



The Scottish Parliament
Pàrlamaid na h-Alba

Published 23 January 2026
SP Paper 970
2nd Report, 2026 (Session 6)

Criminal Justice Committee

Stage 1 Report on the Prostitution (Offences and Support) (Scotland) Bill



Published in Scotland by the Scottish Parliamentary Corporate Body.

All documents are available on the Scottish
Parliament website at:
<https://www.parliament.scot/documents>

For information on the Scottish Parliament contact
Public Information on:
Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: info@parliament.scot

Contents

Introduction	1
Role of the Committee	1
Approach to evidence-taking	2
Lived experience	3
Evidence from police and prosecution services in Sweden, Northern Ireland and the Republic of Ireland	4
Delegated Powers and Law Reform Committee	4
Finance and Public Administration Committee	5
Late Submissions	5
SECTION 1: Offence of paying for the performance of a sexual act by a person	6
The proposal in the Bill	6
Position of the Member in Charge of the Bill, Ash Regan MSP	7
Main issues highlighted in relation to the proposed offence	7
Harm caused by prostitution	7
Impact of the proposed offence on safety of individuals involved in prostitution/sex work	12
Views of those against a new offence	12
Views of those in favour of a new offence	14
Position of Ash Regan MSP on the issue of safety	16
Impact on demand	17
Views of those in favour of a new offence	17
Views of those against a new offence	19
Position of Ash Regan MSP on demand reduction	21
Impact on trafficking and other criminal activity	22
Position of Ash Regan MSP on trafficking and criminal activity	24
Full decriminalisation	24
Definitions	26
Policing and prosecuting a new offence in Scotland	28
Implications for policing	28
Prosecuting the new offence	28
Penalties for the offence of paying for the performance of a sexual act	29
Costs associated with policing and prosecuting the new offence	31
Position of Ash Regan MSP	32
Position of the Scottish Government	33
Response of Ash Regan MSP to the Scottish Government's position	35

Conclusions and recommendations _____	37
SECTIONS 2 AND 3: Repeal of offence of soliciting _____	41
The proposal in the Bill _____	41
Views on the proposal _____	41
Conclusions and Recommendations _____	43
SECTIONS 4 AND 5: QUASHING OF HISTORIC CONVICTIONS _____	45
The proposal in the Bill _____	45
Views on the proposal _____	46
Use of pardons as an alternative approach _____	47
Conclusions and Recommendations _____	49
SECTION 6: Right to assistance and support _____	51
The proposal in the Bill _____	51
Views on the proposal _____	52
Position of Ash Regan MSP _____	56
Conclusions and Recommendations _____	57
GENERAL PRINCIPLES _____	59
ANNEXE A: Written, Oral and Supplementary Evidence _____	62
ANNEXE B: Extracts from the Minutes _____	65

Criminal Justice Committee

To consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Home Affairs, and functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland.

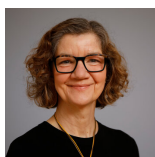


justice.committee@parliament.scot



0131 348 5973

Committee Membership



Convener
Audrey Nicoll
Scottish National Party



Deputy Convener
Liam Kerr
Scottish Conservative
and Unionist Party



Katy Clark
Scottish Labour



Sharon Dowey
Scottish Conservative
and Unionist Party



Jamie Hepburn
Scottish National Party



Fulton MacGregor
Scottish National Party



Rona Mackay
Scottish National Party



Pauline McNeill
Scottish Labour

Introduction

1. The [Prostitution \(Offences and Support\) \(Scotland\) Bill](#) (the Bill) was introduced on 20 May 2025.
2. This is a Member's Bill introduced by [Ash Regan MSP](#).
3. A Member's Bill is a Bill introduced by an MSP who is not a Scottish Government minister.
4. The Criminal Justice Committee was designated as the lead committee on the Bill.
5. The Bill would create a new offence of paying for sexual acts. This would be an offence aimed at those who seek to buy sexual services. Existing offences, set out in the Prostitution (Public Places) (Scotland) Act 2007, criminalises those seeking to buy sex within the context of what is commonly referred to as 'street prostitution' (with relevant offences sometimes referred to as dealing with 'kerb crawling'). However, the offence set out in the Bill is broader, covering both public and private situations.
6. The Bill would repeal the existing offence under section 46 of the Civic Government (Scotland) Act 1982 of loitering, soliciting or importuning in a public place for the purposes of prostitution. This is an offence which has been used to prosecute those selling their sexual services as part of street prostitution. Under the proposals in the Bill, people who have been convicted of this offence in the past would have their convictions quashed. The proposed repeal of this offence, along with the creation of a new offence targeting buyers, reflects a policy of focusing the criminal law on buyers rather than sellers.
7. Additionally, the Bill includes a requirement for Scottish Ministers to ensure that a person who is, or has been, in prostitution is provided with help and support. That may include accommodation, financial assistance, healthcare or legal advice and representation.
8. The Bill is published alongside [various accompanying documents](#), which explain the purpose of each section and the Member's policy intention behind the provisions in the Bill
9. A [SPICe research briefing on the Bill](#) was published on 20 August 2025.

Role of the Committee

10. At Stage 1, the lead committee on a Bill has specific responsibilities which are set out in Standing Orders, namely to "consider and report on the general principles of the Bill" (Standing Orders Rule 9.6.1).
11. In light of this requirement, this Stage 1 report primarily focuses on the specific policy proposals made in Bill. While the Stage 1 report may, on occasion, refer to broader societal and legal questions around prostitution, it does this primarily in the context of the proposals in the Bill. **As such, it is worth noting that this report is not a report into prostitution in Scotland in the round. It is a report on the provisions suggested within the Bill.**

Approach to evidence-taking

12. From the outset, we recognised that there was a great deal of interest in this Bill and that views, particularly on the question of criminalising the purchase of sex, varied strongly.
13. We issued an open call for written views which ran from Monday 30 June to Friday 5 September. It received [541 submissions](#) via the Citizen Space portal.
14. The responses represented a broad cross-section of opinion both in favour of the Bill, or certain parts of it, and opposed to it. As well as submissions from organisations and individuals based in the Scotland and the rest of the UK, we received submissions from countries including Australia, Canada, France, the Republic of Ireland, Israel, Italy, New Zealand, Sweden and the USA.
15. We are grateful for all those who took the time to provide written evidence and contact the Committee with information relevant to our work.
16. We note that many organisations and individuals expressed an interest in giving evidence in person. It was not possible in the time available in the remainder of this parliamentary session to hear from all of those who wished to give evidence in person.
17. In managing this interest, we attempted to balance the need to hear a range of views on the key provisions of the Bill with a desire by the Committee to ensure that the Bill could proceed through all its stages in the time remaining in this parliamentary session, should the Bill pass at Stage 1.
18. At all times, we have aimed to be balanced in our approach to our choice of witnesses to ensure that as many individuals and organisations as possible from both sides of the debate had the same opportunity to make their case, whilst still allowing Parliament time to complete all stages of the legislative process in this parliamentary session if that was agreed to.
19. We welcome the comments from Ash Regan MSP that “no voice has been ignored” during the Committee’s scrutiny of the Bill.¹
20. It was clear that the proposal in section 1 to criminalise the buyer of sexual acts was the most controversial element of the Bill. Other parts of the Bill attracted broad support from people and organisations even if they had differing views on section 1.
21. The proposal to criminalise the buyer of sexual acts attracted significant comment from witnesses. Many witnesses were either clearly in favour of the proposal or clearly against, with, in many cases, little middle ground between these positions.
22. In the next section of the report, we highlight some of the main arguments we heard for and against the creation of the new offence in the Bill.
23. We must stress that this is not a record of every point made by every witness or a full summary of all the views we received on this subject.
24. Instead, our aim is to illustrate the key lines of argument which we heard. If a

¹ [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#), (Col 1)

particular piece of evidence is not directly quoted or referred to here, this does not mean that it has not been considered by the Committee. For a full record of the evidence received, please refer to the written and oral evidence on the Bill which is published separately [here](#), under the heading “Stage 1: general principles”.

25. We also recognise that much of the evidence in this policy area is highly contested. Both sides in the debate have pointed to different studies and research which they claim support their respective positions. Furthermore, the methodology and legitimacy of the studies and research cited by each side has, on occasion, been criticised by those who take a different view. It is also the case that different interpretations have been placed on the experience in the countries which have criminalised the buyer, such as Sweden and the Republic of Ireland.
26. We acknowledge that the studies and research in this field are clearly an important aspect of the evidence we received. However, we must be clear that it is not our role to critique in detail the methodology of various academic studies or to issue judgements on the quality of particular pieces of research.
27. Instead, our primary objective has been to allow those on both side of the debate to set out their position and make their arguments based on the evidence they have identified in support of their position.
28. This is what we will do in the next section of the report.
29. Finally, we are aware that some of the language surrounding the issues raised in this Bill is contested. In particular, the use of some terms, such as “prostitute”, “sex work” and “sex worker” are disputed and may cause offence to some people. We have tried to avoid these terms where possible, but on occasion have reproduced evidence which contains language which some may contest, or quoted views expressed to us which uses this language. We are also conscious that not all of those who sell sexual services are women or those who buy are men. However, a overwhelming majority are, therefore we will commonly use this language in this report.

Lived experience

30. We considered it very important, when considering changes to the laws on prostitution, to hear the views of those with lived experience of prostitution or sex work.
31. In response to our call for views, we received a significant number of written submissions from people identifying as having had lived experience. Due to the importance of this perspective on the Bill, we commissioned SPICe to [conduct an analysis of these responses](#) .
32. We arranged to receive the personal evidence of individuals with lived experience. This was done in a trauma-informed manner and based on their preferences as to how they wished to share their views with the Committee. This process was underpinned by advice and feedback from the support organisations we approached.

33. We are grateful to the Women’s Support Project for facilitating interviews at which the Committee’s questions were put to a group of seven individuals. Some Committee Members also had the opportunity to meet a group of individuals with lived experience of sex work at an informal meeting facilitated by Scotland for Decrim.
34. Anonymised notes highlighting the key issues raised at both of these informal sessions are published online [here](#) and [here](#).
35. We also note that some of the witnesses who gave evidence formally at our committee meetings had lived experience of prostitution and were able to draw on that experience in their evidence. This included individuals with different views on section 1 of the Bill.
36. We appreciate the time taken by all those individuals with lived experience who gave us their views during the course of our work. We are aware that for some people it may not have been easy to give their views to a committee in this way, but we greatly value the perspective and insights they provided.
37. We will refer to the views we received throughout the report.

Evidence from police and prosecution services in Sweden, Northern Ireland and the Republic of Ireland

38. As part of our evidence-taking, the Committee wrote to the police and prosecution services in Sweden, Northern Ireland and the Republic of Ireland to understand better how their laws had been enforced. Their replies are available online and are set out in [Annexe A](#) . We are grateful to those who responded to us in the limited time available. Their replies have been helpful to us in the consideration of our report.

Delegated Powers and Law Reform Committee

39. On 30 October 2025, the Delegated Powers and Law Reform (DPLR) Committee reported on the Bill.
40. The Bill confers three powers to make subordinate legislation on the Scottish Ministers.
41. First, section 7 of the Bill provides that the Scottish Ministers may by regulations make provision for, or in connection with, the assistance and support to be provided in accordance with section 6.
42. We discuss the DPLR Committee’s view on this power in more detail in the section of this report covering section 6 of the Bill.
43. Second, section 8 of the Bill enables the Scottish Ministers, by regulations, to make

incidental, supplementary, consequential, transitional, transitory or saving provision for the purposes of, in connection with, or for giving full effect to the Bill.

44. In its report, the DPLR Committee found the power acceptable in principle and is content that its exercise will be subject to the negative procedure.
45. Finally, section 10 of the report makes commencement provisions. It provides that sections 2, 8, 9, 10 and 11 will come into force on the day after Royal Assent, and the remaining provisions will come into force on such day as the Scottish Ministers may by regulations appoint.
46. In its report, the DPLR Committee indicated that it was content with this power in principle and the fact that it is not subject to any parliamentary procedure.

Finance and Public Administration Committee

47. The Finance and Public Administration Committee issued a call for views on the Bill's Financial Memorandum.
48. Responses were received from 11 respondents and [can be found online](#).
49. The Finance and Public Administration Committee subsequently agreed to take no further steps in relation to the Financial Memorandum for this Bill.
50. Many of the points raised with the Finance and Public Administration Committee were also raised with us during our scrutiny of the Bill. We will address this evidence at relevant points during this report.

Late Submissions

51. The Committee received a significant amount of [correspondence](#) from various people submitted after the final evidence session. Recognising the nature of this Bill, we have sought to take any new points of consideration into account.
52. We will return to the issue of the process of considering Members' bills in our Legacy Report as it has been difficult, given the very late stage we received this, to fully take this on board. Any effort to do so risked delaying the process of agreeing our report further.

SECTION 1: Offence of paying for the performance of a sexual act by a person

The proposal in the Bill

53. Section 1 of the Bill would create a new offence of obtaining or seeking to obtain the performance of a sexual act in return for payment.
54. The Policy Memorandum accompanying the Bill explains—
- ” Criminalising the buying of sexual acts is a primary, preventative measure to redress the harms of prostitution and sex trafficking by reducing the size of the prostitution market in Scotland and making it a less attractive destination for sex traffickers. Unlike harm reduction approaches, which seek to mitigate the negative consequences individuals in prostitution experience after they have occurred, this measure aims to prevent these consequences from arising in the first place.
55. The Bill defines what is meant by a “sexual act” as—
- ” (a) engaging in or procuring the in-person performance of any act intended to cause sexual arousal, gratification, or stimulation of any person, in exchange for payment as defined in this Act,
 - (b) but does not include activities such as striptease, pole dancing, lap dancing, or other erotic performances.
56. The Bill also defines what is meant by “payment”, namely—
- ” payment' means any financial or material benefit, whether given directly or indirectly, including but not limited to money, goods, services, the discharge of a debt provided or promised in exchange for a sexual act.
57. The proposed new offence would change the current position in Scotland under which buying sex is sometimes legal and sometime illegal. It seeks to criminalise the purchase of sex in all circumstances.
58. The proposed new offence would exist alongside existing offences in Scotland which are relevant to prostitution including those covering kerb crawling, human trafficking, keeping a brothel, and offences involving children.
59. An approach to prostitution law which criminalises the buyer of sexual services, alongside the removal/restriction of the use of the criminal law against people in prostitution and also the provision of support/assistance, is sometimes referred to as the Nordic Model. This name refers to the fact that Sweden, Iceland and Norway are countries which have been early adopters of such an approach.
60. The Policy Memorandum highlights other countries which have adopted this approach: Canada, Northern Ireland, France, the Republic of Ireland, and Israel.
61. We heard strongly held views on whether or not the new offence should be created.

Position of the Member in Charge of the Bill, Ash Regan MSP

62. The position of the Member in Charge of the Bill, Ash Regan MSP, is set out in the Policy Memorandum.
63. The Policy Memorandum states that—
- ” The Member believes that prostitution is commercialised, systematic rape, and many of the people who sell sexual acts endure numerous human rights violations when they do so. As the vast majority of people in prostitution are female and virtually all buyers of sexual acts are male, it is recognised as a form of violence against women and girls. The Member acknowledges that a small number of individuals selling sexual acts are male. However, prostitution is predominantly a system of inequality, exploitation, violence and abuse based on sex with male perpetrators and female victims.
64. The Policy Memorandum explains that—
- ” Drawing on evidence from other jurisdictions, the Member contends that the most effective policy to curb prostitution and reduce the associated human trafficking involves targeting market demand rather than penalizing those who sell sexual acts. In this 'challenging demand model', law enforcement focuses on undermining the economic incentives by criminalising buyers while decriminalising sellers.
65. The Policy Memorandum references various articles and studies to argue the case that—
- ” Men’s demand fuels prostitution and sex trafficking, and research into the attitudes of men buying sexual acts has shown that legality normalises the practice, while anonymity is a major factor driving demand, consistently finding that the majority would be deterred from buying sexual acts if it were illegal.
66. The Policy Memorandum also refers to studies in countries that have implemented the Nordic Model which, in its view, demonstrates that criminalising buyers significantly reduces demand for prostitution. The Policy Memorandum noted that “while criminalisation is not the only deterrent, it is one of the most effective strategies identified in international research in curbing prostitution and the associated sex trafficking”.

Main issues highlighted in relation to the proposed offence

Harm caused by prostitution

67. Some witnesses and written submissions supported the position in the Policy Memorandum that prostitution is a form of violence against women and girls and consequently needs to be curbed. Some also noted that the Scottish Government’s

Equally Safe strategy recognises prostitution as a form of violence against women and girls.

68. Some written submissions pointed out that the Scottish Government recognises prostitution as violence against women in its strategy to prevent violence against women and girls, Equally Safe.
69. We heard views that a change in the law to criminalise the buyers of sexual services would send an important message regarding the position of women in society. Some witnesses argued that prostitution should not be treated as a ‘normal’ occupation.
70. The written submission from Glasgow City Council, TARA (Trafficking Awareness Raising Alliance) and Routes Out stated that—
- ” The learned experiences of both services are that women are harmed physically, psychologically and financially by the men who purchase sex and those within the trade who profit from them.
71. Bronagh Andrew from TARA told us that “we are very much of the view that prostitution is a form of violence against women”.ⁱⁱ
72. A written submission from CAP International (the Coalition for the Abolition of Prostitution) commented that—
- ” The decades of field expertise of our 37 grassroots and survivor-led organisations teach us that prostitution is a form of violence against women and that paying for a sexual act is an act with severe consequences on the health and well-being of persons in prostitution.
73. One of the respondents to the Call for Views with lived experience wrote—
- ” For me, payment for sexual acts has led to a lifetime of misery and feelings of disempowerment. This should be criminalised. I should not have been the criminal in this situation - I was the victim. People who buy sex should be criminalised.
74. All the individuals with lived experience who participated in the interviews facilitated by the Women’s Support Project reported physical or sexual violence, ranging from assault and intimidation to rape. Violence was described as normalised and frequently unreported. The cumulative effect was long-term trauma, hyper-vigilance, and symptoms consistent with complex PTSD. Women spoke of dissociation during sex acts, intrusive memories, and enduring shame. Several said conventional therapy failed because practitioners minimised or reframed prostitution as empowerment.
75. Professor Jo Phoenix of the University of Reading spoke of the impact of prostitution on other women in society. She explained—

ⁱⁱ Criminal Justice Committee, Official Report, Wednesday 8 October 2025, (Col 2)

” The simple fact of the matter is this: we have a problem with male violence. We have a massive problem in the UK; we have a complete crisis in the policing of male violence in the UK. Any move to reinforce women as a commodity is always going to be a problem. Does prostitution have a knock-on effect on other women? Yes, absolutely—100 per cent it does.ⁱⁱⁱ

76. Ruth Breslin of the Sexual Exploitation Research and Policy Institute in the Republic of Ireland also spoke of the wider social impact of the sex trade—

” I do not think that the inside of a woman’s body is a workplace or some kind of service provider. The message from the sex trade seeps out into our wider culture through prostitution and pornography. It is telling young girls that their body, and how they look and how sexually attractive they are to the opposite sex, is their primary currency.^{iv}

77. Some of the witnesses who supported the proposals in the Bill for the criminalisation of the purchase of sexual services referred to the message a change in the law would send. Bronagh Andrew from TARA told us—

”a clear and strong message needs to be sent out to civic society that paying for sex causes harm to a significant number of women and is a result of the patriarchy and on-going commodification and objectification of women’s bodies.^v

78. Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland also referred to the message which she considered had been sent by legislation in this area in Ireland, stating—

” When Ireland developed its legislation, people started to understand the exploitative dynamic that was going on there. The idea involved using the declarative and normative purposes of the law to send the message to men that it is not acceptable to purchase sexual access to the body of another person, particularly one who is more vulnerable than them.^{vi}

79. Amanda Quick from Nordic Model Now! commented that the new offence proposed in the Bill would have a wider impact on society. She told us—

” A change in the law would govern behaviour and, for me, change the thoughts, attitudes, values and beliefs of society and uphold a more civilised, humanitarian perspective. It would also reduce demand and reduce violence.^{vii}

80. The individuals with lived experience who took part in the interviews facilitated by the Women’s Support Project supported the principle that responsibility for prostitution must rest with those who create the demand. Their view was that criminalising buyers is the central moral and practical shift that distinguishes the Nordic Model from older legislation. The women framed buyer criminalisation as an

iii [Criminal Justice Committee, Official Report, Wednesday 29 October 2025](#), (Col 55)

iv [Criminal Justice Committee, Official Report, Wednesday 29 October 2025](#), (Col 55)

v [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 6)

vi [Criminal Justice Committee, Official Report, Wednesday 29 October 2025](#), (Col 29)

vii [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 2)

act of societal boundary-setting; a public statement that purchasing another person's body is unacceptable. Several also believed it would deter at least a proportion of buyers, describing deterrence as "a necessary fear".

81. However, the participants in the interviews facilitated by the Women's Support Project also repeatedly cautioned that legislation alone cannot deliver change without consistent enforcement and trauma-informed policing.
82. The proposed new offence also attracted support in some of the written submissions we received. For example, the Scottish Women's Convention indicated it strongly supported the creation of the offence. It argued—
 - ” Criminalising the purchase of sexual services is a vital step in shifting the legal and moral burden away from those who are exploited and onto those who perpetuate demand.
83. The written submission from Sveriges Kvinnoorganisationer (the Swedish Women's Lobby) stated—
 - ” The Swedish Women's Lobby fully supports the Bill as proposed... Creating a new offence of paying for the performance of sexual acts would mean that Scotland would join several other countries that are clearly at the forefront of women's rights and take a big step towards gender equality.
84. A written submission from Scottish Women's Aid stated—
 - ” Scottish Women's Aid supports this proposal with a strong caveat: Enactment of new offence must be preceded by established, adequately resourced services to support those wishing to exit prostitution. Otherwise the unintended negative consequences will include destitution for survivors as well as an even stronger disincentive to engage with justice and other systems.
85. We heard some other views that the creation of a new offence would cause harm to individuals involved in prostitution or sex work.
86. The written submission from National Ugly Mugs commented that there was "strong evidence" the new criminal offence would "worsen the lives of those carrying out sex work" which, in their view, would be in conflict with the Scottish Government's Equally Safe Strategy.
87. The written submission from Scotland for Decrim argued that "rather than addressing sex work through the criminal justice system, we believe sex workers should be given the social, financial, and emotional support they require".
88. Niki Adams of the English Collective of Prostitutes raised a similar concern, telling us—
 - ” We agree with the ultimate aim of trying to reduce prostitution, not because we think that it is inherently violent, but because we think that women should have the option to leave if they want to. We do not understand why the focus is not, therefore, on ending women's poverty.^{viii}

89. The written submission from Scotland for Decrim pointed out that—
- ” ...vulnerable groups that are widely discriminated against in society (trans people, especially trans women, disabled people, and people of colour) also often enter sex work due to challenges in securing other employment. This bill seeks to criminalise a key survival strategy for all of these groups.
90. Witnesses who did not support criminalising the purchase of sexual services cited various pieces of evidence in support of their position.
91. Niki Adams from the English Collective of Prostitutes referred to a survey of 600 sex workers in France from Médecins du Monde. She told us that this study had found that criminalising purchasers of sexual services had a detrimental effect on sex workers’ safety, health and overall living conditions.^{ix}
92. The individuals with lived experience who participated in the informal meeting facilitated by Scotland for Decrim expressed the general view that recently passed legislation such as the UK Online Safety Act, coupled with this Bill, felt like an attack on sex workers. They expressed strong concerns that this legislation would make the job of a sex worker unsafe and affect their livelihoods. Many of the participants felt the Bill, and the debate around it, has been dehumanising to sex workers because it suggested they need to get another job as some deem ‘sex work’ to be too dangerous to them. The participants felt the Bill would have the effect of shifting the balance of power away from them and to clients, especially men who seek to harm sex workers.
93. In a written submission to the Committee, Dr Lynzi Armstrong from Victoria University of Wellington, Institute of Criminology, New Zealand stated—
- ” I am not in favour of this proposal. A large body of evidence indicates that criminalising the purchase of sexual services causes harm to sex workers. This evidence spans multiple countries. These harms include impeding safety strategies and increasing risks of violence, limiting access to justice, along with enabling discrimination in a range of contexts.
94. A written submission from Dr Niina Vuolajärvi, Assistant Professor in International Migration at the LSE European Institute, referred to a policy report by the LSE Centre for Women, Peace and Security and stated that—
- ” The evidence reveals no positive outcomes from Nordic model policies, which have displaced rather than reduced commercial sex while increasing stigma and marginalization.
95. In evidence to the Committee, Dr Larissa Sandy, Associate Professor of Criminology at the University of Nottingham, commented that “we have very strong, robust and extensive evidence on the harms of criminalisation”^x and referred to a 2018 study by Professor Lucy Platt and others. She told us—

ix [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 31)

x [Criminal Justice Committee, Official Report, Wednesday 29 October 2025](#), (Col 30)

” It found that all forms of sex work criminalisation, including the criminalisation of clients, did not prioritise sex workers’ health and safety, which is particularly the case for more marginalised sex workers. They found that sex work decriminalisation actually worked to facilitate sex workers’ access to health, services and justice.^{xi}

96. The written submission from the Public and Commercial Services Union Scottish Executive Committee set out its opposition to criminalising the purchasing of sexual acts, stating that it—

” ...pushes workers into working conditions that are more dangerous or precarious, such as working alone or outdoors. It also disincentivises workers from reporting exploitative working conditions and practices, as well as any instances of illegal activity if they witness it (such as sexual violence or human trafficking). By criminalising activity related to sex work, workers are limited in their ability to organise effectively or lead calls for how workplace reform should be carried out to address illegal practices.

97. A written submission to the Call for Views from an individual with lived experience highlighted the argument in favour of choice—

” There is nothing at all intrinsically wrong with paying for or selling a sexual service. This bill is an ugly expression of a moral stance proposed by people who do not approve or understand human sexuality. My experience comes from 36 years as a sex worker. I love my work – there are ups and downs as in any job, but I choose it as an informed, consenting adult – as are my clients.

98. In response to a question about whether new legislation could send a wider societal message, Laura Baillie from Scotland for Decrim responded—

” I understand the point that you are making about wider society and acknowledge that there is an epidemic of violence against women and girls. However, it is not right to put the people who are currently in the position of selling sex at greater risk of violence in order to send a symbolic message, because that would enact real harm.^{xii}

Impact of the proposed offence on safety of individuals involved in prostitution/sex work

Views of those against a new offence

99. Some of those opposed to a new criminal offence for purchasers of sexual services argued that this would drive prostitution or sex work underground and negatively impact on the safety of individuals selling sexual services.

100. The written submission from the English Collective of Prostitutes commented that laws criminalising the purchasers of sex—

^{xi} Criminal Justice Committee, Official Report, Wednesday 29 October 2025, (Col 31)

^{xii} Criminal Justice Committee, Official Report, Wednesday 8 October 2025, (Col 42)

- ” ...have consistently been shown to endanger sex workers by pushing our work further underground, increasing isolation, and making violence more likely.
101. The submission explained that criminalising the purchasers of sexual services—
- ” ...simply forces sex workers to operate in riskier conditions. It reduces our ability to screen clients properly and increases the likelihood that we will accept unsafe or violent clients just to be able to survive. It heightens isolation and vulnerability, particularly for those who face the most discrimination.
102. The written submission from Scotland for Decrim noted that a new offence would mean that sellers of sexual activity would be less able to screen potential clients by asking for their identification details or by asking for a deposit before confirming a booking, as sellers would be unwilling to give these personal details for fear of being criminalised.
103. This point was also made in one of the written submissions for the Call for Views from an individual with lived experience—
- ” The criminalisation of clients will reduce willingness to comply with booking process I utilise for sessions with clients. I currently fully vet all of my clients with legal ID and bank transfer deposits, the proposed bill will mean this will be unfeasible. I am safe as I know who I am encountering, but criminalising clients mean only those who are willing to break the law will seek out services, and therefore be less compliant with my current safety measures.
104. Some of the individuals with lived experience who participated in the informal meeting facilitated by Scotland for Decrim noted that they try to carry out ID checks of potential clients and verify they are who they say they are. Some do feel able to turn down prospective clients. Concerns were expressed that if the Bill was passed and it criminalises the buyer, then a great deal of the non-violent clients may stop coming to sex workers, meaning a larger proportion of those remaining clients who will engage with sex workers will potentially be more dangerous, abusive or violent.
105. The written submission from the English Collective of Prostitutes argued that a new offence would impact on the health of the sellers of sexual services, commenting—
- ” Criminalisation undermines health - the stigma associated with prostitution prevents sex workers getting appropriate health care. Evidence from around the world has shown a clear link between criminalisation and sex workers' increased risk of HIV, STIs, and poor emotional health.
106. Those opposed to a new criminal offence cited various pieces of evidence in favour of the position that it would compromise the safety of individuals involved in prostitution.
107. The written submission from Scotland for Decrim stated that—
- ” According to Ugly Mugs Ireland, crimes against sex workers almost doubled in the two years following the introduction of the law in the Republic of Ireland in 2017, with experiences of crime up 90% and violent crime up 92%.
108. The submission also referred to the 2019 review commissioned by the Northern

Irish Ministry of Justice on the policy of criminalising the purchase of sexual services, stating that the policy—

” ...was shown to be an abject failure. Reported assaults against sex workers increased by 225% from 2016 to 2018. Evidence suggested that, while a small number of clients were deterred by the law, dangerous, violent and abusive clients remained unaffected by the legislation.

109. We also heard views that the criminalisation of the purchasers of sexual services would mean that the sellers of sexual services would attract unwanted attention from the police.

110. The individuals with lived experience who participated in the informal meeting facilitated by Scotland for Decrim expressed the view that the introduction of the Nordic Model would see the police targeting buyers and that this would have an impact on the ability of sex workers to work. They stated that the police are likely to follow sex workers to target the buyers if the latter are now seen as criminals.

111. Dr Larissa Sandy, Associate Professor of Criminology at the University of Nottingham commented that—

” The evidence on the impact of criminalisation of the buyer is that most of the policing happens through sex worker surveillance, and that forces sex work further underground. The evidence that we have shows that it is a form of indirect criminalisation, because it is through clients that sex work is criminalised.^{xiii}

112. A written submission from Amnesty International stated—

” Amnesty International has documented the impact of ‘End Demand’ legislation on the human rights of sex workers in Norway, Ireland and France and found that it compromises sex workers’ safety and sweeps them up in criminalisation as the police look for clients or criminalises third parties, such as landlords.

113. A written submission from Dr Niina Vuolajärvi argued that “sex buyer criminalization and the increased policing that follows have led to numerous specific types of harm including harassment, evictions, deportations, and increased surveillance”. She told us “despite the explicit aim of the Nordic model to shift attention away from people who sell sex, they remain the main target of policing”.

Views of those in favour of a new offence

114. Some of the supporters of a new criminal offence responded to the concerns that a new offence would drive prostitution underground and negatively impact on the safety of individuals selling sexual services.

115. The Policy Memorandum sought to address these concerns, stating—

- ” The suggestion to criminalise the buyers of sexual acts is often met with the objection that this will drive prostitution underground. In a review of the Swedish law, Waltman concludes that this claim was not supported by ‘information, empirical evidence, or other research.
116. Diane Martin CBE from A Model for Scotland referred to the “myth” “that criminalising buying sex can push it underground”. She went on to state—
- ” If you dig into that, you will see that it is a complete logical fallacy. The very nature of prostitution is that the buyer has to be in contact with the person who is selling sex—it cannot go underground. Where such legislation has been introduced, the buying of sex does not go underground and does not even get displaced; it is reduced.^{xiv}
117. A written submission from Sveriges Kvinnoorganisationer (the Swedish Women's Lobby) commented on the experience in Sweden—
- ” Studies have also shown that the Swedish legislation hasn't affected the safety of women and others in prostitution. It has not driven prostitution underground, and Sweden is generally considered an incredibly poor market for sex trafficking. (Swedish government Inquiry 2010, Förbud mot köp av sexuell tjänst En utvärdering 1999–2008).
118. Supporters of a new criminal offence challenged the argument that a new offence criminalising the purchase of sexual services would make selling these sexual services more dangerous.
119. They argued that selling sexual services was already a dangerous activity.
120. Diane Martin CBE from A Model for Scotland told us—
- ” Another myth is that such legislation would make selling sex more dangerous. It is already completely dangerous, and we cannot make it safe unless we have legislation to back up what has been Government policy for more than 10 years, which is that prostitution is violence against women.^{xv}
121. Some witnesses challenged the idea that selling sexual services could ever be safe.
122. Amanda Quick from Nordic Model Now! told us—
- The Nordic model does not proclaim that it will make it safe. In my personal experience, it can never be made safe.^{xvi}
123. Bronagh Andrew from TARA made a related point—
- ” I am not sure what vetting could ever create a safe environment for somebody on their own and isolated in a private space with an individual. Sex buyers do not go around with “good” or “bad” written on their forehead, so I am not sure what vetting would achieve to prevent and mitigate the significant risk.^{xvii}

^{xiv} [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 4)

^{xv} [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 4)

^{xvi} [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 5)

124. Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland commented on the experience in Ireland—

” We looked at the data from about three years before the law was introduced and the data since then, and it showed that the violence levels have remained high but consistent throughout that time. It was previously suggested that there has been a 92 per cent increase in violence. That is categorically not the case—that statistic cannot be proven in any way, shape or form.^{xviii}

125. She noted, for example, that an app on which women could make reports about dangerous men would not be prohibited by the legislation in the Republic of Ireland. She commented—

” We have an app like that in Ireland, and that has not happened—the app continues to run and has not been the target of any kind of policing.

126. Ruth Breslin also argued that the change of law in the Republic of Ireland had led to a change in the approach of the police. She commented that—

” ...they moved away from raids and battering down a door and frightening everyone, which is an experience that the women always told us in the research that they hated, to welfare visits.^{xix}

127. She also argued that since the law in Ireland changed in 2017 there have been dozens of court cases in which violent individuals have been prosecuted and women have achieved justice. She concluded—

” That did not happen before 2017, when women were still criminalised and there was no way that they would interact in a court environment. Therefore, we have seen a very significant increase in women’s access to justice, which is extremely positive and did not happen before we had the legislation.

128. Diane Martin CBE from A Model for Scotland made a similar point—

” In Ireland now, the women report violence more freely because they are not criminalised so they do not have to worry about being arrested any more. They can report violence, and they are doing so.^{xx}

Position of Ash Regan MSP on the issue of safety

129. On the question of whether a new criminal offence of purchasing sexual acts would make prostitution/sex work less safe, Ash Regan MSP stated that—

” It will not make women more unsafe. No evidence has been presented that suggests that the Nordic model makes women more unsafe.^{xxi}

^{xvii} [Criminal Justice Committee, Official Report, Wednesday 8 October 2025, \(Col 5\)](#)

^{xviii} [Criminal Justice Committee, Official Report, Wednesday 29 October 2025, \(Col 47\)](#)

^{xix} [Criminal Justice Committee, Official Report, Wednesday 29 October 2025, \(Col 46\)](#)

^{xx} [Criminal Justice Committee, Official Report, Wednesday 8 October 2025, \(Col 12\)](#)

^{xxi} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 8\)](#)

130. She commented that prostitution was inherently violent, but “we have to be careful that we are not conflating the legislative model with the violence”.^{xxii}
131. She noted, when she gave evidence on 25 June 2025, that the proposed new offence—
- ” ...will not make prostitution safe. No law can do that, because prostitution is not safe. On the data that we have on that, a US study says that those who work in prostitution are 18 times more likely to be murdered than the general population. Prostitution is just inherently harmful.”^{xxiii}
132. Ms Regan noted that “in jurisdictions that have adopted the proposed model, the relationship between the women who are in prostitution and the police improves” as they feel better able to report crimes to the police.^{xxiv}
133. Ash Regan MSP also commented on concerns that criminalising the buyer would make screening buyers more difficult. When she gave evidence on 25 June 2025, she told us that—
- ” we know that buyers routinely use fake names, burner phones and encryption apps—they do not want to be caught or to have to give out their full identity. The reality is that there is not a lot of screening time.”^{xxv}
134. She also noted in a subsequent evidence session that—
- ” The myth of screening has developed a life of its own. If you are trafficked, as we understand the majority of women in Scotland who are working in prostitution off street to be—that is what I am attempting to target with the bill—and you are being coerced and controlled by a pimp, you will not have the opportunity to screen your clients.”^{xxvi}

Impact on demand

Views of those in favour of a new offence

135. Many of those in favour of a new offence considered that it would reduce demand for prostitution.
136. The Policy Memorandum cited international evidence in order to support this position. For example, it referred to the experience in Sweden, stating—

^{xxii} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 13\)](#)

^{xxiii} [Criminal Justice Committee, Official Report, Wednesday 25 June 2025 \(Col 44\)](#)

^{xxiv} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 23\)](#)

^{xxv} [Criminal Justice Committee, Official Report, Wednesday 25 June 2025 \(Col 45\)](#)

^{xxvi} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 12\)](#)

” On rates of prostitution, the evidence suggests that in Sweden, on-street prostitution dropped by 40% since the law came into effect and has not increased since. Although the scale of indoor prostitution is more difficult to assess, overall numbers of individuals involved in prostitution in Sweden have decreased.

137. The Policy Memorandum also commented on the experience in Norway, stating—

” Figures for Norway show a clear downward trend in prostitution since the law to criminalise the purchase of sexual acts was introduced in 2009. Within five years, the level of on-street prostitution in Oslo settled at 40-65% of the level in 2009 and off-street prostitution in Norway reduced by 10-20%.

138. In the Policy Memorandum, Ash Regan MSP acknowledged that the findings of the 2019 review of the change in the law in Northern Ireland, conducted by the School of Law, Queen’s University Belfast, were “not promising”. However, she indicated that she had “met with the relevant authorities and found that the law was not properly enforced following its introduction in 2015”.

139. The Policy Memorandum also referred to a 2024 report by Nordic Model Now! which found a 50% reduction in people engaging in street prostitution in Northern Ireland after the ban on the purchase of sex and no identified increase in trafficking. The Policy Memorandum stated that “the report also contradicts sensationalised stories in the media about claimed negative consequences of the law in both Northern Ireland and Ireland.”

140. In evidence to the Committee on 25 June 2025, Ash Regan MSP summarised her position—

” I need to be very clear: the international evidence presents an extremely compelling and consistent case that, if you bring in laws in the style of the Nordic model, you will reduce the market for prostitution, which will mean that fewer women are drawn into it to be harmed—we know that it is inherently harmful—and you will reduce the trafficking inflows to your country.^{xxvii}

141. The written submission from A Model for Scotland stated—

” Criminalising paying for sex is an indispensable tool for deterring demand for sexual exploitation and holding perpetrators to account.

142. The submission went on to note that—

” Research in Sweden reveals demand has dropped substantially: surveys conducted in 1996 and 2008 found the proportion of men who reported paying for sex reduced from 12.7% to 7.6%. The most recent research on prevalence rates found that 7.5% of men had paid for sex. Just 0.8% of these men had paid for sex in the previous 12 months - the smallest proportion recorded in two decades and the lowest level in Europe.

143. A respondent to the Call for Views with lived experience, wrote that “stopping the consumption reduces the demand, therefore directly reducing the amount of victims

within the sex industry".

144. The written submission from FiLiA, an International Women’s Rights Charity based in the UK, made the point that—
- ” In the sex industry (and, in fact, in most markets), demand determines supply. Fewer sex buyers mean fewer victims. We have both direct and indirect evidence from countries where the purchase of sex has been made a criminal offence – all of which have consistently found that following the implementation of such laws, there have been fewer men seeking to pay for sex.
145. Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland summarised the position the Ireland in relation to demand for prostitution—
- ” The Irish review of the legislation says that, overall, the legislation is making progress towards its various objectives, which I have talked about, but it has yet not been successful in really having an impact on demand, which speaks to some of the implementation issues that I referred to.^{xxviii}
146. She commented that as a result of these implementation issues—
- ” ...the Department of Justice has decided to go back and look at how to strengthen the law’s provisions. That means that the police must be well resourced to do the work effectively.
147. Some of the witnesses referred to the deterrent effect of a new law criminalising the purchasing of sexual services. Diane Martin CBE from A Model for Scotland made the point that “...there will be a large group of men who, if they fear criminalisation, their partners finding out or their work finding out, will probably stop buying sex”.^{xxix}
148. Ruth Breslin argued that, even though there had only been limited numbers of prosecutions in the Republic of Ireland, there was still a deterrent effect as men were aware that they were targeted under the law—
- ” Men do not want their employer or their family to find out, and there is still the opportunity for that to happen, so there is a deterrent effect in that regard.^{xxx}

Views of those against a new offence

149. Many of those who did not support the Bill questioned the argument that it would lead to a reduction in demand for the purchase of sexual services.
150. A written submission from National Ugly Mugs noted the position in Northern Ireland where—

xxviii [Criminal Justice Committee, Official Report, Wednesday 29 October 2025](#), (Col 59)

xxix [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#) (Col 4)

xxx [Criminal Justice Committee, Official Report, Wednesday 29 October 2025](#), (Col 51)

” ...a review by the Department of Justice found that there was “no evidence that the offence of purchasing sexual services has produced a downward pressure on the demand for, or supply of, sexual services.

151. The submission also indicated that in the Republic of Ireland there had been limited numbers of convictions under the new offence of purchasing sex. The submission stated—

” The Irish Government’s review, published earlier this year, found that after seven years of the legislation being in force, just 15 men had been convicted for purchasing sex. Publishing the review, Irish Justice Minister Jim O’Callaghan said: ‘Regrettably, the review highlights that despite the criminalisation of the purchase of sexual services, demand has not decreased.

152. The written submission from Scotland for Decrim referred to the 2019 review commissioned by the Northern Irish Ministry of Justice and stated—

” One of the most important findings from the review is that this legislation had no impact on demand for sexual services.

153. Dr Niina Vuolajärvi, Assistant Professor in International Migration at the LSE European Institute, told us that there was some evidence from Sweden that street prostitution has decreased by 50 per cent. However, she commented that the new law had come into offence in 1999 when online platforms and the use of the internet started to rise. She told us—

” ...there has been a clear transfer from street sex work to online sex work. That change—we have evidence that it is happening everywhere—makes it hard to assess the situation.^{xxx1}

154. She also indicated that in Sweden there had been no ‘before and after’ comparison of the legal changes and no systematic effort to look at the changes.

155. She indicated that this had happened in Northern Ireland. She pointed to research by Peter Backus, from the University of Manchester, that involved comparing the number of advertisements for the sale of sexual services, which showed that initially there was a decrease in the number of advertisements, but they returned to the same levels 18 to 24 months after the law was enforced. Dr Vuolajärvi told us “there was a scare effect, and then activity continued”.

156. On the question of the scale of any reduction in demand, Dr Niina Vuolajärvi told us that in Sweden a study showed that after the law was introduced, the proportion of people reporting buying sex went from 13 to 8 per cent. She commented—

” ...I am sure that if you criminalise something, some law-obedient people will not do it. Therefore, I am not saying that such a law would not have any effect, because laws have effects...

The point is that the law did not lead to a massive change. In general, the figures are not massively different across the different countries in the region, which have similar social models.^{xxx2}

157. A response to the Call for Views from an individual with lived experience commented that the new offence—

” ...might make a small percentage of clients think twice about purchasing sex but not enough for it to reduce demand... I think it is an unworkable law, sex workers and their clients will find ways to evade it, and the sheer number of transactions in the industry would make policing it effectively impossible.

Position of Ash Regan MSP on demand reduction

158. Ash Regan MSP set out her position on whether the Bill would reduce demand. She told us—

” What you can do, by using the Nordic type of legislative approach, is shrink the market down as much as possible, and the better you enforce the legislation, the smaller your market will be, as we have seen in countries where they follow robust enforcement.^{xxxiii}

159. She told us that—

” I can give you the rates of people in prostitution by legislative framework. The data has been adjusted for population size, so it is comparable. To give you a starting point, in Sweden, the rate of people in prostitution per 100,000 is between 6.6 and 15 people. We can compare that to Germany, where, per 100,000, it is between 185 and 493 people.^{xxxiv}

160. Ms Regan also referred to the potential deterrent effect of a new offence criminalising the buyer of sexual services, commenting that—

” We have to remember that anonymity is one of the most prized things that sex buyers have. That is the reason why the proposed law is so effective. It is not because we are going to put lots of the buyers in prison; it is because of the deterrent effect. These men value their anonymity.^{xxxv}

161. Ash Regan MSP also made this point when she gave evidence to the Committee on 25 June 2025—

” The main takeaway for the committee to remember from Northern Ireland is that, even without strong enforcement, the law has had a measurable deterrent effect. The issue in Northern Ireland is not with the legislative framework, but with the enforcement of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.^{xxxvi}

^{xxxii} [Criminal Justice Committee, Official Report, Wednesday 29 October 2025, \(Col 59\)](#)

^{xxxiii} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 9\)](#)

^{xxxiv} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 8\)](#)

^{xxxv} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 12\)](#)

^{xxxvi} [Criminal Justice Committee, Official Report, Wednesday 25 June 2025 \(Col 42\)](#)

Impact on trafficking and other criminal activity

162. The Policy Memorandum states that there is a “correlation between prostitution legislation and rates of human trafficking, with countries with restrictive legislation associated with lower rates of human trafficking”.
163. The Policy Memorandum cites a 2010 evaluation of the law in Sweden and argues that—
- ” The introduction of the law in Sweden has limited the growth of the prostitution market and consequently limited the involvement of organised criminals in prostitution in Sweden.
164. Ash Regan MSP told us when she gave evidence on 25 June 2025—
- ” The international evidence shows that, if you pass the bill and enforce it appropriately, you will see a reduction in the influx of trafficked people. We know that that is the case.^{xxxvii}
165. In a written submission, Linda Thompson from the Women’s Support Project argued that “the current legal context makes Scotland an attractive destination for pimps, traffickers and criminal networks who see the potential for profit”. She considered that—
- ” This proposed legislation would remove a key link in this multi-million pound industry through a reduction in profits and, consequently, a reduction in the potential for trafficking of women and girls.
166. She also argued that a new criminal offence of paying for sex would mean Scotland is aligned with, and undertaking, its international human rights obligations.
167. A written submission from A Model for Scotland argued that legislating to deter demand for prostitution is necessary to deter demand for sex trafficking, stating that—
- ” The minority of men who pay for sex and thereby drive demand for prostitution are the same group of men driving demand for the trafficking of women into prostitution.
168. A respondent to the Call for Written Views with lived experience wrote that—
- ” To not stop the trafficking, prostitution, and exploitation would stand in collusion with organised crime which garners billions from these crimes committed.
169. Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland made the point that “the trade is rife with the involvement of organised crime”, but that “the idea of the legislation was to place the burden of criminality on those shoulders”.^{xxxviii}
170. Some of those who did not support the criminalisation of the purchasers of sexual services responded to the argument that a new law might reduce human trafficking

^{xxxvii} [Criminal Justice Committee, Official Report, Wednesday 25 June 2025 \(Col 48\)](#)

^{xxxviii} [Criminal Justice Committee, Official Report, Wednesday 29 October 2025, \(Col 38\)](#)

and other criminal behaviour associated with prostitution.

171. The written submission from the English Collective of Prostitutes stated that—

” Trafficking and "commercial sexual exploitation" is being used to justify this crackdown but evidence shows that few sex workers are trafficked. A study of migrant sex workers found less than 6% had been trafficked, many said they prefer working in the sex industry rather than the “unrewarding and sometimes exploitative conditions they meet in non-sexual jobs.

172. Laura Baillie from Scotland for Decrim commented that—

” It is important to note that there is no good evidence that demonstrates that the Nordic model reduces trafficking. The only place where we have data from before and after the introduction of such legislation is either Northern Ireland or Ireland—I can double check which^{xxxix}. It shows that there was no reduction in demand or in trafficking. Again, it is important that we take an evidence-based approach.^{xi}

173. Dr Niina Vuolajärvi, Assistant Professor in International Migration at the LSE European Institute, referred in her written submission to “a discrepancy between the ideological discourse equating commercial sex with sex trafficking and exploitation and the realities experienced by individuals in the sex trade”. She indicated that in Sweden “there has been no data collection to show what has happened to trafficking levels as a result of the law”.^{xli}

174. Lynsey Walton of National Ugly Mugs made the point that there were existing laws already covering human trafficking—

” If the aim is to stop the trafficking and exploitation of people, that law already exists. The bill is about criminalising the consensual exchange of funds for sexual services, and there is no evidence that that has an impact on the organised crime and trafficking element.^{xlii}

175. Niki Adams from the English Collective of Prostitutes made a similar point—

” I reiterate that no one is talking about decriminalising trafficking. We have to look at the effectiveness of the law in that regard and the effectiveness of the support for victims of trafficking, but that is completely unconnected to the question of criminalising clients.^{xliii}

176. In a written submission, Dr Jonathan Mendel and Dr Kiril Sharapov from the University of Dundee argued that “conflating sex work and sex trafficking is both empirically inaccurate and an obstacle to developing effective policy” and commented—

xxxix The data referred to comes from Northern Ireland.

xi [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 42)

xli [Criminal Justice Committee, Official Report, Wednesday 29 October 2025](#), (Col 33)

xlii [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Cols 37-38)

xliii [Criminal Justice Committee, Official Report, Wednesday 8 October 2025](#), (Col 44)

” ...there is not robust evidence that criminalising sex buyers in Scotland will help combat sex trafficking. Clearly, trafficking still takes place in criminalised markets – for example, the criminalisation of recreational drugs may make some workers in these markets more vulnerable to exploitation (Sharapov and Mendel, 2018) – and there is no reason to think that sex traffickers will desist because a different part of the market they work in is criminalised.

177. In a written submission, Scotland for Decrim acknowledged that the Scottish Government is concerned about tackling potential exploitation or trafficking within the sex industry, but argued that other measures to tackle exploitation would be more effective such as changes to the immigration system, better access to disability benefits, rent controls and affordable and social housing, and a universal basic income.

Position of Ash Regan MSP on trafficking and criminal activity

178. In evidence, Ash Regan MSP explained her position is that a model which criminalises the buyer will reduce demand and therefore reduce trafficking. She told us—

” The smaller the prostitution market is, the less profitable it is for traffickers. Countries that have lax prostitution laws, such as the Netherlands, Germany and New Zealand, have higher trafficking inflows. That is demonstrated in the evidence, and I can send that evidence to the committee. Countries that have adopted the equality model have lower inflows of trafficking.^{xliv}

179. She went on to state that—

Trafficking legislation is good if you want to convict your traffickers, but if we want less trafficking—and I suggest that the Parliament does want to see less sex trafficking of women and children—we will need to reduce the market for prostitution and to make it as difficult as possible for traffickers.^{xlv}

Full decriminalisation

180. Our role at Stage 1 is to consider and report on the proposals in the Bill. Our primary focus has therefore been on the specific legal model for prostitution which is being proposed.

181. However, we also heard views for and against a different approach, which is not proposed in the Bill, namely that there should be full decriminalisation of the laws relating to prostitution or sex work. Although referred to as “full decriminalisation”, this would still be subject to various offences, such as those aimed at protecting children and preventing trafficking. However, neither the buying or selling of sexual services would be subject to a criminal offence.

182. Scotland for Decrim describes full decriminalisation in the following terms on their website—

^{xliv} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 22\)](#)

^{xlv} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 22\)](#)

- ” Decriminalisation means that sex workers are able to work without threat of criminal sanctions. Criminal and administrative penalties on prostitution are repealed. Sex workers’ workplaces are regulated through employment law, enabling workers to hold their bosses to account and form trade unions.
183. Dr Larissa Sandy, Associate Professor of Criminology at the University of Nottingham told us that—
- ” ...in Australia and New South Wales, decriminalisation actually changed the approach to policing. It involved policing sex work as work and seeing sex workers as workers with labour rights, which totally transformed the way that the industry was policed and the way that workers worked with and reported to the police.^{xlvi}
184. The written submission from Scotland for Decrim noted that the proposed bill does not seek to decriminalise ‘brothel-keeping’ and commented that—
- ” The legal definition of brothel-keeping includes any premises where two or more sex workers are working, even at different times. Not permitting sex workers to legally work together indoors has the effect of making sex workers more isolated, and more vulnerable to potential violence.
185. This point was also made in one of the written responses to the Call for Views from an individual with lived experience—
- ” I would also like to see the brothel-keeping law repealed. Having two sex workers in the same premises (even if they are not ‘managed’ and are both working independently) constitute a brothel encourages people to work alone and makes it more dangerous.
186. This issue was also highlighted by the individuals with lived experience who participated in the informal meeting facilitated by Scotland for Decrim.
187. We heard alternative views from others who did not support the adopting of the model of full decriminalisation.
188. Diane Martin CBE from A Model for Scotland told us—
- ” The problem is that those with an opposing view generally support the full decriminalisation of the whole sex industry, whereby pimps and traffickers would just become managers and facilitators, and sex buyers would become clients. That is a really dangerous slippery slope.^{xlvii}
189. Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland noted that “anywhere where another model, such as decriminalisation or legalisation, is introduced, we see a growing and expanding sex trade”.
190. Professor Jo Phoenix of the University of Reading told us—

^{xlvi} Criminal Justice Committee, Official Report, Wednesday 29 October 2025, (Col 30)

^{xlvii} Criminal Justice Committee, Official Report, Wednesday 8 October 2025 (Col 9)

- ” There will always be a system in which men exploit women, so the idea that if we simply get rid of all the laws, the market will sort out the problems is naive, to say the least. The idea is that if we decriminalise this thing called prostitution, the market will regulate it, but the invisible hand of the market has never been the sort of thing that helps women, much less provides safety for them, if that makes sense.^{xlviii}

Definitions

191. The Bill proposes to make it a criminal offence to pay for the performance of a “sexual act”.
192. Some of the witnesses commented on the definition of a “sexual act” in the Bill.
193. As we have noted, section 9(1) of the Bill defines “performance of a sexual act” as—
- ” (a) engaging in or procuring the in-person performance of any act intended to cause sexual arousal, gratification, or stimulation of any person, in exchange for payment as defined in this Act,
- (b) but does not include activities such as striptease, pole dancing, lap dancing, or other erotic performances.
194. We heard some views that the scope of the offence in the Bill should be expanded to include the excluded activities listed in paragraph (b) above.
195. The written submission from the Scottish Women’s Convention stated—
- ” These activities often exist within the same exploitative ecosystem and may involve coercion, trafficking, or economic vulnerability. Women have consistently advised the SWC that a cultural shift is required in men’s attitudes towards women. Whilst these services are not included in the Bill, women tell us that continued activities which view women as means of ‘entertainment’, pushes a damaging rhetoric.
196. A respondent to the Call for Views with lived experience commented that—
- ” Strip clubs are frequently channels of indoctrination into prostitution. Pole dancing, lap dance, and strip tease are all absolutely sexual performances. I myself was trafficked and forcibly prostituted out of strip clubs at only 17 years old with a forged ID. Allowing exemptions to a bill aiming to protect women will only strengthen this strip club/prostitution connection.
197. A written submission from Coalition Féministe contre la Violence envers les Femmes (CFVF) argued that—

- ” Excluding practices such as striptease, pole dancing, lap dancing, or other erotic performances from the definition of a “sexual act” may create loopholes that continue to expose women to sexual exploitation under the guise of entertainment.
198. A written submission from Glasgow City Council, TARA and Routes Out indicated that whilst their view is that the activities excluded from the offence are part of the wider definition of commercial sexual exploitation, they have been persuaded that they should not be included in the definition of a ‘sexual act’ due to legal complexities.
199. The Law Society of Scotland highlighted a different point, arguing that the definition of “performance of a sexual act” in the Bill required further clarity.
200. Liliana Torres Jiménez from the Law Society of Scotland told us that when an offence is drafted, it should be as clear as possible for everyone to understand what is and is not prohibited. She told us—
- ” Our concern is that it is not clear what is understood by “other erotic performances”, and it is crucial that that is understood, because we are talking about an exclusion from the definition.^{xlix}
201. She went on to comment—
- ” We can envisage problems in drawing the line between an erotic performance and behaviour under the limits of section 9(1)(a), so we recommend either providing specific exclusions—as is provided for stripteases, pole dancing and lap dancing—or defining “other erotic performances.”ⁱ
202. A written submission from Professor Kenneth Norrie, Emeritus Law Professor, at the University of Strathclyde made a similar point—
- ” I find the definition of "sexual act" in section 9 incoherent. Not only is it inconsistent with the definition of "sexual activity" in s.60 of the Sexual Offences (Scotland) Act 2009 but it assumes there is a clear dividing line between an act intended to cause sexual arousal or gratification and erotic performances. The courts will struggle to draw that distinction.
203. Ash Regan MSP told us during the final evidence session on the Bill that she had reflected on the evidence from the Law Society of Scotland on the definition of a sexual act, and commented—
- ” I intend to lodge an amendment at stage 2 that will change the definition of a sex act. It will be explicit, but it will be the way that sex acts are described in other legislation, so it will be familiar to MSPs and our justice agencies. It will make the law clearer, more understandable and, I hope, more enforceable.ⁱⁱ

xlix [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 5\)](#)

i [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 5\)](#)

ii [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 29\)](#)

Policing and prosecuting a new offence in Scotland

204. We have referred elsewhere in the report the question of how the relationship between individuals involved in prostitution and the police might be changed by a new offence.
205. However, some other witnesses addressed the question of how, at an operational level, a new offence criminalising the purchase of sexual services would be policed and prosecuted in Scotland.
206. This is an important consideration because it affects the practical impact which a new law might have.

Implications for policing

207. A written submission from Police Scotland stated its position is that they "...are fully supportive that buying sex is a form of exploitation and should be covered by law".
208. Detective Superintendent Steven Bertram from Police Scotland commented that "there is a gap currently as no legislation provides for the policing of prostitution that is off-street and behind doors".^{lii}
209. Detective Superintendent Bertram went on to discuss how a new offence would be policed. He commented—

” We would need to find a model that allows us to be satisfied that the crime of the purchase of sex is complete. Would that be when, as happens in some cases, we find the offender in an area or house where we know that sex is being sold and there are certain circumstances from which we can infer that they were in the act shortly before the police came? Would that be the threshold?^{liii}

Prosecuting the new offence

210. The written submission from the Crown Office and Procurator Fiscal Service stated that it supports the policy objectives of the Bill to reduce the demand for prostitution in Scotland and provide support and assistance to people who are or have been in prostitution.
211. However, Dr Emma Forbes from the Crown Office and Procurator Fiscal Service commented that—
- ” ...there are evidential difficulties in proving the offence. That does not mean that we should not do it and that the difficulties are insurmountable, but it is important that it is recorded that any intimate offending behind closed doors in private will always be more difficult to prove.^{liv}
212. The written submission from the Crown Office and Procurator Fiscal Service

^{lii} [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 3\)](#)

^{liii} [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 9\)](#)

^{liv} [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 2\)](#)

referred to comments from Ash Regan MSP on 25 June 2025 that when it came to proving an offence “people who work in prostitution would not have to give evidence or have any involvement in this whatsoever”.^{lv} The written submission stated that—

” COPFS can foresee difficulty in proving the accused’s intention in circumstances where the offence takes place ‘off street’ and where there is no admission. In such cases, whilst COPFS would not wish to add to the trauma experienced by those exploited by prostitution, their evidence may be required to prove the accused’s intention.

213. Dr Emma Forbes expanded on this when she gave evidence, stating that while it might be possible to prosecute without the evidence of the women involved in prostitution—

” ...we have to manage the committee’s expectations and say that, in reality, the women’s evidence would be important.^{lvi}

214. The written submission from the Crown Office and Procurator Fiscal Service also referred to what it called the “relatively low” numbers of prosecutions in the Republic of Ireland and Northern Ireland following the introduction of an offence criminalising the buyer. The submission commented—

” COPFS is mindful of the challenges experienced by police and prosecutors in Ireland and Northern Ireland enforcing the legislation from the various published reports which reviewed the legislation. COPFS is concerned that police and prosecutors in Scotland will face similar evidential barriers to enforcing the proposed new offence.

215. When asked to elaborate on the nature of these challenges, Dr Emma Forbes from the Crown Office and Procurator Fiscal Service commented that —

” There are perhaps differences in the law that mean that Ireland faces greater evidential barriers than we do, but that does not detract from our concern that there are evidential barriers to proving such cases here.^{lvii}

Penalties for the offence of paying for the performance of a sexual act

216. We also heard evidence about the penalties for the new offence proposed in the Bill.

217. Section 1 of the Bill provides for different maximum sentences depending on whether a case is prosecuted in the courts under either summary or solemn procedure—

- summary procedure - a custodial sentence not exceeding 6 months and/or a fine not exceeding the statutory maximum (currently £10,000)
- solemn procedure - a custodial sentence not exceeding 12 months and/or an

lv Criminal Justice Committee, Official Report, Wednesday 25 June 2025 (Col 45)

lvi Criminal Justice Committee, Official Report, Wednesday 5 November 2025 (Col 7)

lvii Criminal Justice Committee, Official Report, Wednesday 5 November 2025 (Col 8)

unlimited fine.

218. Other sentencing options would include community payback orders, which courts can impose where an offence is punishable by imprisonment.

219. The written submission from the Law Society of Scotland commented—

” The penalties proposed in the Bill do not seem to align with the statutory limits for solemn and summary proceedings. Sheriffs who conduct summary proceedings can impose a sentence of up to 12 months. By contrast, sheriffs who conduct solemn proceedings can impose a sentence of imprisonment of up to 5 years.

220. Liliana Torres Jiménez of Law Society of Scotland commented—

” The maximum penalty that the bill proposes—12 months in prison—can be achieved by summary proceedings, so we are not clear why the offence would be triable in both types of proceedings.^{lviii}

221. A similar point was raised in the written submission from the Scottish Sentencing Council which concluded that—

” ...the Council’s view is that clarity on why the possibility of prosecution under solemn procedure is thought to be a necessary option would be helpful.

222. The written submission from the Law Society of Scotland also noted that the proposed penalties do not seem to align with the presumption against short sentences. The Criminal Procedure (Scotland) Act 1995 prevents courts from imposing sentences of imprisonment for a term of 12 months or less, unless the court considers that no other method of dealing with the person is appropriate.

223. In evidence to the Committee on 25 June 2025, Ash Regan MSP referred to the “fairly unlikely event of anyone being sent to prison for this offence” and “we do not really want to put these people in prison; we are seeking to create a deterrent effect”.^{lix}

224. Liliana Torres Jiménez from Law Society of Scotland referred to Ms Regan’s remarks and commented—

” ...if it is not thought that the imprisonment penalty will be imposed, it is legitimate to ask why it is in the bill. I imagine that it has been included for very serious cases that probably involve other types of offences but, if there has been further criminality, there are mechanisms for addressing that in existing legislation. That is our concern.^{lx}

^{lviii} Criminal Justice Committee, Official Report, Wednesday 5 November 2025 (Col 6)

^{lix} Criminal Justice Committee, Official Report, Wednesday 25 June 2025 (Col 34)

^{lx} Criminal Justice Committee, Official Report, Wednesday 5 November 2025 (Col 6)

Costs associated with policing and prosecuting the new offence

225. The Financial Memorandum accompanying the Bill sets out some of the costs which Ash Regan MSP, anticipates will fall on Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service, and Scottish Prison Service, as a result of the new offence.

226. In evidence to the Committee on 25 June 2025, Ash Regan MSP summarised these costs—

” There would be recurring and one-off costs. We have estimated the cost to Police Scotland, in relation to additional crimes and cases proceeded with, to be between £33,000 and £100,000. We have estimated the cost to the Crown Office and the SCTS of the cases being brought to be between £84,000 and £218,000. We have also added in the cost of what we consider to be the fairly unlikely event of anyone being sent to prison for this offence—the offence of the purchase of sex—of around £48,000. Similarly, we do not imagine that community payback orders would be used extensively. We imagine that most people would receive a fine, but we have estimated the cost of those to be between £2,200 to £6,600.^{lxi}

227. When asked about the costs arising from the creation of the new offence, Dr Emma Forbes from the Crown Office and Procurator Fiscal Service told us—

” We would anticipate that, as with any new criminal legislation, the case load would be absorbed within existing resources, but I think that the answer to your question depends very much on how the bill looks at the end of the legislative process. I am sorry, but it is difficult today to give a definitive answer on the cost.^{lxii}

228. In a written submission to the Finance and Public Administration Committee’s call for views on the Bill’s Financial Memorandum, Police Scotland indicated that it is currently carrying out a Legislation Impact Assessment around the implementation of the Bill which includes a detailed assessment of the financial opportunities and capital costs associated with the Bill in its current form. The submission from Police Scotland stated that—

” Capital costs are currently estimated to be around £112,500 and Capacity/ Opportunity Costs are estimated to be around £524,200 over the first 3 years of implementation. This is a conservative estimate given the information available in the Bill, is subject to change and differs from the FM.

229. In a [letter to the Committee of 29 July 2025](#), the Minister for Victims and Community Safety stated—

” On the costings for Police Scotland that were referenced in the evidence session, we have concerns that the operational costs for police may have been underestimated, particularly given the complexity around some cases. The recent review on Prostitution legislation in Ireland highlighted the ‘resource intensive’ nature of police investigations relating to prostitution.

^{lxi} [Criminal Justice Committee, Official Report, Wednesday 25 June 2025 \(Col 32\)](#)

^{lxii} [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 11\)](#)

Position of Ash Regan MSP

230. Ash Regan MSP responded to some of the evidence about the policing and prosecuting of the new criminal offence proposed in the Bill.

231. On the question of when an offence would be ‘complete’, which had been raised by Police Scotland, Ms Regan told us—

” Under the bill, the offence is complete at the point of agreement to pay; the sex act does not have to take place. Obviously, that is intentional. There is also the reasonable inference test.

I know that committee members are interested in the Irish experience, so I note that the bill is drafted very differently from the Irish legislation. The offence is designed to focus on the buyer’s demand behaviour, so it does not require the act to have taken place before the police can intervene.^{lxiii}

232. She also set out some examples of evidence which she considered could be used to prove the new offence. She told us—

” ...the evidence could be things such as digital communication... which could show the time, what act was requested and what price was agreed on. It could involve using payment traces and bank app data. In the meeting with the Lord Advocate, it was confirmed to me that that would not always require extensive digital forensics; it could just be screenshots—those would be sufficient.^{lxiv}

233. Ash Regan MSP also noted that surveillance and online intelligence could be used, as well as third-party testimony and admissions by the buyer.

234. On the question of whether women involved in prostitution would have to give evidence in order to prove an offence had been committed, Ms Regan stated—

” My view is that it would be good if we could get as many convictions as possible without relying on the women’s evidence. I believe that that can be done, but I accept that there will be occasions when the women will need to give their testimony.^{lxv}

235. On the enforceability of the new criminal offence, Ms Regan noted that she had met the Lord Advocate. According to Ms Regan—

” ...she confirmed to me that there is nothing wrong with the drafting of section 1 of the bill and that, as far as she is concerned, the way in which it is drafted means that it is enforceable.^{lxvi}

236. She commented that there would be the same evidential challenges with the new offence that there would be with other offences, such as rape and domestic abuse, but that no one is suggesting that these offences should be repealed. She noted that “justice partners have assured me that the proposed legislation is

lxiii [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 5)

lxiv [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 6)

lxv [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 24)

lxvi [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 5)

enforceable”^{lxvii}.

237. We subsequently wrote to the Lord Advocate to ask if she wished to provide any further reflections on the Bill, particularly in light of the reference made by Ms Regan to their meeting.
238. In a letter of 9 December 2025, the Lord Advocate explained that—
- ” I am satisfied that the drafting of the offence is clear and, as it stands, is both enforceable and workable from a prosecutorial perspective.
239. She also noted that “...the proposed offence is far-reaching and will be resource-intensive to implement” and “the practical reality of raising prosecutions presents challenges”. She noted that—
- ” As with other sexual offences and domestic abuse cases, which often occur in private, evidential difficulties are likely to arise. These challenges, though significant, are not insurmountable.
240. The Lord Advocate highlighted that it may be particularly difficult to prove offences where exploited individuals are unwilling to participate. She emphasised that securing evidence from exploited women is only realistic if the support provisions within the Bill are fully resourced and accessible.
241. In response to a question about policing costs, Maren Schroeder, from the Office of Ash Regan MSP, told us—
- ” The police did not dispute our estimated figures for operational costs, which are for enforcement actions and preparing files for court. Before the bill was published, they said that only after it was published could they do a scoping exercise on how much it might cost to prepare to implement the bill—those are the costs that you just mentioned. There are costs that would be split over three years and one-off costs that would not be repeated afterwards. They did not dispute the costs of enforcing the offence.^{lxviii}

Position of the Scottish Government

242. On 19 November 2025, we took evidence from Siobhian Brown MSP, Minister for Victims and Community Safety, in order to obtain the Scottish Government’s views on the proposals in the Bill.
243. The Minister stated that the Scottish Government has taken a neutral stance on the Bill and that she awaited our Stage 1 report.^{lxix}
244. The Minister told us—

^{lxvii} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 21\)](#)

^{lxviii} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 25\)](#)

^{lxix} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 1\)](#)

” ...the Scottish Government strongly supports the principle of legislating to criminalise purchasers of sex. That position aligns with that of our equally safe strategy, which is that commercial sexual exploitation is a form of violence against women and girls.^{lxx}

245. However, she went on to state that—

” I have significant concerns with the bill as it is currently drafted. If the bill were to become an act, it would create a criminal law, and it must therefore be clear and unambiguous and must have the confidence of Parliament.^{lxxi}

246. In relation to the proposed new criminal offence, she commented that the Scottish Government is supportive in principle, but a new offence must be achieved in a way that ensures that the safety of women is paramount. She noted that concerns have been expressed to the committee about forcing activity underground and the subsequent risks to women’s safety, and she commented “that remains an issue that is not adequately addressed by the bill”. She also said that—

” ...the bill does not take sufficient account of the reality that the gateway for involvement in prostitution is increasingly online, or of the fact that there are strong links in many cases with serious and organised crime and human trafficking. The bill as drafted does not engage with those significant issues, and it would require amending before it could gain the confidence of the Parliament.^{lxxii}

247. The Minister also commented that—

” We all recognise that the digital and online landscape is a critical battleground in the fight against commercial sexual exploitation. It is important that the Scottish Government’s approach to that area is adaptive and responds to changes and, at this stage, I do not feel that the bill addresses that.^{lxxiii}

248. The Minister also highlighted concerns about other proposals in the Bill, including the quashing of convictions and the right to support. We will refer to these in later sections of this report.

249. In light of these concerns held by the Scottish Government, the Minister told us—

” I am extremely concerned that there are significant policy and operational challenges with the bill as drafted, and there is a need for substantial amendments to address them. I am also concerned that there may not be enough parliamentary time left to develop the amendments that would be needed to deliver competent, safe and workable legislation that we can all agree on and have confidence in.^{lxxiv}

250. The Minister noted that her view is that it is for the Committee and the Member in

^{lxx} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 1\)](#)

^{lxxi} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Cols 1 2\)](#)

^{lxxii} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 1\)](#)

^{lxxiii} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 18\)](#)

^{lxxiv} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 2\)](#)

Charge to decide on how those concerns can be addressed. However, she commented that if the Bill was a Government Bill “we would require, at the very minimum, significant consultation and engagement”, including with the women who would be impacted and justice partners.

251. When asked about what she meant by “substantial amendments” being required, the Minister responded “we need more detail on support”. She commented—
- ” If it is to be good legislation that we can vote on and have confidence in, MSPs would need to have detail on how much it would cost and what support would be in place. At this stage, we do not have that detail.^{lxxv}
252. In response to questions from Members, the Minister expanded upon the Scottish Government’s position on approach taken in the Bill.
253. The Minister referred to international examples of where the type of model proposed in the Bill had been implemented. She commented that there are conflicting views on how that is working, and noted that—
- ” ...the international examples, which the committee has heard about in evidence, show that that approach is not 100 per cent working and there are challenges with the implementation of such legislation internationally.^{lxxvi}
254. A Scottish Government official who gave evidence alongside the Minister told us that—
- ” one of the challenges is the conflicting evidence. I do not want to point to any particular country, but the engagement that we have had has highlighted challenges between the rationale that is adopted for pushing forward legislation—that is, the principle behind it—and the challenges around its implementation.^{lxxvii}
255. The Scottish Government official highlighted, for example, evidence heard about the challenges faced by the police in the Republic of Ireland around online activity, and questions as to whether a change of culture had occurred in Sweden in respect of the purchasing of sex.
256. Finally, the Minister noted that legislation alone will not address the fundamental reasons why women turn to prostitution in the first place, adding that the Scottish Government is “tackling those fundamental societal issues, within our powers, including the cost of living, addiction, inequality and poverty”.^{lxxviii} The Minister told us that the Scottish Government will continue its work to tackle violence against women, to support women to exit prostitution and to support Police Scotland with its [Operation Begonia](#) approach.

Response of Ash Regan MSP to the Scottish

^{lxxv} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 9\)](#)

^{lxxvi} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 7\)](#)

^{lxxvii} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 8\)](#)

^{lxxviii} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 3\)](#)

Government's position

257. Ash Regan MSP responded to the evidence from the Minister for Victims and Community Safety when she appeared in front of the Committee. She told us—

” I am...pleased that the Government has put on the record that it supports the principles of the bill and I am happy to work with the Government. ...the Government has issues with the bill and I intend to lodge amendments to deal with the issues that have been raised. When the Government sees the amended bill, I hope that it will be able to offer its full support.^{lxxix}

258. She also stated—

” I remain fully committed to working with the committee and other Parliament colleagues to amend the bill to address the concerns that have been raised during stage 1 scrutiny.^{lxxx}

259. Ash Regan MSP responded to concerns expressed about the efficacy of the Nordic model. She told us—

” I want to be clear on this point: the committee has not been presented with any verifiable evidence that the Nordic model does not work. A lot of statistics have been thrown around, and small samples of qualitative interview data have been presented to the committee, but that is not verifiable, state-level, Government-level research information.

Governments and Parliaments need to make decisions on policy frameworks and legislative approaches based on the evidence. The evidence that is coming from countries that have implemented the model is that, even if the law is changed and not robustly enforced, it will still have some effect.^{lxxxi}

260. On the comments made by the Minister about the extent to which the approach taken in the Bill reflects the online landscape in which prostitution now operates, Ms Regan told us—

” Let me clear that up: the sale of sex is not online. We are talking about prostitution, which is separate to talking about porn or OnlyFans, because this is a targeted and narrowly defined bill that is only four and a half pages long and covers only in-person sex acts. That is what the bill covers.

It is right to say that the advertising is online. The bill does not cover that because it is my understanding that regulating that would be a matter reserved to the UK Government, which I know is also looking at this issue. However, my bill is an attempt to make a difference to violence against women and girls in an area in which this Parliament has the power to make a big difference.^{lxxxii}

261. In her evidence, Ms Regan also sought to address concerns around the impact of a new criminal offence on the safety of women and the cost of the right to support

^{lxxix} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 31)

^{lxxx} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 1)

^{lxxxi} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 7)

^{lxxxii} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Cols 18 - 19)

provisions. These were specific issues of concern highlighted by the Minister.

262. The evidence from Ms Regan which sets out her response to the concerns expressed on these issues is included elsewhere in this report in the relevant sections.
263. In evidence, Ms Regan was asked how she proposed to amend the Bill at Stage 2, should it pass Stage 1. She highlighted two issues in particular. First she referred to amendments to provide for an automatic pardon and voluntary disregard of convictions under section 46 of the Civic Government (Scotland) Act 1982, rather than quashing these convictions. Second she referred to amendments to change the definition of “sexual act” to bring it in line with the definition in other legislation. She told us—

” Those are the two main issues that I have thought of. I have also taken on board a couple of small issues about sentencing that have been raised and I intend to lodge amendments to clear those up, but they will be more technical amendments.^{lxxxiii}

264. Ash Regan MSP also expressed the view that it was necessary to act now in order to reform the laws on prostitution. She told us—

” I do not believe that the individual members of the Parliament can look at themselves in the mirror and say that we are serious about combating violence against women if we do not address this issue. It is violence against women and we must combat it. Parliament should have done it earlier. The Parliament has been going for 25 years and this is exactly the type of legislation that it should be looking at and implementing. It is a very small change in the law, but it will have an extremely large impact.^{lxxxiv}

265. Ms Regan argued that criminalising the buyer was the right approach to take—

” As with rape law and domestic abuse law, criminalisation is the right decision, even though it is challenging. Criminalising sex buying is the right decision now, because doing nothing is in itself a decision—one that allows exploitation to continue unhindered.^{lxxxv}

Conclusions and recommendations

266. **Section 1 of the Bill proposes a new offence of paying for the performance of a sexual act by a person. This is the main provision in the Bill.**

267. **This was the most contested proposal in the Bill and attracted strongly held**

^{lxxxiii} Criminal Justice Committee, Official Report, Wednesday 26 November 2025 (Col 29)

^{lxxxiv} Criminal Justice Committee, Official Report, Wednesday 26 November 2025 (Col 28)

^{lxxxv} Criminal Justice Committee, Official Report, Wednesday 26 November 2025 (Col 2)

views on both sides of the debate regarding whether or not a new offence should be created.

268. As a committee, our role is to consider whether the Bill as drafted achieves the stated aims of the Member in Charge.

269. We have reached the following conclusions.

270. First, our view is that, whilst some may choose to work in this profession, prostitution can cause untold harm and misery for many of those involved. The evidence we received from many of the individuals with personal lived experience was powerful and compelling about the damage which can be caused.

271. Second, we support the goal of reducing the prevalence of prostitution in society as a way of reducing these harms, including tackling the complex and closely interconnected challenges arising from organised crime and human trafficking.

272. The third issue we believe is important is to consider the impact of the current legislative framework, and indeed the proposals in this Bill, on women and girls in Scotland more generally.

273. Having reached these conclusions, the next question we must consider is the likely impact of the Bill and whether, as drafted, it achieves its stated aims.

274. However, as we have referred to above, the challenge we have faced is that much of the evidence in this policy area is highly contested. Those on both sides of the debate about criminalisation of the buyer have pointed to studies and research which they say supports their respective positions. Different lessons have been drawn from the experience overseas.

275. All this has made our job much more difficult. We are left in a situation where the evidence as to the anticipated impact of section 1 is not definitive and is highly contested. As such, we have had to make a judgement as to where the balance of evidence lies and which lines of

argument appear to us to be the most persuasive.

276. Whilst we accept that some people may choose to be sex workers and work in this profession, we are fully supportive of the overall goal of the Member in Charge of the Bill to reform the laws on prostitution in order to reduce the demand for, and the prevalence of, prostitution in Scotland.

277. We also acknowledge that some of the evidence which has been presented indicates that an approach which criminalises the buyer of sexual services could act as a deterrent and reduce the overall demand for prostitution. Other evidence has been less clear that it will have this desired effect.

278. This leads us to identify our first concern with the Bill as drafted.

279. That is, whether the new criminal offence proposed in the Bill can adequately be enforced. In evidence, we heard about the challenges in both policing and prosecuting an offence which invariably takes place in private, may be arranged online, and may involve very vulnerable individuals who may be required and reluctant to give evidence to secure a conviction.

280. We acknowledge the challenges identified in terms of the practical application of the proposed offence, however we accept that these challenges need not, in themselves, rule out legislating in this area. Many serious offences are difficult to police and prosecute. But nonetheless we are concerned that evidential challenges during the investigation and prosecution of the new criminal offence being proposed in this Bill as it is drafted could frustrate the stated objectives of the Member in Charge.

281. Another concern is whether the new criminal offence proposed in the Bill can bring about the reduction in demand.

282. Our overriding concern is about the impact of section 1 on the safety of women involved in prostitution. We have heard conflicting evidence regarding this. The position of the Member in Charge of the Bill is that, in her view, no reliable evidence has been presented that the model proposed in the Bill makes women more unsafe. We have set out the evidence which has been presented about the concerns that criminalising the buyer may “drive prostitution underground” and make it less safe for those selling sexual acts.

283. **We think there is more work to be done to properly engage with, and address, the genuine concerns which have been expressed. If there is a risk that a new law might cause harm to women and make them less safe, we must proceed with caution.**

284. **Finally, we have identified several other concerns with section 1 as drafted which would need to be addressed if the Bill was to become law. These have been identified in evidence and include amending the definition of ‘sexual act’ in the Bill and revisiting the option currently in the Bill which allows for prosecution under both summary and solemn proceedings. It is important that there is a clear definition, consistent with other statutes and the policy intention of the Member in Charge. We note the commitment of the Member in Charge to bring forward amendments at Stage 2.**

285. **We all agree that prostitution is a form of violence against women and girls and its prevalence must be reduced. Likewise, we are all of the view that amendment is needed on the offence in section 1. The question is whether it is considered there is sufficient time to amend section 1 in the time available. We cover our conclusions on the general principles of the Bill at the end of this report.**

SECTIONS 2 AND 3: Repeal of offence of soliciting

The proposal in the Bill

286. Sections 2 and 3 of the Bill provide for the repeal of section 46 of the Civic Government (Scotland) Act 1982. That section sets out an offence which criminalises people seeking to sell sex in a public place (commonly referred to as 'street prostitution').
287. The Policy Memorandum states that the effect of the proposed repeal is that "...those performing sexual acts would not commit an offence in any setting, regardless of whether they are involved in on-street or indoor prostitution".
288. The Policy Memorandum explains the reasons for the proposed repeal—
- ” Nationally, prostitution is now widely recognised as a form of abuse and as violence against women and girls... Sections 2 and 3 of the Bill therefore aim to change how its victims are treated by decriminalising them. This will align Scots Law with policing and prosecuting practices across the country, which have not routinely targeted prostituted women as perpetrators for a considerable time.

Views on the proposal

289. This proposal in the Bill attracted widespread support, including from those who took different views on the question of whether there should be a new offence criminalising the buyers of sexual services.
290. The written submission from A Model for Scotland stated that—
- ” A Model For Scotland fully supports this proposal. As a form of violence against women, it is fundamentally unjust that victims can be criminally sanctioned for their own exploitation. It is also counterproductive. Sanctions can make it harder for women to exit the sex trade and rebuild their lives.
291. The written submission from Glasgow City Council, TARA and Routes Out commented that "our frontline services are extremely supportive of this proposal".
292. The individuals with lived experience who participated in the interviews facilitated by the Women's Support Project all opposed laws that criminalise people selling sex, citing them as barriers to safety, justice, and recovery.
293. The written submission from Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland supported this proposal. The submission indicated that a similar approach had been taken in Ireland—

” In Ireland, there is widespread consensus that those involved in prostitution should not be considered 'criminals'.... Effectively, it has been determined that such a marginalised population, very few of whom have genuinely made a free and fully informed 'choice' to sell sex, should never be criminalised for the abuse and exploitation that they are experiencing.

294. The written submission from National Ugly Mugs stated—

” We support repeal. Section 46 disproportionately punishes the most vulnerable, including street-based workers facing poverty and addiction. Repeal would reduce stigma and criminalisation, improve access to justice, and help to build trust between sex workers and Police Scotland.

295. Scotland for Decrim indicated in its written submission that it strongly supports the proposal to repeal this section of the 1982 Act.

296. The written submission from the English Collective of Prostitutes argued that—

” Removing this offence would give sex workers more power to end decades of punitive policing that has targeted women working on the street in particular who face the greatest need and the most dangerous working conditions in Scotland.

297. The analysis from the Scottish Parliament Information Centre of the responses to the Call for Views from those with lived experience noted that nearly all were in favour of the proposed repeal, including both those supporting and against having a new offence targeted at buyers. One written submission stated, for example—

” Women who are forced or coerced to sell sexual acts should not be criminalised. They are victims of poverty, violence and abuse, and should be offered support and respect rather than censure.

298. In her written submission, Dr Niina Vuolajärvi, Assistant Professor in International Migration at the LSE European Institute told us that “findings from my study support this proposal.

299. The written submission from Dr Larissa Sandy, Associate Professor of Criminology at the University of Nottingham stated that—

” I support the full repeal of Section 46 of the Civic Government (Scotland) Act (1982). Sex work decriminalisation is a globally recognised best practice approach to sex industry regulation. This is essential legislative reform that will improve sex workers access to health, safety and justice.

300. In its written submission, Police Scotland stated that it was “fully supportive” of the proposal, and commented—

” We understand that the majority of those that sell sex can be very vulnerable and most at risk of violence and therefore should be signposted for support, if required, rather than being criminalised.

301. The written submission from the Crown Office and Procurator Fiscal Service also indicated support for the policy—

- ” COPFS supports the policy intent behind these provisions which is in line with recognising prostitution as a form of commercial sexual exploitation and violence against women.
302. Dr Emma Forbes, from the Crown Office and Procurator Fiscal Service told us that “we see violence against women and girls as a human rights violation, and we support the repeal of that section of the law.^{lxxxvi}
303. Dr Forbes noted that in practice only limited numbers of prosecutions under section 46 of the Civic Government (Scotland) Act 1982 had taken place in recent years. In supplementary written evidence, Dr Forbes stated that between 1 April 2020 and August 2025, there were 10 charges across 10 cases reported under section 46. In 7 cases, no prosecutorial action was taken. The remaining 3 cases were marked for summary court proceedings. Of the three cases marked for summary proceedings, 2 involved additional offences and, in both, not guilty pleas were accepted to the section 46 charges. The remaining case involved a single section 46 charge and was discontinued prior to trial.^{lxxxvii}
304. Despite the relatively infrequent use of the section 46 provision in recent years, Dr Forbes considered there was still a case for repeal. She told us—
- ” As long as the provision is still on the statute book, it can still competently be used, and there are occasions when it is used.^{lxxxviii}
305. The position of the Scottish Government was set out by Siobhian Brown MSP, Minister for Victims and Community Safety, who told us—
- ” ...the Scottish Government feels that repealing section 46 on the offence of selling sex would require further consultation with stakeholders and communities, given the sensitivities and the complexities around prostitution.^{lxxxix}

Conclusions and Recommendations

306. **This proposal in the Bill attracted widespread support from witnesses.**

307. **The Scottish Government’s position is that repealing section 46 would require further consultation given the “sensitivities and complexities around prostitution”.**

^{lxxxvi} [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 12\)](#)

^{lxxxvii} [COPFS supplementary written evidence \(11 December 2025\)](#)

^{lxxxviii} [Criminal Justice Committee, Official Report, Wednesday 5 November 2025 \(Col 17\)](#)

^{lxxxix} [Criminal Justice Committee, Official Report, Wednesday 19 November 2025 \(Col 17\)](#)

308. We believe there is some merit in the proposal to repeal the offence of soliciting and recognise the Scottish Government's position above. The offence in effect punishes women who, in many cases, are very vulnerable. It is far more appropriate that they should be provided with support rather than criminalised. The onus should be on tackling the behaviour of the purchaser.

309. If the Bill passes at Stage 1, we recommend that the Member in Charge meets with the Minister to discuss the nature of the Scottish Government's concerns and whether it is possible for these to be addressed by amendment at Stage 2.

SECTIONS 4 AND 5: QUASHING OF HISTORIC CONVICTIONS

The proposal in the Bill

310. Sections 4 and 5 of the Bill provide for the quashing of existing convictions under section 46 of the Civic Government (Scotland) Act 1982 and the updating of criminal history records to reflect this.
311. According to the Policy Memorandum—
- ” These convictions have been described by survivors of prostitution as a substantial and often insurmountable barrier to rebuilding their lives as previous criminal convictions have an impact on many areas of daily life, but especially on employment. As those involved in prostitution are exploited, these convictions serve to punish the victims and not the perpetrators of this exploitation. They also frequently present a barrier to exiting prostitution.
312. The Policy Memorandum further comments that—
- ” The Member acknowledges that the identification and notification of quashed convictions may be a sensitive issue for the individuals involved and appreciates that trauma-informed practices would be necessary to avoid further harming them in pursuit of an otherwise positive measure.
313. The Policy Memorandum notes that the Bill makes no provision for the repayment of fines issued on the convictions to be reversed as a result of this Bill.
314. The Policy Memorandum explains the various reasons for taking this approach to historic fines. It notes, for example, that the fines were imposed lawfully at the time under existing legislation, and there is no established precedent for reversing financial penalties when laws change retrospectively.
315. The Bill provides for the convictions under section 46 of the Civic Government (Scotland) Act 1982 to be quashed rather than an alternative approach of pardoning those who have been convicted.
316. The Policy Memorandum states that “...the Member believes this better reflects the changed view of women in prostitution as victims of violence and exploitation rather than as criminal offenders”.
317. According to information provided by the Scottish Government, in general terms a conviction for a section 46 offence is spent within a year at most and is not included as conviction information on any level of disclosure when spent.
318. Information relating to a section 46 conviction could only be included as other relevant information on a Level 2/PVG scheme disclosure if the police determined the information was relevant to the purpose of the disclosure which, according to the information provided by the Scottish Government, would be in exceptional cases.

319. A section 46 conviction does not need to be self-declared once it is spent, regardless of the role.
320. Ash Regan MSP referred to these requirements when she told the Committee—
- ” Such a conviction will now remain on someone’s record for only a year and, after that, will not be disclosable for level 1 or level 2 checks. However, the principle remains that someone can be criminalised for their own exploitation, so there is a symbolic element here.^{xc}

Views on the proposal

321. This proposal was generally welcomed by those who gave evidence, including those with different views on the question of whether the purchase of sexual services should be criminalised.
322. Bronagh Andrew from TARA told us—
- ” We particularly support the quashing of criminal convictions under section 46 of the Civic Government (Scotland) Act 1982, because they have an on-going and long-term impact on women and their ability to move on from sexual exploitation.^{xc}
323. Diane Martin CBE from A Model for Scotland made the point that “even though some women will have historical convictions, it is not historical for them”. She commented that “they still live under that shadow, because such convictions prevent them from applying for voluntary work or moving on”.^{xcii}
324. Among the individuals with lived experience who participated in the interviews facilitated by the Women’s Support Project, women who had been charged with soliciting or brothel-keeping said convictions created enduring obstacles to employment, housing, and education. They supported the Bill’s proposal to overturn existing convictions and prevent future prosecutions. Decriminalisation of sellers was viewed as essential for rebuilding lives and for enabling cooperation with police when reporting abuse.
325. The written submission from Scotland for Decrim stated that “we are strongly in favour of historic convictions being quashed”. The submission argued that people should be able to leave sex work should they wish to do so. However—
- ” ...having a criminal record with prostitution-related convictions and/or a police warning makes it much more difficult for people to leave sex work. Employers are likely to rescind offers of employment, or the worker can be barred from certain forms of employment if they have to undergo a Disclosure Scotland check.
326. The written submission from National Ugly Mugs supported this proposal in the Bill

^{xc} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 4\)](#)

^{xc} [Criminal Justice Committee, Official Report, Wednesday 8 October 2025 \(Col 2\)](#)

^{xcii} [Criminal Justice Committee, Official Report, Wednesday 8 October 2025 \(Col 2\)](#)

and noted that quashing historic convictions “would align with Scotland’s commitments under CEDAW and the ECHR to remove systemic barriers for women”.

327. Dr Niina Vuolajärvi, Assistant Professor in International Migration at the LSE European Institute, noted in her written submission that quashing these historic convictions would “remove barriers to social and economic participation for those who have been criminalized for survival activities”.
328. The written responses to the Call for Views from those with lived experience were almost all in favour of the proposed quashing of convictions. One respondent wrote—
- ” I am in favour of prior convictions under this act being quashed. When workers are criminalised for such matters, stereotypes and stigmas are reinforced. This only makes us less likely to report violence, assault or theft, it makes it more difficult for us to seek other types of employment in the future, and it ostracises us in the community, further committing us to a life of sex work - whether we still choose it or not.
329. Another respondent commented on the personal impact on employment opportunities—
- ” I always dreamed of being a youth worker, but this form of employment is now out of my reach due to the PVG scheme. I am not a criminal, and I am not a bad person.
330. In a written submission, Ruth Breslin of the Sexual Exploitation Research and Policy Institute in the Republic of Ireland welcomed then Irish Minister for Justice Helen McEntee’s announcement of plans to expunge previous convictions for the ‘sale of sex’. However, the written submission stated, “we are disappointed that clear progress has not been observed in this area in Ireland” and urged Scottish legislators to “ensure that quashing/expungement mechanisms are built into the proposed legislation from the outset”.

Use of pardons as an alternative approach

331. We heard some views which questioned whether a more appropriate approach to historical convictions under section 46 would be for those convicted to be pardoned rather than having their convictions quashed.
332. This was the approach adopted in the Miners' Strike (Pardons) (Scotland) Act 2022 and the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018. In these cases, the effect of the pardon was a symbolic one, and it did not reverse the original conviction.
333. In the case of the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018, the legislation also set up a scheme whereby individuals convicted can apply for a disregard if they wish to ensure that information about the conviction is disregarded from criminal records information held by the police.
334. The written submission from the Law Society of Scotland noted—

” ...some similarities between the policy intentions of the 2018 Act and the proposed Bill. Both challenge the criminalisation of specific behaviours and provide symbolic and procedural remedies to stop the effects of any potential conviction for the offences that were challenged.

335. The Law Society of Scotland’s written submission noted that the approach taken in the Bill of quashing historical conviction is the same as for the Post Office (Horizon System) Offences (Scotland) Act 2024. However, in the latter case, there had been significant concerns about how the judicial system operated in the context of the Post Office scandal.

336. Liliana Torres Jiménez of the Law Society of Scotland described the Post Office legislation as a “very exceptional circumstance” and stated that—

” we do not think that that is the appropriate way to address the problem that is raised in the policy memorandum. That is because we think that it is not a matter for the Parliament to quash convictions that were safe in principle and were made by a Scottish court.^{xciii}

337. Accordingly, the written submission from the Law Society of Scotland concludes that—

” ...we are of the view that if the principles of the Bill are approved by the Scottish Parliament at Stage 1, a similar approach to the Historical Sexual Offences (Pardon and Disregards) (Scotland) Act 2018 should be considered and preferred, and the Bill amended accordingly at Stage 2.

338. In a [letter of 23 June 2025](#), the Minister for Victims and Community Safety, Siobhian Brown MSP, raised similar concerns about the approach taken in the Bill. The letter stated—

” ...I have significant and deep concerns about the quashing of previous convictions as set out in the Bill. The quashing of convictions is exceptional and has only been done in this Parliament for sub-postmasters through the Post Office (Horizon System) Offences (Scotland) Act 2024 to ensure they were eligible to access redress schemes.

339. In evidence to the Committee, the Minister commented that—

” ...if the bill were to quash convictions, it would encroach on the role of the independent criminal courts by quashing legally sound convictions.^{xciv}

340. The letter from the Minister also raised concerns about the cost implications of an approach which quashed historic convictions, stating—

xciii [Criminal Justice Committee, Official Report, Wednesday 5 November 2025](#) (Col 13)

xciv [Criminal Justice Committee, Official Report, Wednesday 26 November 2025](#) (Col 10)

” I would observe that related costs for the Post Office (Horizon System) Offences (Scotland) Act 2024 were estimated to be £804,000 based on 200 people. From my recent discussion with Ms Regan, and the information within the Financial Memorandum, it is suggested that since 1982, 10,459 women have been convicted under the soliciting offence. Furthermore, it says that Police Scotland currently holds 2,773 case records involving 791 individuals, which raises some concerns about the accuracy of the associated costs - around £250,000 - detailed in the Bill’s Financial Memorandum.

341. In response to the specific concerns about the cost of quashing convictions, Maren Schroeder, from the Office of Ash Regan MSP, told the Committee on 25 June 2025—

” I want to clarify that the costs that were put into the financial memorandum are based on an estimate that we received from the Scottish Courts and Tribunals Service. It based that on the total number of convictions—approximately 10,500—under section 46 of the Civic Government (Scotland) Act 1982 since the act came into force. We have since had clarification from Police Scotland that only 2,773 records are still in existence, and, therefore, the cost estimate that we received from the SCTS would most likely be an overestimate.^{xcv}

342. In response to the general point about whether the approach of quashing convictions was the right one, as opposed to pardoning those individuals convicted, Ash Regan MSP told us—

” I have very much taken on board the evidence raised at stage 1. Maren Schroeder and I have had a number of meetings with the Law Society of Scotland and others to discuss the issue. I intend to lodge amendments at stage 2 to put into practice something that will fulfil the same policy intent but will do so in a more appropriate way, and that is to move to having an automatic pardon. That would have the effect of saying to people that they should not have been criminalised for their own abuse.^{xcvi}

343. Ash Regan MSP went on to tell us—

” There would also be a voluntary disregard process, which has appeared in other pieces of legislation. I am sure members are aware of that process, which is familiar to our justice partners, such as the Scottish Courts and Tribunals Service, who already amend people’s records.^{xcvii}

Conclusions and Recommendations

344. The Committee understands the policy intention behind this proposal in the Bill, of helping women move on from historic convictions which might

^{xcv} Criminal Justice Committee, Official Report, Wednesday 25 June 2025 (Cols 30 - 31)

^{xcvi} Criminal Justice Committee, Official Report, Wednesday 26 November 2025 (Col 4)

^{xcvii} Criminal Justice Committee, Official Report, Wednesday 26 November 2025 (Col 4)

affect their ability to take up employment opportunities.

345. A number of concerns, which we recognise, have been expressed with this approach, including that it would not be appropriate for the Parliament to quash convictions.

346. We have heard an alternative approach could be considered which would pardon those convicted, while at the same time setting up a scheme which allowed those individuals to apply for a disregard. We heard evidence that this could go some way to address the concerns identified with quashing the convictions although there would still be complexities involved in this.

347. We note the Member in Charge proposes to bring forward amendments along these lines, should the Bill progress.

348. If the Bill passes at Stage 1, we would consider carefully the details of any amendments brought forward at Stage 2.

SECTION 6: Right to assistance and support

The proposal in the Bill

349. Section 6 of the Bill places a duty on the Scottish Government to ensure that people who are, or have been, in prostitution are provided with assistance and support. Section 7 would allow the Scottish Government to use secondary legislation in taking forward its duty under section 6.
350. The Bill states that—
- ” The assistance and support which may be provided under this section includes, but is not to be restricted to, the provision of—
 - (a) appropriate and safe accommodation,
 - (b) material assistance (including financial assistance),
 - (c) assistance in obtaining healthcare services (including counselling),
 - (d) appropriate information on any matter of relevance or potential relevance to the particular circumstances of the person,
 - (e) translation and interpretation services,
 - (f) assistance in obtaining legal advice or representation.
351. The Policy Memorandum explains the policy intention behind this proposal—
- ” The underlying principle for this provision is the recognition that prostitution is inherently harmful, that those involved in selling sexual acts are victims of exploitation and that they must be able to access the support they require.
- Researchers and support workers typically report that when asked, almost all women involved in prostitution express a desire to leave, but exiting is a lengthy, difficult process which requires long-term support from specialist services.
352. The Policy Memorandum also states that—
- ” Women seeking help from mainstream services...frequently avoid disclosing their involvement in prostitution for fear of being denied help. A statutory right to support will send a strong signal to both those seeking support and the services providing this support that women who sell sexual acts are entitled to access the support they require.
353. The Financial Memorandum accompanying the Bill estimates the cost of providing that support at £1.2 million to £1.9 million annually.
354. When she gave evidence to the Committee on 25 June 2025, Ash Regan MSP

explained that—

” There are two funds that the Government puts money into at the moment—the victim centred approach fund and the equally safe fund—which amount to more than £60 million. I have had a discussion with the Minister for Victims and Community Safety, and I imagine that it might be possible to refocus some of that funding as a result of the bill, with some of it going to prostitution spending.^{xcviii}

355. Ms Regan also made the point that—

” We believe that a law of the type that I am proposing would eventually—not initially, because there would be set-up costs—result in a saving. We think that the costs would peak in the medium term—about four or five years after the law came into effect. However, after 10 years, once the trafficking and the prostitution market had gone down, the number of people seeking support—it is very expensive for the state to provide that support—would, we expect, have reduced, because that is what we have seen in other countries.^{xcix}

Views on the proposal

356. Many witnesses and written submissions expressed support for the proposal for a statutory right to support in the Bill and pointed to its potential benefits.

357. The written submission from Glasgow City Council, TARA and Routes Out stated that—

” In order for a Nordic/Equality Model to work, women’s support and exiting needs must be at the centre of the approach. Helping women access their human rights and entitlements as a legal obligation, with clear remedies if they are not realised, will ensure that all stakeholders will work to meet these needs across Scotland.

358. Bronagh Andrew of TARA commented that—

” Support is fundamental, and having it on a statutory footing has benefits in a number of direct and indirect ways.^c

359. This view was also supported by Professor Jo Phoenix from the University of Reading. She commented—

” ...all I want to do is underscore the fact that what makes the bill unique in my mind is that it puts such support services on a statutory footing. That is critical, because we know another thing about women in prostitution: when it comes to the funding of support services, they tend to lose out to many other needs.^{ci}

^{xcviii} [Criminal Justice Committee, Official Report, Wednesday 25 June 2025 \(Col 32\)](#)

^{xcix} [Criminal Justice Committee, Official Report, Wednesday 25 June 2025 \(Col 38\)](#)

^c [Criminal Justice Committee, Official Report, Wednesday 8 October 2025 \(Col 13\)](#)

^{ci} [Criminal Justice Committee, Official Report, Wednesday 29 October 2025 \(Col 44\)](#)

360. The written submission from A Model for Scotland stated that it supported the proposal in the Bill, commenting—
- ” Research commissioned by the Scottish Government found “substantial gaps” in the provision of specialist in-person support services for individuals exploited through prostitution in Scotland. A duty on Ministers to ensure the provision of support services would help to address this shortfall, providing an important guarantee for victims.
361. Some of the responses to the Call for Views from individuals with lived experience were very supportive of the proposal. One response stated, for example—
- ” This is for me the most important part of the Bill. Exiting from and recovering from prostitution and/or trafficking is difficult and arduous. A multi-systemic approach is needed.
362. The individuals with lived experience who participated in the interviews facilitated by the Women’s Support Project emphasised that exiting prostitution requires sustained, practical, and emotional support; not one-off interventions. Common priorities included: safe, affordable housing; accessible addiction and mental-health services; childcare and family reunification help; education, training, and employment assistance; and peer or survivor-led counselling.
363. Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland indicated her support for the proposal in the Bill in a written submission. The submission noted that “the vast majority of those in prostitution express an explicit desire to exit” and that—
- ” Our research determined that women involved in and seeking to exit prostitution tend to have multiple and complex support needs.
364. However, we heard some views which questioned the extent to which a statutory right to support would be deliverable in practice. Some of these concerns were linked to questions about whether funding would be available to provide the required services.
365. The written submission from National Ugly Mugs commented that—
- ” The Bill’s provisions are vague and unfunded. Offering a “right” to support is meaningless without guaranteed, ring-fenced investment in housing and homelessness prevention, healthcare and inclusion health services, mental health support, vocational training and financial assistance.
366. Laura Baillie from Scotland for Decrim told us—
- ” We support the increasing of service provision in theory but, in reality, the two funds that Ms Regan claims would be able to provide the financial backing for the support are already overstretched, and the women’s sector is severely underfunded as it is.^{cii}
367. This point was also made in one of the responses to the Call for Views from an individual with lived experience—

cii [Criminal Justice Committee, Official Report, Wednesday 8 October 2025 \(Col 40\)](#)

” The promise of help and support is all very well and good, but my concern is whether this support would actually materialise. With budgets being as tight as they are, will sufficient funding be put in place?

368. Bronagh Andrew of TARA told us—

” Our view is that significant funding would be required, particularly in the early stages, alongside ensuring that there is a safety net for the women who we hope will be impacted by the bill.^{ciii}

369. Many of the individuals with lived experience who participated in the informal meeting facilitated by Scotland for Decrim also made the point that it would be preferable to have help in areas such as rent and housing costs, anti-poverty measures, benefits advice, childcare provision, help with mental health, and help with addiction.

370. Amongst the individuals who participated, there was a strong view that delivering the support needed to help those that work in the industry would require significant resources and it would be a difficult and long process to help people exit prostitution.

371. There were also claims made by some witnesses that in some countries where the Nordic model had been introduced, the required funding for support services had not materialised. A written submission from the English Collective of Prostitutes stated that “in other countries where support services were promised under the Nordic model, they were either never delivered or grossly underfunded”.

372. Dr Niina Vuolajärvi, Assistant Professor in International Migration at the LSE European Institute, told us—

” As I understand the bill, no money is earmarked for such services. In countries such as Sweden, we have seen that, if the money is not earmarked in that way, it might simply go towards the policing of sex work.^{civ}

373. We also received views that the support provided should not be linked to a recipient leaving prostitution or seek to promote a particular ideological perspective in relation to selling sexual services.

374. The individuals with lived experience who participated in the interviews facilitated by the Women’s Support Project stressed that services must be non-religious, non-judgemental, and explicitly tailored for people with prostitution experience. A recurring concern was that mainstream addiction or counselling groups often failed to understand their realities.

375. Several of the women with lived experience expressed concern about programmes that take a controlling or moralising approach, warning that such efforts can be counterproductive. One noted that when others try to take over decision-making in the name of rescue, it often leads to negative outcomes. Across their accounts, autonomy and consent were consistently identified as essential elements of trauma-informed support.

^{ciii} Criminal Justice Committee, Official Report, Wednesday 8 October 2025 (Col 19)

^{civ} Criminal Justice Committee, Official Report, Wednesday 29 October 2025 (Col 41)

376. The written submission from Glasgow City Council, TARA and Routes Out made the point that “no aspects of such support being available to women should be contingent on their agreeing to stop selling or exchanging sex or denied due to immigration status”.
377. This view was echoed by other organisations, including the written submission from Scotland for Decrim which stated that “anyone, whether they must continue engaging in sex work or not, deserves a right to support”.
378. Ruth Breslin from the Sexual Exploitation Research and Policy Institute in the Republic of Ireland told us that support services in Ireland do not require women to leave or exit prostitution.^{cv}
379. The written submission from the English Collective of Prostitutes indicated that it supported the provision of resources that help people leave sex work—
- ” ...but only when those services are voluntary, non-coercive, non judgemental, and grounded in respect for sex workers’ rights, autonomy and expertise.
380. This view was echoed by one of the respondents to the Call for Views with lived experience—
- ” As a sex worker myself, I welcome the idea of support and assistance being available. But I want to be clear: any such provision must be led by sex workers, shaped by our lived experience, and not tied to coercion, exit-only frameworks, or conditions that increase stigma.
381. Another perspective on the proposal was provided by another respondent to the Call for Views with lived experience—
- ” It is genuinely offensive. I am not someone who requires charity and do not need to be saved. I take pleasure in my sex work and value my clients. We deserve rights, acceptance, and most importantly, the opportunity to continue in our sex work. Removing our clients and replacing them with government intervention or offers is not empowering; it is demeaning.
382. A written submission from Dr Larissa Sandy, Associate Professor of Criminology at the University of Nottingham, stated that “it is essential that any program or services are developed with the direct involvement of sex workers at all stages and employs peer workers who have a lived experience of sex work”.
383. In its report on the delegated powers in the Bill, the Delegated Powers and Law Reform (DPLR) Committee commented on the provision in section 7 of the Bill. This provides that the Scottish Ministers may by regulations make provision for or in connection with the assistance and support to be provided in accordance with section 6.
384. The DPLR Committee noted in its report that “the power is a fairly wide power” to make provision about how section 6 is to operate in practice.
385. Its report noted the position of Ash Regan MSP that the Scottish Ministers are best placed to know how health and social services are delivered in practice, how

persons looking to exit prostitution can best be identified and supported and also how the various bodies, on which functions may be conferred, work together.

386. In its report, the DPLR Committee noted that the Minister for Victims and Community Safety had—

” ...raised concerns with the retrospective nature of the duty, meaning that it would apply to any person who has been in prostitution at any time before or after the coming into force of the provision. In summary, the Minister is concerned about the ‘breadth of uncosted and potentially open-ended responsibility’ being placed on support services and the wider public sector.

387. The DPLR Committee concluded in its report—

” The Committee notes that this is a wide power. It highlights the Minister's response to its questions to the lead committee, to consider whether it should be limited from a policy perspective.

388. On the question of the funding of the proposals in the Bill, the Minister for Victims and Community Safety commented in a letter of 29 July 2025 on the suggestion by Ash Regan MSP that the costs could be met by the Delivering Equally Safe (DES) and Victim Centred Approach funds (VCAF). The letter stated that—

” ...these funds alone would not fully cover the range of support needs that women may have and are competitive funds which are currently fully committed.

389. A letter from the Minister for Victims and Community Safety of 23 June 2025 also commented on the proposal in general terms. The letter stated—

” There is also insufficient detail on how it is envisaged the proposals to support those involved in or exiting prostitution would work in practice, how long they would be available for and what the associated costs would be, in order to be able to come to a considered view.

Position of Ash Regan MSP

390. In response to the evidence on this provision in the Bill, Ash Regan MSP noted that—

” ...because this is primary legislation, it sets the duty on Scottish ministers. Then, it is up to them, as they are obviously the appropriate people to place duties on other parts of the public sector to set staffing levels, decide how that might work and then set out a delivery and implementation plan to the Parliament.^{cvi}

391. She commented that “I will lodge an amendment that would provide for the Government having to do so within three months of royal assent.”^{cvii}

392. On the cost of the support provision in the Bill, Ms Regan stated that—

^{cvi} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 16\)](#)

^{cvii} [Criminal Justice Committee, Official Report, Wednesday 26 November 2025 \(Col 16\)](#)

” The costs are all set out in the financial memorandum, and the evidence that the committee has taken has shown that front-line services and other jurisdictions coalesce around that figure, which is roughly around about £1 million a year for support services, which I believe is a moderate amount for what we are talking about.^{cviii}

393. She also described this spending as being an example of preventative spending, in which investment in support services would lead to savings overall.

394. Finally, she commented that—

” ...that there is no intention with any of this that anyone who is engaging with those services should have to say that they will exit—that should be a principle, and I intend to lodge an amendment to bring it into effect.^{cix}

Conclusions and Recommendations

395. **Whilst we recognise the scope of this provision relates to women and girls already in prostitution, we recognise the value of preventative spend to prevent women and girls entering prostitution in the first place.**

396. **We agree with the general policy intention in the Bill that individuals who are, or have been, in prostitution, should receive assistance and support. Many women involved in prostitution are vulnerable and it is important that they receive specialist support services to help them overcome any challenges they face and to exit prostitution if they wish.**

397. **Our view is that assistance and support should be delivered in a compassionate and non-judgemental way, and not be linked to the promotion of any particular position in relation to the selling of sexual services. In particular, the support should not be conditional on an individual leaving prostitution or committing to do so. We note the reassurance of the Member in Charge in this regard.**

398. **Having said this, we have concerns with the specific proposal set out in the Bill.**

399. **The Bill proposes a statutory right to support in a number of areas, but we**

^{cviii} Criminal Justice Committee, Official Report, Wednesday 26 November 2025 (Col 16)

^{cix} Criminal Justice Committee, Official Report, Wednesday 26 November 2025 (Col 17)

are concerned about how this will be funded, given that the new duty on the Scottish Government to ensure this support is provided appears to be very wide-ranging. It covers a number of areas including the provision of accommodation and financial assistance. Furthermore, the right to support is open to anyone who is, or has been, in prostitution, with no time limits.

400. In light of this, we have concerns that the figure in the Financial Memorandum for the annual cost of the support of £1.2 million to £1.9 million may be a significant underestimate. Furthermore, we consider that the Member in Charge should have provided more detail as to how the support would be provided, particularly in light of the information from the Minister that the Delivering Equally Safe and Victim Centred Approach funds are currently fully committed.

401. We recognise that any additional resource is welcome. However, our concern is that a statutory right to support and assistance will not have the desired impact if it is not properly defined and adequately funded.

402. If the Bill passes at Stage 1, these concerns must be properly addressed by the Member in Charge of the Bill and further details provided on the realistic funding of this provision.

403. We strongly recommend that regardless of whether this Bill is passed or not more support should be given to women and girls involved in prostitution and those seeking to leave. We would recommend that the Scottish Government continue conversations with partner organisations as to how current supports in place can be enhanced and new research-based multi-agency supports can be identified.

GENERAL PRINCIPLES

404. **At Stage 1, a lead committee's role is to consider and report to the Parliament on the general principles of the Bill – that is, on the principal purposes of the Bill, rather than the fine detail.**

405. **In our view, the principal purpose of this Bill is to create a new criminal offence of paying for sexual acts (an offence targeted at the buyer), with the other connected provisions in the Bill flowing from that new offence. These other provisions include the repeal of an existing offence dealing with soliciting by people in prostitution; the quashing of historic convictions for that offence; and a right to assistance and support for people in prostitution.**

406. **One of the challenges we have faced with this Bill has been the time available to us for detailed consideration given when the Bill was introduced, the complexity of the Bill, the evidence heard and the competing work we have had to deal with at the same time. We would have liked to have had longer to interrogate the conflicting evidence.**

407. **We all agree with the main policy intention of the Member in Charge of reducing the amount of prostitution in Scotland because of the evidence of exploitation and the harms that it is causing.**

408. **Some Members of the Committee^{cx} recommend that the general principles of the bill be agreed to even although they believe substantial amendment is required, given the unacceptability of the status quo; the damage caused by the lucrative and exploitative global sex trade; the prevalence of violence against women and girls, and sexism and misogyny in society; the lack of support currently available to those seeking to exit prostitution and the considerable evidence from other jurisdictions who have reformed the law in this area in recent decades. They believe that the proposed amendments to the Bill should be scrutinised and that it would be wrong to curtail the debate given the failure to legislate to reform the law over many years.**

409. **Other Members^{cx} also share the concerns expressed about the drafting of section 1 of the Bill but also the evidence presented that there may be**

unintended consequences for the safety of women involved in prostitution. While they share all other Member's concerns about the impact of prostitution on society and are clear that it is a form a violence against women and children that often impacts the most vulnerable in society, and that there must be urgent action taken to tackle this, they believe the evidence heard about the risk to women's safety arising from the criminalising the purchase of a sexual act cannot be ignored. They are not only concerned that there has been limited time to explore those concerns fully thus far, but also believe that there is insufficient time to consult on and make any necessary changes to the Bill between now and the end of the Parliamentary session. They are therefore of the view that the Bill should not proceed beyond Stage 1.

410. In any case, if the Bill does fall at either Stage 1 or Stage 3, we make the following suggestions.

411. All Members of the Committee agree with the urgency of achieving the main policy intention of the Member in Charge of the Bill to reduce the harm being caused to many of those involved in prostitution and address wider issues such as human trafficking and the prevention of violence against women and girls.

412. We would hope that the next session of Parliament sees the introduction of new proposals with the potential for new legislation informed by further consultation on how this should be achieved as early as possible. These proposals should, where appropriate, build upon the work undertaken by the Member in Charge, whilst addressing the points of concern identified during our scrutiny.

413. The Committee also presses the necessity for the Scottish Government to engage with stakeholder groups to ensure that more support for those involved in, or wish to, or have exited, prostitution is provided and is easy to access for women who need the support.

414. The Committee further recommends the Scottish Government establishes an independent commission. The Committee believes that given the unacceptability of the status quo, and the changing environment in which prostitution now operates, the remit of the commission should include, but not be limited to, considering the damage caused by the lucrative and exploitative global sex trade, the prevalence of violence against women and

girls and sexism and misogyny in society, the support that is required for those in prostitution, those seeking to exit prostitution and the considerable evidence from other jurisdictions who have reformed the law in this area over recent decades.

- 415. This commission should be established with the requisite expertise within the first year of the next parliament to report back to the Parliament on how best to legislate to reduce the prevalence of prostitution in a manner consistent with protecting the safety of women and girls. The Committee considers that any such commission, if established, should operate for a defined period and must report its findings and recommendations in the next Parliamentary session.**

ANNEXE A: Written, Oral and Supplementary Evidence

WRITTEN SUBMISSIONS IN RESPONSE TO THE CALL FOR VIEWS

The Committee undertook a public call for views to inform its Stage 1 scrutiny of the Bill. The call for views ran from 30 June to 5 September 2025, and received 541 written submissions-

- [Call for Views - Written Submissions](#)

ORAL AND WRITTEN EVIDENCE

The oral and associated written evidence considered by the Committee is also available online-

Wednesday, 25 June 2025 -20th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 8 October 2025 -27th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 29 October 2025 -28th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 05 November 2025 -29th Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 19 November 2025 - 31st Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

Wednesday, 26 November 2025 - 32nd Meeting, 2025

- [Oral Evidence](#)
- [Written Evidence](#)

SUPPLEMENTARY WRITTEN EVIDENCE

The Committee received and considered supplementary written evidence following oral evidence appearances. This is available online-

- [Letter from Ash Regan MSP](#), 16 December 2026
- [Letter from the Office of the Director of Public Prosecutions - Ireland](#), 12 December 2025
- [Letter from the Crown Office and Procurator Fiscal Service](#), 11 December 2025
- [Letter from the Lord Advocate](#), 9 December 2025
- [Letter from Ash Regan MSP](#), 9 December 2025
- [Written submission from Ash Regan MSP](#), 9 December 2025
- [Letter from National Ugly Mugs](#), 8 December 2025
- [Letter from the Minister for Victims and Community Safety](#), 5 December 2025
- [Letter from An Garda Síochána na hÉireann \(Irish Police\)](#), 28 November 2025
- [Submission from Dr Niina Vuolajärvi, London School of Economics and Political Science](#), 27 November 2025
- [Letter from the Swedish Prosecution Authority](#), 19 November 2025
- [Letter from the Public Protection Branch, Police Service of Northern Ireland](#), 18 November 2025
- [Letter from the Swedish Police](#), 17 November 2025
- [Letter from the Public Prosecution Service of Northern Ireland](#), 13 November 2025
- [Letter from Nordic Model Now!](#), 12 November 2025
- [Letter from National Ugly Mugs](#), 15 October 2025
- [Letter from Nordic Model Now!](#), This was originally submitted on 13 October 2025. It was not published until 26 January 2026 due to an administrative oversight
- [Letter from Ash Regan MSP to the Convener](#), 9 September 2025
- [Letter from the Minister for Victims and Community Safety](#), 29 July 2025
- [Letter from the Minister for Victims and Community Safety to the Convener](#), 23 June 2025

LIVED EXPERIENCE ENGAGEMENT

The Committee arranged to receive the personal evidence of individuals with lived experience. This was done in a trauma-informed manner and based on how they wished to share their views with the Committee. This process was underpinned by advice and feedback from the support organisations we approached. A note of the lived experience engagement is available online-

Criminal Justice Committee

Stage 1 Report on the Prostitution (Offences and Support) (Scotland) Bill, 2nd Report, 2026 (Session 6)

- [Women's Support Project facilitated interviews at which the Committee's questions were put to a group of seven individuals - November 2025](#)
- [Committee Members meeting with a group of individuals with lived experience of sex work at an informal meeting facilitated by Scotland for Decrim - 13 November 2025](#)
- [SPICe summary of submissions from lived experience individuals which were received as part of the Committee's public Call for Views on the Bill - 10 November 2025](#)

ANNEXE B: Extracts from the Minutes

Wednesday, 25 June 2025 - 20th Meeting, 2025

3. Prostitution (Offences and Support) (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from Ash Regan, Member in Charge of the Bill, Maren Schroeder, Senior Researcher, Office of Ash Regan MSP.

5. Member's Bills (In Private): The Committee considered the evidence it heard earlier under agenda items 2 and 3.

6. Member's Bills (In Private): The Committee agreed to issue calls for views for the Prevention of Domestic Abuse (Scotland) Bill and the Prostitution (Offences and Support) (Scotland) Bill.

Wednesday, 8 October 2025 -27th Meeting, 2025

1. Prostitution (Offences and Support) (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from Diane Martin CBE, A Model for Scotland; Amanda Jane Quick, Nordic Model Now!; Bronagh Andrew, Operations Manager, TARA and Routes Out Services; Niki Adams, English Collective of Prostitutes; Lynsey Walton, Chief Executive, National Ugly Mugs and Laura Baillie, Political Officer, Scotland for Decrim.

2. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered the evidence it heard earlier under agenda item 1.

Wednesday, 29 October 2025 -28th Meeting, 2025

6. Prostitution (Offences and Support) (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from Dr Niina Vuolajärvi, Assistant Professor in International Migration, London School of Economics; Ruth Breslin, Director, Sexual Exploitation Research and Policy Institute, Republic of Ireland; Dr Larissa Sandy, Associate Professor of Criminology, University of Nottingham and Professor Jo Phoenix, Professor of Criminology, University of Reading.

7. Evidence Session (In Private): The Committee considered the evidence it heard earlier under agenda item 6.

Wednesday, 05 November 2025 -29th Meeting, 2025

1. Prostitution (Offences and Support) (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from Dr Emma Forbes, National Lead for Domestic Abuse, Crown Office and Procurator Fiscal Service; Liliana Torres Jimenez, Criminal Policy Executive and Secretary of the Criminal Law Committee, Law Society of Scotland and Detective Superintendent Steven Bertram, Police Scotland.

Liam Kerr declared an interest as a current member of the Law Society of Scotland.

3. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered the evidence it heard earlier under agenda item 1.

Wednesday, 19 November 2025 - 31st Meeting, 2025

1. Prostitution (Offences and Support) (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from Siobhian Brown, Minister for Victims and Community Safety, Jeff Gibbons, Violence Against Women and Girls Unit Head and Anna Donald, Deputy Director, Criminal Justice Division, Scottish Government.

3. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered the evidence it heard earlier under agenda item 1.

Wednesday, 26 November 2025 - 32nd Meeting, 2025

1. Prostitution (Offences and Support) (Scotland) Bill: The Committee took evidence on the Bill at Stage 1 from Ash Regan, Member in Charge of the Bill, Scottish Parliament

7. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee agreed to defer consideration of the evidence heard under agenda item 1 to a future meeting.

Wednesday, 3 December 2025 - 33rd Meeting, 2025

1. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered the evidence heard at previous meetings.

Wednesday, 10 December 2025 - 34th Meeting, 2025

3. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered a draft Stage 1 report. Various changes were agreed to, and the Committee agreed to consider a revised draft, in private, at its next meeting.

Wednesday, 17 December 2025 - 35th Meeting, 2025

6. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered a draft Stage 1 report. Various changes were agreed to, and the Committee agreed to consider a revised draft, in private, at its next meeting.

Wednesday, 7 January 2026 - 1st Meeting, 2026

3. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered a draft Stage 1 report. Various changes were agreed to, and the Committee agreed to consider a revised draft, in private, at its next meeting.

Wednesday, 14 January 2026 - 2nd Meeting, 2026

1. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered a draft Stage 1 report. Various changes were agreed to, and the Committee agreed to consider a revised draft, in private, at its next meeting.

Wednesday, 21 January 2026 - 3rd Meeting, 2026

2. Prostitution (Offences and Support) (Scotland) Bill (In Private): The Committee considered a revised draft Stage 1 report. Various changes were agreed to, and the report was agreed for publication.

