

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(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)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

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).

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- I would like this response to be considered, but not published (“not for publication”)

If you have requested anonymity or asked for your response not to be published, please give a reason. **(Note: your reason will not be published.)**

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 **(Note: The name will not be published if you have asked for the response to be anonymous or “not for publication”.)**

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.)**

### 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.

I've read the Wikipedia account of the Swedish legislation. At best any benefit from criminalising purchase is doubtful. At worst sex purchase is driven underground and there are even greater dangers for women selling sex. Sweden clearly wishes to promote a law it is unable to demonstrate has any benefit in terms of reducing prostitution or harm to women engaged in it.

Intuitively, if I can talk about that, I feel that women being allowed to freely solicit while men are potentially jailed for succumbing to a fundamental human instinct in all sorts of personal circumstances is fundamentally wrong. I abhor prostitution but it simply accompanies human existences like the will to achieve temporary oblivion through narcotics, and needs to be recognised as such. Illiberalism is no answer to either in my view. Decriminalisation with all the attendant support is a far better option.

On another aspect, I really don't know why Ash is pursuing this controversial bill; had there been hard evidence of measurable and measured success I might see the point. But this is following the deeply controversial bills on GRR and on Hate Crime, disasters Alba has roundly recognised.

I fully support decriminalising soliciting, but I strongly abhor the introduction of penalties for sex procurers. I most strongly of all support heavy penalties for pimping and human trafficking.

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.**

As I state above. Sale of sex should not be driven underground.

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.**

I'm not sure what that means.

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.**

Sex as a transaction should be decriminalised fully and those wishing to escape from it fully supported.

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.**

As above

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?**

Clearly reading reports of the Swedish experience enforcement is a problem which in itself makes this bill a bad idea. Look at the wikipedia entry on it and that final US table. Prosecutions fall, presumably as police forces are demoralised trying to get convictions. What capacity has Police Scotland got to add this offence? What budget is ScotGov going to put to it?

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

I'm not sure what you mean. More draconian action, more illiberal measures against the public. We are having our share of such an increase from this new Labour Government. No.

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.**

Everything but money. UBI? Women do this work for money they can't get elsewhere. Nothing I can imagine short of a UBI will change that.

**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.**

They all will. But to no substantive avail. Perhaps a big increase in internet-based sex services. A reconfiguration of the trade is what I expect.

**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.**

Yes, to decriminalise soliciting and introducing better support 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.**

For every conviction for soliciting, with little prosecution cost, you will have a defendant whose reputation, job, marriage, life is at stake. He will if he has the means vigorously defend, and the legal system will pay heavily.

## **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.**

This is an asymmetric treatment of two parties in what is widely considered an anti-social act. It is unequal as well as illiberal.

## **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?**

I suspect that the sustainability of the Swedish act is having to be given a degree of life support. I don't believe this act is either just or ultimately sustainable. It's an attempt at a quick fix, a gamble that fear will suppress male urges. It won't in the long term work.