

CONSULTATION PAPER

ADULT ENTERTAINMENT ACTIVITY

This Consultation Paper seeks your views on adult entertainment activity in Scotland.

Background

1. On 24 March 2005, Scottish Ministers set up a Working Group on Adult Entertainment to review the scope and impact of adult entertainment activity and make recommendations to Ministers on the way forward. This followed concerns expressed about the lack of controls on adult entertainment activity.
2. The Working Group is part of a two-stage approach to considering controls on these activities. The first stage is included in the Licensing (Scotland) Bill, which was introduced on 28 February 2005, and contains powers which will be used to prescribe measures for regulating adult entertainment on premises licensed to sell alcohol.
3. For the second stage, the Working Group has been set up to investigate all forms of adult entertainment, irrespective of where they take place.

Scope

3. The Working Group are to investigate the scope and impact of adult entertainment activity across Scotland and intend to commission research to identify and assess any impacts on people who work in the industry, and on local communities, with a view to identifying any controls required to regulate the industry. A key issue the Working Group is considering is exactly what is defined as adult entertainment. As part of the Working Group's research they are inviting views on adult entertainment wherever it takes place in Scotland.

Taking the Proposals Forward

4. The Working Group is due to make their recommendations to Ministers in April 2006.

Consultation

5. We would be grateful for your views on the following:
 - (a) **What does 'adult entertainment' mean to you?**
 - (b) **What do you think it includes?**
 - (c) **What do you think it excludes?**

(d) Does the following definition of adult entertainment correspond with your understanding of the subject?

‘Live sexual entertainment services with an intention to sexually titillate, and/or that a reasonable person, acting reasonably, would assume that there was such an intention.’

(e) What activities are you aware of taking place in Scotland which would be covered by the definition of adult entertainment shown above? Please provide details of locations where they occur.

(f) What impacts do these activities have on:-

(1) performers,

(2) audiences and

(3) the public in general?

Please provide any supporting evidence.

(g) What controls, if any, do you consider are necessary to regulate these activities?

(h) Would you like to have the opportunity to provide further information, either in writing or in person? Please supply contact details.

CONSULTATION ON ADULT ENTERTAINMENT ACTIVITY

Responding to this consultation paper

We are inviting written responses to this consultation paper as soon as possible but no later than: **26 September 2005**.

Please send your response to:

by email: LicensingConsultations@scotland.gsi.gov.uk

in writing: Secretariat
Adult Entertainment Working Group
Finance and Central Services Department
Scottish Executive
Mail Point 32
3 H - South
Victoria Quay
Edinburgh EH6 6QQ

If you have any queries contact **Ken McKenna** on **0131 244 2794**.

We would be grateful if you would use the consultation questionnaire provided or could clearly indicate in your response which questions or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

This consultation, and all other Scottish Executive consultation exercises, can be viewed online on the consultation web pages of the Scottish Executive website at <http://www.scotland.gov.uk/consultations/seconsult.aspx>. You can Freephone 800 77 1234 to find out your nearest public internet access point.

The Scottish Executive now has an email alert system for consultations ([SEconsult: http://www.scotland.gov.uk/consultations/seconsult.aspx](http://www.scotland.gov.uk/consultations/seconsult.aspx)). This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). SEconsult complements, but in no way replaces SE distribution lists, and is designed to allow stakeholders to keep up to date with all SE consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** enclosed with this consultation paper as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Executive is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any

request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public, these will be made available to the public in the Scottish Executive Library and on the [Scottish Executive consultation](#) web pages. We will check all responses where agreement to publish has been given for any potentially defamatory material before logging them in the library or placing them on the website. You can make arrangements to view responses by contacting the SE Library on 0131 244 4565. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next ?

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision. We will prepare a short analysis of responses for publication. This will assist the Adult Entertainment Working Group in their work.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to:

Name: **Secretariat, Adult Entertainment Working Group**

Address: **Finance and Central Services Department
Scottish Executive
Mail Pont 32
3 H - South
Victoria Quay
Edinburgh EH6 6QQ**

E-mail: LicensingConsultation@scotland.gsi.gov.uk

RESPONDENT INFORMATION FORM: ADULT ENTERTAINMENT ACTIVITY

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:

Postal Address:

1. Are you responding: (please tick one box)
- (a) as an individual go to Q2a/b and then Q4
- (b) **on behalf of** a group/organisation go to Q3 and then Q4

INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in Scottish Executive library and/or on the Scottish Executive website)?

Yes (go to 2b below)

No, not at all We will treat your response as confidential

- 2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (**please tick one** of the following boxes)

Yes, make my response, name and address all available

Yes, make my response available, but not my name or address

Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

- 3 The name and address of your organisation **will be** made available to the public (in the Scottish Executive library and/or on the Scottish Executive website). Are you also content for your **response** to be made available?

Yes

No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

- 4 We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

Yes

No