

**Response to the Criminal Justice Committee's Stage 1
Report on the
Prostitution (Offences and Support) (Scotland) Bill**

Annexe

**Supplementary written material submitted to the Criminal
Justice Committee during Stage 1 scrutiny**

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30 January 2026

This annexe contains written submissions and supplementary material submitted by the Member in Charge to the Criminal Justice Committee during Stage 1 scrutiny and referred to in the response to the Committee's Stage 1 Report on the Prostitution (Offences and Support) (Scotland) Bill.

The material is reproduced for reference and evidential completeness. It does not constitute a separate argument and should be read alongside the response.

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9 September 2025

Prostitution (Offences and Support) (Scotland) Bill – Supplementary Information

Dear Convener,

I am grateful to the Committee for the opportunity to give evidence on my Bill on 25 June. A number of points have been raised since then, including in correspondence from the Minister, and I thought it would be helpful to provide some further clarification.

The extension of Operation Begonia across the whole of Scotland is a welcome development and shows that Police Scotland are already using existing powers to challenge demand and route women into support. However, it currently operates under the 2007 kerb-crawling legislation, which applies only in public places. My Bill extends that proven approach indoors, where the overwhelming majority of prostitution now takes place. It therefore complements, rather than duplicates, Begonia.

The Financial Memorandum models low, medium and high scenarios for enforcement and already assumes that indoor cases will be more resource-intensive than street operations. The figures are presented as a realistic range rather than a single-point estimate, and they take account of the greater complexity of indoor prostitution offences. That is distinct from the investigation of human trafficking cases, which are indeed highly resource-intensive but are not what the FM is modelling. The focus here is on the expected enforcement costs of prostitution offences themselves. Conflating the two risks overstating the costs of the Bill.

Concerns have been raised about the low number of convictions in Ireland and the difficulty of proving its offence. That reflects the specific wording of the Irish legislation. The 2025 review itself recognised this, noting under its recommendations that enforcement might be improved by including a “**reasonable inference clause**” that prostitution is occurring at the premises in question.

When I read that review, I had already been provided with the data on recorded offences, prosecutions and convictions under the *Prostitution (Public Places) (Scotland) Act 2007*, and was therefore able to compare it directly with the Irish enforcement data. Between 2012/13 and 2021/22, there were 735 recorded offences under the 2007 Act. Of these, 405 cases proceeded to court and 301 resulted in conviction – a conviction rate of just over 40% of all recorded offences. By contrast, the equivalent figure in Ireland was around 4%.



The wording of section 1(3) of the 2007 Act provides that:

“A person (‘B’) who loiters in a relevant place so that in all the circumstances it may **reasonably be inferred** that B was doing so for the purpose of obtaining the services of a person engaged in prostitution commits an offence.”

As evident from the data, that clause has proven enforceable and well understood by police and prosecutors over more than 15 years. My Bill deliberately draws on that approach. Its new offence is drafted to include the same principle in section 1 (1):

“A person (‘A’) commits an offence if it can be **reasonably inferred** that A has obtained or intended to obtain for themselves the performance of a sexual act by another person (‘B’).”

In short, the Bill avoids the enforcement barrier identified in Ireland by modelling the new offence on a Scottish provision with a proven track record.

Independent analysis of Ireland and Northern Ireland has shown reductions in street prostitution even where enforcement was limited. Low conviction numbers therefore reflect enforcement practice rather than legislative failure. The purpose of this type of law is deterrence: to reduce demand, and in doing so reduce exploitation. Like any other market, the sex trade is driven by demand, and curbing demand contracts the market.

Research in Scotland, London and other jurisdictions shows that men who purchase sex are generally aware that many women are trafficked or otherwise exploited, but that knowledge does not affect their behaviour. What does deter them is risk to themselves. Standardised buyer surveys across multiple countries consistently find that the most powerful deterrents are loss of anonymity and social exposure (such as having their name or photo published), along with the threat of arrest, criminal penalties, and jail. In these studies, more than three quarters—and often over 80 per cent—of buyers said they would stop if faced with those risks.

This pattern is confirmed by the buyers themselves. Since the laws criminalising buyers came into force, men in Dublin and Belfast report a reduced market and fewer women available, indicating that local demand has been curbed even if it is difficult to measure precisely. All legal approaches present challenges, but where demand-reduction laws have been enforced the market has contracted and trafficking inflows have reduced, as Sweden and Norway have shown and emerging data from France is suggesting.

It has also been argued that demand-reduction laws place people in prostitution at greater risk. That argument was tested directly before the European Court of Human Rights in *M.A. and Others v. France* (2023). The applicants claimed that France’s Nordic Model legislation had worsened their situation and violated their rights under



Article 8. The Court recognised that prostitution itself is inherently harmful but found the applicants had not demonstrated that the law caused any increased risk. It concluded that France's legislation was a proportionate measure and therefore compatible with the Convention. In other words, the harms are caused by prostitution, not by laws that seek to reduce demand for it.

It is correct that the Delivering Equally Safe and Victim Centred Approach funds are fully committed at present. However, my Bill will not be enacted until after the May 2026 election. Once enacted, its provisions will be subject to the normal budgetary processes of the Scottish Government. The Bill's purpose is to secure a statutory entitlement so that support is prioritised and sustainable in future budgets, ensuring that future governments must make provision accordingly.

The costings for quashing convictions came directly from the Scottish Courts and Tribunals Service. I had initially thought that the lower number of extant Police Scotland records might mean lower costs, but SCTS have confirmed that their estimate stands. Their figure of around £200,000 for approximately 10,500 convictions clearly shows that this is understood as an administrative task, not a case-by-case review. It is therefore very different from the Horizon scheme, where costs of around £4,000 per case reflected the need for complex evidential reassessment and access to redress.

My Bill builds on existing Scottish law, avoids known pitfalls in other jurisdictions, and is framed to be enforceable and proportionate. It aligns with Scotland's international obligations, targets demand, and secures sustainable support for those who have been exploited.

I hope this additional information is of assistance as the Committee continues its Stage 1 scrutiny.

With best wishes,
Yours sincerely,

Ash Regan MSP
Member in charge of the Bill



Annex: Key Figures and Evidence

1. Quashing Convictions (Section 46, Civic Government (Scotland) Act 1982)

- Convictions since 1982: approx. 10,500
- SCTS estimated cost: £200,000 total (administrative record changes)
- Equivalent to about £19 per conviction
- Horizon comparison: £4,000 per case, due to case-by-case review and evidential reassessment

2. Estimated Number of People in Prostitution in Scotland

- UK estimate 2021: 105,000 individuals, ~96% female
- Scotland (population share): 6,000–8,000
- Around 90% indoors, 10% on street

3. Northern Ireland and Ireland

- Ireland: The 2025 Department of Justice review reported only 15 convictions under section 7A (2017–2024). It described the offence as “resource intensive” and difficult to prove, recommending the inclusion of a reasonable inference clause. Scotland’s 2007 Act already contains such a clause and has consistently delivered higher conviction rates. The new offence in this Bill is drafted on that model to avoid the enforcement barrier identified in Ireland.
- Northern Ireland: The official 2019 review acknowledged weak enforcement and the absence of baseline data but did not recommend repeal. Independent reanalysis (2024) of the same data found street prostitution had fallen by 50% despite limited prosecutions. Buyer commentary also confirms reduced availability in Belfast and Dublin due to fear of arrest.

4. International Evidence – Prostitution Prevalence (per 100,000 population, 2006–2014)¹

- Sweden (Nordic Model 1999): 6.6–15.4
- Ireland (Nordic Model 2017): 16.3–20.4
- Northern Ireland (Nordic Model (2015): 15.8
- Germany (Legalisation 2002): 185–493.3
- The Netherlands (Legalisation 2000): 147.1
- New Zealand (Full decriminalisation 2003): 183.7

¹ as referenced on page 8 of the 2024 Reanalysis report



5. International Evidence – Major Studies on Trafficking

The Scottish Government's recent *Preventing sexual exploitation: evidence summary* acknowledged that it was produced under time constraints, did not provide an exhaustive review, and did not critically appraise the quality of the evidence. It further noted that its findings should be treated as “indicative,” and that it was outwith its scope to compare the effectiveness of different legal frameworks. Despite those caveats, it suggested demand-reduction laws may have limited impact.

By contrast, a number of large-scale, peer-reviewed and official EU studies have systematically examined the issue and consistently show that legalisation increases trafficking inflows, while criminalising buyers reduces them. Here are some of the most significant findings:

Cho, Dreher & Neumayer (2013): Global study of 150 countries shows trafficking inflows significantly higher in legalised regimes.

European Commission/Armstrong et al. (2016): EU-wide study which includes a detailed discussion of the impact of the Nordic Model on trafficking, confirms demand for prostitution drives trafficking and that women and girls are the overwhelming majority of victims.

European Parliament/Di Nicola (2021): EU-wide study of the differing Member States' regulations on prostitution and their impact on trafficking inflows. Reviews existing research and confirms that increasingly available evidence shows criminalising buyers reduces trafficking inflows.

Hedlin (2016): Developed a Prostitution Law Index combining regimes across countries. Shows that trafficking inflows fall as countries move toward criminalising buyers, while legalisation expands markets and exploitation.

Jakobsson & Kotsadam (2013): Global study confirms trafficking inflows substantially lower in Nordic Model countries compared to legalisation regimes.

MacKinnon & Waltman (2025): Legal and human rights analysis arguing that legalised prostitution can amount to crimes against humanity. Assembles evidence that legalisation worsens trafficking and exploitation, while demand-reduction laws align with international obligations.



6. Buyer behaviour studies

A substantial body of research now exists on men who buy sex across different countries and contexts. The studies consistently show that buyers are generally aware of women's exploitation but are not deterred by it. What does deter them is risk to themselves: loss of anonymity, arrest, publicity, and criminal penalty. The following studies are illustrative of this wider evidence base:

Macleod et al. (2008, Scotland): Interviews with 110 men found most were aware women were coerced or exploited, but this did not deter them. Found 89% would stop if they risked being added to the sex offender registry, 79% if they risked prison time and between 78% to 86% if they risked losing their anonymity.

Farley et al. (2009, London): Survey confirmed the same pattern. Buyers knew of exploitation but were unmoved by it; the strongest deterrent was fear of detection and public exposure.

Farley et al. (2022, Germany and five other countries): Across diverse contexts, consistently reinforced that the decisive deterrents are criminal penalties and loss of anonymity, not awareness of harm to women.

Shively (2012, USA): National review of demand-reduction programmes across the USA found that interventions targeting buyers — especially arrest, publicity, and loss of anonymity — were the most consistently effective deterrent strategies.



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9 December 2025

Dear Convener,

Thank you again for the opportunity to give evidence to the Committee on 26 November. I am grateful for the careful scrutiny that Members have undertaken throughout Stage 1. As I indicated at the meeting, I undertook to provide further written information. I also wish to address several points raised during evidence sessions, including the session with the Minister on 19 November.

1. Engagement with stakeholders and lived experience

Throughout the development and scrutiny of the Bill I have engaged extensively with justice partners, front-line services, specialist organisations, survivors of prostitution, and women currently involved in prostitution. This includes multiple meetings with Police Scotland, the Crown Office and Procurator Fiscal Service, the Law Society of Scotland, the Women's Support Project, Routes Out, TARA, front-line services, and a wide range of academic and professional experts.

The Committee also facilitated two confidential sessions with women with lived experience. In addition, two further letters were sent directly to the First Minister by women who wished their views on the Bill to be considered. Taken together, these represent a breadth of lived experience and include a range of views. All of them have informed my approach to refinements at Stage 2.

2. Addressing concerns about safety and harm

I recognise that concerns have been raised that criminalising sex buyers could increase risks and I have reflected them in the refinements I intend to bring forward. However, the Committee has not received verifiable evidence from any jurisdiction operating this model that violence against prostituted women increased as a result of criminalising buyers. The international research base, including Sweden, Norway, France and Canada, does not show a causal increase in harm.

Scotland's own experience is also relevant. For the past 18 years, kerb-crawling and certain forms of purchaser behaviour have been criminalised under the Prostitution (Public Places) (Scotland) Act 2007, enforced at various points with considerable vigour. Over that period, no evidence has emerged of increased violence against women attributable to that partial criminalisation of buyers. If such an effect had occurred, it would undoubtedly have been raised prominently, given the local nature of that legislation.

In considering concerns about safety, it is also important to take account of the role of organised crime within the sex trade. Evidence from Scotland highlights this clearly: in the 2024 Encompass snapshot, of the 58 women for whom information was available, 15 reported links to organised crime. This aligns with broader European assessments. Europol's 2021 Serious and Organised Crime Threat Assessment noted that more than 80 per cent of criminal networks use legal business structures, and that sexual exploitation is particularly prevalent in jurisdictions where prostitution has been legalised.

International evidence demonstrates that the supposed 'underground' said to result from the Nordic Model in fact exists most clearly within commercialised systems, like Germany, Belgium or the Netherlands, where organised crime embeds itself inside brothel structures and trafficked or coerced women are exploited behind a façade of legitimacy. A clear buyer-offence is therefore a preventative and disruptive measure.

The evidence paper I am providing alongside this letter examines in detail the claims made during oral evidence regarding safety and alleged increases in violence under Nordic-model laws. It analyses the studies relied upon by opposing witnesses and sets out why those studies do not support the conclusions that were presented to the Committee. The European Court of Human Rights, in a 2024 judgment concerning France, carefully considered the same safety arguments and rejected them in full, finding no evidential basis for the assertion that criminalising sex buyers increases harm to prostituted women. I hope this reassures Members that the Bill does not increase risk and that **shrinking the market is itself protective**.

3. International evidence on enforcement

Following my appearance, I noted that the Committee had received written submissions from An Garda Síochána, the Police Service of Northern Ireland, the Public Prosecution Service for Northern Ireland, the Swedish Police Authority and the Swedish Prosecution Authority. These submissions provide helpful clarity on several points raised during oral evidence.

All jurisdictions emphasise that enforcement approaches evolve over time; that cultural change and deterrence are central to the model's effect; and that evidential challenges are not unique to prostitution but mirror those common to private sexual offending more broadly. Importantly, the submissions confirm that criminalising buyers is workable and enforceable when properly framed. They also validate the approach taken in Scotland to define the offence as complete at the point of agreement to pay, which avoids weaknesses identified elsewhere.

4. Clarifying enforcement in Scotland

I have met with the Lord Advocate, COPFS and Police Scotland to scrutinise the wording of section 1 carefully. Established evidential routes exist and are already used in comparable offences: digital communication, screenshots, payment traces, surveillance, admissions, and third-party testimony.

The offence has also been intentionally drafted to avoid the limitations that have hampered enforcement in other jurisdictions. The inclusion of a reasonable-inference test reflecting established Scots law principles strengthens enforceability and ensures police do not need to rely solely on witness statements from women, though such statements may be used where appropriate and safe.

The Committee has today received a letter from the Lord Advocate, which I welcome. She confirms that section 1 is “clear” and “both enforceable and workable from a prosecutorial perspective”. Her letter also reiterates that evidential challenges of the kind raised during oral evidence are not unique to this context and, “though significant, are not insurmountable”. I note in particular her view that the offence is complete at the point of agreement to pay for the sexual act, and that alternative evidential routes – including phone analysis and surveillance – will be central to enforcement. The Lord Advocate’s observations reflect the discussion at our meeting on 6 November and provide helpful reassurance to the Committee about the practicality of the offence.

Her letter also emphasises that prostitution must be considered within the broader context of public interest and societal harm. That framing aligns closely with the Bill’s preventative purpose: addressing root offending behaviour, reducing exploitation, and tackling patterns of male violence that extend well beyond prostitution itself.

Her letter also highlights the strong links between prostitution, domestic abuse and other male-violence offending patterns, which reinforces the Bill’s preventative and public-protection aims.

5. Support and exiting

There has been significant consensus in favour of the statutory right to support. Although the detail rightly sits in regulations developed by Ministers, the Financial Memorandum sets out a realistic and evidence-based estimate. Services in Scotland, Ireland and elsewhere all converge on staffing models and costings of approximately £1 million per year for national provision.

The Bill requires that support be available to anyone who seeks it, without conditionality, and recognises that exiting prostitution is often a non-linear process. A separate Christie-based public-value paper that I am providing alongside this letter sets out why this level of investment should be understood as preventative spending that reduces much larger long-term costs to health, justice, homelessness and violence-against-women services.

6. Legislative improvements for Stage 2

During scrutiny I have listened carefully to concerns raised by the Committee, justice partners, survivors and service providers. I will therefore bring forward a series of amendments at Stage 2 that strengthen and refine the Bill. These will include:

- replacing automatic quashing with an automatic pardon and voluntary disregard process, which better reflects trauma-informed practice and judicial independence while achieving the same policy aim
- refining the definition of “sexual act” to ensure clarity and consistency with established Scots law and to support enforceability
- addressing technical sentencing matters raised by the Law Society and COPFS

These changes respond directly to concerns raised during evidence and reflect lessons learned from other jurisdictions.

7. Purpose of the Bill and the preventative-spend case

The law has normative, declarative, preventative, protective and deterrent functions. International experience demonstrates that these operate even where enforcement is uneven, and that reducing demand shrinks the market and therefore the scale of harm. The Bill was drafted with the weaknesses identified in earlier legislative models firmly in mind, and the refinements I will bring forward are informed by engagement with justice agencies and stakeholders throughout Stage 1.

The accompanying Christie-based public-value paper outlines the wider fiscal context. Violence in prostitution alone is estimated to cost Scotland around £382.6 million per year, with lifetime public-sector harm per woman in prostitution in the region of £300,000 – £350,000. Independent evaluations from Glasgow and Ipswich show that specialist services can return around £6 for every £1 invested and that coordinated exit strategies can reduce criminal-justice costs by more than half. In that context, the Bill’s estimated recurring cost of approximately £1.4 – £2.2 million per year represents a modest, Christie-aligned preventative investment.

At the Committee’s request, I am also enclosing two short annexes providing (A) comparative homicide information under different legal frameworks and (B) a summary of the major international studies on trafficking inflows. A visual explanatory pyramid illustrating the structure of the prostitution market, referred to in oral evidence, is also attached to the email.

I remain committed to working with the Committee and with colleagues across Parliament to ensure the Bill delivers a clear, workable and effective framework that aligns with Scotland’s commitment to tackling violence against women and girls.

Yours sincerely,



Ash Regan MSP, Edinburgh Eastern

ANNEX A – Homicide Data and Comparative Analysis

1. Introduction

This annex provides the homicide-rate analysis requested by the Committee.

The comparative data and charts used here are drawn from the Nordic Model Now (NMN) analysis published in 2023 and titled “MYTH: The Nordic Model is more dangerous for sex workers than decriminalisation” (Available at:

<https://nordicmodelnow.org/myths-about-prostitution/myth-the-nordic-model-is-more-dangerous-for-sex-workers-than-decriminalisation/>)

Homicide data are used because, as NMN states, “a dead body that has met a violent end is an unarguable fact.” Other forms of violence suffered by women in prostitution are heavily under-reported, inconsistently recorded, and influenced by institutional awareness and police practices. Homicide is therefore the clearest available indicator to test the claim made in oral evidence that criminalising buyers increases harm.

2. Why homicide data is a legitimate test of the claim

Opponents of the Nordic Model assert that criminalising buyers pushes prostitution “underground,” increases danger, and causes more violence against prostituted women. If this were true, then rates of the most extreme form of violence—murder—should also rise.

The logic is straightforward:

- If buyer-criminalisation increases violence, then homicide should increase.
- If homicide does not increase—and is instead lower—this directly contradicts the claim.

This annex therefore examines the comparative homicide rates for prostituted women across:

- Nordic-model jurisdictions (Sweden, Norway and France) and
- Commercialised systems (Germany, The Netherlands and New Zealand).

3. Summary of findings

The data show:

- Lower homicide rates in Sweden, Norway, and France (Nordic Model)
- Higher homicide rates in Germany, New Zealand, and the Netherlands (commercialised systems)
- Zero murders of prostituted women linked directly to prostitution in Sweden over the period examined

- The highest documented homicide rates in New Zealand and Germany, where prostitution markets are markedly larger

These findings do not establish causation. But they do directly rebut the claim that buyer-criminalisation increases lethal violence.

NMN emphasizes that “This shows that the claim that the Nordic Model is more dangerous for women involved in prostitution is false.”

4. Interpretation

This analysis cannot prove that commercialisation causes violence. However, it can demonstrate the following three points with confidence:

(1) The Nordic Model does not increase homicide. If buyer-criminalisation increased risk, the homicide rate would reflect it. It does not.

(2) Commercialised systems have larger prostitution markets and higher absolute harm. As NMN notes: “The more prostitution there is, the more women will be harmed in it – sometimes fatally.” The pattern is consistent across Germany, New Zealand, and the Netherlands.

(3) The most plausible explanation is market size. Where markets expand (commercialisation), more women are exposed to violent buyers. Where markets contract (Nordic Model), exposure decreases. This is consistent with:

- econometric work (Cho, Dreher & Neumayer 2013; Jakobsson & Kotsadam 2013)
- criminological theory on opportunity and target population size
- national evaluations in Sweden (SOU 2010:49) and France (2024 ECHR case submissions)

Again, this is correlation, not proof of causation. But it directly falsifies the claim that the Nordic Model increases violence.

5. The homicide data (NMN dataset)¹

Table: Annual average number of homicides of prostituted women per 100,000 female population

Country	Legal System	Since	Female Population (avg)	Time in yrs	Murders	Annual Murders per 100k
Germany	Commercial	2002	41,658,647	21	102	0.012
Norway	Nordic Model	2009	2,535,321	14	1	0.003
Sweden	Nordic Model	1999	4,700,175	24	0	0
New Zealand	Commercial	2003	2,235,863	20	9	0.02
France	Nordic Model	2016	33,118,688	7	14	0.006
The Netherlands	Commercial	2000	8,666,917	23	29	0.015

NMN notes on the data that:

- The figures represent murders directly connected to prostitution.
- Female population is the average female population during the years studied, not 2023 alone.
- Homicides are likely under-recorded, particularly in commercialised systems where law-enforcement practice explicitly avoids recording prostitution-linked murders “to reduce stigma.”
- Sweden recorded two murders of prostituted individuals during the period: one woman and one trans-identifying person, but NMN excluded them because they were not directly tied to prostitution activity.
- And that again, the analysis is not causal, but it directly rebuts the claim that buyer-criminalisation increases lethal violence.

6. Conclusion

The claim that the Nordic Model increases violence is not supported by homicide data. The evidence instead demonstrates lower levels of lethal violence under demand-reduction models, and higher levels of lethal violence in commercialised systems with larger prostitution markets.

This aligns with broader criminological and economic evidence: market size predicts harm. Commercialisation expands markets. Demand-reduction contracts them. The homicide data therefore provide a clear and factual rebuttal to the assertion made to the Committee that the Nordic Model increases violence against women involved in prostitution.

¹ Source: Nordic Model Now, using Sex Industry Kills project data and UN Population Division figures.

ANNEX B – Summary of Major International Studies on Trafficking Inflows

1. Purpose of this annex

This annex summarises the major international studies examining trafficking inflows under different prostitution law frameworks.

Only studies that directly assess trafficking inflows, market size, or the relationship between legal regimes and trafficking prevalence are included.

2. Summary of the international evidence

Across multiple large-scale comparative studies, a consistent pattern emerges:

- Commercialised systems, e.g. Germany, the Netherlands, New Zealand)
→ higher trafficking inflows, larger markets, and greater involvement of organised crime.
- Nordic Model, e.g. Sweden, Norway, France)
→ lower trafficking inflows and reduced profitability and feasibility for traffickers.
- The central mechanism identified across studies: *Demand drives the trafficking market; reducing demand reduces the incentive for traffickers.*

This pattern appears repeatedly across the best-quality international evidence.

3. Major studies on trafficking inflows

Below is a concise list of the principal studies, each of which directly analyses trafficking inflows or trafficking prevalence under different legal models.

Cho, Dreher & Neumayer (2013) – World Development
150-country econometric analysis.

Finding: Legalised prostitution regimes have significantly higher trafficking inflows. Demand-reduction regimes reduce profitability and therefore inflows.

Jakobsson & Kotsadam (2013) – European Journal of Law and Economics
Cross-national comparison of prostitution laws and trafficking for sexual exploitation.

Finding: Countries that criminalise buyers experience substantially lower trafficking inflows than commercialised systems.

European Commission (Armstrong et al., 2016) – Gender Dimension of Trafficking

EU-wide analysis using law-enforcement and victim-identification data.

Finding: Prostitution markets expand under commercialisation, creating conditions that increase trafficking uptake. Demand-reduction frameworks make countries less attractive to traffickers.

European Parliament (Di Nicola, 2021) – Cross-border impact study
Comparative review across Member States.

Finding: “Increasingly available evidence” shows that criminalising sex buyers reduces trafficking inflows, while legalised systems show higher levels of cross-border trafficking.

Hedlin (2016) – University of Michigan Journal of Law Reform
Development of the Prostitution Law Index, measuring legal regimes against trafficking outcomes.

Finding: Movement toward buyer-criminalisation correlates with lower inflows; legalisation expands markets and increases trafficking.

MacKinnon & Waltman (2025) – Harvard International Law Journal
Legal-human rights analysis.

Finding: Legalised systems systematically generate greater trafficking inflows due to scale, profitability, and impunity of controllers. Demand-reduction laws align more closely with anti-trafficking obligations.

4. Supporting empirical context

Although not trafficking-inflow studies per se, the following findings reinforce the mechanism identified in the literature:

- **ILO 2024:** Forced commercial sexual exploitation yields 73% of total global illegal forced-labour profits, making prostitution the most profitable trafficking sector.
→ Profitability makes demand-reduction central to prevention.
- **EU Commission 2016;** Swedish & Norwegian evaluations: Demand-reduction laws reduce the scale of prostitution markets, thereby reducing opportunities for traffickers.

- **National evidence (Germany, New Zealand):** Commercial sex venues in commercialised regimes create conditions where abuse and trafficking are harder to detect and more difficult to police.

These reinforce rather than replace the main inflow studies.

5. Conclusion

Taken together, the major international studies show a consistent and robust pattern:

- Legalisation and full decriminalisation **increase trafficking inflows** by expanding markets.
- Criminalising buyers **reduces trafficking inflows** by shrinking demand and limiting profitability for traffickers.
- No study finds trafficking inflows **reduced** by commercialisation.

This aligns with the core principle expressed across European and international evaluations:

Reducing demand reduces trafficking.

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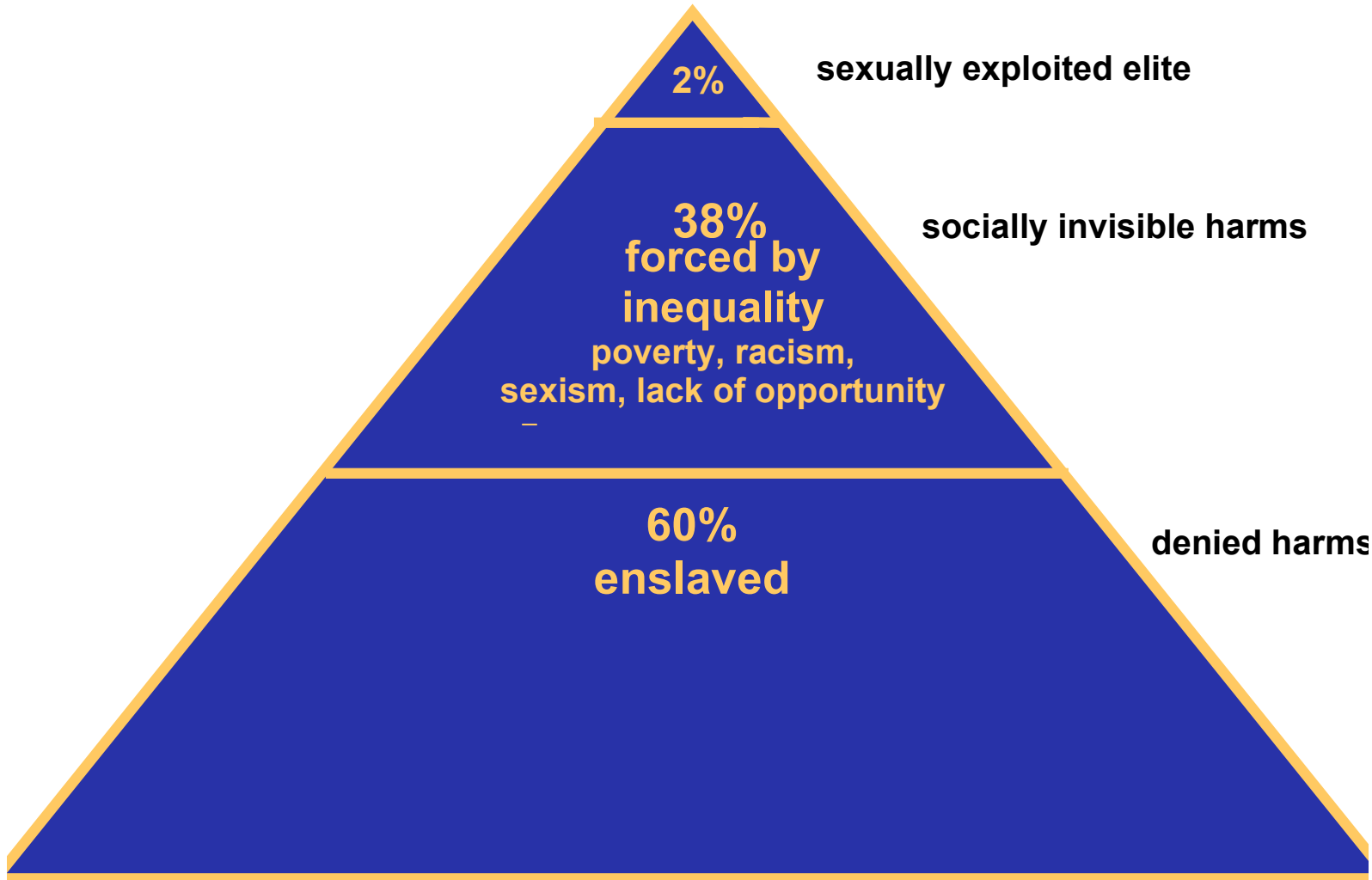
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Prostitution's Hierarchy of Coercion



There is a pyramid-like hierarchy in prostitution. At the top are a very few women - only about 2% of all those in prostitution - who service a few men for a lot of money in a short period of time in their lives - and then they get out, or are bought by one man who supports them.

In the middle section of the pyramid are women who need the money, who have had the option of sexual exploitation as a survival mechanism made very real to them by a history of incest or childhood sexual abuse, and who may face an emergency situation such as escaping a violent partner, losing a job, or having children with special needs. These are about 38% of all those in prostitution.

The farther you descend in the hierarchy, the greater the numbers of women in prostitution, and the less meaningful any discussion of choice is for them. At the bottom of the hierarchy are the largest number of women in prostitution, about 60%. These are the poorest people in prostitution. They have enormously restricted life choices. Many of these women have been physically coerced into prostitution.

Sources are from a large number of peer-reviewed scientific studies, from agencies who offer direct services to those in prostitution and to those who seek to escape it, and from policy experts.

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Christie Commission based proposition

Ash Regan MSP

Independent MSP for Edinburgh Eastern

A Public-Value Case for Investment in tackling
commercial sexual exploitation of prostitution
in Scotland via the Prostitution
(Offences and Support) (Scotland) Bill



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The "Christie Commission" (Scotland)

The **Christie Commission on the Future Delivery of Public Services** was established by the Scottish Government in 2011 to review and recommend reforms for public services in Scotland. The report outlined four core principles for reform:

1. **Services built around people and communities**
2. **Working together to achieve outcomes**
3. **Prioritising prevention, reducing inequalities and promoting equality**
4. **Improving performance and reducing costs**

Source: [Christie Commission on the Future Delivery of Public Services - Scottish Government, 2011](#)

The proposed Prostitution (Offences and Support) (Scotland) Bill, introduced on the 20th May 2025 by Ash Regan MSP, would: criminalise the **purchase** of sexual acts; repeal the criminal offence for people selling sex; pardon and disregard historic solicitation convictions; and establish a statutory right to support for people in, exiting and recovering from prostitution.

The Bill is designed to form a legal foundation that shifts criminality onto those who buy sex (the demand side), while treating those selling sex as people exploited and eligible for support and exit pathways.

Commercial sexual exploitation (CSE) of prostitution starkly exposes the reactive, exponential cost of failing to deliver on all four Christie Commission principles in this area. It equally represents a transformative opportunity for cost-saving reforms, if addressed proactively, to achieve major benefits for both exploited individuals and for Scottish society, through the enactment and robust implementation of the **Proposed Prostitution (Offences and Support) (Scotland) Bill**, 'Unbuyable Bill'.

Applying Christie to Commercial Sexual Exploitation

Christie Principle: *Prioritise prevention, reduce inequalities, promote equality*

Prevention of prostitution - stop exploitation before it starts

Christie Principle: Prioritising preventative approaches to reduce demand on public services.

- Prostitution generates **hundreds of millions** in avoidable costs to Scotland each year, from violence, addiction, homelessness, health harm and justice-system involvement.
- **£382.6m annual cost** to Scotland from violence alone (2025) - excluding addiction, homelessness, healthcare, or trafficking costs [\[1\] Hard-knock-life](#)
- **£382.6m annual cost** to Scotland from violence equates to 0.6% of the Scottish budget, around **£69 per person in Scotland**.
- Preventing exploitation mitigates against the reactive cost of full-spectrum harm: “*hundreds of millions annually*” in escalating, recurring, reactive state expenditure (A&E, homelessness, Policing, addiction services) [\[2\] Social & Economic Cost of Prostitution in France](#)
- **£300k - £350k** in lifetime public-sector harm costs, per person exploited in prostitution [\[3\] Social and Economic Costs of Prostitution and Other Forms of Sexual Exploitation](#)
- Sexual crimes have increased both in annual crime figures and latest quarterly crime [figures](#)
- Prostitution is one of Scotland’s highest-cost forms of gender-based violence in terms of severity of harm to individuals and economic and social costs.
- **Preventing exploitation** from occurring, through deterrents to sex buyer demand and support of those exploited, through early intervention, reduces market demand. Coupled with advocacy pathways to access financial stability and housing protection, this model delivers the highest return on investment.

Justification:

Every woman and child prevented from entering exploitation represents a **long-term saving of hundreds of thousands of pounds** in avoided reactive costs from health and justice harms, alongside immeasurable human benefit.

Investment Proposition:

Early action to prevent women from entering prostitution, by reducing market demand, **generates the greatest public savings** and tackles the root cause of inequality that drives sexual exploitation.

Protection - support victims and those at risk

Christie Principle: Services must be built around people and communities, involving them as active partners.

- Coordinated multi-agency support (e.g. Ipswich Strategy) **cut criminal-justice costs by 55%** and reduced serious violence and emergency interventions. [\[4\] Ipswich Prostitution Strategy - UEA Evaluation](#)
- Evidence from **Glasgow** shows specialist services return **£5.99–£6.82 per £1 invested**. [\[5\] VAWG Services SROI](#)
- Housing stability, trauma-informed care and safe-exit pathways reduce repeat victimisation and crisis <-> cost cycles.

Justification:

Investing in holistic support for those exploited or at risk **reduces demand** on acute public services: NHS, policing and safeguarding, while empowering recovery and economic independence.

Investment Proposition:

Empowering survivors with holistic support **cuts crisis costs**, improves long-term wellbeing, and respects human rights.

Investment in sustainable, consistent high-quality support services and advocacy for women and children while in, to exit and recover from prostitution **generates the greatest return on investment of public funding**. In demonstrating Scotland's values, by properly supporting survivors of commercial sexual exploitation, society benefits, as survivor support to recovery and rebuild lives, allows them to contribute positively to society.

Like Rape Crisis Centres and Domestic Violence Refuges, many front-line support services in prostitution are survivor-led, helping others from their own experience in prevention services, support without judgement and exit and recovery services, when that support is requested.

Prosecution - pursuing exploiters and perpetrators

Christie Principle: Tackling root causes and shifting resources to where they have greatest impact.

- **The most expensive harms** come from male violence, organised crime and exploitation.
- Target those who profit from exploitation, to disrupt **organised crime, drug markets and trafficking**, which drive wide and deep societal harms.
- The **highest-cost harms**, in prostitution: murder investigations, serious violence and sexual assault are overwhelmingly perpetrated by sex buyers and third-party controllers.
- Directing justice resources toward perpetrators lowers the volume of victim trauma, costs of major investigation and reoffending over time. Enforcement focused on exploiters **reduces future public cost burdens** and strengthens community safety.
- Repealing the S46 solicitation offence is an acknowledgement from the state that those exploited in prostitution **are not criminals**, which helps to build trust relationships with support services alongside the Police and other justice bodies.

Justification:

Shifting criminal-justice focus from the exploited to those who exploit **reduces high-harm reoffending and future public expenditure** by deterring one of the most costly and damaging crime drivers targeting violence against women and girls in Scotland.

Investment Proposition:

Closing the current gap in the law on the purchase of sex provides Police Scotland and other justice bodies with the tools they need to apply the law on sex buying consistently across locations, not limited by current laws, which make the purchase of sex illegal from adults, **only in public places**. COPFS and Police Scotland acknowledge sex buying as an entry crime and this is backed by evidence from the [Police in Sweden](#) and the [Swedish Prosecution Authority](#), where all purchases of sex acts have been illegal since 1999. Evidence over twenty-six years demonstrates that, further, often more serious and organised crimes, such as drug supply, trafficking and rape grooming gangs, are uncovered from sex buying crimes.

COPFS acknowledge in evidence to the Criminal Justice committee that sex buyer profiles overlap with those of other sexual and violent offences, including rape, sexual assault and domestic abuse. Deterrents at the root cause, with clarity in law that sex buying is a crime, as it is exploitation of the vulnerable, sends a clear societal message. This helps to embed a societal acceptance effect to enforcement, as we have seen evidenced with drink driving law, smoking ban indoors and even seat belt wearing. Upfront investment in clear, consistent laws and strong public messaging, such as the proposed 'sex is not for sale' and 'consent cannot be bought', has been evidenced as highly effective from other accepted societal changes.

Partnerships - pursue whole-system collaboration

Christie Principle: Strengthening partnerships to deliver better outcomes and better value.

- Sex-based violence, health, homelessness, addiction and policing systems all absorb the cost of exploitation - **no single agency can address this alone** - a holistic approach is required.
- International evidence from Nordic Model countries shows **integrated exit models** produce lower repeat violence, also evidenced in the UK's Ipswich Strategy, which delivered a **55% reduction in criminal justice costs [4]**.
- Multi-agency models reduce duplication and crisis-driven spend, reduce emergency health use and sustain secure housing and employment.
- Major savings across systems are available through aligning VAWG strategies with homelessness, health, addiction, and policing strategies.

Justification:

Collaboration delivers **better outcomes at a lower cost** than a fragmented service response. Services working together with a single door entry for survivors help to build the security and trust that is critically needed to begin a recovery journey, particularly where complex PTSD is present. Advocacy from the single-entry point, into other services, when needed, secures **better outcomes at lower overall cost** than fragmented crisis-driven responses.

Investment Proposition:

Investment organisations with proven track records and a wealth of experience in providing joined-up support models with demonstrable success in supporting those in prostitution, and those who wish to exit and recover a strong footprint that can be replicated across Scotland. Creation of a National Pathway can capitalise on existing, evidence-based work, from services like [TARA](#) / [Routes Out](#), making for swifter, more immediately effective solutions by focusing funding at the frontline of support delivery where it is needed most urgently.

Unbuyable Policy Justification Summary

Prostitution is not cost-neutral, it is one of Scotland's most expensive and preventable harms.

The economic evidence is clear and consistent:

- Violence-only costs: £382.6m per year (2025) = 0.6% of Scottish Budget annually
- Full-spectrum costs: substantially higher, reactive and escalating as demand for prostitution increases
- Intervention and investment upfront, saves public money while reducing human harm

Investing in proactive prevention and support:

- reduces long-term reactive expenditure
- delivers measurable public-value returns
- protects those most at risk
- breaks the exploitation <-> emergency response crisis cycle

The Fiscal Case

Christie Commission Principle	What it means for CSE OF prostitution	Fiscal impact
Prevention	Reduce entry into prostitution and demand from buyers	Avoids £300k–£350k lifetime harm per woman
Protection	Maximise survivor recovery and stability	Saves > £6 for every £1 invested
Prosecution	Target exploiters and controllers consistently like in Sweden	Reduces highest-cost violent offending
Partnership	Integrated service pathways	Cuts homelessness, A&E use and crisis policing

Budget Policy Ask

Treat Commercial Sexual Exploitation of prostitution as a **Christie-aligned prevention priority**, meeting cost-saving reform, recognising that:

Proactive investment now reduces avoidable reactive expenditure for decades to come, while reducing violence, inequality and trauma harms.

Provide sustainable funding to embed high-quality, consistent, proactive prevention and specialist support in national and local delivery plans from over 30 years of experience and successful outcomes from the Roots Out Glasgow/TARA Model.

Across five independent evidence sources, below, the economic case is consistent:

Evidence & Key Studies

Study	Citation	Relevance
[1] Hard Knock Life: Violence Against Women in Prostitution	Kail, Jarvinen & Miller (NPC, 2008)	Scotland-adjusted violence cost: £382,627,339.54 (2025)
[2] Social & Economic Cost of Prostitution in France	Mouvement du Nid & Psytel (2015)	€1.6bn national cost; €40k (£34k) per woman per year
[3] Social and Economic Costs of Prostitution and Other Forms of Sexual Exploitation	Nordic Model Now (2025)	Lifetime harm: £300k–£350k per woman
[4] Ipswich Prostitution Strategy - UEA Evaluation	University of East Anglia (2013)	Criminal-justice costs: ↓55% (£154,731 → £72,324)
[5] VAWG Services SROI	Glasgow City Council (2022)	£5.99–£6.82 return per £1 invested

- Violence costs are currently unsustainable and escalating: **£382.6m annual Scottish cost** with the full costs of MVAW substantially higher
- **Support exits + prevent entry = major public savings**
- Christie-driven reform **reduces demand on every pressured service system**

Bill's Estimated Annual Cost (as Introduced)

From the Unbuyable Bill's [Financial Memorandum](#), projected recurring annual costs are:

Cost category	Estimated annual cost (low – high)
Additional policing (recorded crimes & cases)	£33,390 – £100,700
Additional prosecutions (COPFS / courts)	£84,785 – £218,073
Scottish Prison Service (custodial sentences)	£48,931
Community Payback Orders (local authorities)	£2,215 – £6,645
Sub-total criminal-justice & policing costs	approx. £169,321 – £374,349
Specialist support services (Scottish Administration)	£884,442 – £1,248,212
Additional support for trafficking victims	£311,000 – £622,000
Total estimated annually recurring cost (Bill)	£1,364,763 – £2,244,561

Interpretation: These represent the additional direct costs to public bodies of enforcing the new offence, providing support services and dealing with anticipated prosecutions and support demand if the Unbuyable Bill is implemented.

The Case for Wider Investment - Prevention, Exit & Recovery

The Bill's figures are **modest** compared to the broader potential costs associated with commercial sexual exploitation, which include:

- Long-term healthcare (physical, mental health, addiction)
- Homelessness and housing support services
- Emergency services usage (A&E, crisis care)
- Social work, safeguarding, child-protection (intergenerational impact)
- Criminal justice and policing associated with violence, trafficking, and repeat victimisation
- Lost economic productivity, welfare dependency, unemployment

While national-level data for all those harms, worryingly, do not exist, multiple studies and international modelling (e.g. based on “lifetime harm per person” estimates) suggest that the **lifetime public cost per individual exploited** can run into hundreds of thousands of pounds. This means that a modest but sustained investment now could **prevent or mitigate very large future costs**, while delivering social value, dignity and safety for survivors.

Proposals for Government through secondary legislation

1. **Work with existing expertise** on non-judgmental prevention, support and routes out services to build a strong, consistent support footprint all across Scotland.
2. **Allocate a multi-year, ring-fenced “Exit & Recovery Fund”** covering housing, mental health, addiction, legal support, social reintegration and specialist trauma-informed support.
3. **Commission trauma-informed, specialist support services** for outreach, case management, harm reduction, recovery pathways, with capacity scaled to estimated need, building on **cross-agency partnerships** across health, housing, social work, justice community NGOs to deliver integrated support.
4. **Implement monitoring & evaluation framework** track key outcomes (individual exit rates, service uptake, reductions in emergency services, housing stability, re-victimisation) measure long-term savings vs. initial investment.
5. **Ensure nationwide coverage** to prevent a postcode-based patchwork; deliver equality of access across Scotland.
6. **Plan for flexibility and scaling** to build capacity for increased demand; tailor services to local needs; allow for scaling up or adaptation.
7. **Ensure the right data is captured** in all systems to help identify clear patterns of exploitation and address any improvements needed in implementation approaches to iteratively improve outcomes.

Strategic Advantages

- **Prevention over crisis:** Up-front investment reduces long-term emergency demand (health, housing, policing).
- **Cross-system savings:** By stabilising individuals (health, housing, social integration), there will be fewer repeat crisis calls, fewer emergency responses, less recidivism / re-victimisation.
- **Human rights & equality:** Investment supports survivors’ human dignity, reduces inequalities, advances social justice.
- **Policy alignment:** the Scottish Government supports the principles of the Unbuyable Bill, which aligns with the Scottish Government and COSLA Equally Safe Strategy and commitments to end MVAW and to end sex-based exploitation.

Risks of Under-Investment

- Without stable exit and support pathways, many people leaving exploitation may relapse or suffer ongoing harm - undermining the Bill’s full intent.
- Public services remain burdened - frequent crisis interventions, repeat homelessness, repeated emergency healthcare and policing.
- Geographic and socio-economic inequalities persist only some areas may provide support (postcode lottery), leading to inconsistent outcomes across Scotland.

Conclusion

Commercial sexual exploitation is one of Scotland’s most expensive and preventable harms to women and girls.

Applying the Christie Principles to CSE demonstrates that:

- **Preventing exploitation saves public money and lives**
- **Protection services reduce costs and inequalities**
- **Targeting exploiters improves justice outcomes**
- **Partnerships deliver better value for every pound spent**

The Bill’s projected direct costs to public services (\approx £1.36m–£2.24m annually) are modest compared to the **long-term, unallocated costs of unmanaged exploitation**. The Finance and Public Audit Committee are content with the [Financial Memorandum of Unbuyable Bill](#).

Much common ground has been presented from evidence taken by the Criminal Justice Committee and constructive engagement with stakeholders, including justice bodies, has resulted in agreement on a set of amendments I am progressing to remove barriers for support to a simple, 4.5 page, 11 schedule bill that can deliver a hugely positive impact. My Unbuyable Bill meets the government and COSLA’s Equally Safe Strategy and commitments by parties and independent members of parliament on tackling the crisis of male violence against women and girls. It is a demonstrable investment for both Scotland’s society, public services and economy.

Investing now in prevention, exit and recovery services is **not only socially responsible - it is also fiscally responsible and consistent with the Christie Commission’s public-service reform principles**.

Prostitution (Offences and Support) (Scotland) Bill

EVIDENCE REVIEW PAPER FOR THE CRIMINAL JUSTICE COMMITTEE

Ash Regan MSP for Edinburgh Eastern

December 2025

This paper reviews the evidence cited against the Prostitution (Offences and Support) (Scotland) Bill during Panel 2 of the Criminal Justice Committee session on 8 October (Section 1), and in the supplementary written submission provided by Dr Niina Vuolajärvi, dated 26 November and published 27 November (Section 2). It focuses on claims that criminalising buyers under Nordic Model laws increases violence, worsens safety, and fails to reduce demand.

The paper has two main elements. First, it provides a summary of the key studies and sources relied upon by opponents of the Bill, setting out for each one what was claimed and the core rebuttal. Second, it then examines those studies in detail, using their own methods and findings to assess whether they support the conclusions that were presented to the Committee.

Across both sections, the analysis finds that the studies and datasets cited in evidence do not demonstrate that buyer criminalisation increases violence or harm. In several cases, the sources have already been reviewed by higher courts or official evaluators, who have concluded that no law-driven increase in violence has been shown. In others, the data are methodologically incapable of measuring the claimed effects, or they describe harms inherent to prostitution rather than harms caused by criminalising buyers.

SECTION 1: SUMMARY OF EVIDENCE CITED AGAINST THE BILL AND THE CORE REBUTTAL FOR EACH

Médecins du Monde (2018, France)

Claim in Committee: Client criminalisation increases violence, poverty, harm.

Core Rebuttal:

- The European Court of Human Rights (2024) assessed this study and found no reliable evidence of increased violence or harm.
- MDM itself admits non-representative sampling, recruitment via anti-law organisations, and reliance on recall, with interviews starting just three months after the law.
- The study provides no causal evidence and cannot substantiate claims made in Committee.

Platt et al. (2018) Systematic Review – PLOS Medicine

Claim in Committee: Criminalisation triples violence and doubles HIV.

Core Rebuttal:

- The review examines repressive policing of the people in prostitution, not Nordic Model buyer-laws.
- The only Nordic-Model jurisdictions included (Canada and Sweden) contributed no outcome data supporting the claim.
- The datasets for Canada predate national buyer criminalisation, and the single Swedish study contains no measurable outcomes.
- None of the review's findings relate to Scotland's model.

HIV Ireland – McGarry & Ryan (2020)

Claim in Committee: Nordic Model increases violence, worsens mental health, increases unsafe sex.

Core Rebuttal:

- The report is based on 20 group-interview participants recruited through SWAI networks, with acknowledged gaps
- Contains no quantitative measures, no prevalence data, no HIV or STI data, and cannot attribute any harms to the law.
- Many harms describe known client behaviour documented *before* the law.
- Not suitable as evidence for national policy change.

Armstrong et al. (2024, NZ/Scotland/Ireland)

Claim in Committee: Countries with the Nordic Model show “high rates of harmful consequences”.

Core Rebuttal:

- The study is qualitative, not designed to show prevalence or causation.
- The Scotland and Ireland participants were networked through decriminalisation-advocacy circles, not representative of the wider population in prostitution.
- Provides no data on violence trends, HIV, STI incidence, or any measurable outcome.
- Its findings cannot support claims that buyer criminalisation increases harm.

Northern Ireland DOJ Review (2019)

Claim in Committee: 225% increase in assaults after buyer law.

Core Rebuttal:

- The “225% increase” cited in evidence is drawn entirely from self-reported incidents submitted to the third-party safety app UglyMugs.ie, not from police, court, health-service or structured survey data.
- By the standards of the Home Office, the Office for National Statistics, Scottish Government statisticians, UNODC and the EU Agency for Fundamental Rights, self-selected, anonymous reports to an app do not qualify as crime statistics and cannot be used to measure prevalence or trends in violence. They are not recorded under the National Crime Recording Standard, not collected from a representative sample, and not subject to evidential checks or audit.
- UglyMugs.ie itself describes its purpose as a safety platform that allows users to check phone numbers and receive warnings, not as a system for generating official violence data. Its reports mix crime and non-crime incidents and are explicitly designed for individual safety decisions, not population-level measurement.
- The Northern Ireland DOJ Review does not claim that the buyer law caused an increase in violence. It treats the app figures as inconclusive and offers multiple alternative explanations, consistent with mainstream crime-statistics guidance.
- On any recognised methodology, these app submissions cannot be used as evidence that buyer criminalisation increased violence, and the Review does not support the claim made in Committee.

SECTION 2: SUMMARY OF EVIDENCE CITED IN DR VUOLAJÄRVI'S SUPPLEMENTARY SUBMISSION AND CORE REBUTTAL

Canada – Crago et al. (2022, Global Public Health)

Claim: Canada's end-demand law (PCEPA, 2014) increased harm and violence.

Core Rebuttal:

- Cross-sectional survey conducted once, 3 to 4 years after PCEPA, in five cities, with 200 participants recruited through six organisations and purposive sampling of the most marginalised groups.
- No baseline, no national representativeness, no before and after comparison, and no ability to separate legal effects from other structural factors such as policing, drugs markets, homelessness or poverty.
- High levels of violence reported are consistent with longstanding evidence that prostitution is a high-risk setting under all legal regimes. The study cannot show that PCEPA increased violence or changed underlying risk.

Sweden – multiple sources cited for demand and harm

Claim: Sweden's Sex Purchase Act has not reduced demand and has increased harms.

Core Rebuttal:

- National survey data show that 9.4 percent of men report ever having paid for sex, the lowest prevalence in the Nordic region.
- Street prostitution fell by about 50 percent after 1999 and has not returned to previous levels.
- Growth in online advertising reflects a global digital shift that affects all legal regimes; the leading review cited by Dr Vuolajärvi explicitly warns against attributing this development to the Act.
- Qualitative studies cited describe the harms of prostitution itself and lack before and after comparisons; they do not provide evidence that the law increased violence.

Northern Ireland – Backus & Nguyen (2021) modelling study

Claim: online activity briefly dipped then returned to baseline and sexual assaults against women rose by 10 to 22 percent after the Sex Buyer Law.

Core Rebuttal:

- The online market analysis is descriptive only and cannot attribute any change to the law.
- The sexual violence result is based on a statistical model that compares two hypothetical estimated curves of unreported crime; it is not derived from recorded crime data or victimisation surveys.
- The authors acknowledge that changes in recording practice undermine the use of official data for evaluating the law and could not validate their estimates with survey data.
- The interpretation relies on a “substitution” theory that treats prostituted women as a buffer against sexual violence toward other women, a mechanism that is unsupported by empirical evidence and ethically indefensible.
- PSNI evidence to the Committee confirms very limited implementation of the buyer law, making it implausible as a driver of population-level changes in sexual violence.

France – Médecins du Monde (2018)

Claim: the 2016 buyer law increased violence and poverty.

Core Rebuttal:

- The study is already analysed in detail in Section 1. Its own authors acknowledge serious methodological limitations, including non-representative sampling and recruitment via organisations opposed to the law.
- The European Court of Human Rights examined this study and found no reliable evidence that the law increased violence or worsened conditions.

Republic of Ireland – Ugly Mugs Ireland app data

Claim: buyer criminalisation has increased violence against prostituted people.

Core Rebuttal:

- The source is the same app-based reporting system already considered in Section 1 in relation to Northern Ireland.
- Self-selected, anonymous submissions to a safety app do not meet recognised standards for crime statistics and cannot be used to demonstrate a legal increase in violence.

Norway – Bjørndahl (2012), Amnesty (2016), Vuolajärvi (2022)

Claim: Norway’s Sex Purchase Act has increased harm and violence.

Core Rebuttal:

- Bjørndahl explicitly states that the study cannot determine whether violence is caused by the criminalisation of buyers. The two survey waves differ in recall periods, definitions and sample characteristics, and cannot function as before and after comparisons.
- The Amnesty report focuses on immigration enforcement, landlord liability and third-party offences, and states that it is beyond the scope of the report to measure changes in violence.
- Vuolajärvi's article documents harms linked mainly to immigration law and precarious status among migrant women, which are also found in fully commercialised systems such as Germany and New Zealand. None of these sources demonstrate that buyer criminalisation increased violence.

Israel – Brookdale Institute Evaluation (2024)

Claim: Israel's buyer law did not reduce demand and may have worsened conditions.

Core Rebuttal:

- The authors state on the first page that the impact of the law cannot be isolated from COVID-19, the Israel– Hamas war and other concurrent events, and that three years is insufficient to assess long-term effects on the extent of prostitution.
- The two sex-buying figures (9.2 percent in 2021 and 12.2 percent in 2024) are not comparable as a trend; the report explicitly warns against treating them as evidence of change over time.
- The evaluation was not designed to measure demand reduction at this early stage and does not claim that the law increased demand or worsened conditions.
- It documents strong normative change in attitudes to buyer criminalisation and substantial positive effects from significant investment in support and exit services.

SECTION 1: DETAILED EXAMINATION OF EVIDENCE CITED IN PANEL 2 (8 OCTOBER)

Médecins du Monde (2018) Study

Full Citation

Le Bail, H., Giametta, C., & Rassouw, N. (2018).

What Do Sex Workers Think About the French Prostitution Act? A Study on the Impact of the Law From 13 April 2016, Against the 'Prostitution System' in France. Médecins du Monde (MdM).

Where the Claim Appears in the Record

During Panel 2 of the Criminal Justice Committee on 8 October 2025, the Médecins du Monde study was cited by Niki Adams (English Collective of Prostitutes), who concluded:

“I feel that that is a very credible source of evidence.”

This statement was made immediately after the study's size and alleged findings were described.

Rebuttal

1. The European Court of Human Rights has already assessed this study and did not find it credible evidence of harm.

In its June 2024 judgment, the European Court of Human Rights:

- summarised the Médecins du Monde report,
- noted that even the study's own social-work contributors were cautious about linking the law to any increase in violence, and
- accepted the French Government's argument that the MdM survey contained “no reliable data” showing any deterioration in poverty or conditions.

Following this evaluation, the Court:

- rejected the applicants' case,
- found no evidence of increased violence or harm, and
- upheld the legality and proportionality of France's buyer-law.

If the MdM study had constituted “a very credible source of evidence,” these conclusions would not have been reached.

2. The study's methodological weaknesses are fatal.

According to its own authors, the study:

- used a non-representative sample,

- recruited exclusively through organisations already opposed to the law,
- relied on retrospective recall of pre-law conditions, and
- began data collection three months after the legislation came into force.

These are the study’s own admissions. A study that cannot claim representativeness, cannot eliminate organisational bias, and cannot establish before-and-after causation is not robust evidence for national policy.

3. The ECHR judgment overrides an NGO survey in evidentiary terms.

The Court considered:

- seven years of post-law evidence,
- national datasets,
- expert analyses, and
- full adversarial submissions.

After reviewing all relevant material — including the MDM study — the Court held that no harm had been demonstrated.

When a small NGO opinion survey and a full European Court of Human Rights judgment conflict, the Court’s findings prevail.

Conclusion

The Médecins du Monde study was described in evidence as ‘a very credible source’. However, the European Court of Human Rights examined this study in detail, noted that even the social-work contributors were cautious about linking the law to violence, and accepted that the survey contained no reliable data showing any deterioration in conditions. The Court then concluded that no evidence of increased harm had been demonstrated. Whatever an NGO survey may claim, the highest human-rights court in Europe has already tested it and found it insufficient.

Platt et al. (2018)

Full Citation

Platt L, Grenfell P, Meiksin R, Elmes J, Sherman SG, et al. (2018).
Associations between sex work laws and sex workers’ health: A systematic review and meta-analysis of quantitative and qualitative studies.
 PLOS Medicine, 15(12): e1002680.

Where the Claim Appears in Panel 2

(8 October 2025 Official Report – Criminal Justice Committee)

During Panel 2, Laura Baillie (Scotland for Decrim) told the Committee that:

- HIV rates fall under full decriminalisation,
- “any form of criminalisation, whether of the buyer or the seller,” triples violence and doubles HIV,
- and that these claims come from “a systematic review of 28 years of research.”

She then quoted from qualitative descriptions of police harassment in the Platt review.

These statements were presented as evidence that criminalising buyers in Scotland would increase violence and HIV risk.

Rebuttal

1. The review does not study buyer criminalisation or the Nordic Model.

The “three-fold violence” and “two-fold HIV” figures cited in Panel 2 are drawn from studies of repressive policing of prostituted women, including:

- arrest, displacement and street sweeps,
- surveillance and harassment,
- confiscation of condoms,
- extortion and arbitrary detention,
- and forced HIV testing.

These practices describe full criminalisation of prostituted people, not a model in which prostituted people are decriminalised and supported while buyers are the target of enforcement.

Scotland has not used such policing for more than a decade, and the Bill does not introduce it.

2. Canadian and Swedish studies: none support the claim

Across Canada and Sweden – the only Nordic-Model jurisdictions represented in the review – 21 studies were identified.

Canada:

Most of the Canadian studies were either published before the 2014 federal buyer criminalisation law was introduced or analysed the same dataset collected on prostituted individuals before the law came into force. They therefore examine the harms of pre-reform policing of prostituted women, not a legal environment in which prostituted people are decriminalised and supported while buyers are the target of enforcement.

The few studies published after the law was introduced and using a newer dataset, do not show what is claimed because they either examine a completely different issue, find no increase in violence, no deterioration in screening, or collected no HIV data.

Sweden:

The review includes one Swedish study, a small, non-representative qualitative paper produced by authors opposed to the law. It provides no outcome data on violence, HIV or STI trends.

Conclusion:

None of the 21 studies evaluates a functioning Nordic-Model system or supports the claim that criminalising buyers increases violence or HIV risk.

Conclusion

The Platt et al. review has been examined in full. None of the Canadian or Swedish studies evaluate buyer criminalisation or provide violence or HIV outcomes under a Nordic-Model framework. Almost all of the Canadian studies were published or analysed data collected before buyer criminalisation existed, and the single Swedish source provides no outcome data. As the review examines harms arising from repressive policing of prostituted women, a practice not used in Scotland for more than a decade and not proposed in this Bill, it cannot support the claim made in Panel 2 that criminalising buyers increases violence or HIV risk.

HIV Ireland (2020) – Rebuttal**Full Citation**

McGarry, K., Ryan, P. (2020).

Sex Worker Lives Under the Law: A Community-Engaged Study of Access to Health and Justice in Ireland. Commissioned by HIV Ireland.

Where the Claim Appears in Panel 2

(8 October 2025 – Criminal Justice Committee)

During Panel 2, Laura Baillie stated that:

- a “2020 study commissioned by HIV Ireland” found that sex workers who experienced violence were increasingly reluctant to report it after Ireland introduced buyer criminalisation,
- that their physical and mental health were negatively affected, and
- that stigma against sex workers had increased following the 2017 law.

These claims were presented as evidence that buyer criminalisation in Ireland has caused increased violence, unsafe sex, reduced reporting and worse health.

Rebuttal

1. The study is based on only 20 participants recruited through Sex Workers Alliance Ireland-linked networks.

The dataset consists of four small focus groups with around 20 participants, some of whom attended more than one group. All participants were recruited through:

- SWAI peer researchers,
- SWAI social-media channels and online sex-worker groups,
- Escort Ireland, and
- SWAI-allied NGOs in Cork, Galway and Limerick.

The authors explicitly acknowledge that all participants were “in some way networked” to SWAI, who campaign against the Nordic Model, or its allies and that sex workers not engaged in these fora “did not have an opportunity to lend their voice.”

This excludes isolated and highly vulnerable women and prevents any national generalisation.

2. The study produces perceptions, not outcome evidence.

The report collects:

- no quantitative violence data,
- no policing or reporting statistics,
- no physical- or mental-health indicators,
- no HIV or STI data, and
- no before/after comparison with pre-2017 conditions.

The findings consist solely of subjective accounts given in facilitated group discussions. No measurable outcome is reported.

3. The study cannot demonstrate any impact of the 2017 law.

Because the study:

- has no baseline data from before 2017,
- measures no change over time,
- collects no trend information, and
- excludes the majority of prostituted women,

it cannot establish that unsafe sex, coercion, mistrust of authorities, reluctance to report, or mental-health concerns began or worsened after buyer criminalisation.

Quotations about condom tampering, pressure for bareback, brothel exploitation, or fear of accessing services cannot be linked to the law, because the study did not measure whether these behaviours increased, decreased or remained unchanged after 2017.

4. The behaviours described are inherent to prostitution and not shown to be caused by the law.

The quotations placed under “impact of the law” describe:

- demands for unprotected sex,
- condom refusal or tampering,
- client entitlement and harassment,
- avoidance of health services by migrant women, and
- coercion by pimps and third parties.

These are widely recognised in prostitution research as structural features of the sex trade itself.

The report provides:

- no evidence that these behaviours were less common before 2017, and
- no evidence that their prevalence changed because buyers became criminally liable.

The study therefore does not demonstrate any legal impact; it simply records how a small group of participants perceive their situation under an already harmful system.

5. International evidence cited in the report does not relate to Ireland’s law.

To support claims about unsafe sex, the authors cite studies from India and Bangladesh, which analyse brothel-based prostitution under very different legal and social conditions.

These international studies:

- do not examine buyer criminalisation,
- do not concern Ireland, and
- do not provide evidence about the effects of the 2017 Act.

Their use highlights that the Irish project itself did not generate outcome evidence on violence, health or enforcement.

Conclusion

The 2020 HIV Ireland report cited in Panel 2 is based on 20 participants recruited through advocacy-linked peer networks. It collects no violence data, no policing or reporting data and no HIV or health outcomes, and it includes no before-and-after comparison. The behaviours it describes are well known features of prostitution and are not shown to have increased after the 2017 Act. As the findings consist solely of perceptions from a small, non-representative group, the study cannot support claims that buyer criminalisation increased violence, unsafe sex or barriers to justice.

Armstrong et al. (2024)

Full Citation

Armstrong, L., Phillips, J., Ryan, B., Fraser, C., & Kelly, T. (2024).
“In an ideal world, it would be fully decriminalised”: Stigma, discrimination, and sex work laws in Scotland, Aotearoa New Zealand, and the Republic of Ireland.
Victoria University of Wellington.

Where It Appears in the Record

Panel 2 – Criminal Justice Committee, 8 October 2025

Witness: Laura Baillie (Scotland for Decrim)

Ms Baillie claimed that Armstrong et al.:

- is “some of the only research” comparing legal models,
- assesses the impact of decriminalisation vs the Nordic Model vs partial criminalisation,
- shows higher violence, vulnerability and structural harm in Ireland,
- shows improved safety, agency and client-refusal capacity in New Zealand,
- and draws on “70 interviews” and “hundreds” surveyed to reach these conclusions.

She used this to argue that buyer criminalisation increases harm.

Rebuttal

1. What the study actually contains

Armstrong et al. conducted 70 qualitative interviews between 2020 and 2022:

- 26 in *New Zealand* (commercialised system)
- 24 in *Ireland* (Nordic Model)
- 20 in *Scotland* (partial criminalisation)

These are *narrative accounts*. They are not violence data, not health data, not safety metrics, and not evaluative before/after analysis.

The authors themselves describe it as a study of stigma and discrimination, not law outcomes.

2. It does *not* evaluate the effects of any legal model

The study measures:

- stigma
- discrimination
- perceptions of institutional treatment

- feelings of marginalisation
- narratives about social attitudes

It does not measure:

- violence prevalence
- violence trends
- homicide risk
- HIV or STI incidence
- condom-use behaviour
- access to police or justice
- exploitation or trafficking trends
- displacement
- safety strategies before/after a law change

Nothing in the study is capable of establishing that buyer criminalisation causes harm.

3. If it did, then New Zealand results *contradict* the claim that decriminalisation eliminates harm

Participants in New Zealand, under a fully commercialised system, reported:

- stigma
- discrimination
- exclusion from business premises
- negative treatment by landlords and employers
- unsafe client behaviour
- fear of disclosure

These harms arise without buyer criminalisation. They are inherent to prostitution, not products of criminal law.

This directly contradicts Ms Baillie's claim in Committee.

4. Ireland findings cannot demonstrate harm caused by the buyer law

The Ireland material consists of 24 qualitative interviews, recruited through existing activist networks.

It includes:

- no baseline before 2017
- no trend data
- no police or justice data
- no measurement of violence
- no health metrics
- no causation analysis

Because the same harms appear in New Zealand (no buyer law), the Ireland section cannot demonstrate that the Nordic Model caused additional harm.

5. Scotland section relies on outdated and inaccurate assumptions about enforcement

Armstrong's Scotland interviews present stigma, policy hostility and fear, but the framing of Scotland as becoming "increasingly prohibitionist" is based on citations describing policing practices from the 1980s–2010s, not the last decade.

In reality:

- Enforcement against prostituted people is now exceptionally rare.
- Scotland does not operate a zero-tolerance or punitive model.
- Early-2010s sauna operations were trafficking-driven and time-limited, not a continuing strategy, routine raids are not common practice today.

The study's depiction of Scotland therefore does not reflect current policing practice.

6. Sample-size claims made in Committee were inaccurate

Ms Baillie implied the Armstrong study involved "hundreds" surveyed. It did not.

It is based solely on:

- 70 interviews (26 NZ, 24 Ireland, 20 Scotland),
- with no survey component.

The "hundreds" figure belonged to the *Médecins du Monde* study in France, not Armstrong et al.

7. The study cannot support the claim that buyer criminalisation increases harm

Because:

- it does not measure violence, safety, health or policing,
- it records the same harms under decriminalisation as under buyer criminalisation,
- it provides no causal analysis,
- and its Scotland section is factually outdated,

the study cannot demonstrate that the Bill would increase harm, nor can it support the claims presented in Committee.

Conclusion

Armstrong et al. (2024) is a qualitative study of stigma in three countries. It does not measure violence, safety, health or policing, and it does not assess the effects of any legal model. The same harms appear in New Zealand, Ireland and Scotland, including under a commercialised system, meaning they cannot be attributed to buyer criminalisation. The study therefore cannot be treated as evidence that the Bill would create additional harm.

Northern Ireland – Full Rebuttal of Evidence Cited in Committee

What Was Claimed in Committee

Opponents cited the 2019 Northern Ireland Department of Justice Review to argue that after the 2015 buyer law came into force:

- “in Northern Ireland, following a couple of years in which the type of legislation before us was introduced, the level of violence experienced by those women went up by 225 per cent. That is an astronomical number.”
- harms rose under the Nordic Model

This presents the DOJ Review as evidence that buyer criminalisation increases violence.

That is not what the Review shows, and the underlying material does not meet any accepted standard for crime measurement.

1. The “225 percent increase” is based on self-selected app reports, not crime data

The DOJ Review’s “225 percent increase” is taken entirely from incidents reported to UglyMugs.ie, a third-party safety app, rather than from:

- police-recorded crime,
- court records,
- health-service data, or
- a structured, representative victimisation survey.

UglyMugs.ie explicitly presents itself as:

“A safety platform for sex workers in Ireland. Check phone numbers, receive warnings and make reports.”

Its function is to:

- allow users to check phone numbers,
- receive warnings about previously reported behaviour, and
- log reports for other users’ awareness.

It does not operate as:

- a police recording system,
- an official crime statistics collection, or
- a survey designed to produce representative prevalence data.

The “increase” in incidents refers to changes in self-selected reports to a safety app, not to crime recorded under any national crime-recording framework.

2. Crime-statistics standards: why app data cannot be treated as evidence of prevalence or trends

Across UK and international standards, the position is consistent:

- Home Office National Crime Recording Standard and Counting Rules: incidents counted as crime statistics must be recorded by the police or accredited staff, classified under agreed rules and supported by evidential thresholds. Unverified, third-party incident lists do not qualify as recorded crime.

- Office for National Statistics (ONS): the ONS distinguishes between:
 - police-recorded crime,
 - large, properly sampled victimisation surveys, and
 - self-selected, unverified reporting.

The third category is explicitly treated as unsuitable for measuring the level or trend of crime because it lacks representativeness, verification and standardised recording.

- Scottish Government statistical frameworks and HM Inspectorate of Constabulary: crime data are required to be systematic, auditable and consistent, based on clear rules and verifiable records.

- UNODC and the EU Agency for Fundamental Rights: international guidance states that valid violence data must come from:

- administrative sources such as police, justice or health systems, or
- representative, structured surveys.

Self-selected online reporting tools are recognised as experience-sharing platforms, not as statistical bases for prevalence or trend analysis.

UglyMugs.ie sits squarely in this third category. By design, it:

- accepts anonymous, voluntary submissions,
- does not apply national crime-recording rules,
- does not draw from a defined, representative sample, and
- is not subject to the auditing and consistency checks applied to crime statistics.

Treating such reports as if they were crime data conflicts with the core principles applied by UK and international statistical authorities.

3. The design of the screening tools contradicts the narrative about passport and credit card screening

In Committee, it was suggested that buyers currently hand over passports, credit cards or other official identification and that this capacity for screening would be lost if buyers became criminally liable.

However, the actual safety tools relied on in Ireland and the UK show that such exchanges are exceptional rather than routine.

The tools allow:

- UglyMugs.ie: checks on phone numbers and submission of reports
- NUM Checker (Great Britain): searches on
 - email addresses
 - phone numbers
 - online profile handles
 - vehicle registrations

Neither system is designed to store or cross-check passports or credit-card details. Their entire model of screening is built around limited, user-entered identifiers that buyers use because these preserve anonymity and can be replaced easily.

This matters because:

- the same ecosystem that was described in evidence as enabling rigorous identification checks is in practice built on narrow and non-verified identifiers;
- the underlying data were never intended to operate as a forensic record of named offenders;
- the tools function as quick, informal safety aids, not evidence-gathering mechanisms.

If buyers routinely handed over passports or credit cards, the main screening tools would be designed to store and verify such information. They are not. Their design confirms that anonymity is the norm and that any exchange of formal identification occurs only in niche or exceptional circumstances.

4. The DOJ Review does not claim the buyer law increased violence

The DOJ Review treats the UglyMugs.ie figures carefully and with explicit caution. It acknowledges that any rise in reported incidents may be due to factors such as:

- more people involved in prostitution,
- more users engaging with the app,
- changes in awareness, reporting or recording behaviour, or
- broader patterns of crime and anti-social behaviour.

Consistent with mainstream crime-statistics guidance, the Review:

- does not assert that the buyer law caused an increase in violence,
- does not present corroborating police, court or health-service data,
- does not apply a causal analysis linking Article 64A to the reported incidents.

The strong causal claim made in Committee therefore goes well beyond anything stated in the DOJ's own interpretation of the app material.

5. Pre-existing and cross-model buyer behaviour

The DOJ Review includes references to buyer behaviours such as:

- pressure for unprotected sex,
- coercive or exploitative conduct by clients and third parties, and
- reluctance to report to authorities.

These behaviours are:

- well documented in research before buyer laws were introduced in Ireland or Northern Ireland, and
- also documented in fully commercialised systems, including countries that have never criminalised buyers.

International literature attributes such behaviours to male demand and the structural power imbalance in prostitution, not to the legal status of buyers.

Using these already known patterns as evidence that the Northern Irish buyer law created new dangers is not supported by comparative research.

6. Evidential conclusion

From the perspective of crime and statistics methodology:

- the “225 percent increase” is derived from self-selected reports to a safety app, not from any recognised crime-statistics source,
- the data are not collected under the National Crime Recording Standard and are not based on a representative sample, and
- mainstream authorities such as the Home Office, the Office for National Statistics, Scottish Government statisticians, UNODC, the EU Agency for Fundamental Rights and leading criminologists treat this type of material as unsuitable for measuring the level or trend of violence.

The Northern Ireland DOJ Review itself does not claim that the buyer law increased violence. It treats the app figures as inconclusive and suggests multiple alternative explanations in line with established statistical caution.

Conclusion

The “225 percent increase” cited in evidence is not based on police or survey data, but on self-selected reports to a safety app that does not meet any recognised standard for crime measurement. UK and international statistical authorities are clear that such data cannot be used to measure prevalence or trends in violence. The DOJ does not claim that the buyer law caused an increase in harm. The Review therefore does not provide evidence that buyer criminalisation in Northern Ireland led to an escalation in violence and cannot be relied upon to support that claim.

SECTION 2: DETAILED ANALYSIS OF EVIDENCE CITED IN DR VUOLAJÄRVI'S SUPPLEMENTARY SUBMISSION

CANADA

Dr Vuolajärvi refers only to Crago, Bruckert, Braschel & Shannon (2022) (Global Public Health), to suggest that Canada's end-demand law (PCEPA, 2014) increased harm. Due to its design, limitations and sampling the study cannot and does not provide evidence that PCEPA caused increases in violence or danger.

1. What Crago et al. (2022) Actually Did

1.1 Study design and limitations

- fieldwork between July 2017 and January 2018, meaning the data were gathered just 3–4 years after the introduction of PCEPA. This limits the ability to detect long-term effects.
- Cross-sectional survey conducted once, in five cities (Montreal, Toronto, Ottawa, Sudbury, Surrey).
- Sample of 200 individuals recruited through six organisations.
- Purposive sampling focused on the most marginalised groups (street-based, precariously housed, drug-using, disproportionately Indigenous).
- No population sampling; no randomisation; no representativeness; no baseline.

This design cannot measure national trends, nor can it establish whether conditions worsened, improved, or remained stable after PCEPA.

1.2 Not a before/after study in any scientific sense

Participants were asked to recall whether violence had become “worse,” “better,” or “the same.” There is:

- no pre-2014 dataset using the same methodology,
- no longitudinal follow-up,
- no objective measure of change,
- no ability to separate the effect of PCEPA from changes in policing, drugs markets, homelessness, local bylaws, or broader economic pressures.

Retrospective perception does not equal evidence of legal impact.

2. What the Violence Findings Mean (and Do Not Mean)

The study reports high levels of violence among respondents who had worked both before and after 2014. This is entirely consistent with decades of evidence showing that prostitution is a high-risk setting for male violence under all legal regimes.

The findings do not demonstrate:

- that violence was lower under the previous law,
- that violence rose because of PCEPA,
- or that PCEPA altered the underlying risks faced by the most marginalised groups.

The sample's extremely high baseline vulnerability makes causal inference impossible.

3. The “Screening” Association Cannot Support Causal Claims

The study reports that participants who were less able to gather identifying information from buyers were more likely to have experienced violence.

This association does not establish that:

- PCEPA removed an effective safety tool,
- “screening” previously protected women from violent men,
- or that reduced screening caused violence to increase.

Criminological evidence is clear: even with full risk-assessment tools, violence prediction is unreliable. The notion that rapid, street-level “screening” can reliably detect violent offenders is contradicted by extensive empirical evidence and by numerous cases in which regular, familiar buyers committed extreme violence.

The association simply reflects a well-known pattern: the most economically constrained and least empowered women are at the highest risk of male violence – under every legal model.

4. Indigenous Women and Housing: Structural Harms, Not Law-Specific Effects

The study documents severe harms affecting Indigenous women, including fear of police, housing precarity, and higher reported levels of violence. These are longstanding consequences of:

- colonial state violence,
- systemic racism,
- poverty,
- discrimination in policing and services.

The study does not demonstrate that PCEPA increased those harms relative to previous prostitution law, nor that buyer criminalisation is the relevant driver.

The study also reports that eviction pressures increase violence risk. This mirrors findings from commercialised regimes such as Germany, New Zealand and the Netherlands; housing precarity intensifies male violence irrespective of legal model.

5. What the Study Supports vs What It Cannot Support

Supported by the data

- Prostitution remains highly violent, especially for the most marginalised.
- Housing instability, poverty and racism significantly increase harm.
- Structural discrimination, particularly affecting Indigenous women, remains a major risk factor.

Not supported by the data

- That violence increased after PCEPA.
- That PCEPA caused any change in violence levels.
- That buyer criminalisation is responsible for harms described.
- That “screening” was a protective mechanism eliminated by the law.

The study is a documentation of ongoing harms in a highly marginalised subset of the prostitution market. It cannot show that PCEPA changed those harms, and it does not provide evidence that Canada’s end-demand model “does not work.”

SWEDEN

Dr Vuolajärvi cites five sources to argue that Sweden’s Sex Purchase Act has not reduced demand and has increased harms. A close review of those sources does not support the claims presented to the Committee.

1. Market Effects and the “Displacement” Claim

Street prostitution

All parties agree that visible street prostitution fell by around 50% after 1999. This outcome is well-documented in government evaluations and remains stable over time.

Online growth

Dr Vuolajärvi presents the rise in online ads between 2006–2014 as evidence that the law merely “displaced” activity. However, the leading scholarly review she herself cites, Holmström & Skilbrei (2017), directly contradicts that interpretation.

They write:

“A shift towards contact establishment through the internet and a shift towards indoor arenas are developments taking place in many countries, including countries with very different laws from Sweden. While the Sex Purchase Act might play a role in how this shift takes place and is experienced in this particular setting, there is no reason to consider the Act as the reason for this development.”
(Holmström & Skilbrei, 2017, p. 97)

This is reinforced by the County Administrative Board of Stockholm, which monitors the online market and attributes growth primarily to digitalisation, not legal change.
Conclusion:

Online growth reflects a global technological shift, not failure of the Swedish model.

2. Buyer Prevalence – Correction of Dr Vuolajärvi’s Data

Dr Vuolajärvi states that lifetime sex-buying in Sweden is “10–15%,” comparable to Finland, Norway and Denmark. This is not what her cited source reports.

Official SRHR survey data

The 2017–19 SRHR population study states:

“Knappt en av tio (9,4 procent) av samtliga män har någon gång gett ersättning för sexuella tjänster.”

This translates to just under one in ten men have ever paid for sexual acts and this is the national prevalence: 9.4%.

The only figure near 15% refers exclusively to a subgroup:

- Homosexual/bisexual men ~15%
- Heterosexual men ~10%

Dr Vuolajärvi merges subgroup values into a “10–15%” national range, which is inaccurate.

Comparison with neighbouring countries

Using each country’s own national surveys:

- Sweden: 9.4%
- Finland: ~11–13%
- Norway: ~13%
- Denmark: ~13%

Sweden has the lowest prevalence of male sex-buying in the Nordic region.

Trend over time

Population surveys show:

- long-term decline in Sweden; and
- lower levels than neighbouring countries.

Conclusion:

Far from showing “no difference,” the correct figures show reduced demand in Sweden relative to all Nordic neighbours.

3. Public Attitudes – Misinterpreted

Dr Vuolajärvi cites survey findings suggesting that ~60% support criminalising the sale of sex. This originates from Kuosmanen (2008), where the question used gender-neutral wording (“selling sex”). The Swedish Crime Prevention Authority (BRÅ) warns that such wording likely caused respondents to think about procuring/trafficking, not penalising prostituted women. There are no surveys more recent than 2008 that have asked that question and, based on the criminalisation of buying but not selling online sexual acts in 2025, there is no reason to assume that the Swedish people want to see sellers criminalised.

More robust measures show:

- Strong and sustained support for criminalising buyers, especially among women.
- No clear evidence that Swedes support criminalising the selling of sex.

Conclusion:

Public attitudes have shifted in line with the goals of the Act.

4. Harms Cited – What the Evidence Actually Shows

The harms listed by Dr Vuolajärvi (reduced screening, police pressure, stigma, safety concerns) come from qualitative studies that describe women’s experiences of prostitution, not causal effects of the 1999 Act.

Key points:

Holmström & Skilbrei (2017)

The same review she cites concludes:

- The knowledge base is “patchy and biased.”
- Claims about harm often lack methodological rigour.
- No evidence the Act caused the online shift (p. 97).
- No evidence of increased violence caused by the Act.

Other qualitative studies

Scoular; Edlund & Jakobsson; Levy describe prostitution as dangerous, isolating, and stigmatised, but:

- they do not provide before/after comparisons;
- they cannot attribute causation to the law;
- they often focus on the most marginalised subgroups, not the full population.

Official evaluation (2010)

The Government’s review, which synthesised police, social services and frontline practice, found:

- no evidence of increased violence linked to the Act;
- improved police capacity to detect trafficking.

Conclusion:

These studies document the harms of prostitution itself, not harms caused by criminalising buyers.

5. Absence of “Systematic Before/After Data” Does Not Support the Claims

Where Sweden lacks perfect longitudinal datasets, this creates limitations, not evidence of failure.

From the available data:

- Demand has declined.
- Street prostitution has shrunk and not returned.
- Sweden has the lowest sex-buying prevalence in the Nordic region.
- Sweden remains one of the least affected countries by trafficking in Europe (EU & GRETA).

Conclusion:

Nothing in the evidence cited by Dr Vuolajärvi shows that the Nordic Model in Sweden increases harm or fails to reduce demand.

OVERALL CONCLUSION: SWEDEN

After correcting misinterpretations and re-examining her sources, Dr Vuolajärvi's claims do not hold.

- The actual prevalence of male sex-buying is 9.4%, the lowest in the region.
- The online shift is an international digital phenomenon, not caused by the Act.
- Qualitative studies cannot demonstrate that the Act creates harm.
- Official evaluations show no law-driven increase in violence.
- Sweden shows long-term reductions in demand and one of Europe's lowest rates of prostitution-related trafficking.

The Swedish evidence, properly interpreted, does not demonstrate that the Nordic Model fails. It points instead to reduced demand, reduced visibility, and no evidence of harm caused by criminalising buyers.

Northern Ireland

Dr Vuolajärvi cites one source for Northern Ireland:

Backus & Nguyen (2021) – a modelling paper analysing online sex-market data and police-recorded sexual-violence data.

Her letter makes two claims:

- a temporary 53% drop in online activity that later returned to baseline;
- a 10–22% increase in sexual assaults against women after the Sex Buyer Law.

The study does not support the conclusion that the Sex Buyer Law increased violence.

Online sex-market activity: descriptive only, not causal

Backus & Nguyen observe a temporary drop in online buyer–seller review counts after 2015 and a return to baseline thereafter and conclude the law has not reduced demand. Yet this is simply a description of one dataset. It does not show:

- whether demand fell in real terms,
- that the law caused the drop,
- or that any harms followed from it.

Online review activity fluctuates for many reasons (platform moderation, market migration, policing visibility, seasonal variation).

The PSNI also told the Committee that they do not proactively enforce the buyer offence and prioritise trafficking cases. A short-lived dip in online adverts cannot meaningfully evidence the effects of the law.

2. Sexual-violence claim: not based on recorded crime

This is the most significant misinterpretation in Dr Vuolajärvi's letter.

Backus & Nguyen explicitly state that recorded sexual-violence data cannot be used to evaluate the effect of the law because:

- the 2014 HMICFRS inspection showed serious under-recording in England & Wales,
- the rise in recorded sexual offences from 2014 reflects recording-practice reform, not real increases in violence,
- Northern Ireland and Great Britain had different recording baselines and responded differently to the inspection.

Because recorded crime cannot be used, the authors do not compare:

- recorded sexual violence before the Sex Buyer Law
- with
- recorded sexual violence after the Sex Buyer Law.

Instead, they build a statistical model to estimate:

1. how many sexual assaults they believe were actually committed in Northern Ireland after the law (not recorded), and
2. how many assaults would have been committed in a hypothetical Northern Ireland where the Sex Buyer Law was never introduced.

Their headline claim, that sexual assaults increased by 10–22%, comes from the difference between two hypothetical modelled curves, not from observed offending.

Key points from the paper:

- Recorded NI sexual-violence data show no sharp post-2015 increase.
- The model's estimated direction of effect flips depending on how many factors the authors choose to include.
- The authors could not use NI victimisation-survey data to validate their estimates (sample too small).

The paper therefore does not show that violence increased.

It shows only that, under certain modelling assumptions, a statistical estimate of unreported crime may appear higher.

This is not usable evidence of real-world harm.

3. Why the sexual-violence argument cannot stand

3.1. The narrative constructed around the modelling result is also unsound

The argument presented by Backus & Nguyen is essentially:

- The Sex Buyer Law may have reduced demand (temporarily),
- STI rates may have fallen,
- but sexual assaults against women allegedly increased,
- therefore the Nordic Model produces “harm,”
- and policymakers should question whether demand reduction is “worth” an increase in violence.

This reasoning relies on a hypothetical mechanism referenced in earlier econometric papers cited by Backus & Nguyen that is both unsupported and ethically untenable:

that prostitution functions as a “substitution” preventing some men from committing sexual violence against women in the wider population.

This rests on the ethically indefensible premise that prostituted women form a “special class of rapeable women”, whose availability allegedly protects other women from male violence.

There is no empirical evidence that:

- access to prostituted women reduces male sexual offending,
- men “redirect” violence away from other women when prostitution is available, or
- buyer criminalisation causes men who previously purchased sex to commit sexual assaults.

The criminological and public-health research consistently finds that:

- men who buy sex show higher levels of hostility, entitlement and sexual aggression than men who do not;
- men in prostitution markets are over-represented among perpetrators of coercive and violent acts;

- the assumption that prostitution reduces sexual offending is not supported by data from any jurisdiction, including countries with full commercialisation such as Germany, the Netherlands or New Zealand.

3.2. The “substitution” theory collapses under basic scrutiny

If the argument were taken at face value, its internal logic would imply:

- that the men who leave the prostitution market when purchasing becomes riskier are the same men who then go on to commit sexual violence,
- meaning the so-called “good clients”, those who avoid purchasing under buyer criminalisation, would have to be the men committing these assaults.

This contradicts both:

- the claim that only the “bad clients” remain in the market under the Nordic Model, and
- extensive empirical evidence that violence in prostitution is overwhelmingly committed by men who often appear as “good clients”: outwardly non-violent and “regular.”

The substitution hypothesis therefore fails logically, empirically and ethically.

3.3. The substitution myth misunderstands who the buyers are

The substitution hypothesis also rests on a false assumption about the men involved.

Empirical research across multiple jurisdictions and legal models consistently shows that the majority of men who buy sexual access to women are in ongoing relationships with women (married or cohabiting, with regular sexual access).

The idea that these men would otherwise be “sexually deprived” and therefore likely to commit sexual violence is contradicted by the evidence.

3.4. Conclusion on the sexual-violence claim

Backus & Nguyen’s modelling cannot isolate the effect of the Sex Buyer Law from contemporaneous changes in crime-recording practices.

Their claim:

- is highly sensitive to modelling choices,
- is not corroborated by recorded-crime data or crime-survey evidence,
- and depends entirely on comparing two hypothetical estimated crime curves, not observed offending.

The theoretical mechanism used to interpret the modelling result is unsupported and ethically indefensible.

The study provides no credible basis for asserting that the Sex Buyer Law increased sexual violence against women.

4. PSNI evidence: limited implementation of the buyer law

The PSNI letter to the Committee confirms:

- the prostitution market in Northern Ireland is predominantly off-street,
- there are no proactive buyer-focused operations,
- resources are targeted at trafficking cases,
- only 26 charges for paying for sexual services have been brought in a decade.

For a law to have substantial population-level effects (positive or negative), it must be implemented and enforced. The available policing evidence suggests that the Nordic Model in Northern Ireland has been applied only in a limited way.

This context further undermines the plausibility of attributing significant changes in national sexual assault rates to the law.

France

Source cited: Médecins du Monde (2018).

This study is already analysed in Section 1. As shown there, its design does not allow any causal conclusions about the 2016 law. No further evidence on France is provided in Dr Vuolajärvi's letter.

Republic of Ireland

Source cited: Ugly Mugs Ireland (app-based reporting).

This source is analysed in Section 1 in relation to Northern Ireland. As shown there, its data cannot be used to demonstrate increased violence following the 2017 law. No further evidence on the Republic of Ireland is provided in the letter.

Norway

Dr Vuolajärvi cites three sources for Norway:

- Bjørndahl (2012), Dangerous Liaisons
- Amnesty International (2016), The Human Cost of "Crushing" the Market
- Vuolajärvi (2022), Criminalising the Sex Buyer: Experiences from the Nordic Region

None of these sources provides evidence that Norway's Sex Purchase Act increased violence because of buyer criminalisation. All three sources suffer from clear methodological limitations and, crucially, document phenomena that occur in every prostitution regime, including countries with full commercialisation such as Germany or New Zealand: high levels of male violence, unstable markets, and harms concentrated among migrant women.

1. Violence: What Bjørndahl (2012) Actually Shows

Dr Vuolajärvi cites the headline numbers suggesting an increase post-law:

- Indoor: 33% → 43%
- Outdoor: 58% → 76%
- Both indoor/outdoor: 68% → 83%

These figures cannot be used to infer that the Sex Purchase Act increased violence.

1.1. Bjørndahl explicitly states the study cannot answer this question

The report states:

"This data does not answer whether the high amount of violence and the vulnerability women in prostitution experience is caused by the criminalization of the purchase of sexual services or other factors."

This removes any foundation for causal claims.

1.2. The two survey waves are not comparable

The 2007/08 and 2012 studies differ fundamentally:

Different recall windows

- 2007/08 measured violence "in the last year," "during the whole career," and "in private life."
- 2012 measured only after 1 January 2009 (a period of up to three years).

These periods cannot be compared.

Non-standardised exposure time

- In 2007/08, "whole career" could mean weeks or decades.
- In 2012, "after 1 January 2009" could also represent anything from several weeks to several years depending on each woman's entry into prostitution.

The two samples capture different populations, with no controls for duration in prostitution.

Definition of violence changed

The 2012 survey added new categories of violence not present in 2007/08. This alone can inflate the prevalence of self-reported harm.

Sampling concerns acknowledged by the authors

The researchers themselves note:

- under-reporting,
- over-reporting,
- memory displacement,
- participation by women who may not have sold sex after 2009 but who still took part (because a participation gift was offered).

Sample characteristics

The 2012 study is based on questionnaires completed by 123 women who attended a particular support service. It is not representative of the wider prostitution market.

Given these methodological differences, the two datasets cannot function as a before/after comparison.

1.3. The study confirms only that prostitution is extremely violent

Bjørndahl's results reinforce longstanding evidence that women in prostitution face pervasive violence irrespective of legal model.

Nothing in the report supports the claim that the Sex Purchase Act increased violence.

2. What Amnesty International (2016) Actually Shows

2.1. Not a study of the Sex Purchase Act's effects

- Based on qualitative interviews with 30 individuals (27 women and three men).
- The authors do not attempt before/after comparisons.
- The sample is not representative.

Fieldwork was carried out November 2014 to February 2015.

2.2. The report documents immigration enforcement, not buyer criminalisation

Amnesty's findings relate overwhelmingly to:

- immigration controls and deportations,
- landlord liability and evictions,
- enforcement of third-party offences (promotion, brothel-keeping).

These are not outcomes of buyer criminalisation.

2.3. The “condoms as evidence” issue is unrelated to the Sex Purchase Act

Using condoms as evidence relates to:

- brothel-keeping investigations,
- landlord penalties.

It does not arise from criminalisation of buyers.

2.4. No evidence of increased violence linked to the Sex Purchase Act

- Amnesty did not measure violence before and after 2009.
- No causal claims are made or supported.
- The harms described relate primarily to immigration law.

The report states:

“It is beyond the scope of this report to measure whether violence experienced by sex workers has increased in Norway.” (p. 56)

3. What Vuolajärvi (2022) Actually Shows

Dr Vuolajärvi's article has already been examined in detail in *Bending Reality to Match Ideology* (Nordic Model Now, 2023). That analysis highlights that:

- The harms described in the article, particularly for migrant women, relate overwhelmingly to immigration law enforcement,
- and these are the same harms experienced by women in prostitution in commercialised systems such as Germany, New Zealand and the Netherlands,
- not harms caused by criminalising sex buyers.

Her paper provides no evidence that buyer criminalisation increased violence in Norway.

Israel

Source cited: Brookdale Institute, Evaluation of the Prohibition on Consumption of Prostitution Services Law (2024)

The Brookdale Institute study is a government-commissioned, mixed-methods evaluation covering public attitudes, consumption surveys among men, administrative data, and extensive interviews with individuals in prostitution and service providers. It is the first attempt to build an empirical evidence base for Israel's 2020 law.

A crucial point appears on page 1 of the report, noting that the impact of the law:

“cannot be isolated from the effects of other processes that took place in Israel at the same time, including COVID-19 and the Israel-Hamas war... the three-year duration of this study is insufficient for examining the Law’s long-term impact on the extent of prostitution. The researchers are cautious with regard to conclusions regarding the Law’s direct or indirect effects.”

The findings therefore cannot be treated as a long-term assessment of the buyer law.

1. The sex-buying figures cannot be interpreted as post-law change

The report provides two measurements:

- 9.2% of men reporting having paid for sexual services in the previous five years (2021)
- 12.2% reporting the same (2024)

These numbers may give the impression of an increase after the law. However:

- 2021 data were collected during COVID-19, when mobility, income, and sexual behaviour were severely disrupted.
- 2021 is not a pre-law baseline; the law had already been approved and partially implemented.
- The report explicitly states that the two measurements cannot be compared as evidence of change over time.
- Sampling frames and contextual conditions differed significantly.

Brookdale does not interpret these figures as a trend or as evidence that the law increased or failed to reduce demand.

2. The study was not designed to measure demand reduction at this early stage

The researchers note that:

- Israel lacks reliable historical indicators of market size.
- The law's enforcement period has been short and disrupted.
- Administrative fines only began to be issued in 2020.
- Enforcement was minimal until late 2022.
- COVID-19 and subsequent national emergencies significantly affected behaviour, policing, and data collection.

The evaluation therefore cannot determine whether the law reduced, increased, or had no effect on the prevalence of prostitution or the demand for paid sex.

This is entirely consistent with early-stage evaluations in all jurisdictions adopting buyer criminalisation: meaningful assessment requires a longer time horizon.

3. What the study does show

3.1 Strong normative change

Public support for criminalising buyers rose to around 70% (2024), up from 26% in 2008. This is a core intended effect of demand-side law: shifting social norms about men's entitlement to sexual access.

3.2 Mixed short-term impacts for prostituted individuals

The report identifies:

- Loss of income for some (a predictable consequence of any demand-side intervention).
- Significant expansion of exit and support services, funded at scale.
- Improved sense of protection among some individuals because enforcement was directed at buyers, not sellers.
- Greater access to housing, counselling, financial support, casework, retraining, and multi-agency assistance.

These positive outcomes arise from Israel's unusually strong investment in the support side of the model.

3.3 No measurable conclusions on market size

Brookdale states that it is not possible at this stage to determine whether prostitution has increased or decreased, because:

- too little time has passed,
- enforcement has been limited, and
- indicators lack reliability for trend analysis.

4. The role of strong support funding

Israel invested tens of millions of shekels in support and exit services — one of the most substantial implementations of the support pillar globally.

The evaluation attributes many positive outcomes to this investment. This shows:

- support funding works as intended;
- individuals can and do use services to exit prostitution;
- directing enforcement at buyers can increase women’s sense of safety.

These findings are fully consistent with what proponents of the Nordic Model expect in the early years.

Conclusion on Israel

The Brookdale evaluation does not show that Israel’s buyer law “failed,” nor does it provide evidence of increased demand. It does not claim that sex buying rose after the law, nor that the law worsened conditions for prostituted people.

Instead, the report shows:

- early-stage data cannot yet measure market-size change,
- enforcement has been limited and disrupted,
- support-side investment has produced tangible benefits,
- public attitudes have shifted significantly.

These findings are typical of an early evaluation of a major social-norm reform. They do not contradict the aims or expected trajectory of the Nordic Model.



16 December 2025

Dear Convener,

I am writing in response to the letter from National Ugly Mugs dated 8 December, which raises a number of allegations concerning my evidence to the Committee and the development of this Bill. I address those allegations below.

Allegation of misunderstanding screening and safety

National Ugly Mugs' letter of 8 December quotes my comment that "screening is a myth" and asserts that this shows I do not understand the reality of what women in prostitution do to try to keep themselves safe. That is not an accurate reflection of my remarks. As the Official Report shows, the comment was immediately followed by an explanation of why screening does not operate as a meaningful safety mechanism for most women in prostitution.

My point was not that women do not attempt to screen buyers. Many do, and understandably so. Rather, I explained that screening does not amount to a reliable safety mechanism for the vast majority of women in prostitution, because the structural circumstances in which most women operate mean that they often lack the option to refuse buyers, even when risk information is available. Screening is not a safety mechanism. It is information-gathering. A woman's safety is not determined by whether she holds information, but by whether she has the option to refuse a buyer, and the power to refuse without suffering negative consequences.

Women I have spoken to in Scotland have described situations in which screening has little practical effect:

- women in brothels unable to refuse buyers without penalty, with managers "shutting the door" if violence occurs in another room;
- trafficked women with no control over bookings, advertisements, or the identities of men sent to them;
- economic and coercive pressures which leave many women without a real option to refuse buyers in practice, regardless of the risks they perceive.

The structural conditions that constrain women's option to refuse buyers have been set out clearly in the international literature on how the prostitution system functions. As Reem Alsalem, UN Special Rapporteur on Violence Against Women and Girls, explains in her 2024 position paper on exit programmes, prostitution operates through systems of coercion, control, economic dependency and exploitation, in which a woman's options narrow as her vulnerabilities increase. To reflect the widely observed stratification within prostitution markets, in Committee I used Melissa Farley's *Prostitution's Hierarchy of Coercion* (2008): at the very top is

a tiny, relatively privileged minority with some genuine autonomy; below them is a larger group whose “choices” are heavily constrained by abuse histories and economic pressure; at the base is the majority, whose life circumstances and control by others leave little or no meaningful option to refuse buyers.

The further down the hierarchy a woman is pushed, the less meaningful it is to speak of “choice,” and the less realistic it is to present screening as a route to safety. For many women, there is no option to refuse a buyer at all. For others, refusal exists in theory but is not viable in practice, because exercising it leads to post-refusal consequences: loss of work, loss of income they cannot afford, retaliation, or direct punishment by controllers or brothel managers. Information is useless when a woman is not permitted to act on it, and meaningless when acting on it leads to harm.

This distinction between having information and being able to act on it was examined directly by the Committee. In the evidence session on 8 October, Mr Liam Kerr MSP asked:

“Given what we heard, how much power does the sex worker have to decline the transaction or instruction once they receive that alert?”

That question goes to the heart of the issue. A woman’s safety is not determined by whether she holds a buyer’s phone number, username or past alert history; it depends on whether she has the option to refuse that buyer, and whether she has the power to refuse in practice — meaning that refusal can be exercised without harmful consequences.

New Zealand is frequently cited as evidence that commercialising prostitution improves safety outcomes for those who sell sexual access. In response to Mr Kerr, one witness stated that after prostitution was commercialised in New Zealand, 65 per cent of sellers reported feeling more able to refuse buyers. This was presented as evidence that commercialisation gives women greater power to refuse a buyer when screening information suggests that he is unsafe. The New Zealand Government’s own statutory review shows why that figure is not a meaningful indicator of women’s real options or power to refuse in practice.

The 65 per cent figure cannot be generalised to women in prostitution as a whole. It is drawn from a non-representative survey of 772 participants. The authors state that the survey excludes or under-represents those women most likely to have no option to refuse: migrant women, women without fluent English, and women whose immigration status or brothel conditions place them under the tightest control. The survey also deliberately over-recruited men. The resulting sample does not reflect the actual composition of prostitution in New Zealand, which is overwhelmingly female and disproportionately migrant.

Even within this skewed sample, however, the findings are clear. Enshrining the right to refuse in law did not result in meaningful power to refuse in practice: 35.3 per cent had accepted buyers they did not want, and of those who did refuse, 10.5 per cent were penalised for doing so. These findings come from the New Zealand Government-commissioned study *The Impact of the Prostitution Reform Act on the*

Health and Safety Practices of Sex Workers (Abel, Fitzgerald & Brunton, 2007). The data also show that brothel-based prostitution — the largest and almost entirely female sector — is the one in which women report both lower power to refuse and higher penalty rates than other sectors.

The statutory review therefore supports, rather than undermines, the point I made to the Committee: feeling more able to refuse is not the same as having the option to refuse, and neither is it the same as having the power to refuse without consequences. Even in the most permissive legal framework available, substantial numbers of women lacked both.

It follows that the argument advanced by opponents of the Bill — that criminalising buyers would “damage screening” — rests on a misunderstanding. Screening gathers information, but for most women in prostitution:

- screening does not create the option to refuse where no such option exists;
- screening does not confer the power to refuse where refusal leads to punishment or harm; and
- screening cannot mitigate conditions in which women routinely accept men they do not want because they lack both the option and the power to refuse.

It is also important to be clear that when National Ugly Mugs describe women requesting identification or bank-linked pre-payment, they are describing practices that exist only in the most privileged margins of the market. Their own screening tool relies overwhelmingly on usernames, phone numbers and pseudonymous contact details — information that does not and cannot provide protection where a woman lacks the option or power to refuse the buyer behind the number.

That is why I said screening is a myth as a safety mechanism. I continue to believe the Committee should treat claims about screening with caution. Not because women do not try to screen, or because tools such as NUM’s do not exist, but because presenting screening as if information alone can deliver protection obscures the reality that for most women the structural conditions of prostitution mean they lack both the option and the power to refuse buyers safely or at all.

Identifying screening as a myth aligns with the evidence heard by the Committee on 8 October and from later witnesses, and with the findings of the New Zealand Government’s own review. It is not, as National Ugly Mugs suggest, a misunderstanding of women’s reality; it reflects that reality as women themselves describe it.

Allegation of misleading the Committee

National Ugly Mugs further implies that I misled the Committee during oral evidence by stating that no evidence had been provided demonstrating that criminalising the purchase of sex increases violence against women in prostitution. That is a serious allegation, and it is unfounded.

I gave my evidence to the Committee accurately and in good faith, based on the material that had in fact been submitted to me and to the Committee. The record does not support the suggestion that I knowingly or recklessly misrepresented the evidential position.

National Ugly Mugs asserts that it submitted a 7,000-word, 14-page response to the consultation on my proposal which “set out the evidential basis” for the claim that criminalising the purchase of sex increases violence, and that my statement to the Committee ignored or denied that evidence. That claim is not supported by the document they submitted.

In their consultation response of 25 September 2024, published on Unbuyable.org, National Ugly Mugs describe buyer-criminalisation as “a lethal policy approach” and assert that the harms they allege have been “empirically proven”. However, when it comes to providing that evidence, they state:

“We were initially planning to provide you with references to these works, but any unbiased search of academic and grey literature databases would reveal studies that you would have difficulty refuting...”

They then provide no references to those studies. The consultation response therefore does not supply the empirical evidence it claims exists and explicitly records a decision not to provide it. My statement to the Committee that no evidence had been provided accurately reflected the material submitted.

National Ugly Mugs repeatedly asserts that harms arising from buyer-criminalisation have been “empirically proven”, based on “samples of sex workers directly affected by these policy decisions”. That formulation collapses distinct concepts and obscures what would be required to substantiate the causal claim being made.

The claim at issue is a causal one: that criminalising the purchase of sex causes an increase in violence against women in prostitution. Empirical evidence, in this context, means systematically collected and verifiable data capable of testing that causal relationship. Depending on what is available, that would typically include baseline and follow-up data, or credible comparative data across jurisdictions; recorded outcomes such as police-recorded violence, homicide data, or relevant health indicators; and methodology capable of testing causation, rather than simply asserting mechanisms.

By contrast, advocacy reports, narrative accounts, lived-experience testimony, qualitative interviews without comparators, self-selected surveys, and opinion polling may illuminate perceptions or experiences but do not, on their own, establish causation. Fear is evidence of fear; it is not evidence that a law causes the feared harm.

Claims that buyer-criminalisation increases violence or undermines safety have been examined in court. In *Canadian Alliance for Sex Work Law Reform v Attorney General of Canada* (Ontario Superior Court of Justice, 18 September 2023), the Court examined advocacy-driven studies, qualitative material, and lived-experience

testimony and found them insufficient to establish a real and non-speculative causal connection between buyer-criminalisation provisions and increased violence.

A similar conclusion was reached by the European Court of Human Rights in *M.A. and Others v France* (25 July 2024). While the European Court addressed these claims at a systemic human-rights level, the Canadian court subjected them to particularly detailed evidential scrutiny. In both cases, the asserted harms were not established on the evidence.

This evidential problem was also identified in oral evidence to the Committee. Professor Jo Phoenix warned that much of the research relied upon in this area suffers from confirmation bias and false causality, with conclusions asserted without demonstrating how the law produces the alleged harm. Similarly, evidence from Ruth Breslin referenced the work of Dr Geoffrey Shannon, former Special Rapporteur on Child Protection for the Irish Government, who set out clear criteria for assessing research used to evaluate end-demand legislation, including verifiable data, transparent methodology, independence, and triangulation. He cautioned against treating advocacy-based material or unverified data as evidence of legislative effect. These standards mirror those applied by the Canadian court.

National Ugly Mugs' December letter blurs a fundamental distinction between claim and evidence. While it asserts that empirical research exists demonstrating that criminalising the purchase of sex increases violence, no such evidence was provided to me or to the Committee. My statement to the Committee accurately reflected the material submitted. The contrary characterisation advanced by National Ugly Mugs does not.

Allegation of inadequate consultation and engagement

National Ugly Mugs goes on to characterise my engagement while developing this Bill as “cursory” and asserts that meaningful consultation with women affected by prostitution has not been undertaken. That allegation is not supported by the record.

On 16 December 2004, the Scottish Executive issued its first formal call for responses following the Expert Group report *Being Outside: Constructing a Response to Street Prostitution*. On 16 December 2025, I write in defence of this Bill. The date matters. What sits between those two moments is not an absence of engagement, but more than two decades of sustained examination, consultation, and evidence-gathering on prostitution in Scotland.

Between those dates lie successive and overlapping processes: the Expert Group on Prostitution (2003–04) and the ensuing consultation; parliamentary scrutiny and legislation on street prostitution in 2006–07; Members' Bills proposing criminalisation of purchase in 2010 and 2012; Justice Committee consideration and amendments during the passage of the Human Trafficking and Exploitation (Scotland) Act 2015, followed by Government-commissioned research and review in 2016–17; the 2020–21 Equally Safe consultation on prostitution; and, most recently, the Scottish Government's *Strategic Approach to Tackling Prostitution*, published on 6 February 2024, which explicitly frames prostitution as commercial sexual

exploitation and violence against women and centres demand reduction as a core policy objective.

Throughout this period, engagement has included formal consultations, parliamentary evidence, expert groups, commissioned research, and sustained input from frontline and specialist women's services — including those working with and advocating for women in prostitution in Glasgow, Edinburgh, Aberdeen and Dundee — whose role has not been to campaign for particular legal models, but to support women and advise Government and Parliament on harm, exploitation and exit.

The present Bill does not sit outside that history. It is grounded in it. The Policy Memorandum draws directly on the Scottish Government's own analytical work, expert groups, short-life working groups and lived-experience engagement, as well as decades of evidence submitted to Parliament and Ministers. What has been lacking over this period is not consultation or scrutiny, but legislative action.

It is also important to be clear about the nature of the criticism being made. National Ugly Mugs' objection is not, in substance, to the absence of engagement, but to the position I have taken — a position which directly conflicts with the financial interests of some of its funders. Had I adopted an approach premised on treating prostitution as an ordinary commercial activity, the adequacy of consultation would not be in dispute. Disagreement with the outcome of engagement cannot retrospectively be recast as evidence that engagement did not occur.

In that context, the suggestion that this Bill suffers from a lack of consultation or engagement is not merely inaccurate. It is an insult to my role as the Member in Charge, given my engagement with women in prostitution and survivors since at least 2012; an insult to the Scottish Parliament, which has examined this issue repeatedly over more than two decades; and an insult to the Committee itself, which has taken extensive oral and written evidence, including from women with lived experience.

The difficulty in this policy area has never been a lack of consultation. It has been the repeated deferral of legislative action despite sustained engagement, evidence-gathering, and consistent conclusions.

For these reasons, I do not accept the characterisation advanced by National Ugly Mugs in its letter of 8 December. I am satisfied that my evidence to the Committee was accurate and properly grounded in the material submitted, and that the development of this Bill reflects sustained engagement, scrutiny and evidence-gathering over many years.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ash Regan', written in a cursive style.

Ash Regan MSP, Edinburgh Eastern