

Criminal Justice Committee  
Wednesday 26 November 2025  
32nd Meeting, 2025 (Session 6)

## Prostitution (Offences and Support) (Scotland) Bill

### Note by the Clerk

#### Introduction

1. The [Prostitution \(Offences and Support\) \(Scotland\) Bill](#) was introduced on 20 May 2025.
2. The Bill creates a new offence of paying for sexual acts. The Bill also repeals the existing offence under section 46 of the Civic Government (Scotland) Act 1982 of soliciting and importuning by prostitutes. People who have been convicted of this offence in the past would have their convictions quashed. Additionally, Scottish Ministers will need to ensure that a person who is, or has been, in prostitution is provided with help and support.

#### Today's evidence on the Bill

3. At today's meeting, the Committee will conclude its oral evidence taking on the Bill from the following witnesses. The Committee will hear from-
  - **Ash Regan MSP**, Member-in-Charge of the Bill,
  - **Maren Schroeder**, Senior Researcher to Ash Regan MSP,
  - **Anna MacLeod**, Parliamentary Assistant to Ash Regan MSP.

#### Correspondence and Engagement

4. The Committee has had various exchanges of correspondence with Siobhian Brown MSP, Minister for Victims and Community Safety on the Bill. These are reproduced in the Annexe A.
5. The Committee has also 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.
6. Notes of two engagement exercises are included in the Annexe B, along with the SPICe document summarising written responses to the Committee's Call for Views on the Bill from individuals with lived experience.

7. The Committee also wrote to the police forces and prosecution authorities in Northern Ireland, the Republic of Ireland and Sweden. The Committee asked a series of questions about the impact of changes in the laws governing the sale and purchase of sexual services in these countries. Responses received so far are included in Annexe C.
8. The following documents are reproduced at the Annexes—
  - ANNEXE A: Extract of a letter from Siobhian Brown MSP, Minister for Victims and Community Safety 23 June 2025 (pages 4 - 5);
  - ANNEXE A: Extract of a letter from Siobhian Brown MSP, Minister for Victims and Community Safety 29 July 2025 (pages 6 - 7); and
  - ANNEXE B: SPICe document summarising written responses to the Committee's Call for Views on the Bill from individuals with lived experience (pages 9 - 18)
  - ANNEXE B: The Women's Support Project facilitated interviews at which the Committee's questions were put to a group of seven individuals (pages 19 – 28).
  - ANNEXE B: Committee Members met a group of individuals with lived experience of sex work at an informal meeting facilitated by Scotland for Decrim (pages 29 – 35).
  - ANNEXE C: Response from the Public Prosecution Service of Northern Ireland (pages 36 – 38)
  - ANNEXE C: Response from the Police Service of Northern Ireland (PSNI) (pages 39 – 40)
  - ANNEXE C: Response from Polismyndigheten - Swedish National Police Agency (pages 41 – 44)
  - ANNEXE C: Response from Åklagarmyndigheten - Swedish Prosecution Authority (pages 44 – 73)
  - ANNEXE C: Response from An Garda Síochána (Ireland's national police service) (**STILL PENDING**)
  - ANNEXE C: Response from the Director of Public Prosecutions Ireland (**STILL PENDING**).
9. The Committee has taken evidence on this Bill previously at its meetings on [19 November](#), [12 November](#), [5 November](#), [29 October](#), [8 October](#), and [25 June 2025](#).

## Financial Memorandum

10. The Finance and Public Administration Committee issued a call for views on the Bill's Financial Memorandum.
11. [Responses to the Finance and Public Administration Committee's call for views](#) can be found online.
12. On 11 November 2025, the Finance and Public Administration Committee informed the Criminal Justice Committee that it had agreed to take no further steps in relation to the Financial Memorandum for the Bill.

## Further reading

13. A [SPICe briefing on the Bill](#) can be found online.
14. [Responses to the Committee's call for views on the Bill](#) can be found online.

**Clerks to the Committee**  
**November 2025**

## **ANNEXE A: CORRESPONDENCE**

### **EXTRACT FROM LETTER OF 23 JUNE 2025 FROM THE MINISTER FOR VICTIMS AND COMMUNITY SAFETY**

23 June 2025

Dear Convener,

#### **Member's Bills**

Thank you for your letter of 4 June 2025 inviting me to provide the Scottish Government's initial views on the two Members' Bills that have been referred to the Committee: the Prevention of Domestic Abuse (Scotland) Bill (Member in charge – Pam Gosal MSP) and Prostitution (Offences and Support) (Scotland) Bill (Member in charge – Ash Regan MSP).

I would first like to recognise the discussions that have taken place between Scottish Government Ministers and both MSPs since they first announced their intention to bring forward legislation, in order to better understand the policy intent behind the proposals within each Bill, and to learn how the proposals could interact with existing practice.

It has of course only been a short period since the introduction of the Bills and their final provisions. As the Committee will be aware, the Scottish Government is already progressing a number of related initiatives, and it is important to consider these alongside the proposals within each Bill. Further analysis of the financial aspects of each bill will be needed, and I want to also garner stakeholder views and consider the Stage 1 evidence the Committee gathers before coming to a final considered position on each bill.

#### **Prostitution (Offences and Support) (Scotland) Member's Bill**

The Scottish Government recognises the underlying intent of the Bill to challenge men's demand and to tackle commercial sexual exploitation, which are goals we share. There remain significant questions and concerns regarding the measures within the Bill and how they would work in practice, the extent to which they would deliver on the policy intent, and the associated financial implications.

We will want to further examine the bill's proposals and consider any evidence that the policy intent can be delivered through the proposals. For example, we note the challenges experienced internationally, including in Ireland, which has recently published a [review](#) of its legislation, particularly in relation to enforcement. We are also well aware of the challenges that the online aspects have posed in relation to enforcement and policing, and this is subject to discussion at official level with Home Office counterparts, for example on the current UK Crime and Policing Bill.

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

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available for and what the associated costs would be, in order to be able to come to a considered view.

In particular, and as I outlined during the member's business debate on combating commercial sexual exploitation on 3 June, 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.

That is not a step that can be taken lightly and would require significant stakeholder engagement, recognising the exceptional nature of such action, the potential number of people who may be involved (especially given the retrospective nature of such a proposal) and the associated costs involved.

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.

I hope this is of use to the Committee.

Yours sincerely,

**SIOBHIAN BROWN**

## ANNEXE A: CORRESPONDENCE

### EXTRACT FROM LETTER OF 29 JULY 2025 FROM THE MINISTER FOR VICTIMS AND COMMUNITY SAFETY

29 July 2025

Dear Convener,

#### **Prostitution (Offences and Support) (Scotland) Bill and Prevention of Domestic Abuse (Scotland) Bill: Stage 1: update following evidence session on 25 June 2025**

Following the evidence session on 25 June 2025, I consider it important that I provide the Committee with some further information to ensure members are fully informed as to the current position on a number of matters.

#### **Prostitution (Offences and Support) (Scotland) Bill**

Noting the references made to [Operation Begonia](#), I thought it would be helpful to provide some further background information.

Operation Begonia builds on earlier work undertaken in Aberdeen and is Police Scotland's new national approach on prostitution. This approach routes women with experience of prostitution to local support and sees Police more evidently use the powers currently available to them to challenge men's demand. Operation Begonia is a key element of our Strategic Approach, and we are committed to supporting its roll out, with the next phase of this work increasing the focus on tackling the online aspects of Commercial Sexual Exploitation.

In these ongoing discussions with Police Scotland, we will review the emerging data and evidence, which will help inform consideration of the tools the police need to effectively tackle Commercial Sexual Exploitation. 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.

With regard to the comments within the evidence session about international approaches, it should be noted the review in Ireland mentioned above stated that from January 2017 up to August 2024 the police service in Ireland recorded 15 convictions under their legislation. In response, their Justice Minister [commented](#) that the '*Review highlights that despite the criminalisation of the purchase of sexual services, demand has not decreased. The review also suggested that the Office of the Director of Public Prosecutions highlighted their view that, as currently drafted, s.7A [Ireland's legislation which criminalises the purchase of sex] is a difficult offence to prove, resulting in a low number of prosecutions relative to the number of*

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*incidents investigated, as well as the report stating that, demand persists, albeit in less publicly visible and more covert forms, such as through online platforms’.*

In addition, the Scottish Government’s [evidence review](#) on international challenging demand approaches may also be of interest - this highlights some of the challenges that have been experienced with implementing and enforcing legislation.

For reference I am also including some information around the National Referral Mechanism (NRM), to clarify the support that may be relevant in some cases. The support provided to victims of trafficking in Scotland is funded by Scottish Government. In order to be referred into the NRM, an individual needs to be identified as a potential victim of human trafficking and/or slavery, servitude, and forced or compulsory labour. Both UK and foreign nationals can enter into the NRM. Where there are reasonable grounds to believe that an adult is a victim of human trafficking, support can be provided for up to 90 days or longer in some circumstances. Children entering the NRM are cared for and supported within the framework of Scotland’s child protection system, and the national Getting It Right For Every Child approach.

Another area of consideration in relation to the funding of support for victims, is that whilst the member referenced that the costs could be met by the Delivering Equally Safe (DES) and Victim Centred Approach funds (VCAF), 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. In real terms, this means that DES currently provides £21.6m to support 115 Projects from over 107 organisations and through VCAF we will provide £32m to 23 Organisations between 2025-2027, including £12m for specialist advocacy support for survivors of gender-based violence. As part of the implementation of our Strategic Approach we will continue to consider a sustainable funding model, informed by the initial roll-out of the Begonia approach.

Finally, it might be helpful if I set out to the Committee the difference between a person receiving a pardon for an offence of which they have been convicted and their conviction being quashed, not least to ensure everyone is clear with the distinction between the two.

The effect of a pardon is symbolic. The reasons vary why pardons have on occasion in the past been used, but the use of a pardon is intended to be a formal acknowledgement to “lift the burden of conviction”. However, a pardon does not reverse the conviction which still exists as a matter of law and does not, in and of itself, mean that the conviction would be removed from a person’s criminal record or excluded from criminal record disclosure checks.

Pardons have been legislated for twice. First in relation to men convicted of offences relating to sexual activity with other men which is now lawful via the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018) and second in relation to those convicted of offences such as breach of the peace relating to the 1984/85

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Miners' Strike via the Miners' Strike (Pardons) (Scotland) Act 2022. For the 2018 Act, a disregard system was also provided to allow individuals who had such convictions to apply to have them removed from public records so that they would never be disclosed, for example, in response to a disclosure check.

By contrast, where a conviction is quashed, the conviction is to be regarded for all purposes as having been reversed as a matter of law and information about it is automatically removed from that person's criminal record. The effect is that the conviction never existed.

Apart from the recent unprecedented and novel legislation to quash convictions relating to the post office scandal, a conviction is quashed by an appeal court because they have concluded that the original conviction was wrongful and amounts to a miscarriage of justice. The unique recent legislative approach in the Post Office (Horizon System) (Scotland) Act 2024 had the effect of quashing certain convictions of post office workers because concerns about the Post Office Horizon IT system meant these convictions could not be regarded as safe.

This legislation was decided as needed given the significant volume of cases affected by the tainted Horizon evidence which meant the usual processes of the Scottish Criminal Cases Review Commission to investigate miscarriages of justice could not timeously be utilised and instead legislation needed to be brought forward. This unprecedented and novel approach was essential in that it was only through a conviction being quashed that relevant sub postmasters could access justice by applying for the UK Government redress schemes that were available. When that Bill was debated in Parliament on 21 May 2024, the Cabinet Secretary for Justice and Home Affairs acknowledged the unprecedented nature of the Parliament legislating to quash convictions and was specific to the circumstances arising with the use of evidence taken from Horizon system and the effect this had on the safety of a significant number of convictions.

You will have seen from the recent letter the Cabinet Secretary for Justice and Home Affairs sent to you regarding that scheme, a total of 65 convictions and alternatives to prosecution have been quashed. Alongside the unique nature of the circumstances arising with the Horizon system, the legislation is complex and there is an administrative cost attached to each case with the financial memorandum for the legislation estimating it to be around £4,000 for each case identified under the Act.

I hope this additional information is helpful to the Committee.

Yours sincerely,

**SIOBHIAN BROWN**



## ANNEXE B: LIVED EXPERIENCE

**SPICe**

The Information Centre  
An t-Ionad Fiosrachaidh

### **Prostitution (Offences and Support) (Scotland) Bill – response to call for views from individuals with lived experience**

The Prostitution (Offences and Support) (Scotland) Bill is a Member's Bill that was introduced by Ash Regan MSP on 20 May 2025. The Criminal Justice Committee held a call for views on the Bill which closed on Friday 5 September 2025, with [541 published responses](#).

The purpose of this paper is to summarise the responses received from individuals with lived experience. Only those who self-identified as an individual with lived experience in their response have been included. All comments included in this summary have been anonymised.

As a result, this paper summarises the responses from 58 individuals, 54 of whom identified themselves as an individual with lived experience, and 4 who stated that a close family member or partner has lived experience.

This summary includes some figures for the numbers of people expressing particular views. However, it should be borne in mind that respondents are self-selecting, and it should not be assumed that their individual or collective views are representative of people with lived experience generally.

### **A new offence of paying for the performance of a sexual act by a person**

The first question in the call for views asked respondents for their views on the creation of a new offence of paying for the performance of a sexual act. The responses to this question fell into two broad camps of 'for' and 'against.' Those who described themselves as 'sex workers' were generally strongly against this section of the Bill. In contrast, respondents who described themselves as 'victims of sex trafficking', or coercion were generally strongly in favour of the proposal.

#### **Respondents with views in favour of the new offence**

This group comprised 13 individuals and 1 family member who mainly described their lived experience as either 'sex trafficking' or a form of coercion. They were generally strongly in favour of the proposal to create a new offence of paying for the performance of a sexual act.

The main arguments in favour of the proposed offence concerned:

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- the negative impact of prostitution on those involved in selling sex
- the belief that the offence would reduce demand
- existence of organised crime, exploitation and violence within prostitution.

Some also expressed support for extending the proposed offence to cover a wider range of commercial sexual activities.

### **Negative impact of prostitution on those involved in selling sex**

One respondent told the Committee that:

“I agree with this proposal. 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.”

Another commented that:

“I agree that decriminalisation for sellers of sexual activities is good while criminalisation for buyers is good. I am both a therapist working with survivors of prostitution and a survivor myself.”

### **Belief that the offence would reduce demand**

A number of responses suggested that the new offence would decrease the demand for sexual services. Comments reflecting this view included:

“I agree with this decision. Stopping the consumption reduces the demand, therefore directly reducing the amount of victims within the sex industry.”

And,

“I fully support this proposal. I believe this would decrease the number of buyers and that means less woman will be doing prostitution. I speak from the point of view of a woman who’s been a prostitute through human trafficking.”

### **Existence of organised crime, exploitation and violence within prostitution**

For some of the respondents, their views reflected concerns regarding criminal activities within prostitution. One individual said that:

“The buying of human beings, children or adults in any capacity in public or in private spaces must be prohibited. To not stop the trafficking, prostitution, and exploitation would stand in collusion with organised crime which garners billions from these crimes committed.”

There was one individual who described themselves as a sex worker who also agreed with this section of the Bill. They told the Committee that:

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“My views on this proposal are being an ex sex worker, not all people who pay for sex are dangerous, some clients are very lovely people, who are lonely, and not dangerous, or want to harm you in anyway, despite this I do agree with creating an offence for paying for sexual services because when you look at the wider picture it can a lot of the time feed into human trafficking, exploitation, abuse, kidnapping, violence, sexual violence etc, pimps etc”.

### **Support for extending the proposed offence**

A number of respondents in this group were also in favour of extending the proposals to include activities not currently covered by the offence. For example, one respondent told the Committee that:

“I do believe that lap dancing, strip tease as seen in ‘strip clubs’ are party to the human rights violations of prostitution and human trafficking.”

Another respondent agreed with this view, stating:

“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.”

### **Respondents with views against the new offence**

This was a larger group comprised of 41 individuals who described themselves as ‘sex workers,’ and 3 further responses from individuals who said that a family member was a sex worker. They were generally strongly against the proposal to create the new offence.

The main arguments against the proposed offence concerned:

- the impact of the proposals on the safety of people selling sex
- the freedom of people selling sex to make their own choices
- the belief that full decriminalisation would be better
- the view that the proposed offence would not reduce demand.

### **Impact on the safety of people selling sex**

Most of the comments against this part of the Bill focussed on the safety of individuals selling sex, and the perception that criminalising purchasers would make the situation less safe. For example, one respondent explained that:

“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

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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.”

Safety was also the primary concern of another respondent who told the Committee that:

“By making it a crime for my client base to book me, I will have to remove certain aspects of my screening as most of them (as far as I am aware) are law abiders and will cease to use my services. This removes my safety barrier and means I will be forced to see clients I would never normally entertain. I am in WhatsApp safety groups with other independent escorts and we all feel the same way.”

Family members were also concerned about keeping their loved ones safe, with one individual stating that:

“My wife is a sex worker and the criminalisation of clients would put her under an incredible amount of danger. She wouldn’t be able to screen her clients and would therefore be much more likely to experience violence.”

The experience of individuals in countries that have adopted similar legislation was also raised by this group of respondents. One response said that:

“I am against this proposal, it comes from my own experience working in the South of Ireland. I have been working here since 2015, so I saw the differences when client criminalisation was introduced in 2017. I have not seen that much of a reduction in the number of people working in Ireland, there are definitely much more workers than when I first started. Instead what I have seen are prices going down and sex workers offering riskier services”.

### **Freedom of choice for people selling sex**

Responses highlighting the argument that sex workers should be allowed to make their own choices, without being stigmatised, included:

“This is a disgusting attempt to police the morality of other women, and incompatible with a modern and tolerant Scotland. Frankly I am disgusted.”

And:

“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.”

Some argued that it was not only unfair to those selling sex, but also to their clients. For example:

“This section of the bill is not only impractical, but it is also entirely unjust to women like me. It assumes that the sex I provide and the money I earn from it are illegal or otherwise immoral, labelling my clients as predatory sex offenders for engaging in a natural act. My clients, along with those of many other women in similar situations, are neither predatory nor exploitative; they

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are simply looking for companionship and the natural experience of consensual sex.”

### Preference for decriminalisation

There were responses that answered this question by expressing their strong preference for full decriminalisation of sex work. One example of this was the respondent who said:

“the law should move toward a full decriminalisation framework that treats sex work as legitimate labour and ensures equitable safety, health, and labour protections for all workers, regardless of the form the work takes”.

### Impact on demand

For some of the respondents, their objection to this proposal reflected their view that it would not work in the way that is anticipated. One response explained that:

“It 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.”

## Repeal of section 46 of the Civic Government (Scotland) Act 1982

The second question sought views on the repeal of an offence set out in section 46 of the Civic Government (Scotland) Act 1982 (the 1982 Act). The offence criminalises people selling sex in public places – often referred to as street prostitution. (A separate offence aimed at people seeking to buy sex in such situations would not be repealed by the Bill.)

### Views in favour of the proposal

Respondents with lived experience (both those supporting and against having a new offence targeted at buyers) were nearly all in favour of the proposed repeal.

Comments included:

“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.”

Other respondents discussed the impact of convictions under this legislation on the lives of those charged. One comment explained that “having a criminal conviction would make it hard to leave the industry and get a normal life after getting free.” Another respondent suggested that fear of prosecution prevented them reporting the abuse that they had suffered, stating that:

“I have avoided telling the police about almost everything that has happened to me as a worker because these things remain on your record forever and if I am ever one of the lucky ones to get out, it’s a stain on my life forever - tell me how I can find other employment with this section in place?”

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Many of the comments argued that the offence disproportionately impacted some of the most vulnerable people. One respondent stated that:

“I am in favour of this section of the Act being repealed. This law targets the most vulnerable sex workers and drives sex work underground, stopping workers from being able to look out for one another and perform basic safety measures.”

### Additional repeals

Some respondents shared their views in favour of further repeal in the context of more fully removing individuals selling sex from risk of prosecution. For example, one response explained that:

“I agree with this proposal. Decriminalising the sale of sex helps to reduce the stigma and harm that people who sell sexual services face. 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.”

### Views against the proposal

There were a couple of comments that did not support repeal of section 46 of the 1982 Act. One respondent told the Committee that:

“I do agree this should be illegal. Sex work is a private thing and should not be arranged in public places.”

## Quash historic convictions under section 46 of the Civic Government (Scotland) Act 1982

Alongside repeal of section 46 of the Civic Government (Scotland) Act 1982, the Bill also proposes quashing existing convictions for the offence. When asked for their views on this part of the Bill, the respondents with lived experience were almost all in favour of the proposal. Comments included:

“I agree that historic convictions should be lifted. They should not have been implemented in the first place.”

And,

“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.”

Most of the comments received focussed on the potential impact of quashing these convictions for those who have them on their record. One respondent stated that:

“Vacating previous convictions for victims and survivors is the right thing to do to promote justice and the ability of survivors to rebuild their lives.”

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Another suggested that “this would be a great opportunity to give people their lives back”. The ability to find other jobs was viewed by respondents as one of the main positives of quashing these convictions. The Committee was told that:

“Convictions...dramatically lower your career options, trust me I have convictions, now I’m in university and I’m doing really well. But I remember when my convictions used to lose me employment opportunities - it was demoralising.”

Another respondent explained that:

“Yes, we should quash these convictions. 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.”

Another described past convictions as a barrier that left them in a vulnerable position. They stated:

“I am in favour of this being quashed. Having a prostitute’s caution bars people trying to leave sex work from finding other jobs, therefore trapping them in a cycle. This leaves us open and vulnerable to exploitation and violence.”

Similarly to the last question, there were respondents that expressed the opinion that other forms of conviction should also be quashed as part of a move to full decriminalisation. One suggested that:

“People trying to make a living through sex work should not be criminalised for it. We need full decriminalisation where innocent people should not have criminal records for being sex workers.”

Another expressed the view that:

“All convictions against women like me, who engage in consensual adult sex for money—whether in private or public—and those who have sought and paid for sex, should be annulled. The historical criminalisation of women like me, who have turned a legal and natural aspect of human interaction into a business, is nothing short of disgraceful.”

### Duty to provide assistance and support

The final section of the Bill proposes to place a duty on the Scottish Government to ensure that a person who is, or has been, in prostitution is provided with assistance and support. The Bill sets out a non-exhaustive list of the types of assistance and support that may be provided.

When asked for their views on this proposal, respondents with lived experience expressed a mix of views. While most agreed with the principle of providing assistance, there was a strong feeling that this would not actually be delivered by the Bill. Concerns were also raised regarding the possible barriers to accessing the proposed support services.

Some respondents expressed offence at the suggestion that they required specific forms of support.

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### **Views in favour of the proposal**

Some responses were strongly in favour of this part of the Bill. Comments included:

“I think this is an amazing proposal. And it reflects Scotland’s forward thinking and progressive attitude, we need to offer support and rehabilitation and provide people with opportunities to explore and discover their skills.”

And,

“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.”

Others were broadly in favour of the proposals but emphasised that it was very important that any support services were sector-led and did not include criteria that forced individuals to leave their current roles. For example, one respondent told the Committee that:

“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.”

### **Opinions expressing concern at a lack of detail**

The majority of responses to this question raised concerns that while the proposal sounded positive, the Bill lacked detail on how this would be delivered. This lack of detail led many respondents to question whether the support would be forthcoming. One such comment stated that:

“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?”

The current financial climate was mentioned by quite a few of the responses. One respondent told the Committee that:

“We are living in a time of austerity and huge cuts to essential services so I just don’t believe that there will be adequate funding made available to support sex workers to leave the industry.”

Another response shared that their experience led them to question whether the proposal could possibly be delivered. They explained that:

“We see insufficient financial support for welfare, disabled people, mothers, mental health and addiction services, social housing, legal aid. Where is the magic money tree that is suddenly going to provide all this funding for people like me who have been pushed into selling sex? You have provided no clear proposals and, crucially, no figures or funding sources.”

Some of the responses spoke of the Scottish Government’s support during the Covid pandemic as an example of promised support that did not materialise. One individual stated that:



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“Given ScotGov’s previous track record in helping prostituted women in times of need, I am not convinced this will come to fruition... During covid, I was unable to access the support Scottish Government offered to sex workers.”

Another person told the Committee that:

“During the pandemic, the government had an emergency ‘hardship fund for sex workers’ ... but sex workers could not access it or even was sure it applied to them.”

### **Experiences from other jurisdictions**

Many of the responses spoke about the roll out of similar legislation in other jurisdictions, and the perception that the promised support has not been delivered there. One response explained that:

“This promise has been made in places - Sweden and other countries that operate a system that criminalises the buyer, however they have universally failed to achieve this aim and this fails to explain how Scotland would be different as there are no concrete proposals or money or real commitment.”

Another response focussed on their experience of living in Ireland:

“In Ireland, this assistance and support was promised to us, but unless you are a trafficking victim, it is impossible to access it.”

An alternative viewpoint was provided in a response from New Zealand, where the focus has been on decriminalisation:

“I live in Aotearoa New Zealand where sex work has been decriminalised for over 20 years. Because of the legal model we live under, I have been able to conduct my work in a safe manner. I was able to thoroughly screen my clients, pay my taxes, choose how and when I wanted to work without fear of coercion or convictions and live my life with dignity. I did not need any ‘assistance’ or ‘support’ from ministers who had no lived experience or any idea about sex work.”

### **Views against the proposal**

There were also a group of respondents who answered this question by expressing the view that the idea of separate support structures could be perceived to be insulting. One individual with this view told the Committee that:

“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.”

Another explained that:

“This section of the bill is incredibly patronising, it’s hard to express how much...I shouldn’t be controlled by the government simply because I engage in sex work; this bill implies that as a sex worker, I am in a negative situation and require saving, which is not the case.”

### **SPICe Research**

## ANNEXE B: LIVED EXPERIENCE

Date: 04/11/2025

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.

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## ANNEXE B: LIVED EXPERIENCE

### Summary of Lived Experience Interviews from The Women's Support Project November 2025

#### 1. Overview

This briefing presents an integrated summary of oral and written evidence gathered from seven anonymised contributors - six women and one man - with lived experience of prostitution across Scotland, Ireland, and New Zealand. The purpose is to provide members with a trauma-informed understanding of the realities described by those who have lived within the sex trade and their views on the proposed Prostitution (Offences and Support) (Scotland) Bill. This summary was provided by the clerks of the Criminal Justice Committee, but every interview was conducted anonymously by the Women's Support Project.

The Bill seeks to:

- decriminalise people who sell sex;
- criminalise the purchase of sex in all settings; and
- require the Government to ensure exit and support pathways for those affected.

The testimonies analysed here reflect consistent support for those aims while stressing that implementation, safety, and sustained recovery supports will determine whether the Bill can deliver meaningful change. Contributors described prostitution not as an occupation freely chosen but as an adaptive response to circumstances such as poverty, trauma, gendered inequality, and, in some cases, coercion.

#### 2. Approach and Participant Profile

Evidence was drawn from semi-structured interviews and written submissions conducted or received between October and November 2025.

Participants are cited as **A–G** for anonymity and grouped by circumstance:

Group	Description	Examples
Formerly involved / exited	Women who have left prostitution (Scotland, Ireland, New Zealand)	A-E
Currently involved	Woman currently in indoor/agency work	F
Male survivor	Man coerced through addiction and criminal control	G

A trauma-informed lens guided analysis: recognising harm, honouring autonomy, avoiding blame, and foregrounding safety and dignity. Interviewers offered participants control over disclosure and withdrawal, and evidence has been presented in non-judgemental language.

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### **3. Pathways into Prostitution**

Across all interviews, entry into prostitution stemmed from vulnerability rather than volition. Common entry routes included childhood abuse, homelessness, financial deprivation, addiction, and grooming by partners or acquaintances.

Several women entered as teenagers, describing manipulation framed as affection or opportunity. A male survivor recalled being “kept high so that I’d do what they wanted” and eventually forced to sell sex to pay for drugs supplied by the same people.

Participants emphasised that once involved, leaving became progressively harder due to dependency, trauma bonding, fear, and stigma. Economic precarity - especially single parenthood - kept many returning. No contributor described their entry as a free or informed adult choice. Instead, prostitution was framed as survival behaviour in the absence of safe alternatives.

### **4. Experiences and Conditions within Prostitution**

#### **4.1 Physical and Psychological Harm**

All participants 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.

#### **4.2 Indoor vs Street Settings**

Evidence challenges the assumption that indoor prostitution is safer. Participants with experience in both contexts stated that danger simply becomes less visible.

Several recalled being told to lie to police or clients about their autonomy, and to deny any coercion if questioned. Constant relocation of flats prevented community support and kept women isolated.

#### **4.3 Economic Exploitation**

Earnings were unstable and heavily controlled by managers or third parties. Women described paying inflated rents, “house fees,” or losing half their income to agencies. Some noted that online platforms and apps function as digital pimps, taking cuts while disclaiming responsibility. A participant from New Zealand - where brothels operate legally - said this model didn’t make women safer, it just made “pimps” respectable businessmen.

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### **4.4 Health and Addiction**

Substance use was prevalent as a coping mechanism. Several entered the trade already dependent on drugs or alcohol; others became dependent during it. Health consequences included untreated injuries, infections, sleep deprivation, and chronic anxiety.

### **5. Criminalisation of People Selling Sex**

All participants opposed laws that criminalise people selling sex, citing them as barriers to safety, justice, and recovery.

#### **5.1 Impact of Criminal Records**

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.

#### **5.2 Fear of Authorities**

Several women avoided contact with police due to prior negative experiences - raids, public shaming, or disbelief. A current indoor worker said she was instructed by managers to smile and tell police that she "liked it here" if police come. Another described being warned that reporting violence would lead to deportation of foreign colleagues. The resulting mistrust kept women in unsafe environments according to testimony.

#### **5.3 Need for Privacy and Confidentiality**

Participants requested lifelong anonymity protections, particularly for survivors whose cases attract media attention. They emphasised that exposure could trigger re-traumatisation, loss of family contact, and renewed stigma.

#### **5.4 Stigma and Internalised Shame**

Women spoke about the corrosive effect of social stigma. Some internalised guilt for what had been done to them. A trauma-informed reading recognises this as a response to chronic powerlessness rather than true self-blame. Many said that removing criminal status would signal that society acknowledges them as victims of exploitation, not offenders.

### **6. Buyer Accountability and Demand Reduction**

Every participant supported the principle that responsibility for prostitution must rest with those who create the demand. The consensus was clear: criminalising buyers is the central moral and practical shift that distinguishes the Nordic Model from older legislation.

Women framed buyer criminalisation as an act of societal boundary-setting - a public statement that purchasing another person's body is unacceptable. Several also

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believed it would deter at least a proportion of buyers, describing deterrence as “a necessary fear.”

### **6.1 Consistency Across Settings**

All stressed that the offence must apply indoors as well as on the street. A split system - illegal in public, legal behind doors - was described as hypocritical and unsafe.

### **6.2 Economic and Behavioural Effects**

A few participants anticipated a short-term drop in income, viewing it as an acceptable trade-off for increased safety and the broader changes they hoped for, primarily through exiting prostitution. Some expressed hope that demand reduction would prevent new generations of women from being drawn in.

### **6.3 Male Accountability and Culture**

Several women contrasted exploitative buyers with men who protect and respect women, suggesting that law can reinforce positive norms. One person emphasised that men who are genuinely strong and protective don't treat women as objects. Another highlighted that true masculinity is characterised by compassion and respect, rather than a sense of entitlement.

## **7. Implementation, Policing, and Enforcement**

Participants repeatedly cautioned that legislation alone cannot deliver change without consistent enforcement and trauma-informed policing.

### **7.1 Learning from International Experience**

A woman who had worked in Ireland under the Nordic Model reflected that while the law appeared effective in theory, it ultimately failed due to a lack of enforcement. She reported continuing to see the same clients, noting that nothing really changed because there was no oversight.

In contrast, a former worker from New Zealand described her experience under full decriminalisation, where issues like violence and exploitation still occurred. Her view was that regardless of whether the system is legal or illegal, harm continues when authorities fail to intervene.

### **7.2 Specialist Training and Dedicated Units**

All contributors endorsed the creation of trained, specialist police teams. They urged that officers receive education from survivors to understand indicators of coercion, trafficking, and trauma.

Participants argued that enforcement should target exploiters and buyers rather than women. Re-traumatising interactions, such as aggressive questioning or moral judgement, were highlighted as major deterrents to seeking help.

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### **7.3 Balancing Safety and Prosecution**

Women warned that over-zealous policing could unintentionally endanger them by making buyers act hastily or forcing women to move to unfamiliar areas. They advocated for confidential reporting systems, text lines, trusted liaison officers, and community outreach, so women can alert police without fear.

### **8. Support and Exit Pathways**

All participants emphasised that exiting prostitution requires sustained, practical, and emotional support - not one-off interventions.

#### **8.1 Nature of Needed Support**

Common priorities included:

- Safe, affordable housing;
- Accessible addiction and mental-health services;
- Childcare and family reunification help;
- Education, training, and employment assistance;
- Peer or survivor-led counselling.

Several women 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.

#### **8.2 Appropriate Service Design**

Participants 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.

They emphasised that counselling alone is not enough, specialised therapeutic support delivered by trained professionals is essential. Survivor-led organisations were viewed as the most effective in meeting these needs. The male participant also noted that gender-inclusive support remains limited.

#### **8.3 Long-Term Commitment**

Participants described the process of leaving the sex trade as one that unfolds over several years and depends heavily on stable, trusting relationships. They criticised short-term initiatives that often end abruptly when funding runs out, leaving women without continued support. One woman pointed out that recovery and healing can't be confined to the limits of a single financial year.

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### **9. Stigma, Trauma, and Recovery**

#### **9.1 Enduring Psychological Impact**

Every testimony described long-term emotional effects: flashbacks, depression, anxiety, dissociation, and difficulty forming relationships. Participants said prostitution reshaped their sense of identity.

A trauma-informed reading of the evidence shows widespread complex trauma, arising from repeated boundary violations and loss of agency. Traditional clinical approaches were often unhelpful or retraumatising because practitioners lacked understanding.

#### **9.2 Stigma and Social Isolation**

Participants described how social stigma intensified their trauma, with many recounting experiences of being judged as immoral or blamed for their circumstances. One woman noted that people often assumed she had chosen her situation and therefore must have welcomed it. This stigma extended into critical areas of life, including healthcare, employment, and parenting. One participant shared that after revealing her past to a doctor, she was treated as though she were contaminated. To support dignity and successful reintegration, participants stressed the importance of expunging criminal records and improving professional understanding.

#### **9.3 Peer and Community Support**

Some participants found solace in survivor networks that foster mutual understanding. Shared language - such as describing themselves as “prostituted women” rather than “sex workers” - was empowering because it located responsibility in systems, not individuals.

### **10. Cultural and Social Reflections**

Participants broadened their reflections beyond personal experience to critique cultural norms and media narratives. They voiced alarm at the glamorisation of prostitution and pornography and the way social media normalises “selling images” as empowerment.

They connected this cultural shift with rising tolerance for sexual commodification and a weakening of empathy. One mother said she feared her daughter would grow up thinking it is normal.

Participants argued that education and prevention programmes should promote respect, consent, and equality, rather than framing prostitution as work. They viewed public awareness as integral to demand reduction.

### **11. Overall Summary and Analysis**

Across all seven testimonies, the evidence conveys a coherent message: prostitution is experienced as harm, not work. It is driven by poverty, inequality, addiction, coercion, and social neglect. Violence and exploitation occur in all settings, including



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regulated indoor environments. Criminalising women deepens that harm; decriminalising them while criminalising buyers is widely viewed as the fairest and safest balance.

Participants see the Bill as an opportunity for Scotland to acknowledge prostitution as a form of gendered violence and to realign law and services with that understanding. They stress that the Bill's success will depend on three conditions:

1. Effective enforcement focused on buyers and profiteers;
2. Comprehensive, survivor-led support for those exiting; and
3. Cultural change that dismantles stigma and demand.

### **Annexe A – Individual Evidence Summaries (Grouped by Experience Type)**

#### **Group 1: Formerly Involved / Exited Participants (A–E)**

This group comprises five women with lived experience in various contexts, including Scotland, Ireland, and New Zealand. All have exited prostitution and now advocate for reform. Their accounts offer consistent themes of coercion, trauma, and the limits of existing legal frameworks.

#### **Background and Entry**

Entry commonly occurred before full adulthood, through relationships or survival circumstances. Several described being groomed by partners or acquaintances who exploited financial hardship or emotional vulnerability.

Economic necessity was a recurring driver. Women entered prostitution following eviction, domestic abuse, or addiction. One participant from New Zealand recounted volunteering for the country's decriminalised sector in her teens, initially believing it would improve safety.

#### **Experience Within Prostitution**

All women described continuous exposure to harm - verbal abuse, physical assaults, and sexual violence - across both street and indoor environments.

Financial exploitation was universal. Agency and brothel owners imposed heavy deductions; online intermediaries profited from women's images without oversight. The perception that "indoor equals safe" was rejected; participants argued that violence and coercion persist but become less visible.

#### **Criminalisation and Police Relations**

Several had experienced arrest or cautions for soliciting or brothel-related offences. All said criminalisation created lifelong barriers to employment and housing, reinforcing stigma and dependence.

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Fear of police was widespread, though some recounted positive encounters with trauma-informed officers later in their lives. The consensus was that trust can be rebuilt only if women are fully decriminalised and protected from prosecution.

### **Views on the Bill**

Each participant supported the Bill's central aims:

- Decriminalise people selling sex to remove fear and stigma.
- Criminalise buyers in all contexts to shift accountability.
- Guarantee support pathways to exit.

The group saw the Bill as a “course correction” that acknowledges structural inequality rather than personal failure. Women emphasised the importance of enforcement - warning that good law without action leaves victims unprotected.

### **Support and Exit**

Most had exited prostitution after sustained intervention: detox programmes, housing support, or mentoring by survivor-led organisations. They described recovery as long-term and non-linear.

Support considered effective was trauma-informed, choice-based, and continuous. Harmful support included religious or “rescue” programmes that imposed morality or control. Participants stressed that any new framework must fund survivor-designed services.

### **After-Effects and Perspective**

All reported chronic trauma symptoms (flashbacks, anxiety, relationship difficulties and enduring stigma). Several said they rarely disclose their past due to discrimination in work and healthcare. They viewed the Bill as symbolic recognition that prostitution constitutes violence, not employment.

### **Group 2: Current Participant (F)**

This participant remains involved in indoor prostitution within Scotland. Her testimony provides an immediate view of current conditions and practical implications of the proposed reforms.

#### **Context and Motivation**

She entered prostitution as a young adult to meet financial obligations after job loss. She described initial relief at short-term income, which quickly gave way to fear and disillusionment.

Dependence on online platforms and intermediaries exposed her to constant surveillance and emotional manipulation. While she operates indoors, she stated that safety is mostly an illusion - clients know her location, while she has little control over theirs.

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### **Experience of Violence and Control**

Incidents of verbal abuse, coercion, and physical intimidation were frequent. She reported that reporting to police feels unsafe due to the risk of being publicly identified or losing income.

Drugs and alcohol were used intermittently to cope with anxiety. She recognised patterns of dissociation – “switching off” during encounters - as a survival response.

### **Views on the Bill**

The participant supports the Bill but worries about transitional effects:

- She acknowledged that criminalising buyers might lead to a drop in income in the short term, but felt it was a worthwhile compromise if it meant men would stop treating women as possessions.
- Decriminalising sellers and overturning convictions were viewed as crucial to building trust with authorities.
- She urged that enforcement focus on “predators”, not women.

### **Support and Needs**

She identified housing stability, mental-health care, and income support as prerequisites to exit. She also called for peer mentoring from women who have left prostitution:

This testimony highlights that without immediate alternatives- financial and emotional -many women remain trapped even when they wish to leave.

### **Group 3: Male Survivor (G)**

This participant’s account offers a rare perspective on male victimisation within prostitution, intersecting with addiction and organised crime.

### **Background**

He was drawn into prostitution through drug dependency and coercion by dealers involved in “county lines” operations. His home was “cuckooed” and used as a base by traffickers.

### **Experience and Harm**

He described being forced to sell sex to men and women to repay debts for drugs he never requested. Violence and humiliation were routine. He attempted self-harm multiple times before being assisted by police and outreach workers.

The participant highlighted the lack of gender-inclusive services: most charities focused solely on women, leaving male victims isolated.

### **Recovery and Support**

He eventually received therapy and addiction treatment through statutory and voluntary agencies, including an Independent Sexual Violence Advocate and trauma-

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focused CBT. He praised certain services that offered dignity and consistency, contrasting them with others that were perfunctory or judgemental.

### **Views on the Bill**

He supports the Nordic Model's gender-neutral framing - making it illegal for any person to buy sex. He argued that this would prevent exploitation across genders and signal that trafficking, and coercion are recognised as crimes of power, not desire.

He also urged the Committee to ensure benefit systems and mental-health services are accessible to people exiting prostitution, as bureaucracy often pushes survivors back into dependency.

### **Cross-Group Observations**

Across all three groups, testimonies converge on key points:

1. Prostitution is consistently experienced as exploitation and trauma, regardless of gender or setting.
2. Economic vulnerability and coercion are the main drivers of entry.
3. Criminalisation of sellers compounds harm; decriminalisation is essential for safety and reintegration.
4. Buyer criminalisation is widely supported as the clearest mechanism to reduce demand and shift moral accountability.
5. Support services must be long-term, trauma-informed, and survivor-led.
6. Stigma and shame remain major barriers to recovery and must be addressed through public education and confidentiality safeguards.

## **ANNEXE B: LIVED EXPERIENCE**

### **NOTE OF THE SESSION WITH INDIVIDUALS WITH LIVED EXPERIENCE, FACILITATED BY SCOTLAND FOR DECRIM**

**13 NOVEMBER 2025**

#### **General views**

- There was a general view expressed that there have been several pieces of legislation considered or recently passed such as the recent UK Online Safety Act which, coupled with this Bill, felt to our participants like an attack on sex workers. Strong concerns were expressed that all this legislation was making the job of a sex worker unsafe and affecting their livelihoods.
- This ongoing public debate is also having a very negative effect on the mental and emotional wellbeing of sex workers and adds to a feeling of needing to constantly justify themselves and their work to others. Regardless of the progress of the Bill, some felt the wider debate it is generating has increased the level of hostility against sex workers.
- Many feel the Bill, and the debate around it, is dehumanising to sex workers because it suggests they need to get another job as some deem 'sex work' to be too dangerous to them. This was contrasted against others in society who work in what many may see as inherently dangerous jobs, but they do not face the same calls as sex workers do to 'change'.
- Some also pointed out the Bill is also a risk to the partners/spouses/families of sex workers as they would be investigated/charged with benefiting from the earning of a sex worker etc.
- There was some support for the parts of the bill, but a view that, ultimately, it will not do much to affect the behaviour of the buyers.
- Participants noted that, over the years, the Nordic Model has been repeatedly proposed in the Parliament, but a case for decriminalisation is rarely put forward. The repeated efforts to bring forward this legislation feels like an attack on sex workers.
- Participants felt very strongly that decriminalisation is the best way forward. Their view is the Nordic Model does not work. Their view was that the police don't have much sympathy for those working in the sex industry or understanding of the circumstances of those who work in the industry and this is even before the possible introduction of the Nordic Model.
- Participants felt the Bill will have the effect of shifting the balance of power away from them and to clients, especially men who seek to harm sex workers.

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- Their view was the Parliament should reject the Bill and instead work with sex workers towards decriminalisation. There was a strong opinion that policymakers should talk to the people this policy will directly affect.
- Participants considered the proposed policy direction in the Bill is flawed as it was not co-designed with sex workers. Their view was that the Bill will make their job more difficult and that decriminalisation would be a safer option.
- A view was expressed that seeing sex work as just work within a legal regime where no one is criminalised, is a better way of avoiding stigma. Their view was that where someone is criminalised by the sale of sex, then the stigma of being involved will always be there even if it is the buyer who is now being criminalised, as opposed to the sex worker.
- Views were expressed that those who work in the industry are already very dehumanised and viewed poorly by many elements of society. Their view was that the approach taken by the Bill is likely to mean that the police will chose to target sex workers in order to then target their clients, which would make workers less likely to report crimes against them. They said this would make them feel more dehumanised.
- A view was expressed that the greatest fear and challenge in their life was trying to pay to monthly bills. They noted that sex workers still have to pay tax even though the work they do is not seen as work, and that have no employment rights from their form of work.

### **Loitering/soliciting provisions in the Bill**

- Members asked about the provisions in the Bill on loitering and soliciting (the Bill proposes a repeal of the existing offence under section 46 of the Civic Government (Scotland) Act 1982). A view was expressed that this provision felt like a token gesture, included to smooth the passage of the wider Bill and the introduction of the Nordic Model.
- Participants felt that the Bill takes more of a moralising approach to tackling challenges they face and that sex workers feel dehumanised by the approach taken in this Bill.

### **Women's safety and violence**

- Members asked about the safety of people who work in the sex industry and violence towards them and women and girls more generally.
- Sex workers noted that they do try to carry out ID checks of potential clients and verify they are who they say they are. Some do feel able to feel to turn down prospective clients and say no. Therefore, some views were expressed that they

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have not felt unsafe when working because they felt in control of who they choose to meet. Others noted though that sometimes the need to pay bills and have money to live is the more important factor when making a decision about meeting a client.

- All the participants recognised that there is a male violence issue in society but that this Bill would not help and could make it worse. One participant explained that they currently encounter very few men who are violent towards them. But if the Bill is 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.
- They also said the Bill would make it more difficult to ‘vibe check’ someone because men will become more nervous of giving information. A view was expressed that this will be doubly difficult for sex workers who still meet clients on the street as they have less time to make that assessment of the potential risk a client may pose.
- A participant expressed a view that sex workers who have neurodivergent conditions may find it even harder to ‘vibe check’ potential clients without lawful access to tools such as client’s names, email addresses, electronic payments etc.
- A view was expressed that the wider violence in society against women is not the result of the work of sex workers. The wider agenda of violence against women and girls needed tackled as a priority rather than trying to make it harder for sex workers to work in the sex industry.
- One participant said that, ultimately, you cannot be completely safe as a sex worker, but you can take some steps to protect yourself.
- One of the most effective means of staying safe that was highlighted is the communication between sex workers about potentially violent clients. Other things such as communicating about unsafe venues etc can be effective too. But sex workers felt they are having to do the work of the police as the police rarely addresses the concerns sex workers have about their safety.
- Some expressed concerns about losing access to the use of advertising websites or apps, as it will disempower sex workers looking to protect their safety and leave them with fewer ways to assess the risk posed by a potential client.
- Their view was that by being more visible through a decriminalised approach was a much safer environment for those that work in the industry

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### Support (current and proposed) for those working

- Current provision of health support was seen as patchy, but that is a more general problem. There was also a view that some service providers often stigmatise those in the industry.
- Their view was that the introduction of the Nordic Model will mean they have to hide even more what they do and that will make accessing support more difficult.
- Some said that approaching some support service providers (e.g. a GP or the NHS) could lead to those service providers, or the people that run them, getting into contact with other services (e.g. police or social work) which can lead to further stigmatising and less anonymity about how they earn a living. This can be worse in small or closed communities where sex workers need to access services (e.g. STI testing) but still want to remain anonymous.
- There was a strong view that cracking the support needed to help those that work in the industry would take a lot of resources and it will be a difficult and long process to really help people exit the industry. Some said that even one relapse can often result in removal of support, and the exiting is not a linear process.
- Many expressed the view that poverty is the real root cause of the problems facing sex workers, not potential violence from clients.
- Some also feared that spending public resources on the form of support envisioned by the Bill would just lead to even more public resentment of sex workers and the resources being spent on them, especially in the face of calls for increased spending on issues such as health, education, childcare etc.
- One person expressed the view that the kind of support they really needed was support that would empower them to be the 'pioneers of their own story and how they exit sex work'.
- Many stressed that what would be better is help with rent and housing costs, other anti-poverty measures, benefits advice, childcare provision, help with mental health, help with addiction etc. They said if you really want to help people not become sex workers or to exit, then help them with decent benefits and money to live on and therefore be far less reliant on their earnings.
- It was pointed out that many sex workers are single parents and face all the same struggles and challenges as all other single parents – namely to provide for their family. But sex workers face all the additional challenges the criminal law brings for them. The Bill, they felt, would just make their task as lone parents even harder.



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- The decriminalisation approach taken in Belgium was highlighted as having been helpful because this has also come with changes to benefits such as maternity rights and pay which has helped those in the industry with children.
- Training could be made better for social workers, the police and others to help them understand what sex workers do and what they need.
- Concerns were expressed about losing access to certain websites and apps that sex workers currently use that they find helpful in order to keep safe.

### **Indoor/street work**

- Participants noted that it is very hard to get a breakdown of the relative amount of sex work and the split between indoor and street sales.
- The approach taken by the police in the Holbeck area of Leeds was praised, noting that trust has been built up between the local council, community police and sex workers. This includes having a dedicated police liaison officer to engage with sex workers. This is making it more likely that dangerous clients will be reported to the police.

### **Interactions with the police**

- Experiences were highlighted by some participants of police removing condoms and money when they have come to their place of work, which has impacted on their ability to do their job safely.
- Mention was made of police viewing two sex workers hiring a hotel room to use to meet clients and be safe, as brothel keeping under the existing law. This approach makes sex workers more vulnerable by forcing them to work alone.
- Some fear that those that speaking out or promoting sex work will result in police or others involving social work to look into their family circumstances e.g. if they had children.
- A view expressed that the introduction of the Nordic Model will make sex workers more vulnerable to the police who can often view sex workers more poorly and can prey on their vulnerabilities.
- A very strong view expressed was 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 said the police are likely to follow you around to target the buyers if the latter are now seen as criminals. They said this will simply remove the ability to work.

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- Some expressed concerns how the impact of the Nordic Model would affect sex workers from a migrant background, as they are already facing more hostility when engaging with the police and so are even more at risk.
- One person said that there could be some merit though because it removes the fear of arrest if working on the street. That is, not criminalising the seller could help. They said that if you continue to criminalise the seller, it impairs the ability to risk assess because they person is more worried about the police arresting them.
- A view was expressed that Police Scotland also would benefit from working with sex workers and their representatives and that there are some signs that the service is interested in learning. They said the best way to address the negative and hostile police culture many sex workers experience is for the police to learn from sex workers about what they, as members of the public and a community, need from the police.
- A participant said that the Nordic Model might seem preferable to the police because it will make their job easier as they will simply have to go after the clients. They said there needs to be mandatory training for police to reduce/eliminate practices such as victim blaming and an approach where, even when crimes on sex workers by clients are reported by sex workers, police find a way to blame or charge the sex worker.
- Training has to be delivered or be informed by sex workers and all police officers really need to embrace the ethos behind the training.
- Views expressed that those who have come forward to the police to report crimes are then recorded in systems/databases as sex workers. This means sex workers find it difficult to seek work in certain professions, e.g. like those involving children, or to seek to adopt a child etc.
- Recently, views were expressed that Police Scotland have been visiting homeless shelters and addiction services to speak to women who sell sex and who use these services with a view to advocating for the Nordic Model. A worry was expressed that this will make sex workers less likely to use these services.

### **Improvements to the Bill as drafted**

- Strong views that the Bill should not be passed at all.
- However, a view was expressed that stopping the criminalising of women sharing spaces as brothel-keeping would help.
- Amendments to set up a financial fund, with a fair level of support, could help people exit the industry. There was a strong view that more funding and not necessarily more advice is really what is needed.

## **ANNEXE B: LIVED EXPERIENCE**

- If the Bill passes and there is funding for support, then there needs to be fair and equitable funding for those organisations who take a different view for the policy focus of the Bill (i.e. organisations who support decriminalisation). There is a lot of fear such organisations could lose out on funding as they don't share the same views as others who support the Nordic Model. There are concerns that the atmosphere is already adversarial between different groups and this Bill is not making it better.
- Participants felt the terms of 'prostitute/prostitution' in the criminal law is loaded with negative historical and cultural context and makes their life harder. It was felt this word is dehumanising and not fit for purpose in 21<sup>st</sup> century Scotland. All criminal law in Scotland should use the term 'sex worker' instead.
- Finally, participants strongly stressed though that they do not support the main aim of the Bill, namely the Nordic Model, and strongly support decriminalisation and they want to see the Parliament consider that instead.

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS



Serious Crime Unit  
Public Prosecution Service  
Belfast Chambers  
93 Chichester Street  
Belfast BT1 3JR  
Tel: (028) 9089 7240  
(028) 9089 7011

Andrey Nicoll MSP  
Convener  
Criminal Justice Committee  
The Scottish Parliament

BY EMAIL TO:  
prostitutionoffencesandsupportbill@parliament.scot

13 November 2025

Dear Ms Nicoll

I refer to your correspondence dated 11 November 2025 in which you requested information regarding the offence of paying for the sex in Northern Ireland.

In particular, you had asked the following:

- **What impact have the changes in the laws governing the sale and purchase of sexual services in your country had on:**
  - a) **Levels of prostitution or the sale of sexual services as they have been observed or recorded by police, statutory and other service providers**
  - b) **The use of violence towards those active in the sex industry, particularly women and girls, either observed or recorded by police, statutory and other service providers**
  - c) **The number of offences and successful prosecutions of those purchasing sexual services**

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

In response to a) and c) above, please be advised that in the period 1 June 2015 to 31 March 2025, there were 138 files received by the PPS relating to 157 suspects for the required offences.

For the period 1 June 2015 to 31 March 2025, 22 prosecution decisions were issued in respect of the offence of paying for sexual services, 14 of which were summary prosecutions and 8 were indictable prosecutions.

In the same period, there were 131 decisions issued (16 Indictable prosecutions, 17 Summary prosecutions, 43 Diversions and 55 No prosecution decisions).

In the same period, there were 13 Crown Court outcomes (12 were found guilty of at least one offence and 1 was acquitted). Please note that whilst 12 defendants were found guilty of at least 1 offence, they may not have been found guilty of any of the paying for sexual services offences considered in cases where they were also being prosecuted for other offences.

In the same period, there were 14 Magistrates' Court outcomes (8 were found guilty of at least one offence, 1 was acquitted and 5 had an 'other' outcome). Please note that whilst 8 defendants were found guilty of at least 1 offence, they may not have been found guilty of any of the paying for sexual services offences considered in cases where they were also being prosecuted for other offences.

Below is the list of offences considered for the purposes of this query:

<b>Complaint Offence Code</b>	<b>Complaint Offence Description</b>	<b>Complaint Offence Legislation</b>
4211054AT	ATTEMPTING TO PAY FOR SEXUAL SERVICES OF A PERSON	Article 64A of the Sexual Offences (NI) Order 2008 and Article 3(1) of the Criminal Attempts and Conspiracy (NI) Order 1983
4211054SB	PAYING FOR THE SEXUAL SERVICES OF A PERSON (In force from 1 June 2015)	Article 64A(1)(a) of The Sexual Offences (Northern Ireland) Order 2008
4211056SB	PAYING FOR SEXUAL SERVICES OF A PERSON	Article 64A of the Sexual Offences (Northern Ireland) Order 2008

It has not been possible to provide a response to your question at b) above as we are unable to search our system for victims on the basis of their work. I can

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

confirm, however, that we have prosecuted offences of rape against sex workers within the Serious Crime Unit.

- **Have there been challenges for the police, prosecution bodies or the courts in implementing and administration the new laws? If so, can you provide further detail.**

Whilst I cannot identify any factors specific to prosecutions of this nature, witness attrition generally in cases of sexual crime is something we are always conscious of. We understand that sex workers in particular may be reluctant to engage with in the criminal justice system. There may also be underreporting of the crime of paying for sexual services given that the transaction usually takes place in private and is unlikely to be reported by either of the individuals involved. We have become aware of these offences mainly where more serious offences have been investigated such as human trafficking for the purposes of sexual exploitation or controlling prostitution or where an approach has been made to an individual to attempt to pay for sexual services and that person is not a sex worker.

Yours faithfully

*Catherine Kierans*

**Catherine Kierans**

**Head of the Serious Crime Unit**

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS



PPB Secretariat  
Public Protection Branch,  
Police Service of Northern Ireland  
280 Antrim Road,  
Belfast, BT15 5AA

Tuesday, 18 November 2025

Good afternoon,

The Head of PSNI Public Protection Branch is now Detective Chief Superintendent Zoe McKee.

This information requested isn't generally in our remit, I have asked for information from our Public Prosecution service and analysts, but I will be unable to get this before Thursday 20<sup>th</sup> November.

I have answered the questions below and will await further information.

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**Q: What impact have the changes in the laws governing the sale and purchase of sexual services in your country had on:**

Levels of prostitution or the sale of sexual services as they have been observed or recorded by police, statutory and other service providers

- Limited impact noted. Northern Ireland does not have a significant on street sexual services market. The majority is off street, which limits the investigative tactics that can be utilised. From a C1 perspective there are no proactive operations targeting the buying of sexual services as we prioritise investigations on the basis of highest risk and highest harm which will be cases involving MSHT.

The use of violence towards those active in the sex industry, particularly women and girls, either observed or recorded by police, statutory and other service providers –

- Unable to offer any comment on this question.

The number of offences and successful prosecutions of those purchasing sexual services

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

- I have requested information from our Public Prosecution Service (PPS) awaiting response.

Have there been challenges for the police, prosecution bodies or the courts in implementing and administration the new laws? If so, can you provide further detail.

- As mentioned previously the sex work market in Northern Ireland is largely off street, which limits tactical/investigative actions that can be deployed in investigations. The evidential standard for prosecution is high and it would be unusual to have co-operation from the sex worker therefore prosecutions are largely dependent on the admissions of the suspect.

Please see information below from our stats branch regarding the prostitution queries:

There have been 112 arrests<sup>1</sup> which have subsequently resulted in 26 charges<sup>2</sup> for the offence of Paying for Sexual Services from the introduction of the legislation in June 2015 to 31<sup>st</sup> March 2025.

<sup>1</sup> Arrested and processed through police custody

<sup>2</sup> Arrested and processed through police custody and subsequently charged

Kind Regards

Rachael Poskitt  
D/Constable



## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS



### INQUIRY REPLY

Registration number

Info class Not classified

Date 17 November 2025

Swedish Police Authority  
National Operations Department  
Janna Davidson

Criminal Justice Committee  
The Scottish Parliament

### Prostitution statistics

What impact have the changes in the laws governing the sale and purchase of sexual services in your country had on:

**a) Levels of prostitution or the sale of sexual services as they have been observed or recorded by police, statutory and other service providers**

It's been observed that the levels of prostitution continuously have decreased since the criminalization. In 2008, about 10 years after the implementation of the law, a public inquiry estimated that the street prostitution had decreased with 50%. Before the criminalization equal levels of prostitution was observed in the three Scandinavian countries, and after the implementation of the sex purchase act in Sweden, there was a significant increase in Norway and Denmark.<sup>1</sup> The same inquiry estimates that about 10% of the Swedish men have bought sex, which is a low number in comparison to other countries, and the Swedish sex-buyers more often buys sex abroad, although some answered that law had the preventive effect to either reduce or stop their behaviour.<sup>2</sup>

And we still see a significant effect on the demand in comparison to the other Nordic countries as a result of the practice in combination with the appraised normative effect of the law.<sup>3</sup> As an example; on the website of Real escort, a common site for advertising prostitution in the Nordic countries, last Friday on the 14<sup>th</sup>, there were exactly 80 individual advertisements of women in prostitution in Sweden and 391 in Finland. And yet the population in Finland is about half the size of in Sweden. Furthermore, field work officers have noticed that the women previously exploited in

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<sup>1</sup> SOU 2010:49 (Swedish Government Official Reports)

<sup>2</sup> Ibid, s. 124

<sup>3</sup> Ibid, s. 37

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

Sweden are moved to neighbouring countries like Norway. This is to a certain extent related to the business itself but also most likely an effect of the outreach field work conducted in Sweden, since we notice that the women move to Norway during action weeks in Sweden.

The statistics on the reports of sex purchase in a Nordic comparison: Norway: 507 cases of sex purchase cases, incl. minors (2020-2025) Sweden: 7338 sex purchase cases, incl. minors (2019-2023).<sup>4</sup>

### **b) The use of violence towards those active in the sex industry, particularly women and girls, either observed or recorded by police, statutory and other service providers**

Due to the sex purchase act the field-work officers can access the women, even without a suspicion of trafficking or procuring, and inform themselves about violent situations the exploited women and girls are exposed to. About a third of the women in prostitution report additional crimes such as physical violence, rapes and robberies and almost 50 % of the minors in western Sweden in the annual report of 2022.<sup>5</sup> In 2023 and 2024 serial rapists targeting women in prostitution were arrested and sentenced to 8 years of prison each. Their activities were disclosed in the outreach field work as the women told the Police about similar situations. The multiagency team - consisting of police and social services – is the success factor in this regard with a victim-oriented approach in order to build trust and help the women.

### **c) The number of offences and successful prosecutions of those purchasing sexual services**

The number of prosecutions of trafficking, procuring, purchase of sexual acts and related crimes, all depend on the efforts made in the outreach field-work. 85% of the trafficking cases for all purposes and related crimes have been initiated in the outreach field-work and 95% regarding sexual exploitation. Between 1999 and 2023, 14 951 sex purchase acts were registered.<sup>6</sup> In other words, it's crucial to apply field-work both digitally and physically to prevent and combat exploitation. But the law has a crime preventive effect on organized crime in itself.

A recent report from the Swedish Police estimates that criminal networks most often are connected to venues where sexual exploitation was disclosed. In addition to the exploitation, crimes such as drug and weapon trade, black mail, child pornography and various financial crimes such as tax fraud have been revealed.<sup>7</sup> A report about the open prostitution in the Netherlands reveals that 78% of the brothel owners have

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<sup>4</sup> Brå, Nordic Police Network

<sup>5</sup> Annual situation report Human trafficking 2022:

<https://polisen.se/siteassets/dokument/manniskohandel/manniskohandel-for-sexuella-och-andra-andamal---lagesrapport-24.pdf/download/?v=b3d515e8b3ef89196715f1076aeae02a>

<sup>6</sup> Brå (Swedish National Council for Crime Prevention)

<sup>7</sup> [https://polisen.se/siteassets/dokument/ovriga\\_rapporter/slutrapport-projekt-manniskohandel-230503.pdf/download/?v=34af47be06a8ebdbb8628e6548574b5a](https://polisen.se/siteassets/dokument/ovriga_rapporter/slutrapport-projekt-manniskohandel-230503.pdf/download/?v=34af47be06a8ebdbb8628e6548574b5a)

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

criminal background.<sup>8</sup> However, Europol states in the report *Decoding the EU's most threatening criminal networks*<sup>9</sup> that criminal networks solemnly dedicating themselves to human trafficking don't operate in the Nordic countries to the same extent as in other European countries.

**Have there been challenges for the police, prosecution bodies or the courts in implementing and administration the new laws? If so, can you provide further detail.**

Not significantly, to my knowledge. On the contrary, the practise of the law has been facilitated by the fact that the victim of the crime does not carry the formal status of a victim in the criminal proceedings, meaning her testimony is not needed in the prosecution, which makes the administration of the law more efficient. In the severe procuring cases under human trafficking-like circumstances, the victims can be identified as a formal victim of the crime, which gives similar status as a victim of human trafficking.

Janna Davidson  
Operations developer

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<sup>8</sup> Failed promises: the history of legal prostitution and sex trafficking in the kingdom of the Netherlands, 2025

<sup>9</sup> Decoding the EU's most threatening criminal networks, 2024

# ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS



SWEDISH PROSECUTION AUTHORITY  
PROSECUTION DEVELOPMENT CENTRE

Senior Public Prosecutor Carolin Roos

Date  
2025-11-19

Page 1 (11)

Audrey Nicoll  
Convener  
Criminal justice Committee  
The Scottish Parliament  
Via e-mail only

Dear Ms Nicoll,

Thank you for your questions about the Swedish sex purchase legislation!

*Background and aims of the Swedish legislation (The Swedish model or The Nordic model)<sup>10</sup>*

The following can be mentioned as a background to the Swedish sex purchase legislation. On 1 January 1999 Sweden was the first country in the world to introduce legislation that criminalizes buying sex, but not selling it. The provision criminalized anyone who obtained casual sexual relations in return for payment. Attempted offences were also criminalized. Before that time, it had only been punishable to obtain, or attempt to obtain, a casual sexual relationship in return for payment with a person under 18 years of age (*seduction of youth*).

The criminalization was intended to fulfil a norm-setting function and make it clear that prostitution is not socially accepted in Sweden. It was also considered to fulfil an important mark towards other countries regarding Sweden's position on the issue. The Swedish government considered that it was not fair to criminalize someone who in most cases is the weaker party and who is exploited by others who want to satisfy their own sexual urges. It was also considered important that people who are victims of prostitution, without risk of punishment, should be able to seek help to get out of prostitution.

Initially, the penalty was a fine or imprisonment for a maximum of six months. On 1 July 2011, the maximum penalty for *purchase of sexual services* was increased from six months in prison to imprisonment for at most one year. The current penalty scale for purchase of sexual services was introduced on 1 August 2022, when the minimum penalty was increased from a fine to imprisonment. On 1 July 2025, the classification of the crime was changed from *purchase of sexual services* to *purchase of a sexual act*.

At the same time, the criminalized area was expanded so that purchasing sexual acts that are conducted at a distance, for example over the internet, is now also covered by the provision. Previously, physical contact between the parties was required for the act to fall within the

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<sup>10</sup> See current legislation in attached appendix

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

criminalized area regarding purchasing sex from adults. Acts against children committed from a distance were already criminalized, see more about crimes against children below.

In Sweden, prostitution and human trafficking for sexual purposes are seen as a part of men's violence against women and their existence is an obstacle to gender equality. It is considered a serious and widespread social problem that causes great physical and psychological suffering.

The ultimate purpose of the legislation is to protect the interests of both the individual and society. The purchase of sexual acts is therefore considered a crime, not only against the individuals concerned, but also against the state and the public order.

Evaluations of and interviews with men who purchase sex have shown that the ban on the purchase of sexual services has had a deterrent effect. The legislation has a strong support among the public in Sweden and has led to significant positive changes in attitudes. The legislation also acts as an obstacle for larger organized crime networks that traffic in people for sexual purposes to establish in Sweden. Thus, a ban on the purchase of sexual services has had both normative and direct effects.<sup>11</sup>

### *Crimes against children*<sup>12</sup>

The provision on *seduction of youth* was established in connection with the introduction of the Swedish Criminal Code in 1962 and included anyone who, in return for payment, procured a temporary sexual relationship with a person under the age of 18. In 2005, the classification of the crime was changed to *purchase of a sexual act from a child*, meaning that anyone who, in return for payment, induced a child under the age of 18 to undertake or submit to a sexual act could be convicted of the crime. This is regardless of whether the sex buyer or someone else paid for the act. The changes were made to give children as comprehensive criminal protection as possible against being drawn into prostitution. The penalty could be a fine or imprisonment for a maximum of two years. On 1 January 2020, the classification of the crime was changed to *exploitation of a child through the purchase of a sexual act*. At the same time, fines were removed from the penalty scale and the maximum sentence was imprisonment for at most four years. The reason for the change of the classification of the crime was to highlight that the purchase of a sexual act from a young person should never be seen as a business transaction between two equal parties. On 1 August 2022, the penalty scale was further increased so that the minimum penalty became imprisonment for at least six months. If the crime is less serious, a maximum sentence of one year can be imposed.

### *It is possible to investigate and prosecute purchases of sexual acts as more serious sex crimes*

Since 2018, the sex crime legislation in Sweden is based on voluntary participation. This means that purchases of sexual acts of adults may be investigated and prosecuted as rape or other serious sex crimes. A sex buyer can be convicted of rape if he or she goes beyond what was agreed upon regarding the purchase of the sexual act (for example, by exceeding the agreed duration or by carrying out sexual acts other than what was agreed upon), if violence or threats are used to get the prostitute to participate in sexual acts, or if the prostitute is, for example, a victim of human

<sup>11</sup> Police Authority, report "Why did you choose us? Everyone is doing it! – final report from the Human Trafficking project" ("Varför tog ni just oss? Alla håller ju på med det! – slutrapport från projekt Människohandel"), 2023, page. 65

<sup>12</sup> See current legislation regarding children in attached appendix

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

trafficking. It is not that common, but it does happen that Swedish sex buyers are instead convicted of rape based on this.

Furthermore, in Sweden it is possible to convict a person of rape even though he or she is not the person performing the sexual act itself, which means that a procurer who uses violence or threats to induce a person to sell sex to others can also be convicted of rape. The same applies if the procurer exploits the fact that the person is in a particularly vulnerable situation, for example due to mental disturbance or addiction, or that the prostitute is in a position of dependence on the procurer, for example because he or she supplies them with drugs. However, we are not aware of any such case being tried in court so far.

As regards to crimes against persons under the age of 18, the provision on the *exploitation of children through the purchase of a sexual act* has been subsidiary to the more serious sexual crimes until 1 July 2025. This means that anyone who buys sex from a person under the age of 15 is usually convicted of *rape of a child*, provided that it can be proven that the perpetrator had intent or was negligent regarding the circumstance that the other person was under the age of 15. Since 1 July 2025, there are also greater possibilities of convicting a person of *rape of a child* for sexual acts committed against persons aged 15–17. The fact that a child is offered payment for participating in a sexual act is a circumstance that must be taken into account when assessing whether the child has had an impaired ability to protect their sexual integrity. If so, a perpetrator may be convicted of *rape of a child*, given that her or she have improperly exploited this.

### *Statistics and analysis of statistics*

In general, it is very difficult to obtain a statistically accurate picture of the extent of prostitution in Sweden. The unreported number is considered to be high. However, it can be stated that sex for payment and sexual exploitation is a clearly gendered phenomenon, where those who buy sex in Sweden are primarily men. A clear majority of those who are being sexually exploited in Sweden are women. Transgender people and people who do not identify as heterosexual are also overrepresented among those who sell sex. This has also been the case over time.

In a population study conducted by the Public Health Agency of Sweden (Folkhälsomyndigheten) in 2017, 1.5 % of the women surveyed and 1 % of the men surveyed aged 16–84 stated that they had at some point received payment for sex. More gay, bisexual and queer people (7 %), compared to heterosexuals, had received payment.<sup>13</sup> The Public Health Agency of Sweden also conducted a survey on young people's health, relationships and sex life (UngKAB23), which was presented in February 2025. The study shows that a total of 3 % of young people aged 16–29 responded that they had had sex for payment at some point in their lives. A slightly higher proportion of girls (4 %) than boys (2 %) stated that they had received payment for sex. As for people with a different gender identity, 11% of those within the relevant group who responded to the survey stated that they had had sex for payment (however, there were fewer than 30 people in that group who responded to the survey).<sup>14</sup>

Certain groups in society are particularly vulnerable to being exploited and the figures are significantly higher in these groups. For instance, a screening of female inmates in correctional facilities has shown that 24 % of them had had sex for payment. With regards to children who

<sup>13</sup> <https://nspm.jamstalldhetsmyndigheten.se/prostitution-och-manniskohandel/prostitution/>

<sup>14</sup> <https://www.folkhalsomyndigheten.se/publikationer-och-material/publikationsarkiv/u/ungas-halsa-relationer-och-sexliv-resultat-fran-ungkab23/?pub=141028>

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

had been subject to compulsory care under the Act (1990:52) on special provisions on the care of young people (in short LVU), 13 % of girls and 5 % of boys stated that they had had sex for payment.<sup>15</sup> It should be noted that migrants, who are perceived to be a large part of those exploited in prostitution, are not reached by these surveys.

In the above-mentioned population study from the Public Health Agency of Sweden in 2017, 10 % of men stated that they *had paid* for sexual acts, while the corresponding figure for women was 0.5 %.<sup>16</sup> The survey UngKAB23 also showed that 1 % of all respondents aged 16–29 had paid for sex – among boys the figure was 2 %.<sup>17</sup> This age group consists of people who were only children or not even born when the sex purchase legislation was introduced. The fact that pornography is so easily accessible now compared to then may have an impact on the prevailing tendency to purchase sexual acts from others. A survey conducted by the Public Health Agency of Sweden in 2017 showed that 7 out of 10 men aged 16–84 consume pornography, while 7 out of 10 women never do so. One in five men consume it frequently, most of whom are aged 16–29. The survey claims that pornography use is associated with risk factors for sexual health, such as experience of paid sex. However, no conclusions could be drawn about causality. Some studies show that men who frequently use pornography may be more likely to try things they have seen in pornography, take sexual risks and have a more trivializing attitude towards men's violence against women.<sup>18</sup>

A government-appointed investigation in 2010, about 10 years after the legislation first came into force, found that street prostitution had decreased significantly and, apart from in metropolitan regions, had basically disappeared completely since the introduction of the legislation. However, it was assessed that the dominant arena for prostitution contacts had instead become the internet.<sup>19</sup> In a survey conducted in 2020 regarding prostitution mediated over the internet, it was found that there were 12,474 unique advertisements and profiles on 32 different websites that mediated sexual services.<sup>20</sup> In an ongoing study at Stockholm University aimed at mapping websites that market sexual acts for payment, 46 pages were identified in 2025 that were aimed at the Swedish market. 34 of the pages were analyzed, of which 14 had a primary focus on the Swedish market while 20 of them had an international focus with a presence in several countries. A total of 12,032 sales profiles could be identified.<sup>21</sup> However, it may well be that several profiles belong to the same person and it is therefore not possible to say anything certain about the number of people in prostitution based on these figures.

Furthermore, it is clear that many contacts aimed at sex for payment are made via traditional social media platforms, such as Instagram, Snapchat, TikTok, Kik, Tinder, Grindr, Badoo and Onlyfans.<sup>22</sup> In these cases, the communication takes place only between the parties and therefor it

<sup>15</sup> The Swedish Gender Equality Agency (Jämställdhetsmyndigheten, in short JÄMY), report "*Prostitution and human trafficking - Final report on the assignment to strengthen the work against the exploitation of children and young people and adults in prostitution and human trafficking, and to map the extent of prostitution and human trafficking*" ("*Prostitution och människohandel - Slutredovisning av uppdrag att stärka arbetet mot att barn och unga respektive vuxna utnyttjas i prostitution och människohandel, samt kartlägga omfattningen av prostitution och människohandel*"), 2021:23, page 15

<sup>16</sup> The Swedish Gender Equality Agency, report 2021:23, page 16

<sup>17</sup> <https://www.folkhalsomyndigheten.se/publikationer-och-material/publikationsarkiv/u/ungas-halsa-relationer-och-sexliv-resultat-fran-ungkab23/?pub=141028>

<sup>18</sup> The Public Health Agency of Sweden, "*Results from the SRHR 2017 survey*" ("*Resultat från undersökningen SRHR 2017*")

<sup>19</sup> State public investigations (Statens offentliga utredningar), SOU 2010:49, page 105 and following

<sup>20</sup> The Swedish Gender Equality Agency, report 2021:23, page 16

<sup>21</sup> Ongoing research by Lisa Kaati at Stockholm University

<sup>22</sup> The Swedish Gender Equality Agency, report 2021:23, page 18



## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

is more difficult for the authorities to get a fair idea of the extent to which this occurs. Given that the Swedish legislation on the purchase of sex was introduced over 25 years ago and the public's access to the internet largely occurred at the same time, it is difficult to answer whether the development regarding the movement of prostitution from the streets to the internet has mainly had to do with criminalization or with societal development in general and digital development in particular.

A report from the Swedish Police Authority also shows that the purchase of sexual services occurs in about 80 % of Sweden's 2,000 Thai massage parlors. Often, the people exploited in prostitution in these places are women from Thailand who are subjected to multiple exploitation and are often also subjected to human trafficking. Sex for payment at massage parlors is believed to have existed in Sweden since the 1960s. Though at that time, most of the people who worked in the parlors were Swedish-born women with previous experience of prostitution.<sup>23</sup>

We have produced statistics from the Swedish Prosecution Authority on the number of incoming criminal suspicions regarding *purchase of sexual services* by adults and *exploitation of children through the purchase of a sexual act*, the number of criminal suspicions decided and the number of criminal suspicions that have led to prosecution over the past ten years, see the attached excel file. The term *prosecution* refers to different types of decisions where a prosecutor has found that the sex buyer has committed a sex purchase crime.

The statistics in the attached excel file only regards suspicions that has come to the knowledge of the Swedish Prosecution Authority. It should be noted that preliminary investigations concerning *purchase of sexual acts* may be led by the Swedish Police Authority. If the police authority closes a preliminary investigation, for example because there is not enough evidence, it will not appear in the statistics of the Swedish Prosecution Authority.

From reviewing the statistics in the attached file it can be concluded that approximately 70 % of the incoming suspicions regarding crimes involving adults in 2024 led to decisions to prosecute. The corresponding figure for crimes against children in 2024 was only approximately 30 %. In contrast, the latter figure was approximately 90 % in 2023. Over the past ten years, the number of incoming suspicions regarding *purchase of sexual services* from adults has increased, as well as the number of prosecutions for the same crime. Regarding crimes against children, the number of suspicions and prosecutions has fluctuated more over the years, which could be due to the fact that the number of cases is so low that a few extensive cases with multiple suspicions of crime have a big effect on the statistics. This could also explain the big differences between prosecution decisions in 2023 and 2024.

Unfortunately, the Swedish Prosecution Authority does not keep statistics on the extent to which the prosecutions have led to convictions. Statistics available on the website<sup>24</sup> of the Swedish National Council for Crime Prevention (Brottsförebyggande rådet, in short Brå) show that there were 557 successful verdicts in 2024 where *purchase of sexual services* from an adult was the main crime. The majority were sentenced to prison or an alternative sentence to prison. This can then be compared to the figures in the Swedish Prosecution Authority's statistics, which show that prosecution decisions have been made regarding 837 suspected crimes. It is important to realise that the Swedish Prosecution Authority's statistics are based on the number of individual suspected crimes, while Brå's statistics are based on the number of convicting verdicts, approved

<sup>23</sup> PMY report 2023, pages 15 and 45

<sup>24</sup> <https://bra.se/english/statistics/statistics-from-the-judicial-system>



## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

penalty orders and waivers of prosecution. It is therefore possible that a person has been convicted of several separate suspicions of crime in one and the same verdict, which is why the conclusions about how many actual suspected crimes have been dismissed has to be made with caution. In 2013, there were 238 prosecutions regarding *purchase of sexual services* by an adult, according to Brå's statistics. According to the Prosecution Authority's statistics, prosecution decisions were made regarding 323 suspected crimes. In 2000, there were 29 prosecutions for *purchase of sexual services*, all of which resulted in fines. In summary, there has been a significant increase in the number of prosecutions since the law was introduced.

Many of the crimes related to prostitution only come to the attention of the judicial system if the police conduct surveillance or other outreach activities and therefore the number of registered criminal suspicions and prosecutions depends heavily on the police resources available. The crimes are rarely reported by those involved themselves. It appears that a relatively large number of people exploited in prostitution in Sweden come from countries outside the EU. These people have a great fear of being deported themselves if they contact the Swedish authorities, which is why many of them refrain from doing so.<sup>25</sup>

Furthermore, there is a large discrepancy across the country in the extent of the police resources allocated for targeting sexual exploitation. In metropolitan regions, the police work more intensively to discover and prevent these crimes than in smaller cities. It is therefore not possible to draw any firm conclusions about the development of the number of sex purchases, since the hidden statistics is considered to be large. It is also clear that contact between buyers and the person exploited in prostitution is increasingly taking place digitally, which further complicates the police's ability to detect them.

### *Violence in connection to sex purchases*

The Swedish Prosecution Authority does not keep any specific statistics on violence that is carried out specifically in connection with sex purchases. However, it is our opinion that it clearly occurs and that women and girls in prostitution run a high risk of physical and psychological harm. There has not been any statistical data or other information showing that prostitutes are exposed to deadly violence. An ongoing study at Stockholm University, which has looked at reviews left by sex buyers on escort sites after buying sex, shows that it is common for men to buy sex in order to be able to do things they cannot do with their wives or girlfriends, such as strangulation and violent sex.<sup>26</sup> As mentioned above, pornography consumption can contribute to this, especially since a large part (90 %) of commercial pornography contains violent elements.<sup>27</sup> According to Swedish law the use of violence in connection to the purchase of a sexual act can lead to the crime being investigated as *rape* instead. But it can also be a question of other crime classifications such as *robbery* or *assault*. This affects the statistics kept on the number of sex purchases because a situation such as the one just described does not end up in the sex purchase statistics, but in the statistics for the more serious sexual crimes or violent crimes, and there is no special category for crimes committed in connection with prostitution.

<sup>25</sup> Brå, report "Purchase of sexual services – a follow-up of the application of the law" ("Köp av sexuella tjänster – en uppföljning av lagens tillämpning"), 2022:3, page 32-33

<sup>26</sup> Ongoing research by Lisa Kaati at Stockholm University

<sup>27</sup> <https://www.unizonjourer.se/aktuellt/rapporter/10-punkter-fran-forskningen-om-porr-och-porrindustrin/>

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

### *The application of the law by the judiciary*

Attached to this letter are two reports that Brå has produced as a follow-up on the application of the law. The reports were published in 2022. One of them concerns *the purchase of sexual services* by adults and the other concerns *exploitation of children through the purchase of sexual acts*. The reports are in Swedish, but also attached are the English summaries. Since the reports were published, as mentioned above, the legislation has been further amended in such a way that fines are no longer included in the penalty scale and that the purchase of sexual acts without physical contact by adults has also been criminalized.

In the reports from Brå they conclude, among other things, that the judiciary generally does not sufficiently take into account aggravating circumstances that exist in the cases regarding purchase of sex and that they also do not investigate *rape* in all cases where it is possible. The study also shows that it is often difficult to find and prosecute individuals controlling the organizations behind the sex trade and human trafficking as well as procurers and other enablers. Brå states that in order to have a broader deterrent effect and create conditions for protection and support, the work of the law enforcement authorities needs to be more continuous and broadened to more arenas. Furthermore, support for victims of crime needs to be improved and collaboration with social authorities needs to be expanded.<sup>28</sup> We ourselves have noted that a decisive factor in achieving successful prosecutions is the victim's trust in the judicial system and that they are treated with respect for their situation and their person.

As a general rule, sex buyers in many cities are offered support, advice and treatment in connection with their crimes being brought to the attention of the authorities in order to influence them to change their behaviour.

### *The work of the Swedish Prosecution Authority*

The Swedish Prosecution Authority is actively working to ensure that more cases than today are investigated and, if possible, prosecuted as more serious crimes than *purchase of a sexual act*. We are currently writing a legal guidance, a methodological support, on the handling of the crimes of purchase of sexual acts, procuring and the connection of the crimes to human trafficking. The purpose of the methodological support is to provide police and prosecutors with clearer guidance on the investigation of these cases and to ensure that other, more serious criminal charges are considered in more investigations and that we all become better at highlighting aggravating circumstances surrounding the purchase of sex, so that the penalty scales are applied in a more nuanced way. It is also important that the organizations behind the sexual exploitation is discovered and prosecuted.

In our assessment, the work against prostitution and other sexual exploitation is threefold and it is important that society in general and the legal system in particular work on all three parts – firstly to offer people who are exploited in prostitution support and help to get out of the situation and redress in cases where they have been subjected to crime, secondly to identify and prosecute the organized crime behind prostitution and thirdly to prosecute the buyers in order to thereby reduce the demand for sexual acts for payment.

If it would be of interest, we would be happy to get back to you when the guidance is finished, which is expected to be next year.

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<sup>28</sup> Brå, report 2022:3, page 11 and following

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

Do not hesitate to get back to us if you have further questions.

Best regards,

Eva-Marie Persson  
Director of Public Prosecution

Carolin Roos  
Senior Public Prosecutor

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

### The Swedish legislation – Chapter 6 in the Swedish Criminal Code (brottsbalken)

#### Section 9

A person who induces a child under eighteen years of age to undertake or submit to a sexual act in return for payment, is guilty of *exploitation of a child through the purchase of a sexual act* and is sentenced to imprisonment for at least six months and at most four years.

If the offence is less serious, the sentence is imprisonment for at most one year.

The provisions in the first and second paragraphs also apply if the payment was promised or made by another person.

Act 2025:586.

#### Section 11

A person who, in cases other than those previously referred to in this Chapter, induces a person to undertake or submit to a sexual act in return for payment with the main purpose of participating or being shown the act is guilty of *purchase of a sexual act* and is sentenced to imprisonment for at most one year.

The provision in the first paragraph also applies if the payment was promised or made by another person.

Act 2025:586.

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

### Statistics Purchase of sexual services and Exploitation of a child through the purchase of a sexual act (Sweden)

Number of <b>incoming</b> suspicions of crime to the Swedish Prosecution Agency (Antal inkomna brottsmisstankar)		Number of criminal suspicions <b>decided</b> (Antal beslutade brottsmisstankar (exkl Administrativa beslut och FU-åter till Polis))		Number of <b>prosecuted</b> criminal suspicions (including order of summary punishment and waiver of prosecution) (Antal lagförda brottsmisstankar (åtal,	
		Beslutsgrupp	(flera objekt) ▾	Beslutsgrupp	(flera objekt) ▾
Radetiketter ▾	Summa av Antal	Radetiketter ▾	Summa av Antal	Radetiketter ▾	Summa av Antal
<b>0610 Exploitation of a child through the purchase of a sexual act (Utnyttjande av</b>		<b>0610 Exploitation of a child through the purchase of a sexual act (Utnyttjande av</b>		<b>0610 Exploitation of a child through the purchase of a sexual act (Utnyttjande av</b>	
• barn under 18 år genom köp	1643	• barn under 18 år genom köp	1416	• barn under 18 år genom köp	822
2013	133	2013	72	2013	46
2014	74	2014	93	2014	32
2015	98	2015	70	2015	40
2016	179	2016	95	2016	53
2017	110	2017	151	2017	98
2018	240	2018	126	2018	79
2019	180	2019	277	2019	225
2020	149	2020	116	2020	57
2021	202	2021	145	2021	55
2022	89	2022	61	2022	23
2023	95	2023	136	2023	86
2024	94	2024	74	2024	28
<b>4024 Purchase of sexual</b>		<b>4024 Purchase of sexual</b>		<b>4024 Purchase of sexual</b>	
• services (Köp av sexuell	8444	• services (Köp av sexuell	7712	• services (Köp av sexuell	6163
2013	426	2013	398	2013	323
2014	472	2014	424	2014	331
2015	401	2015	451	2015	361
2016	417	2016	388	2016	324
2017	385	2017	357	2017	252
2018	612	2018	468	2018	369
2019	603	2019	545	2019	383
2020	763	2020	715	2020	582
2021	1331	2021	1210	2021	998
2022	938	2022	980	2022	753
2023	903	2023	781	2023	650
2024	1193	2024	995	2024	837
<b>Totalsumma</b>	<b>10087</b>	<b>Totalsumma</b>	<b>9128</b>	<b>Totalsumma</b>	<b>6985</b>

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

### **Note by the Criminal Justice Committee clerks**

Attached below is information received from the Swedish Prosecution Authority in response to a letter from the Criminal Justice Committee seeking information on the prosecution of the law in Sweden.

The Swedish Prosecution Authority provided two Swedish language reports as well as two English language summaries of these reports. All are original publications of the Swedish Government.

The original Swedish language reports are available online here-

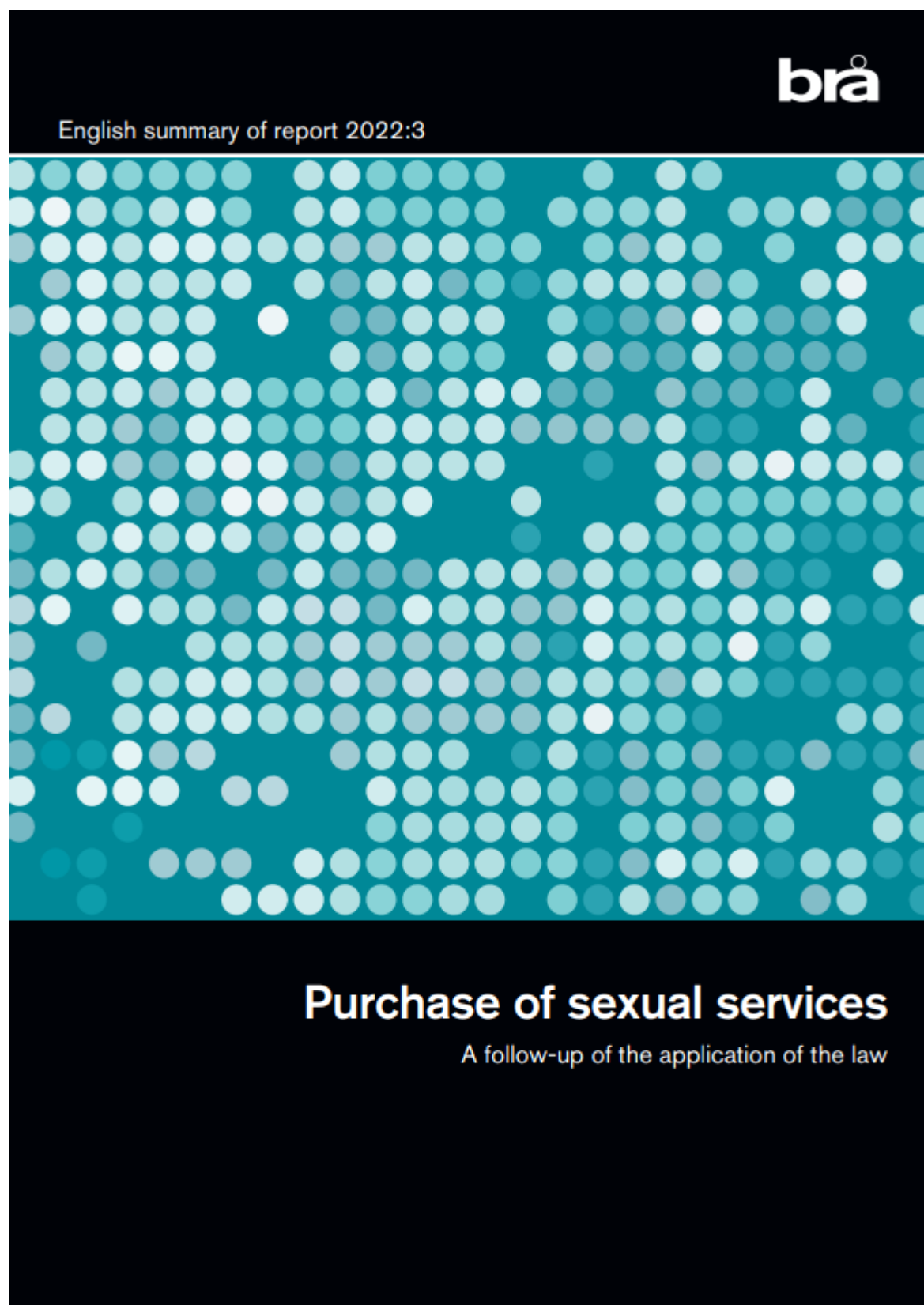
- [Köp av sexuella tjänster En uppföljning av lagens tillämpning](#) (2022) – 138-page PDF
- And
- [Utnyttjande av barn genom köp av sexuell handling En uppföljning av lagens tillämpning](#) (2022) – 110-page PDF

PDFs of these original reports were sent to the Committee for information, However, owing to the size and origin language they are not appended to this paper. Both reports are available online and are linked above for reference.

The English language summaries of both reports, produced by the Swedish Government, are attached below for information.

**Criminal Justice Committee clerks**  
**21 November 2025**

## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS



## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

### **The Swedish National Council for Crime Prevention (Brå) - centre for knowledge about crime and crime prevention measures**

The Swedish National Council for Crime Prevention (Brå) works to reduce crime and improve levels of safety in society. We do this by providing factual information and disseminating knowledge on crime and crime prevention work, primarily for the Government and agencies in the criminal justice system.

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This report is a summary of the Swedish report Köp av sexuella tjänster Rapport 2022:3  
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**ANNEXE C: RESPONSES FROM OTHER  
JURISDICTIONS**

# Purchase of sexual services

A follow-up of the application of the law

English summary of Brå report 2022:3

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

### **Summary**

Brå was commissioned by the Swedish government to follow up how the criminal justice system applies the prohibition on the purchase of sexual services (Chapter 6, Section 11 of the Swedish Criminal Code). The commission includes shedding light on several aspects of how the criminal justice system handles sex purchase crimes from police report to verdict and how the criminal justice system and social services cooperate. Brå's commission also encompasses analysing the possible effects of routinely giving injured party status to the seller of sexual acts. In the follow-up, we have reviewed 292 cases of reported sex purchase crimes (preliminary investigations and verdicts), interviewed several representatives of the criminal justice system and social services, conducted participant observation of police work and analysed documents, literature and crime statistics.

The prohibition on the purchase of sexual services was introduced in 1999 and currently reads:

- §1. A person who, in cases other than those previously referred to in this Chapter, obtains casual sexual relations in return for payment, is guilty of purchase of sexual services and is sentenced to a fine or imprisonment for at most one year.
- §2. The provision in the first paragraph also applies if the payment was promised or made by another person.

At the time of publication of this report, the Swedish government has submitted a bill proposing to increase the minimum penalty for the purchase of sexual services from a fine to imprisonment. The stricter penalty is proposed to enter into force on 1 August 2022 (government bill 2021/22:231).

### **Sex is purchased in a number of arenas**

Brå has not been commissioned to analyse the extent of sex purchase crimes, but on the basis of our interviews and previous research, we can conclude that such offences are committed on a large scale and in a number of different arenas. Since the introduction of the offence, the number of reported sex purchase crimes has increased steadily, especially over the past two years.

Since the purchase of sex is an offence that the police primarily learn about through proactive policing, the number of reports essentially reflects the scope and focus of the associated police work. This is confirmed by the cases that Brå has reviewed, with two thirds of them arising from proactive police work and one third arising from someone tipping off or reporting a crime to the police, including the concerned seller.

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

### **Efforts to curtail sex purchase crimes vary across the country**

In recent years, efforts by the police to curtail sex purchase crimes have been given a higher priority. At the same time, the extent to which the police work with such initiatives varies greatly across the country. In some places hardly any such work is conducted, while in other places such work is characterized by resources, commitment and structure. The interview material gives the impression that work to curtail the purchase of sexual services is still far too dependent on dedicated individuals or smaller teams. Within most police operations, efforts are also sporadic and scheduled for short periods of time, rather than forming a continuum that can act as both a deterrent to buyers and a point of contact with sellers.

The work of the police to curtail sex purchase crimes is focused on crimes linked to human trafficking, with efforts to curtail the purchase of sexual services mainly based around the human trafficking teams found in five of the seven police regions. However, moving forwards, the idea is for local police districts to work on curtailing individuals from purchasing sexual services while the human trafficking teams focus on the underlying, more serious, crime.

Training initiatives have been conducted in recent years and are considered to have yielded results in the form of significantly more reported sex purchase crimes.

### **Discovery and investigation of offences**

#### **The police mainly work by targeting escort sites**

The main focus of police work to curtail sex purchase crimes involves targeting escort sites. Escort sites are public websites with advertisements wholly or partly intended to mediate contact for the purchase of sexual services. A considerable proportion of the sellers on these escort sites are women living temporarily in Sweden in order to sell sexual acts. The police believe that such escort sites are an arena for mediating prostitution through which they can find human trafficking victims. Moreover, the police have established a method for targeting escort sites that has proven successful in enabling the relatively quick and easy prosecution of buyers of sexual services. In brief, it involves arresting the offender more or less in the act, which often results in an immediate confession.

Escort sites are also the dominant arena in the cases that Brå has studied. In these cases, the suspected buyer has generally made contact, often via text message, with the seller or a third party using a telephone number provided in the website advertisement to agree on the time, place, sexual act and price.

Other arenas are considerably less common. In just under one in ten of the cases, the buyer made contact with the seller via other internet forums, such as social communication platforms, dating sites or websites with diverse forms of sexual content. In a few cases, contact was made via a sugar dating site. Contact on the street or in other public places also occurs, but this is relatively uncommon. In only two cases is there a clear link to what is commonly referred to as street prostitution. Four cases of completed offences can be linked to sex purchase crimes involving a massage parlour.

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

### **Crimes also discovered by backtracking**

Another way for the police to learn about crimes is through backtracking, that is, from information that has come to light during the investigation of a crime that can be used to identify further crimes. For example, the police can discover sex purchase crimes and identify suspected buyers in connection with investigations into human trafficking and procuring. Sex purchase crimes have also been discovered after the police have gained access to the content of a buyer's phone.

### **A substantial percentage of reported sex purchases are cleared**

In 58 per cent of the cases studied by Brå, the police have been able to complete their preliminary investigation and present it to the prosecutor. The highest clearance rate is seen in those cases where the crimes were discovered during proactive policing, with nine out of ten cases being reported to the prosecutor. Other cases often present less favourable conditions with a higher proportion of cases closed.

Of the cases that the police have presented to the prosecutor, in most the prosecutor has issued a summary fine, although a considerable proportion result in prosecution. A decision to prosecute rather than issue a summary fine is most often made when the suspected buyer has not confessed to the crime or when the case has been coordinated with other cases requiring a court verdict, such as for procuring. In the vast majority of the cases decided by the courts, the suspected offender has been convicted. Common to the dozen or so cases where the accused has been acquitted is that the suspect has largely denied the crime and the seller has not been heard in court, which has contributed to the weight of the accused's testimony.

### **Common practice remains 50 day-fines**

As in previous reviews of the penalties imposed for the purchase of sexual services, Brå's case study shows that 50 day-fines are common practice for a single sex purchase crime. In only one case where the penalty concerned a single sex purchase crime did the district court impose a more severe fine. The stricter penalty was decided on the basis that it must have been obvious to the buyer that the seller was in a particularly vulnerable situation. All in all, only two verdicts on sex purchase crimes have detailed aggravating circumstances, otherwise no reasoning for the chosen penalty is generally given.

### **Male buyers and female sellers**

In the cases Brå has reviewed, essentially all suspected buyers are men. The median age is 35 years, 65 per cent are single, just under a quarter are married or cohabiting and the rest live in the same household as their parents. Education and employment levels among buyers are lower than those of the general population.

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

One third of the suspected buyers are foreign citizens and about half have a foreign background regardless of citizenship. The proportion of suspected buyers who have a foreign background is higher in cases discovered through proactive policing targeting escort sites than in other cases. The age of the suspected buyers is also lower in these cases. Interviewees from the police and social services say that men who are well established in Sweden are often well aware of the focus of police work. To minimise the risk of getting caught, they choose arenas other than escort sites for their sex purchases.

Among the sellers in the cases studied, all but four are women. The median age is 27 years. Some 43 per cent of the sellers are foreign nationals while 36 per cent are Swedish nationals. There was insufficient information to establish the nationalities of the other sellers. The percentage of sellers who are foreign nationals is particularly high on escort sites and in cases discovered through proactive policing.

The fact that the work of the police is almost exclusively focused on a specific arena means that other arenas with other groups of sellers are excluded from this work. These include, for example, financially vulnerable women living permanently in Sweden, people with substance abuse problems, LGBTQI people, men in prostitution and sex purchases involving massage parlours.

### **Aggravating circumstances not considered in the legal chain**

The case study includes several examples of cases involving diverse types of aggravating circumstances in connection with the sex purchase crime. For instance, the seller may have been under the influence of drugs or alcohol and the sex purchase may have been arranged by a third party. These are circumstances that, according to the legislative history of the sex purchase legislation, justify a more severe penalty than day-fines for the concerned sex purchase crime. It also means that, due to the lack of proper consent, the sex purchase crime could possibly have been investigated and tried as rape or negligent rape.

However, Brå's review of the cases shows that these types of circumstances have rarely resulted in more severe penalties or any documented suspicion of rape. Interviews and conversations in conjunction with Brå's participatory observation also confirm that the entire legal chain could improve at considering aggravating circumstances.

### **Rape convictions in connection with sex purchase crimes uncommon**

Brå has also specifically studied suspected rapes in connection with sex purchase crimes. The 2018 sexual offences reform broadened the crime of rape. One change of particular relevance to sex purchase crimes is the broadening of the criminal liability for rape to even encompass situations in which the victim has been threatened by someone other than the person performing the sexual act. Human trafficking for sexual purposes is a concrete situation in which this broadened criminal liability could be relevant (government bill 2017/18:177 p. 39).

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

Of the cases of reported purchases of sexual services in Brå's review, sixteen cases also include a report of rape. A qualitative analysis of these cases shows that in the majority of them, a prearranged sex purchase has resulted in rape due to the buyer's actions. The only case that has resulted in a rape conviction involved the perpetrator using physical force to perform sexual acts other than those previously agreed. None of the reported rapes can be considered to involve a situation in which the arranged sex purchase itself constitutes rape as a result of the seller being threatened by someone other than the person who performed the sexual act, nor as a result of the buyer knowing that the seller's participation in the sex purchase was not voluntary or exhibiting gross negligence in whether this was the case.

A quarter of cases have documented links to procuring

In 25 per cent of the cases studied, there is documentation indicating that the sex purchase crime is linked to human trafficking, procuring or human exploitation. The most common link is to procuring, whereas only one case has documented links to human exploitation. Brå's analysis has been based on a strict interpretation in which we have only included clearly documented links. Based on the interview material, the actual percentage of cases in which the seller is linked to such crimes is probably much higher.

Massage parlours are highlighted by interviewees as an arena where there is often reason to suspect procuring, human trafficking and human exploitation. Despite intensified efforts to target these types of arenas, according to interviews and observations it is still difficult for law enforcement to successfully target human trafficking, procuring and sex purchase crimes involving massage parlours because they are hiding behind a legal business. Several interviewees believe that the number of unreported sex purchase crimes involving massage parlours is high.

Regional coordinators key to cooperation between police and social services

Brå has also studied the cooperation between the police and social services seen in connection with proactive policing targeting escort sites. When the police and social services cooperate in proactive policing, social services can, among other things, provide immediate support to sellers and try to help them to escape from human trafficking. The regional coordinators play a key role in this cooperation. Regional coordinators are social workers who are specialised in human trafficking and work closely with the police, with responsibility for an entire police region. According to interviewees, the cooperation between the police and the regional coordinators is considered extremely successful.

However, the regional coordinators are unable to physically attend all police operations targeting sex purchase crimes. The idea is for local social services to get involved instead and to provide immediate and long-term support. However, this does not always work. In some places, cooperation between the police and local social services is well-established, but in many other places such cooperation is non-existent. Cooperation may also be hampered by the fact that local social services sometimes lack the knowledge and resources needed to help victims of human trafficking.

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

There are also several arenas for the purchase of sexual services for which there is hardly any cooperation at all, such as sex purchase crimes involving sellers who are addicts. Specific support for buyers of sexual services is lacking in many places as well.

### **Sellers rarely given injured party status in sex purchase crimes**

Since the introduction of the prohibition on the purchase of sexual services, the penal provision has had dual protective purposes: the law is to protect both the public and the individual seller. This means that there is the possibility of giving the seller injured party status in the sex purchase crime. However, Brå's study shows that common practice is to treat the seller as a witness. Only one in ten sellers in completed and attempted crimes have been given injured party status, and in these cases there are usually other crimes associated with the sex purchase.

### **Difficulties in routinely giving injured party status to sellers of sexual acts**

Brå has analysed the possible effects of routinely giving injured party status to the seller of sexual acts, including whether this would improve the support provided to the seller of sexual acts in the legal process. According to the analysis, routinely giving injured party status would have effects on several levels. For the individual seller, this would mean increased access to support and information throughout the legal process. At the same time, these additional rights place greater demands on the authorities comprising the criminal justice system and, as a result, increase the resources required to handle this type of crime. It should also be noted that people who sell sexual acts are not a homogeneous group. While injured party status would help to highlight the vulnerability experienced by many sellers, there are others who may find it offensive to be made a victim unwillingly.

The introduction of injured party status would also impact proactive policing initiatives and investigations. On the one hand, according to interviewees, it could lead to the crime being given higher priority and improved investigations of aggravating circumstances. On the other hand, it would be more difficult for the police to wait for the crime to be completed before arresting a suspected sex buyer. In turn, this could lead to problems with evidence and difficulties in prosecuting offenders. The opportunities for proactive policing in human trafficking cases may also be impacted if the possibilities to delay intervention are limited.

The report also identifies a broader criminal law dilemma with a possible change in injured party status in sex purchase crimes, in terms of both the balance between the various protective interests of the law and the ability of the seller to give exonerating consent.

### **Brå's assessment**

Based on the fact that the prohibition on the purchase of sexual services is to help to curtail human trafficking and other organised prostitution activities, the police focus on escort sites is reasonable. This method of targeting escort sites also makes it possible to relatively quickly and easily discover, investigate and prosecute a large number of sex purchase crimes. At the same time, in many places the work is characterised by sporadic efforts and certain arenas fall completely outside the work of the police.

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

To act as a broader deterrent and create the right conditions for protecting and supporting more groups of vulnerable sellers, the work needs to be more ongoing and widened to encompass more arenas. This is work that benefits from being conducted at local police district level. Police plans for more locally based work to curtail the purchase of sexual services should therefore be implemented. Brå's material includes good examples of how local ongoing efforts involving cooperation between the police and social services have acted as a powerful deterrent against sex purchase crime.

Furthermore, the pursuit of resource- and time-efficient legal proceedings in police work methods must not hamper the investigation of aggravating circumstances or other crimes against the seller when there are grounds for such investigation. In such situations, there is already the possibility to give injured party status to the seller of sexual acts. Brå's assessment is that improved investigations of aggravating circumstances and injured party status for sellers in such cases is better than routinely giving injured party status to sellers of sexual acts. This needs to be combined with generally improved support for people in prostitution through increased cooperation between the police and social services and increased knowledge within social services of the situation faced by sellers and the help they need.



## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS



## ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS

### **The Swedish National Council for Crime Prevention (Brå) – centre for knowledge about crime and crime prevention measures**

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This report is a summary of the Swedish report Utnyttjande av barn genom köp av sexuell handling Rapport 2022:4  
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**ANNEXE C: RESPONSES FROM OTHER  
JURISDICTIONS**

# Exploitation of a child through the purchase of a sexual act

A follow-up of the application of the law

English summary of Brå report 2022:4

## **ANNEXE C: RESPONSES FROM OTHER JURISDICTIONS**

### **Summary**

The Swedish government has commissioned Brå to follow up and analyse the application of the prohibition on the exploitation of a child through the purchase of a sexual act (Chapter 6, Section 9 of the Swedish Criminal Code). The commission includes shedding light on several aspects of how the criminal justice system handles sex purchase crimes against children from police report to verdict as well as the cooperation between the criminal justice system and social services.

In the follow-up, Brå has reviewed documents from 69 cases of reported purchases of a sexual act from a child (preliminary investigations and verdicts) from 2019, conducted multiple interviews with representatives of the criminal justice system and social services, conducted participant observation of police work and studied documents, literature and crime statistics.

The prohibition on the purchase of a sexual act from a child was introduced in 2005 and in 2020 was given the current classification of exploitation of a child through the purchase of a sexual act. The penal provision is regulated in Chapter 6, Section 9 of the Swedish Criminal Code and reads as follows:

- §1. A person who, in cases other than those previously referred to in this Chapter, induces a child under eighteen years of age to undertake or submit to a sexual act in return for payment, is guilty of exploitation of a child through the purchase of a sexual act and is sentenced to imprisonment for at most four years.
- §2. The provision in the first paragraph also applies if the payment was promised or made by another person.

At the time of publication of this report, the Swedish government has submitted a bill proposing to increase the minimum penalty for exploitation of a child through the purchase of a sexual act to imprisonment for six months. The proposition also includes a special range of punishments of imprisonment for at most one year for the exploitation of a child through the purchase of a sexual act that is less serious. The stricter penalty is proposed to enter into force on 1 August 2022 (government bill 2021/22:231).

### **Few crimes discovered and a large number probably go unreported**

Several Swedish surveys have studied child and youth experiences of providing sexual acts in return for payment. In the most recently published study (Svedin et al. 2021), just over one per cent of pupils in the third year of upper secondary school reported having performed sexual acts in return for payment at some point, and this was slightly more common among girls than boys. Based on the Public Health Agency of Sweden's survey on sexuality and health among young people in Sweden (2017), the Swedish National Audit Office has estimated that in 2020 there were about 10,000 children in Sweden with experience of sexual acts in return for payment (2021).

This can be compared to the fact that according to Brå's crime statistics, only 234 sex purchase crimes against children were reported in 2021. Interviewees also believe that there

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is a large number of unreported crimes, with many more crimes each year than appear in the report statistics.

### **Limited proactive policing initiatives**

According to the interview material, it is seldom the children themselves who report being victims of crime. Instead, the crimes that are reported are often discovered by the police in the course of other investigations, such as when analysing the content of mobile phones or other storage media. Proactive policing initiatives to discover sex purchase crimes against children are limited in extent. However, there is a proactive work method aimed at preventing and discovering sex purchase crimes against children. This approach involves the police using an alias to interact with children on sugar dating sites to arrange meetings with them. The primary aim is to prevent children from being subjected to sex purchase crimes, although these efforts can also help to discover crimes that have already been committed. Within the police organisation, this method has generated debate concerning, for example, the legal and ethical aspects, and it is used by only a few police officers in Sweden. At the same time, this is currently the only work method the police have at their disposal for identifying children who already are or risk being exploited for the purchase of sexual acts.

### **Cooperation between police and social services in proactive efforts**

When the police do use this proactive work method, they do so in cooperation with social services and, based on the interview material, this cooperation seems to work well. The role of social services includes providing the child with support when contact is made, attending the handover to and duty-of-care talk with the parents, and acting as a link to longer-term support from local social services.

At the same time, interviewees had differing opinions on whether the police or social services should have overarching responsibility for actively seeking out children who are or risk being exploited for the purchase of sexual acts. In Stockholm, the police and the municipality have signed a cooperation agreement on work to curtail the purchase of sexual services and exploitation of a child through the purchase of a sexual act. Such formalised cooperation, whereby the police and social services benefit from each other's expertise and assume joint responsibility for these proactive initiatives, can aid both the prevention and the discovery of sex purchase crimes against children.

To identify vulnerability, social services, like other organisations who come into contact with children and youth in their day-to-day activities, also need to improve at asking questions about sexual acts in return for payment. There is a need for efforts to improve knowledge as well as procedures for reporting to the police when made aware that a crime has been committed, provided that filing a police report is not contrary to the best interests of the child.

### **Staff shortages in teams investigating this type of crime**

The formal recommendation of the Swedish police authority's National Operations Department (NOA) is that the exploitation of a child through the purchase of a sexual act is to be investigated at one of the regional cybercrime centres (RC3). However, according to

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interviews, in four out of seven police regions, other investigation teams are responsible for this type of crime, such as teams for crimes in intimate relationships at police district level. The variation in how the work is organised risks creating problems in how these efforts are managed, and thereby also within method development and follow-ups (Swedish National Audit Office 2021). Moreover, sex purchase crimes against children are described in interviews as crimes that risk being overshadowed by increasing reports to the police of other sexual assault crimes against children. There are also staff shortages in the teams investigating sex purchase crimes against children, and for several years there have been too few internal training courses on the subject.

At the same time, the expertise required to investigate sex purchase crimes against children is judged to be wholly adequate among the staff who actually investigate them. Key to these investigations is to establish a good relationship with the injured party, so that they are willing and able to participate in the legal process. Factors important to successfully achieving this are trained child interviewers and prompt access to counsel for the injured party.

### **Reported crimes often involve serious exploitation**

Brå has reviewed 69 cases of reported purchases of sexual acts from children from 2019. The review shows that about four out of five of the injured parties are girls while one out of five are boys. The average age of the injured parties is 15 years. The suspects are all male and the average age is 35 years.

The circumstances and investigations in these cases are often complex, for example because the same injured party is the victim of several different offences, or because several different injured parties are suspected of being the victims of sexual offences against children by the same offender. The review also shows that many cases involve serious sexual exploitation. Often, it can be seen that the child's boundaries have been shifted, such as through gradual normalisation and manipulation and by the perpetrator simply taking advantage of the power imbalance between child and adult.

Previous studies have shown that children and youths with experience of sexual acts in return for payment are more likely than other youths to be vulnerable in numerous ways, such as due to substance abuse, mental illness and previous subjection to sexual assault (Swedish Agency for Youth and Civil Society 2009; Svensson et al. 2013; County Administrative Board 2015; Public Health Agency of Sweden 2017; Svedin et al. 2021). This picture is confirmed by the cases studied, in which many of the injured parties are not coping so well psychologically and find themselves in difficult and stressful life situations, both historically and as a result of being a victim of crime.

### **About a third of cases linked to sugar dating**

The sexual acts are most commonly compensated financially, and the amounts vary greatly. There are also a large number of cases in which alcohol, tobacco or drugs were either the only compensation or part of the compensation for the sexual acts.

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The sexual acts are most commonly compensated financially, and the amounts vary greatly. There are also a large number of cases in which alcohol, tobacco or drugs were either the only compensation or part of the compensation for the sexual acts.

About one third of the cases are linked in some way to sugar dating. In most such cases, contact has been made via a sugar dating site, although it can also be via regular dating sites or social media or a continuation of earlier contact between the injured party and the suspected offender.

A relatively high percentage of the reported offences are attempted offences. These include cases in which the injured party found a proposal for sexual acts in return for payment offensive and had no intention of performing any sexual acts, as well as cases in which other circumstances led to the offence not being completed.

In only a few cases is there any documented link to human trafficking or procuring.

About half of the cases have been closed

In more than half of the cases, the police report was made on the basis of the police's own information. This information has come to light in connection with either proactive policing initiatives or other police investigations. In almost a third of the cases, the report is based on information provided directly by the injured party.

About half of the cases have been closed. The highest percentage of closed cases is found among those concerning attempted offences. Also, all cases in which the injured party did not participate in the investigation, or participated only to a limited extent, have been closed.

In all the cases decided in court that Brå has reviewed, the accused has been convicted of a crime. However, in some cases, the offence has been classified as something other than purchase of a sexual act from a child in the verdict.

Probation the most common sentence

Just under a third of the 69 cases studied have resulted in a conviction for the purchase of a sexual act from a child. On 1 January 2020, the range of punishments for sex purchase crimes against children was increased from a fine or imprisonment for at most two years to imprisonment for at most four years. As a result, in addition to the verdicts in the original material, Brå has also conducted a secondary review of all verdicts on offences committed after the stricter penalties were introduced.

The government bill leading to the introduction of stricter penalties in 2020 stated that the legislator hoped that expanding the scope of the range of punishments would pave the way for more nuanced verdicts and stricter penalties for more serious offences (government bill 2018/19:157). A large age difference, dependency, the influence of alcohol and mental illness are examples of aggravating circumstances that are commonly seen in the case study and that could be taken into account to justify stricter penalties.

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However, Brå's review shows that the full range of punishments is not used and that custodial sentences are uncommon. In the studied verdicts in which the exploitation of a child through the purchase of a sexual act is the main offence, no one has been sentenced to prison, either before or after the introduction of stricter penalties. Only a few cases have been decided since the introduction of the stricter penalties, but it seems that the penalty value is still considered too low to justify a custodial sentence. Instead, probation is the most common penalty.

### **Rape legislation could be tested more widely**

To answer the question as to the extent to which persons are convicted of rape or negligent rape in sex purchase crimes against children, Brå has conducted a detailed analysis of the cases in which the police investigation also includes suspected rape. A total of three cases have resulted in convictions for rape or rape of a child. None of the rape convictions concern a situation in which the sexual acts in return for payment themselves constitute rape as a result of the offender knowing that the injured party's participation was not voluntary or exhibiting gross negligence in whether this was the case.

In sex purchase crimes against children, it is sometimes difficult to draw a line between circumstances that could only justify a stricter sentence for the actual sex purchase crime and those that could warrant investigation, prosecution and conviction for rape or negligent rape. Based on the case study, whether the injured parties have participated in the sexual acts voluntarily is in many cases questionable, and the adult offenders can be expected to have insight into this. Despite indications of a lack of proper consent, it is uncommon for these cases to include reports of suspected rape or negligent rape. In the light of this, it would be possible to test the rape legislation more widely in the context of sex purchase crimes against children.

### **Brå's assessment**

Exploitation of a child through the purchase of a sexual act is a serious crime and the number of unreported cases is assumed to be high. Brå's assessment is that together the police and social services need to ensure that proactive efforts are conducted. If the police are unable to use the methodology they have already developed, then they need to develop new work methods for discovering and preventing crimes. Moreover, social services need to take greater responsibility for protecting children from sexual assault through outreach work. The cooperation between the police and social services can, as is the case in Stockholm, be formalised both at an overarching strategic level and in concrete activities within day-to-day operations. To ensure that this type of crime does not fall through the cracks, as well as to create the right conditions for follow-ups and methodological development, the work should be organised in a more uniform manner, both between and within police regions.

At the time of publication of this report, the Swedish government has submitted a bill proposing a further increase in the minimum penalty for the exploitation of a child through the purchase of a sexual act to imprisonment for six months (government bill 2021/22:231). In its response to the concerned government inquiry (SOU 2021:43), Brå does not state its position on the proposal for stricter penalties with reference to the knowledge that the present report is intended to contribute. Based on Brå's review of cases and verdicts, we can conclude that there are often aggravating circumstances and circumstances that bring into question



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whether the injured parties engaged in the concerned sexual acts voluntarily. Despite this, custodial sentences remain uncommon when exploitation of a child through the purchase of a sexual act is the main offence. It is also uncommon for the rape legislation to be tested when children are exploited by means of sexual acts in return for payment. Accordingly, Brå's assessment is that the proposed stricter penalties are justified.