

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(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in **bold**.)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

I am a sex-worker with 18 years experience working in the sex industry. I'm also a published author of “The Ethical Stripper: Sex, Work and Labour Rights in the Night Time Economy” (2022, Unbound) co-founding member of East London Strippers Collective, a CIC founded and operated entirely by current/former 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).

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- I would like this response to be considered, but not published (“not for publication”)

If you have requested anonymity or asked for your response not to be published, please give a reason. **(Note: your reason will not be published.)**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 **(Note: The name will not be published if you have asked for the response to be anonymous or “not for publication”.)**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

As well as working in the sex industry for 18 years, I have been involved in public advocacy for sex workers' rights for over 10 years. I have done a great deal of research, both academic and anecdotal, among my peer group - which includes wide networks of sex workers who do many different types of sex work, from full service, escorting, online, striptease and sexual entertainment, porn, BDSM etc. My research culminated in me publishing a book "The Ethical Stripper: Sex, Work and Labour Rights in the Night Time Economy" in 2022. I have become very informed about the different legal frameworks used to regulate and criminalise sex work in various ways. It is my firm conclusion that the Nordic Model - ending male demand by criminalising buyers of sexual services - does not offer sex workers any relief or improvements to their working conditions whatsoever. There is no evidence coming from any of the nation states that have introduced this legal framework e.g. France, Canada, Rep. Ireland etc. that safety for sex workers has improved. It is merely an ideological pursuit, which is deeply flawed, that solves none of the social problems that lead to people selling sex in the first place - female poverty being the main driving factor behind the "demand" for prostitution, as well as border control policies that involve lengthy asylum processes during which non-UK citizens are legally denied access to NI waged work, leaving them immediately vulnerable to being exploited in any industry, not just sex work.

I'm well aware of networks and support services that sex workers have to ACTUALLY help them navigate the industry and avoid being exploited. These include national databases of dangerous clients such as NATIONAL UGLY MUGS, the trade union branch UNITED SEX WORKERS which bring legal action against perpetrators of exploitation and abuse, and the

ENGLISH COLLECTIVE OF PROSTITUTES who have tireless campaigned since 1975 to raise awareness about the negative social outcomes that arise from criminalising sex work. These organisations should be at the forefront of designing infrastructure and policy that serves and protects vulnerable sex workers - NOT members of Parliament who have zero lived experience of the work they aim to abolish.

New Zealand fully decriminalised sex work in 2004, and the subsequent research done by University of Otago showed that sex workers became more likely to report crimes and abuses against them (which can't happen under criminalisation due to fear of self-recrimination). It also allows sex workers to access further powers, such as workers' rights. In 2014 a sex worker brought her employer, the owner of a brothel, to court for sexual harassment in the workplace and won \$25k compensation. The framework of full decriminalisation is what sex workers are demanding, because it opens a legal pathway to access power as workers to bring abusers to justice. Simply criminalising men does not achieve this, it will only serve to drive the demand further underground, making it more difficult for sex workers to screen clients properly (ask for ID, ask for deposits to be paid etc).

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.**

Sex-workers should never have been criminalised in the first place.

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 same answer to previous question - sex workers should never have been criminalised in the first place.

**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.**

This is what the sex worker led orgs I mentioned already do - National Ugly Mugs, United Sex Workers, English Collective of Prostitutes. Why not open a legal pathway for all sex workers to access legal support by recognising their RIGHTS AS WORKERS? Full decriminalisation of sex work opens a legal pathway for sex workers to access their rights as workers, by moving them out of criminal law, removing the burden of criminality and all the negative social outcomes carried with it, into civil law allowing sex workers to begin bringing lag claims against abusive industry players and organising their own safety methods (for example by allowing 2 sex workers to work together indoors without being criminalised for Brothel-Keeping which carries a maximum sentence of 7 years in prison). Existing laws against trafficking, controlling for gain, sexual offences such as rape and sexual assault, theft, physical and emotional violence, and financial abuses, are already well established pieces of legislation. FULLY DECRIMINALISING sex workers will actively increase the likelihood that they will report crimes and abuses since a major obstacle to this is the various ways sex work is CRIMINALISED, meaning currently workers don't report abuses for fear of recrimination and worse outcomes for themselves.

**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.**

I don't really believe any provision for exiting will have any impact unless the provisions include very serious levels of support for sex workers - including universal basic income to help women out of poverty (actually reflecting the current cost of living, not the paltry benefits currently paid out) sturdy social housing packages (not emergency accommodation which keeps people stuck in precarious living circumstances) long term healthcare, childcare and education schemes (all of which are currently starved of public funding, and impossible to sustain for anyone living in precarious, unstable situations).

- 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 don't support the proposed offence, therefore I don't support enforcement.

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

No. There is no benefit to enforcement. Any new policing powers will be absolutely detrimental to sex workers. I strongly oppose the use of police raids and detentions against anyone involved in selling sexual services. If the Scottish Government really think the police can be entrusted to enforce a proposed law such as this one, given the unbelievable history of sexual abuse scandals, offences and police brutality, it goes to show just how disconnected and out of touch they are with the community of vulnerable people they claim to want to help.

- 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.**

For "Other" I suggest universal basic income for people involved in selling sexual services.

The most effective support services available to people involved in prostitution are the harm-reduction resources already available - in particular methods for sex workers to safely report on abusive clients and bring legal claims against abusers (which can only happen if sex workers are recognised as workers within the framework of employment protections (not victims of a crime). Organisations already exist for this purpose, and I would want to see the Scottish Govt offer help and resources to these orgs (NUM, Numbrella Lane, SWU etc).

**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 don't support the new offence therefore I don't support an awareness raising campaign.

**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.**

As I have answered to previous questions, the aims of this Bill could be better achieved by addressing the conditions that drive people into prostitution and coercive sexual exploitation in the first place - female poverty, border control policy and asylum processes which deny people the right to work legally in the UK, housing, healthcare, childcare, education, addiction support services... the list goes on. Ultimately, public infrastructure that actually serves, protects and empowers people, rather than leaving the poor to rely on devastated, underfunded public services. Public spending will lead to improved social outcomes. Poverty is a choice made by governments. Criminalising the various ways people respond to poverty is punitive and miserly. I want to live in a country that rises above this, and takes seriously the responsibility civil servants have to every member of its society.

## **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.**

I am not satisfied by the information provided in the "Financial Implications" section of this document that there is any clearly demonstrable reduction in costs. It is not fully explained how exiting sex workers actually saves money, by what mechanisms. I can only assume that the proposed

spending (again not fully laid out in this document) that goes along with the new law, such as police enforcement, crown prosecution service costs, public awareness campaigns - not to mention the money already being spent on this public consultation, and the actual costs of government legislating, can only lead to further strain on the public purse. I do not consider this to be a good use of tax-payers money.

The aims of this Bill could be delivered more cost-effectively by taking very seriously and addressing the problem of poverty which is the core reason that people engage in sex work.

## 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.**

The highly disproportionate number of sex workers who are female means the new law will have an impact on more women who sell sex than men. Perhaps the same logic works in reverse, that if a law that targets the buyers of sex, who are disproportionately men, then the law targets men in a way that could be viewed as discriminatory? There is also a disproportionate representation of queer, trans, people of colour in the sex industry, who are more likely to experience discrimination, which is another contributor to the supply chain of sexual services - therefore a law that impacts people who are highly marginalised already, cannot claim to make people "equally safe" when it will in fact endanger them further.

## 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 can't see how any of the sustainability goals can be addressed by the proposed new offence.