

Questions

About you

(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)

1. Are you responding as:

- an individual – in which case go to Q2A
- on behalf of an organisation? – in which case go to Q2B

2A. Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose “Member of the public”.)

- Politician (MSP/MP/Peer/MEP/Councillor)
- Professional with experience in a relevant subject
- Academic with expertise in a relevant subject
- Member of the public

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:

For the past 3 years I have gained extensive knowledge as an ally and activist on all types of sex work, both UK and abroad. From attending events, meeting sex workers to all kinds, reading academic and sex worker literature, and donating. I have also been to anti-sex worker events, and formed opinions on the motivations of both groups. I am a member of the Digital Intimacy Coalition (although not representing them here), a global group campaigning to create a safe and inclusive online space, against gender violence & image based abuse, holding big pornography to account, and supporting human rights of sex workers.

2B. Please select the category which best describes your organisation:

- Public sector body (Scottish/UK Government or agency, local authority, NDPB)
- Commercial organisation (company, business)
- Representative organisation (trade union, professional association)
- Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)
- Other (e.g., clubs, local groups, groups of individuals, etc.)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g., whether it is the view of particular officeholders or has been approved by the membership as a whole).

Click or tap here to enter text. The box will expand as you type.

3. Please choose one of the following:

- I am content for this response to be published and attributed to me or my organisation
- I would like this response to be published anonymously
- I would like this response to be considered, but not published (“not for publication”)

If you have requested anonymity or asked for your response not to be published, please give a reason. **(Note: your reason will not be published.)**

Dominic O'Regan

4. Please provide your name or the name of your organisation. **(Note: The name will not be published if you have asked for the response to be anonymous or “not for publication”.)**

Click or tap here to enter text. This box will expand as you type.

Please provide a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. **(Note: We will not publish these contact details.)**

Click or tap here to enter text. This box will expand as you type.

Data protection declaration

- I confirm that I have read and understood the [Privacy Notice](#) to this consultation which explains how my personal data will be used.

If you are under 12 and making a submission, we will need to contact you to ask your parent or guardian to confirm to us that they are happy for you to send us your views.

- Please ONLY place an x in the brackets if you are UNDER 12 years of age.

YOUR VIEWS ON THE PROPOSAL

1. What is your view of introducing a new criminal offence of paying for sexual services? (This is the only mandatory question)

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Don't want to express a view

Please explain the reasons for your response.

It is clear from UK and global evidence and c95% of sex worker voices, that criminalising any part of sex work (workers, clients, 3rd parties) is very damaging to both workers, and ultimately to society. Reviews of the effect of the 'Nordic model' in different countries, including Northern Ireland, shows it does not result in less demand, but places workers in a more dangerous situation by not being able to check out clients, and further stigmatises and marginalises them. Virtually all relevant human rights organisations globally support full decriminalisation, most unbiased academic evidence, a large number of intersectional feminists, and around 95% of sex workers. Those seeking criminalisation have denied sex workers voices at conferences and in making policy, encouraged the media to shout workers down and misrepresent them. They have claimed that sex worker organisations are part of a 'pimp lobby', which is blatantly dishonest - hundreds of the ground up and larger sex worker organisations are very clearly genuinely representing the real views of workers. People supporting criminalisation often claim that workers don't know their own mind/are too abused to have agency - this view gaslights workers experience and is a voice of violence. A recent YouGov survey in Scotland showed many more people saying it should be legal to pay for sex than those saying illegal, the vast majority saying the focus should be health, safety and agency of workers, and only 14% who support new laws to criminalise purchase of sex. Sex workers are clear that most violence is not from clients, but from the police and a society whose stigma & laws causes them to lose their families and friends when outed, lose accommodation, other employment, bank accounts. Anti sex work campaigners deliberately conflate consensual work with trafficking, even though research shows 90 - 95% of workers are doing it without being misled or coerced, and the remaining ones are much more easily identified and helped in a decriminalised environment. Criminalisation is essentially driven by ideological hatred of sex work, and often of the workers themselves. There is nothing inherently damaging about sex work, any damage is done by the circle of stigma,

which this law will make worse. Sex work is also not inherently gendered, there are many more anecdotal reports of women purchasing sexual services of all kinds, including full service sex work. It also seems clear that this consultation was not advertised to the general public to effectively silence the voice of workers and their allies.

2. **What is your view of repealing section 46 of the Civic Government (Scotland) Act 1982: the offence of soliciting for the purposes of prostitution in a public place?**

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

No sex worker should be criminalised for providing consensual adult sexual services. Things like 'soliciting' & 'brother keeping' - more than 1 worker working together for safety and companionship, have been used to criminalise workers, and those laws should never have existed. But this should also been done as part of full decriminalisation (workers, clients and 3rd parties) of consensual sexual services

3. **What is your view of repealing previous convictions under section 46 of the Civic Government (Scotland) Act 1982: the offence of soliciting for the purposes of prostitution in a public place?**

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

See my answer to '2' above. Therefore all existing convictions should be repealed. But this should also been done as part of full decriminalisation (workers, clients and 3rd parties) of consensual sexual services
Click or tap here to enter text. This box will expand as you type.

4. What is your view of giving people in prostitution the legal right to support?

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

I reject the ideologically motivated term 'prostitution' unless it is used by a sex worker or their representative organisations). Legal support services need to be designed in close conjunction with sex worker organisations, like National Ugly Mugs and others. e.g. they must not be ideologically driven to imply that workers should be leaving sex work. That is a decision for an individual worker

5. What is your view of including provisions for exiting services in the bill?

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

It is clear this bill is ideologically driven. All services for sex workers (including for those who may wish to leave or reduce their sex work working hours) need to be designed in close conjunction with sex worker organisations, like National Ugly Mugs and others. So they must not be ideologically driven to imply that workers should be leaving sex work. That is a decision for an individual worker

6. How should the proposed offence be enforced. Are there any particular techniques which you think should be used or obstacles which might need to be overcome?

There should be no new offences, but a clear statement and eventual law to fully decriminalise sex work (workers, clients, 3rd parties)

7. Do you believe that there are any new policing powers that would be necessary or beneficial for enforcing this offence?

No. There should be no new offences, but a clear statement and eventual law to fully decriminalise sex work (workers, clients, 3rd parties)

8. Please indicate which of the following forms of support and/or services you think should be provided for people in prostitution and exiting prostitution (place an x into the brackets of as many options as you agree with):

- Exiting support workers
- Drop in services
- Outreach visits to brothels, saunas and other similar premises
- Specialist medical consultations
- Access to drug and alcohol services
- Access to counselling and psychological treatment services
- Specialist housing schemes for women in crisis
- Support to access education, training or work
- Financial advice, debt support etc
- Other (please give details)

Please explain the reasons for your response and provide examples of best practice.

All services for sex workers (including for those who have trauma, or may wish to leave or reduce their sex work working hours) need to be designed in close conjunction with sex worker organisations, like National Ugly Mugs and other similar ones. So they must not be ideologically driven to imply that workers should be leaving sex work. That is a decision for an individual worker

9. Please indicate which of the following ways of raising awareness of the new offence you believe to be most effective (choose as many as you agree with):

- Internet and social media advertising
- TV advertising
- Print media advertising
- Billboards in public places and transport
- Leaflets to households
- Materials to support and exiting services for people involved in prostitution
- Materials targeted at areas where prostitution is known to occur
- Materials to health and mental health services
- Materials to further education sector
- Inclusion in secondary education (Relationship, Sexual Health,

- Parenting classes)
 Other (please give details)

Please explain the reasons for your response.

There must be no new offences, but full decriminalisation of sex work - of workers, clients and 3rd parties

10. Do you think legislation is required, or are there are other ways in which the Bill's aims could be achieved more effectively?

Please explain the reasons for your response.

Legislation for the full decriminalisation (workers, clients and 3rd parties) of sex work should be introduced. This recognises workers agency, provides clear harm reduction benefits, destigmatises what is consensual adult acts, rejects purity culture, is supported by a large number of intersectional feminists and other organisations, virtually all relevant and unbiased human rights organisations and academic research. Several leading feminist politicians, influencers and educators have changed their mind to support full decriminalisation after they truly listened to sex workers and connected to the issue without ideology. It may well be that the world is moving to full decriminalisation as it becomes clearer what the true motivations of those who are anti and in favour area, as sex workers get more voice, the increase in truly respectful consent driven 'sex-positivity', and the increase in women purchasing sexual services.

Resource implications

11. Taking into account all those likely to be affected (including public sector bodies, businesses and individuals etc), is the proposed Bill likely to lead to:

- a significant increase in costs
 some increase in costs
 no overall change in costs
 some reduction in costs
 a significant reduction in costs
 do not wish to express a view

Please indicate where you would expect the impact identified to fall (including public sector bodies, businesses and individuals etc). You may also wish to suggest ways in which the aims of the Bill could be delivered more cost-effectively.

It seem likely that such a bill would need much more place and court resources, and the direct and indirect (including stigma leading to loss

of bank accounts, accommodation family & friends support networks) increase in violence towards sex workers would mean much public sector support needed

Equalities

12: Any new law can have an impact on different individuals and groups in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation. What impact could this proposal have on particular people if it became law?

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

Most sex workers are marginalised, and within that workers who are from ethnic minorities, disabled, trans and are pregnant/parents, are even more marginalised and vulnerable. The proposed bill (for the reasons outlined in my answers above) will increase all types of violence and stigma towards workers, and this will hit marginalised workers the hardest.

Sustainability

13. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations. Do you think the proposal could impact in any of these areas?

The proposal, if it became law, will lead to a significant reduction in sex worker mental and physical health (including HIV), and therefore those also of those people they know and interact with. It is clearly ideologically driven and not based on principles of justice and human rights.