

Air Weapons and Licensing (Scotland) Bill: Introductory Questions



The Scottish Parliament
Pàrlamaid na h-Alba

Thank you for responding to the Local Government and Regeneration Committee's Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee's scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee's Twitter feed - all Committee tweets on this Bill will have the hashtag #aw&lbill.

*1. Please supply your name and contact details:

Name:

Lorna Kettles

Organisation:

Scottish Women's
Convention

Address 1:

Address 2:

City/Town:

Postcode:

Country:

Email address (if no email leave blank):

Phone Number:

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*** 2. Please confirm that you have read and understood the Scottish Parliaments [“Policy on the treatment of written evidence by subject and mandatory committees”](#):**

Yes

*** 3 Please confirm whether you are content for your name to be published with your submission:**

Yes

No

*** 4. Which of the three categories below best describes your interest in the Bill (please tick only one)?**

Personal

Professional

Commercial

*** 5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:**

Yes

No

*** 6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.**

Yes

No

*** 7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).**

All of the Bill

Equalities, climate change and other Scottish Government objectives

Air Weapons

General licensing issues

Alcohol licensing

Civic licensing – taxi/private hire car licensing

Civic licensing – scrap metal dealers

Civic licensing – theatre licensing

Civic licensing – sexual entertainment venues

Name/Organisation:

Scottish Women's

6. Civic Licensing – Sexual Entertainment Venues

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

50. What are the consequences of operating the new licensing regime using the definitions set out at section 68 of the Bill?

- 'sexual entertainment venue'
- 'audience'
- 'financial gain'
- 'organiser'
- 'premises'
- 'sexual entertainment', and
- 'display of nudity'

The Scottish Women's Convention (SWC) welcomes the definitions put forward under s68 of the proposed Bill. The SWC are particularly pleased that 'audience' includes an audience of one. This definition will ensure that men who purchase private dances in sexual entertainment venues, whereby they are in a room alone with a woman, are subject to licensing conditions.

Many clubs state that they have 'no touching' rules, however there is no enforcement of these either by the club individually or under licensing conditions as they stand. It is hoped that under a new licensing regime, this type of rule will be enforceable and women will not be subject to the abuse they face at the moment. Regulation is necessary as many customers assume that dancers will agree to provide sexual services.

51. The Bill specifies that a venue hosting sexual entertainment on three occasions or less within a 12 month period would not be treated as a sexual entertainment venue: does this have any unintended consequences?

The SWC has real concerns that this loophole could be exploited. Not considering a venue hosting sexual entertainment on three occasions or less within a 12 month period as a sexual entertainment venue could lead the organiser (again, as defined under s.68 of the Bill) to provide sexual entertainment in a number of other venues which are not covered by licensing laws. This could, in effect, lead to an organiser using several venues throughout a Local Authority to provide sexual entertainment, with each venue being used no more than three times, and all the while avoiding being subject to specific sexual entertainment licensing. The possibility of this happening seems to be counter-productive to the strong definitions outlined in the Bill and the aim of the legislation overall.

52. Local licensing authorities will be able to set the number of sexual entertainment venues in their area to below the existing level, or zero: are there any advantages or disadvantages to this approach?

One of the main advantages to this proposal is the control that it would give to Local Authorities. Areas that do not want to have any sexual entertainment venues will be able to make that quite clear. This, in turn, will send a clear message that the commercial sexual exploitation of women is not something they want as part of their community.

Conversely, allowing each Local Authority to set the number of sexual entertainment venues in their area could lead to inconsistency throughout the country. The activities which go on in sexual entertainment venues constitute commercial sexual exploitation. The Scottish Government considers commercial sexual exploitation as a form of Violence Against Women (VAW); however it is giving individual Local Authorities the opportunity to decide whether it wants to have sexual entertainment venues (such as lap dancing clubs) in their areas, as opposed to objecting to them overall. This approach seems to go against not only the ethos of the Scottish Government, but also the amount of work which has been done in the field of VAW towards prevention and eradication of this blight on society.

Lap dancing and strip clubs are fundamental examples of gender inequality. This type of 'entertainment' is a euphemism for commercial sexual exploitation and normalises activities which often disguise more abusive, controlling and demeaning behaviour towards women. Most women undertake work in these types of venues because of poverty and lack of choice. Lap dancing portrays women's bodies and their sexuality as their most important qualities as valued by men.

While moves to create more regulation are important, a shift towards a zero tolerance approach to such venues would be welcomed. It is vital that there is consistency throughout Scotland in order to avoid exploitation of the law.

53. The Bill relies mainly on the existing licensing regime for sex shops as set out in

section 44 and Schedule 2 of the Civic Government (Scotland) Act 1982 (application, notification, objections and representations, revocation of licences etc., enforcement and appeals): is this mechanism adequate for the licensing of sexual entertainment venues - if not, please explain why?

54. Are there any barriers to licensing authorities operating the new licensing regime?

55. Civic Licensing

Do you have any other comments to make on the civic licensing aspects of the Bill?

