she supported the licensing of brothels as brothels, she favoured the extension of the existing licensing system that would not single out sex-work as different from other kinds of work. Moreover, she would object to the intrusive state intervention advocated by the Council Regulator (e.g. compulsory health checks). These views relate to a 'work' characterising discourse.

In Edinburgh we see an informal but stable policy network comprising of police, local council, health board and voluntary agency actors. There are shared beliefs and values (to a point) and a large degree of consensus about policy problems and acceptable solutions. There is generally strong support for the pragmatic 'enlightened' response that has evolved over the past two decades. This can sometimes express itself as a form of 'civic pride' (particularly, but not exclusively in the media coverage) coupled with a discomfort at any publicity. Powerful network members, in the shape of police, local authority and health board, are sensitive to any potential suggestion that public funds and public agencies may be seen as 'pro-prostitution.' As a result the Drop-In manager was 'gagged' for a number of years by the funding agency (the Health Board). All the agencies involved in the policy network are keen to avoid public debate and political controversy about their 'non-policy'.

Although most policy actors discussed 'vice' and 'abuse' characterising discourses they positioned their own views within alternative discourses. Neither 'biblical morality' nor 'feminist ideology' were seen as appropriate. Prostitution was represented foremost as a 'health' (and safety) problem in Edinburgh. The Drop-In Manager had the clearest views on prostitution as representing choice, work and sex. Her influence has varied over time although undoubtedly has had some impact in promoting the discourse of prostitution as work, which can also be found within the policy network and also, to some extent, within the media. For instance, the Council Regulator whose personal views were framed primarily by the vice discourse had accommodated himself to the work discourse in order to pursue the kinds of paternalistic state intervention, which he considered to be in the best interests of women involved in prostitution.

Law and order discourses are not discussed explicitly, although we would argue that such ideas remain influential. Discourses of social welfare are less evident and discourses of social or gender justice are virtually absent. This may relate to the absence of femocrats from the policy network and the lack of discernible feminist influence in wider policy debates around prostitution. Femocrats - such as local authority women's officers or feminist health policy-makers- are not evident in the network. There seems little opportunity for new network members or the promotion of different discourses whilst the outcome - in terms of the 'blind eye' policy continues to be viewed as successful.

Glasgow

“Whatever their life experiences have been, most women who currently ‘work the town’ in Glasgow do so as a direct consequence of drug misuse. They would not be involved in street prostitution other than to finance their own, and/or someone else’s drug habit.”

(Stewart 2000:16).

“An ambitious bid has been launched to save prostitutes from a life of vice on Glasgow’s streets. It aims to prevent women becoming drawn into the downward spiral of the sex industry, and help those already trapped in it to escape. The ‘Routes out of Prostitution’ initiative follows an Evening Times campaign to tackle the issue of sex for sale across the city.”

(Glasgow Evening Times, March, 1999.

Among local policy actors in Glasgow there is a general consensus that prostitution primarily constitutes a ‘social welfare’ problem for the state. While diverse characterising discourses operate among policy actors, the discourse of ‘abuse’ (subtly accompanied by that of ‘vice’) appears hegemonic within the local policy network. While in the past Glasgow seems to have lacked a co-ordinated approach to prostitution, in recent years considerable resources have been dedicated to addressing the issue of street prostitution in the City. Most recently, a multi-agency partnership has been set up via funding from the Scottish Office (now Scottish Executive). The focus of this policy activity has been on developing prevention and exit strategies for women involved in street prostitution. At present the main aspects of local policy can be characterised by: i) the ‘Routes out of Prostitution’ Social Inclusion Project (SIP); ii) continuing harm reduction work of the BASE 75 drop-in centre (as well as other agencies); iii) an interventionist policing strategy (accompanied by a reluctance by the Council to license saunas). To some extent, the present policy focus - amongst major policy actors - represents a continuation of an historic abolitionist approach to prostitution taken by the City.

Policy Evolution

In Glasgow we appear to be witnessing a period of policy dynamism and change with respect to prostitution and the (re)configuration/formalisation of a local policy network. This period of change appears to have been precipitated by a sense of crises among local policy actors in response to the explosion in the numbers of women involved in street prostitution since the 1980s, most of whom are injecting drug-users; and the escalation of violence including eight murders and a number of suspicious deaths of women involved in street prostitution in the last ten years.

As the number of murdered prostitutes in Glasgow rose throughout the 1990s, the local media began to put pressure on the council, politicians and the police to ‘do something’ about the growing number of women involved in street prostitution and the lack of convictions for the murders. The pressure began in earnest after the fifth murder, that of Jacqueline Gallagher in June 1996.

The killing of Jackie Gallagher brings the tragic toll of murdered prostitutes to five in five years.

AND YET THERE HASN'T BEEN ONE CONVICTION.

The murder, rape and assault of prostitutes are notoriously difficult to prove...not least because the girls are victims twice over.

The majority are trapped: working on the grey margins of society to feed a downward spiral of drug addiction.

Politicians of all parties must seriously consider legalising prostitution as a matter of protecting one of the most vulnerable groups in society.

(Editorial, Glasgow Evening Times, June 26 1996)

Local local city paper, the *Evening Times* can be seen to reflect the mood of public opinion within the city - namely its frustration at the lack of decisive action as far as the street prostitute scene is concerned. We see media 'solutions' of liberalisation (decriminalisation, legalisation and/ or the move 'indoors') became more apparent over this period, although these views have not necessarily been reflected in the policy network.

According to the Police Officer, who was in charge of the murder investigations, one of the greatest obstacles to successful prosecution was a lack of intelligence. She attributed this problem primarily to the high level of drug use among prostitutes who might have served as witnesses. Due to the high level of local media attention to the murders and the failure to convict the culprits, the Police felt under considerable public pressure to 'do something'. Consequently, in 1995, the vice squad responsible for policing prostitution was disbanded and replaced with the Street Liaison Team (which formally separated the intelligence-gathering / safety functions from policing/ regulatory functions.) Uniformed officers are now used to police prostitutes and arrest, where necessary; whilst detectives working in the Street Liaison Team concentrate on intelligence gathering and personal safety issues. Moreover, Strathclyde Police publicly launched a "Working Safe" leaflet and issued personal attack alarms to women involved in street prostitution.

Around this time, a television documentary (which compared prostitution scenes and policy responses in Glasgow and Edinburgh) showed a City Councillor denying that Glasgow had a prostitution 'problem'. His view was clearly contradicted by the content of the documentary, which underlined the high levels of intravenous drug use and risk of violence for women involved in street prostitution in Glasgow. Consequently, the City Council came under similar pressure as the Police to 'confront' and 'do something' about the street scene in Glasgow. As the Council Femocrat noted, 'The Council felt under siege and felt it was being criticised and that it had to do something.'

This led to the formation of an Officer Working Group (OWG) in 1998 by the Council. The remit of the OWG was essentially to develop a 'position' for the Council to take on the issue of prostitution. More specifically, it was to: 'explore the current issues; audit current provision and identify gaps in service provision; identify best practice elsewhere; draw up an action plan for consideration by the Council and other partner agencies' (OWG,1999: 1). The OWG was initially made up of representatives from various sections of the council as well as partner organisations (such as police and health board). That prostitution was understood as a 'social welfare' problem from an early stage is evident in the range of departments within the council that were involved in the OWG - in particular, social work, housing and education, as well as protective services (responsible for licensing) and office of the Chief Executive (strategic policy). Moreover, this understanding is made clear in the recent report of the OWG, which states:

Street prostitution is a significant social problem in Glasgow, which affects women, families and communities. As with other social problems the Council has a role to play in tackling the causes and impact of prostitution.

(OWG 1999: 4).

Participants in the OWG reported that many of the meetings involved 'heated' and sometimes 'acrimonious' debates over the 'meaning' of prostitution. There were fundamental disagreements between feminist actors who characterised prostitution as abuse and others (particularly service providers) who emphasised the need to understand prostitution from the point of view of those involved in it (i.e. 'choice' and 'work' discourses). One participant in the OWG recognised that many participants felt that these ideological debates were a 'waste of time' (Health Femocrat). However, in her view, 'unless you define your issue, your proposals are going to be muddied'. Her view is born out in the OWG draft report, which states:

"How prostitution is viewed is key to the approach adopted and all resulting activity"(OWG 1999: 5).

It is clear that there was a push within the OWG to reach a common ideological position on the 'problem' of prostitution. Femocrats within the group were clear they wanted to reject the 'work' discourse which they saw as gaining predominance at European level and instead sought to persuade the group and the Council that prostitution is a form of abuse. Although participants in the OWG continued to hold divergent views on the nature of prostitution, the (draft) report states:

"It is the view of the working group that prostitution is one form of commercial sexual exploitation, others include pornography, table top dancing and telephone sex lines"

The OWG is currently preparing a policy statement, along these lines, for endorsement by Council.

1. Prevention and Exiting Strategies: 'Social Inclusion Partnership' (SIP)

Whilst the OWG never reached a consensus that prostitution should be understood as a form of male abuse, a funding opportunity emerged through the Scottish Office Social Inclusion Programmes. Social Inclusion is the Scottish version of a national UK programme introduced by the Blair Government which encompasses a wide range of initiatives aimed at tackling poverty, and inter-related economic and social disadvantage which lead to social exclusion.⁹ Members of the OWG were able to reach a common understanding that it was not enough to focus on harm reduction and that resources were needed to provide women with opportunities to leave prostitution if they so wanted. This funding opportunity led the OWG to hastily put together a (successful) proposal for a three-year project which establishes a

⁹ The Prime Minister has described social exclusion as "a short-hand label for what can happen when individuals or areas suffer from a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown." Social exclusion is seen as complex and action to promote social inclusion therefore needs to be both comprehensive and co-ordinated. (*Opening the door to a better Scotland: Strategy*, Scottish Office, 1999)

strategic multi-agency partnership with a range of preventative and exit measures for women involved in street prostitution in the City.

The 'Routes out of Prostitution' SIP documentation makes explicit its understanding of prostitution as a 'social welfare' problem for the state. Moreover, prostitution is characterised principally as abuse:

Partners recognise that a combination of factors lead to women's involvement in prostitution, to their exploitation, to their ongoing entrapment in a way of life which is destructive, dangerous to the point of violence and death and one which ensures their continued social exclusion e.g. the experience of women involved in street prostitution reveals high levels of sexual abuse, drug use, poverty and homelessness. This, in turn, provides compelling evidence to support the *Partnership's view of prostitution as survival behaviour rather than sexual behaviour.* (emphasis added)

While members of the SIP (largely continuous with the OWG) continue to hold divergent views of prostitution, the Board has made an effort to 'keep the lid' on these differences and instead to concentrate on policy objectives (Health Femocrat). The partnership's primary aims are to develop an inter-agency approach to addressing the issue of street prostitution, to encourage organisational change and 'bending' of resources to achieve common objectives where necessary (The Councillor). Moreover, funding for the project includes the establishment of a dedicated intervention team to assist individual women to leave prostitution.

2. Health and Social Service Provision: BASE 75

Like SCOTPEP in Edinburgh, Base 75 is a drop-in centre which focuses principally on harm-reduction for women involved in street prostitution. Similarly, while the service was initially funded due to concerns about public health and the spread of HIV it now addresses a broad range of health and safety needs of its clients. The drop-in centre was established by and remains jointly funded by the Greater Glasgow Health Board and City Council Social Work Department. Base 75 offers a similar range of services to SCOTPEP, including health care (including GUM) services, a legal clinic, needle exchange, provision of condoms, advice and referral (when requested), counselling and a safe/social space within the red light district in the inner city Anderston area (Stewart 2000: 12-13). The service also does some limited outreach work with women 'working indoors' in flats and saunas. Finally, the service is involved in allocating 'scatter' flats to women seeking to exit prostitution through the 'Rough Sleepers Initiative' (RSI), a Social Work project to reduce homelessness in the City. Base 75's involvement in the project was initiated in response to research which demonstrated the difficulty for women seeking to leave prostitution while living in hostels, where a culture of intravenous drug use and prostitution predominates among female residents (Stewart 2000: 29).

3. Interventionist Policing and (non)licensing of saunas

Police in Glasgow have a reputation of taking a more interventionist approach to enforcement of the law against soliciting than their counterparts in Edinburgh. Certainly, there is no *official* 'zone of toleration' in the city. Indeed, in recent months (due to gentrification and hence increasing public nuisance complaints) there has been a concerted

effort to eliminate prostitution from one of the traditional sites of prostitution in a residential area of the city. However the law is not enforced indiscriminately. According to the Drop-In Manager, there is an informal policy of toleration which requires women to stay within a certain zone within the city centre red light area and to only 'work' between 8pm and 4am. There is also a protocol that women look down and walk away from police officers when they see them. The Police Officer also noted that the law is enforced with discretion, otherwise they would be arresting hundreds of prostitutes each night. Moreover, policing is concentrated on street prostitution, since this is where the perceived problem lies in terms of public nuisance and violence. While saunas (brothels) are occasionally raided, following public complaints, the police are not proactive in enforcing the law with respect to the 'indoor' scene.

In fact, the prevalence of street prostitution in the local media tends to lead to a perception that there is no significant indoor scene in Edinburgh. This is clearly incorrect as Base 75 state that they have contact with women in 14 saunas and 40 flats in the City. Unlike Edinburgh, Glasgow City Council have not taken a liberal licensing approach to saunas. It was only in 1990 that the Council passed legislation requiring that saunas have a public entertainment license. However, the Council has been particularly tough in granting licenses when these are applied for. One interviewee reported that there were four licensed establishments in Glasgow, but that the license holders had to get past a whole range of obstructions in order to acquire a licence (e.g. fire inspectors requiring that a door be widened by half an inch etc.). According to the Councillor interviewed there are no licensed saunas in Glasgow, although unlicensed saunas are 'rumoured' to exist. Where they do exist, he insisted, that is a matter for the police to enforce the law. So, in effect, whereas the licensing laws in Edinburgh exist in order to regulate the sex industry, in Glasgow they exist to outlaw it. In practice, however, the law is not enforced and so there is a significant, unregulated 'indoor' scene in Glasgow.

Discussion

"Dogma" versus "Pragmatism"

While the abuse discourse (with an explicit feminist analysis) predominates within the policy network that is forming around the Social Inclusion Partnership, this discourse is contested. The fault line of differences of opinion within the SIP occurs fundamentally between femocrats (and the Councillor) and the service providers, or to use Osborne and Gaebler's terminology 'steerers' and 'rowers'. This difference of opinion was characterised by one interviewee (Social and Health Care service provider) as one between "dogma" and "pragmatism". Whereas those who considered themselves to be policy makers emphasised the need for a gendered analysis and systemic account of the problem of prostitution in order to make effective policy, those involved in service provision 'talk more about women and services and practice, they don't actually say what their position is' (The Project Manager).

As intimated earlier, a common perception of those within the SIP on the side of "dogma" is that in order to create effective policy, you have to have to find the best definition of the problem. In the view of several interviewees, the nature of the 'problem' of prostitution was clearly defined in the original bid for the SIP (i.e. as a form of male abuse). Consequently, according to the Health Femocrat :

...by being involved implicitly [service providers] have signed up to that view...if they really don't agree with it they shouldn't be there. (Health Femocrat)

This idea seems to contradict the principles of the social inclusion project, which seek to maximise community involvement in the policy process (i.e. all those who share an *interest* in a policy area, not a *belief* in the nature of the problem). However, This position was also supported by the Partnership Manager . However, the Partnership Manager believed that one could reconcile an ‘informed’ and ‘strategic’ perspective while being inclusive of other perspectives (especially that of women involved in prostitution).

Against the “dogma” of the femocrats, the “pragmatism” of the service providers emphasises the need for a non-judgmental approach. The service providers tend to base the authority of their truth-claims in the lived experience of women involved in prostitution. Consequently, according to the Partnership Manager, sometimes ‘service providers make sweeping statements on behalf of women’. In turn, actors from a service provision perspective felt that their voices were not being heard. Interestingly, the Police Officer involved in the project identified herself alongside the service providers on one level, in terms of her understanding the ‘women’. However, unsurprisingly, she disagreed strongly with them on many policy issues, which she attributed to the divergence in organisational imperatives of the Police and Base 75.

The underlying tensions between the “dogma” of the steerers and the “pragmatism” of the rowers manifested itself most prominently in a dispute over the contracting out of the ‘intervention team’. According to the Partnership Manager , the intervention team needed to be ‘informed by the political principles of the SIP’. However, a member of the SIP who tendered for the bid had a ‘community care ethos’ which in the Partnership Manager’s opinion could not accommodate the radical feminist analysis she considered necessary for the work of the intervention team to tie-in effectively with the strategic objectives of the SIP (i.e. reduction/abolition of prostitution in Glasgow). In turn, the agency in question argued such an approach was inappropriate:

“We don’t have a view on rescuing people or politicising people. We are service providers and we take people through problem areas and move them on.”
(Social and Health Care service provider)

Whereas disputes remain, the predominant policy-orienting discourse to emerge from the policy network is that of social welfare and, to some extent, social justice. The draft OWG strategy - awaiting (by no means certain) endorsement from the council contains the following elements:

- Respect for women involved in prostitution
- Concern for women;s safety and well being
- Recognition of the harm done to women and their families through prostitution
- Recommending that services take a non-judgmental and confidential approach to women involved in prostitution and ensure that attitudes to prostitution do not adversely affect women’s access to services or decisions made by the Council e.g. child care or housing allocations
- Preventative strategy, particularly aimed at young women and recognition that young women are victims of sexual exploitation
- Concern of men’s use of prostitution and other forms of commercial sexual exploitation

In the draft report, it is recommended that the Council publish a clear policy statement on both its approach to prostitution and other forms of commercial sexual exploitation, and its wish to reduce and ultimately eliminate street prostitution from the city

“In Glasgow we don’t like to talk about it. Edinburgh shove them in saunas”

According to the Glasgow Councillor, there is a long history in Glasgow (especially in terms of the Council) of wanting to avoid talking about/confronting the issue of prostitution. To the extent that prostitution was on the political agenda it was very much a law and order issue. Prostitution (or, at least, soliciting) was illegal and a public nuisance and it was up to the Police to enforce the law. According to the Councillor the new administration at Glasgow City Council has taken quite a radical position in seeking to explicitly address the issue of prostitution and, in so doing, to redefined it as a social welfare problem, rather than a law and order one. Clearly, in developing the present multi-agency approach, a good deal of policy learning appears to be taking place both amongst the various council departments and amongst organisations involved in the SIP.

The sense of crisis has provided opportunities for a new (or re configured) policy network to be created out of the OWG. It is also clear that femocrats - who had considerable experience of working together on gender violence campaigns and other gender equality policy development in the City - self-consciously sought to shape and influence the new network. For example, the Council Femocrat lobbied hard to convene the group rather than colleagues in the legal and licensing department, ‘I was worried about the kind of approach that another part of the council might have.’ She believes her strategic intervention has allowed policy to develop in ‘a social inclusion, equality, intervention approach, along with harm reduction being a very important element in terms of women’s safety and well being.’ In contrast, she believes if the group had been constituted as originally envisaged the approach would have been around control, regulation and harm reduction, i.e. ‘it is something we have got to face up to and we make sure the streets are cleaned so there are no condoms and we make sure the women have health checks...’ (Council Femocrat).

However, there appears to be some continuity between the present refocusing of street prostitution as a social welfare/ social justice problem and the traditional law and order policy-orientation which appeared to predominate previously. Moreover, it might be the case that this law and order approach remains the dominant paradigm, even though the ‘social welfare’ and ‘social justice’ problem definitions are most visible within the policy network. In other words, there may be important continuities between previous and present policies, which are not immediately recognisable. For example, we see the social conservatism of the Councillor ‘fitting’ well enough with the radical feminist discourses of the femocrats both of which tend toward an abolitionist approach. It is also clear that the Police and the Council remain powerful players who can act outwith the SIP and do not necessarily take their lead from the representative who sits on the SIP Board. For example, in a recent incident, senior police and politicians acted independently of the SIP to ‘clean-up’ prostitution in an area of the city in an action which was clearly motivated by law and order and vice discourses rather than abuse and social justice. This is an area we would seek to analyse further.

Neither the femocrats nor the politicians have chosen to draw upon the Edinburgh ‘solution’ for a number of reasons including rivalry but, perhaps, more importantly because it is hard to see how such an approach could be accommodated within the dominant characterising discourses of abuse (or vice).

You can't turn around and say these women are victims, are being exploited because of their chaotic lifestyle - by the way, we are going to grant you a license if you go into some building. What does that solve?

(The Councillor)

This is a source of frustration to the service-providers who, from a harm-reduction perspective, see lessons to be learned:

We fail to learn from the practical changes in Edinburgh that have been applied that could be of benefit to us in Glasgow. It's the East-West divide... I don't think there has been any attempt to learn from what has happened in Edinburgh.
(Social and Health Care service provider)

The pro-choice - or pragmatic - service providers are concerned that ideology may 'get in the way of action' however they can accommodate themselves to the focus on abuse in the SIP and see voluntary exit opportunities for those who choose to leave prostitution as complementing their own work.

Conclusions

This preliminary study has mapped the pattern of policing, regulation, policy innovation and practice with respect to prostitution in two Scottish cities. In so doing it has demonstrated variations in terms of the representation of the 'problem' and possible 'solutions.'

In Edinburgh the state has imposed a quasi-official regime of regulation on the 'indoor' sex industry, via several agencies including police, environmental health and the health service. This approach has evolved in a piecemeal fashion but can be traced to an original response to a perceived crisis in the late 1970s and 1980s. The comparatively low incidence of street prostitution in Edinburgh is regulated through a "zone of toleration" in the dock area of the city. We see an informal but stable policy network comprising these and other actors. There are shared beliefs and values (to a point) and a large degree of consensus about policy 'problems' and acceptable 'solutions.' Most policy actors situated their own views in opposition to either vice or abuse characterising discourses. In terms of policy-orienting discourses, health (and safety) predominates although law and order remains influential if not explicit. Discourses of social welfare are less evident and discourses of social or gender justice are virtually absent. As noted earlier this may relate to the absence of femocrats from the policy network and the lack of discernible feminist influence in wider policy debates around prostitution in the City. This is an issue which we need to investigate further but may relate to the influence of the Drop -in Manager - and her articulate 'work' and 'choice' views - at an early stage of policy development. We need to explore whether, and in what ways, discursive opportunities were limited.

All the agencies involved in the policy network are keen to avoid public debate and political controversy about their 'non-policy'. It seems unlikely that there will be change in the immediate future in terms of acceptance of new players or the promotion of different discourses whilst the outcome - in terms of the 'blind eye' policy - continues to be viewed as successful.

In contrast, in Glasgow, we see a period of flux and policy dynamism caused, in part, by a sense of crisis and 'civic shame' in respect of inadequate responses to the 'problem' of street

prostitution. Historically, policing practices have been 'heavy-handed' and local government has sought to limit the spread of 'indoor' prostitution. However, a sense of crisis resulting from recent events appears to have contributed to a re-evaluation of existing policy and the development of a multi-agency partnership to address the issue of prostitution in the city.

The creation of an Officer Working Group by the Council - with involvement from the police and other relevant agencies - and the funding opportunity presented by the government's 'Social Inclusion' programme has resulted in the establishment of a strategic multi-agency partnership with a range of preventative and exit measures for women involved in street prostitution in the City. We see divisions within the policy network along the lines of policy-makers versus service providers and ideology versus pragmatism; we also see a network structured by unequal power and influence and individuals within the network whose preferences and interests may not be primarily defined by membership of that network - but who may have contradictory interests in terms of their organisational affiliation. While members of the policy network continue to hold divergent views of prostitution, it has made an effort to 'keep the lid' on these differences and instead to concentrate on policy objectives around which members can agree. A common understanding was reached that it was not enough to focus on harm reduction and that resources were needed to be allocated to providing women with opportunities to leave prostitution if they so wanted.

In contrast with Edinburgh, we see the influence of femocrats and a more explicitly feminist version of the abuse discourse. However, we argue that there appears to be some continuity between the present refocusing of street prostitution as a social welfare/ social justice problem and the traditional law and order policy-orientation which appeared to predominate previously. Moreover, it might be the case that this law and order approach remains the dominant paradigm, even though the 'social welfare' and 'social justice' problem definitions are most visible within the policy network, particularly as a result of the political framework of 'social inclusion'.

Policy surrounding prostitution has been effected primarily by local policy networks and service providers in the past, however devolution and the establishment of the Scottish Parliament, which has jurisdiction over most pertinent legislative and policy areas in relation to prostitution, presents us with a new and potential powerful actor. Although there is little political will apparent at present to change the status quo in terms of legalisation/decriminalisation the parliament will be the focus for any future lobbying activity. It may be forced to reach an 'official position' on prostitution in a way that both cities have sought to avoid.

Our thinking is at a preliminary stage however we would argue that the policy networks are potentially useful explanatory factors in understanding the different approaches and developments. We hope to more systematically apply Marsh and Smith's (2000) dialectical model of policy networks to explore the relationship between structure and agency, network and context; network and outcome; and the role of discourse in the context of the local politics of prostitution in these two Scottish cities. We will pose the following questions:

- How have policy networks formed and changed?
- How have discourses been shaped by actors and structures and how have they, in turn, shaped and constrained the representation of the 'problem' and the possible 'solutions'.
- What factors account for local variation in policy evolution including the role of moral/political culture and local patterns of gender relations?

- Why are certain actors and discourses absent or excluded? This applies to the largely invisible ‘problem’ of male prostitution in both Cities (in terms of problem representation and policy debates) and the absence of male prostitution support services from policy networks. This applies also to the absence of feminist organisations and local state feminists from networks in Edinburgh.
- Can you accommodate discursive diversity around the ‘problem’ of prostitution, or do you need to ‘limit’ the conversation?

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