

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(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)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

ELSC Productions CIC is a network of strippers, ex-strippers & sex workers (SWers). ELSC supports & promotes self-organisation among strippers & lap dancers, challenging stigma around sex work, standing

up to exploitation & fighting for improved safety & harm reduction in the wider sex industry.

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- I would like this response to be considered, but not published (“not for publication”)

If you have requested anonymity or asked for your response not to be published, please give a reason. **(Note: your reason will not be published.)**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 **(Note: The name will not be published if you have asked for the response to be anonymous or “not for publication”.)**

Samantha Sun, ELSC Productions CIC

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.

Research has shown time & time again that criminalizing sex work in any way, including the criminalization of buyers does not reduce the amount of sex work in any given country, nor does it make the industry safer for existing workers. It creates a criminal marketplace where the only potential clients are people WILLING to be criminals, putting workers, namely women & trans women, at more risk of violence. Please reference this report by the English Collective of Prostitutes for more evidence: <https://prostitutescollective.net/briefing-no-nordic-model/>

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.

Full Decriminalisation of sex work is the best way we currently have to increase the welfare of sex workers. This is based on evidence in countries like New Zealand. While it is not a silver bullet, it brings sex work under existing laws for employment rights, discrimination, financial inclusion & legal recourse. Repealing criminalisation for soliciting would support the welfare of sex workers in Scotland.

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.

Again, further criminalisation presents increased barriers for sex workers to either exit the industry or access resources. Repealing previous convictions would help combat further marginalisation.

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.

While ELSC support giving Sex workers more rights to support, we fully oppose the reasoning behind this law and are skeptical of the law itself as a result. Sex work in and of itself is not "harmful"; the drivers for entering sex work are harmful. Drivers for sex work is not inherently harmful patriarchal appetites for sexual services; the drivers for entering sex work is POVERTY. Poverty, lack of resources, lack of social services, hostile migrant laws that push people into sex work are inherently harmful.

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.

Services for exiting or re-skilling are best offered by members of the community; not the state. It is clear from this bill that the state are in & of themselves hostile to sex workers & do not see or respect their inherent agency/bodily autonomy. As such, they would be unfit to support Sex Workers in any attempt to re-engage in civilian work. This provision is also predicated on the assumption that all sex workers WANT to exit the industry. This is simply untrue.

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?**

I think the proposal should be scrapped entirely & the relevant councils, committees & individuals involved should consult sex worker organisations such as National Ugly Mugs, English Collective of Prostitutes, European Sex Work Network to include ACTUAL sex workers in the drafting of bills.

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

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.

None of the above will inherently reduce the prevalence of sex work; these services need to be provided without the underlying agenda to shame & reduce sex work. These services need to be provided with actual, accessible cash grants in order to solve for immediate survival needs that meaningfully affect the prevalence of sex work.

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.

I do not believe this bill should see the light of day.

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.

The most effective, harm redux legislation is full decriminalisation of sex work & its associated entities (brothels, massage parlours, dungeons, strip clubs, etc). The industry doesn't need MORE state surveillance or interference, it needs to be made safer by bringing the work under existing protective laws around equality, discrimination & employment rights.

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.

By introducing this bill, you will significantly increase the costs to policing, councils & admin, without meaningfully improving the lives of the people you claim are "victims". There is also an extremely significant cost to the mental health of those involved to continue to have increased interactions with law enforcement; which are often perpetrators of state violence in and of themselves.

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 law will disproportionately affect cis & trans women, who make up the majority of sex workers. It will affect migrant women of colour, women with children & disabled women the hardest as these people are least likely to have access to resources & legal recourse.

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?

Well, instead of policing women's bodies, you COULD spend your time devoting funds to clean energy, divestment of fossil fuels, increasing access public transportation, therefore reducing car/vehicle emissions. But instead you're wasting time with a bill that will inevitably do nothing by make lives worse.