

Criminal Justice Committee  
Wednesday 8 October 2025  
27th Meeting, 2025 (Session 6)

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

### Note by the Clerk

#### Introduction

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

#### Today's evidence on the Bill

3. At today's meeting, the Committee will take evidence from the following witnesses.

##### Panel 1

- **Diane Martin CBE**, A Model for Scotland
- **Amanda Jane Quick**, Nordic Model Now!
- **Bronagh Andrew**, Operations Manager, TARA (Trafficking Awareness Raising Alliance) and Routes Out Services

##### Panel 2

- **Niki Adams**, English Collective of Prostitutes (Remote via Zoom)
  - **Lynsey Walton**, Chief Executive, National Ugly Mugs
  - **Laura Baillie**, Political Officer, Scotland for Decrim
4. The following submissions have been provided to the Committee, which are reproduced at the Annex—

- A Model for Scotland
- Glasgow City Council, TARA and Routes Out
- National Ugly Mugs
- Scotland for Decrim
- English Collective of Prostitutes

## **Financial Memorandum**

5. The Finance and Public Administration Committee issued a call for views on the Bill's Financial Memorandum.
6. The [responses to the call for views](#) can be found online.

## **Further reading**

7. A [SPICe briefing on the Bill](#) can be found online.
8. The [responses to the Committee's call for views on the Bill](#) can be found online.

**Clerks to the Committee**  
**October 2025**

## Annex: submissions received

### A Model for Scotland

A Model For Scotland is a survivor-led alliance of organisations and front-line services supporting and advocating for women experiencing sexual exploitation in Scotland. The members of the A Model For Scotland alliance are:

- Angus Violence Against Women Partnership
- ASSIST
- Cross-Party Group on Commercial Sexual Exploitation
- Equally Safe Edinburgh Committee
- Fife Rape and Sexual Assault Centre
- Lanarkshire Rape Crisis Centre
- North Lanarkshire Council
- Restore Glasgow
- Routes Out
- SAY Women
- Scottish Women's Convention
- South Lanarkshire Council
- Survivors of Human Trafficking in Scotland
- TARA
- The Encompass Network
- Unite Scotland
- Wise Women
- Women's Aid South Lanarkshire and East Renfrewshire
- Women's Support Project
- UK Feminista provides the Secretariat for the alliance

**1. The Bill proposes to create a new offence of paying for the performance of a sexual act by a person. The Bill (at section 1) includes details of the circumstances in which an offence would be committed. The Bill (at section 9) includes a definition of “a sexual act”. The Bill states that activities such as striptease, pole dancing, lap dancing, or other erotic performances are not included in the definition of a “sexual act”. What are your views on this proposal?**

A Model for Scotland welcomes and supports the proposal to outlaw paying for a sexual act. Criminalising paying for sex is an indispensable tool for deterring demand for sexual exploitation and holding perpetrators to account. The Scottish Government rightly recognises prostitution as violence against women in its strategy to prevent violence against women and girls, Equally Safe. However, this recognition is not currently reflected in legislation, meaning it is legal to perpetrate this form of violence against women. 4% of men in Scotland report having paid for sex in the past five years, according to latest figures (1). Men who are most likely to have paid for sex are single men aged 25-34, in professional or managerial occupations and those who report high numbers of sexual partners (2). Crucially, extensive international evidence shows their demand is not inevitable; it can be deterred – and legislation

outlawing paying for sex is critical to achieving that (3).

Countries and states that have adopted an 'end demand' approach to prostitution, by criminalising paying for sex and decriminalising victims of sexual exploitation, include Sweden, France, Ireland, Northern Ireland, Norway and Iceland. Sweden was the first country to criminalise paying for sex while decriminalising victims of sexual exploitation in 1999, affording over two decades of evidence of its effectiveness. Research in Sweden reveals demand has dropped substantially: surveys conducted in 1996 and 2008 found the proportion of men who reported paying for sex reduced from 12.7% to 7.6% (4). The most recent research on prevalence rates found that 7.5% of men had paid for sex. Just 0.8% of these men had paid for sex in the previous 12 months - the smallest proportion recorded in two decades and the lowest level in Europe (5). Importantly, claims that criminalising paying for sex drives prostitution 'underground', having no impact on the scale of sexual exploitation, or makes victims of sexual exploitation less safe have been revealed as baseless (6). For instance, a report published by the European Commission concluded: "Sex markets are reliant, by definition, on buyers finding spaces and places where it is possible to pay for sex. In this sense, the underground argument has a logical fallacy at its heart since some level of visibility is required." (7)

Importantly, legislating to deter demand for prostitution is necessary to deter demand for sex trafficking. The minority of men who pay for sex and thereby drive demand for prostitution are the same group of men driving demand for the trafficking of women into prostitution. As a European Commission study on human trafficking points out: "trafficked persons are located within existing sex industries ... there is no separate or specific market for trafficked persons" (8). Trafficking for sexual exploitation is the most detected form of human trafficking and the most profitable form of modern slavery in the world (9). Scotland is part of this global trade in sexual exploitation; therefore, Scottish law must deter the demand driving this abhorrent human rights abuse.

#### References:

- (1) Natsal-3: Key findings from Scotland, January 2015.
- (2) One in ten British men say they have paid for sex, University College London, 2014.
- (3) International Insights: How Scotland can learn from international efforts to combat commercial sexual exploitation, A Model For Scotland, 2023.
- (4) Waltman, M. (2011), Sweden's prohibition of purchase of sex: The law's reasons, impact, and potential, Women's Studies International Forum 34: 449-474.
- (5) Study on the gender dimension of trafficking in human beings, European Commission, European Union, 2016.
- (6) Myth Buster, A Model For Scotland, available at: [https://www.amodelforscotland.org/\\_files/ugd/43b7aa\\_ae1b32a20e2c4e0fa85c6ca4ca28fe1d.pdf](https://www.amodelforscotland.org/_files/ugd/43b7aa_ae1b32a20e2c4e0fa85c6ca4ca28fe1d.pdf)
- (7) Study on the gender dimension of trafficking in human beings, European Commission, 2016, p.135.
- (8) Study on the gender dimension of trafficking in human beings, European Commission, European Union, 2016, p.126.

(9) Global Report on Trafficking in Persons 2018, United Nations Office on Drugs and Crime, United Nations, 2018; Kara, S. (2008) Sex Trafficking: Inside the Business of Modern Slavery, Columbia University Press.

**2. The Bill proposes to repeal section 46 of the Civic Government (Scotland) Act 1982. Under this section of the 1982 Act, a person who is found guilty of loitering, soliciting or importuning in a public place for the purposes of prostitution commits an offence. What are your views on this proposal?**

A Model For Scotland fully supports this proposal. As a form of violence against women, it is fundamentally unjust that victims can be criminally sanctioned for their own exploitation. It is also counterproductive. Sanctions can make it harder for women to exit the sex trade and rebuild their lives (10). Women exploited through prostitution face multiple complex barriers to leaving sexual exploitation (11). These include practical and psychological barriers such as poverty, addiction, trauma and coercion by third parties. Research by the Sexual Exploitation Research Programme concluded: “Having a criminal record acts as a critical structural barrier to a woman’s exit from prostitution as it serves to further stigmatise and marginalise the woman which in turn can make it more difficult for her to secure employment or receive social services.” (12)

Decriminalising victims of sexual exploitation is also important for building trust and confidence in reporting crimes to the police. An assessment of Ireland’s demand reduction legislation by University College Dublin, which involved the repeal of sanctions for soliciting, found the reform led to “an increased willingness amongst women to report crimes committed against them and in their improved relationship with Gardaí overall” (13).

**References:**

(10) Position paper: lessons learned from the implementation of exit programs for women in prostitution, Special Rapporteur on violence against women and girls, Reem Alsalem, 2024; Breaking down the barriers: A study of how women exit prostitution, Executive Summary, Eaves and London South Bank University, 2012; The Challenge of Change: Improving services for women involved in prostitution and substance use, DrugScope and AVA, 2013.

(11) How to implement the Sex Buyer Law in the UK, Commission on the Sex Buyer Law, 2016.

(12) Pathways to Exit: A study of women’s journeys out of prostitution and the response to their complex needs, The Sexual Exploitation Research Programme, 2023.

(13) Shifting the Burden of Criminality: An analysis of the Irish sex trade in the context of prostitution law reform, Sexual Exploitation Research Programme, University College Dublin, 2020, p.10.

**3. The Bill proposes to quash historic convictions under section 46 of the Civic Government (Scotland) Act 1982, which relates to the offence of loitering, soliciting or importuning in a public place for the purposes of prostitution. What are your views on this proposal?**

A Model for Scotland fully supports the principle of this proposal. As highlighted in our response to question 2, having a criminal record for soliciting can make it harder for women to exit and rebuild their lives. This is the reality currently faced by women with historic convictions under section 46 of the Civic Government (Scotland) Act 1982. Reforms to prostitution legislation must deliver justice for these women and support them as they move forward with their lives.

In 2021, the Irish Government announced it would be quashing historic convictions for soliciting. The Minister for Justice, Helen McEntee, explained the policy as follows: “The erasing of all such convictions, and the expunging of the resulting criminal records, will send an immensely important message to those in the sex trade. It will firmly assert our national policy position that the focus of An Garda Síochána’s attention is not directed towards those in the sex trade, who are exploited and victimised, but rather towards those who are responsible for exploiting them and those who purchase and demand services.” (14)

References:

(14) Minister McEntee announces initiative to expunge previous convictions for ‘sale of sex’, Department of Justice, Government of Ireland, 25 April 2021.

**4. The Bill proposes (at section 6) to place a duty on the Scottish Ministers to ensure that a person who is or has been in prostitution is provided with assistance and support. The Bill sets out a non-exhaustive list of the types of assistance and support that may be provided. What are your views on this proposal?**

A Model for Scotland supports this proposal. Prostitution can have a deleterious impact on individuals who are sexually exploited. The psychological, physical, financial and social harms that can result from exploitation through prostitution make it challenging for women to exit prostitution and/or rebuild their lives. For instance, a nine-country research study found 68% of people in prostitution met the diagnostic criteria for post-traumatic stress disorder (15). As such, the provision of assistance and support for people who have been exploited through prostitution is vital for facilitating exiting and healing. Research commissioned by the Scottish Government found “substantial gaps” in the provision of specialist in-person support services for individuals exploited through prostitution in Scotland (16). A duty on Ministers to ensure the provision of support services would help to address this shortfall, providing an important guarantee for victims.

The provision of exiting services for victims is enshrined in France’s ‘end demand’ prostitution legislation. The practical initiatives provided as part of this include monthly financial support, accommodation, residence permits where necessary, psychosocial support and support in professional reintegration (17).

References:

(15) Farley, M. (2003) Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder. *Journal of Trauma Practice*, Vol. 2, No. 3/4, 2003, pp.33-74; Farley, M. (2004) “Bad for the Body, Bad for the Heart”:

Prostitution Harms Women Even if Legalised or Decriminalised', Violence Against Women, 10(10): 1087–1125.

(16) Lived Experience Engagement: The experiences of people who sell or exchange sex and their interaction with support services, Scottish Government, 2022, p.4.

(17) International Insights: How Scotland can learn from international efforts to combat commercial sexual exploitation, A Model For Scotland, 2023.

**5. Do you have any other comments on the Bill which you have not already covered elsewhere?**

The Prostitution (Offences and Support) (Scotland) Bill would be transformative, shifting the burden of criminality for prostitution off victims and onto perpetrators. It would finally deliver justice for victims and deter future exploitation.

We conclude our submission with the words of Diane Martin CBE, Chair of A Model For Scotland and a survivor of prostitution and sex trafficking: "I am a survivor of so-called 'high class' prostitution in the UK and of overseas trafficking. I have also spent over 25 years providing frontline exiting services and have witnessed first-hand the devastating reality for women. I want to be part of a Scotland that completely rejects the idea that women and girls can be for sale, treated as commodities by men who believe this is their right and entitlement. ...It will be for the benefit of some of the most vulnerable people in Scotland – and for society as a whole."

## Glasgow City Council, TARA and Routes Out

Glasgow City Council (GCC) has facilitated specialist services for women exploited through systems of prostitution since 1989. These services have evolved over the years, informing GCC's policy and services, alongside those of the Glasgow Violence Against Women Partnership (GVAWP), with both adopting a position supportive of a Nordic or Equality Model approach to tackling Commercial Sexual Exploitation.

Routes Out support women engaged in selling/exchanging sex within the city through case management, advocacy and harm reduction outreach support. When women wish to do so, support to move on and exit from prostitution is comprehensively provided for as long as required. There is no dedicated accommodation or financial support provided to women by this service as the remit of the skilled staff team is to ensure women are fully able to access their rights and entitlements to housing, welfare, addiction, education, health, employment and wide ranging legal support wherever required.

The TARA Service has been operational since 2005. TARA supports women, identified and residing in Scotland, who have been trafficked for commercial sexual exploitation. The majority of women supported are located within the Greater Glasgow area with a small number living elsewhere in the country. Support can include access to dedicated safe house accommodation, financial support, access to legal, health, psychological assessment and treatment alongside ongoing advocacy and emotional support. This is usually for around 12 to 18 months but can be provided for longer periods dependent on needs. The service responds to urgent referrals 24/7.

**1. The Bill proposes to create a new offence of paying for the performance of a sexual act by a person. The Bill (at section 1) includes details of the circumstances in which an offence would be committed. The Bill (at section 9) includes a definition of "a sexual act". The Bill states that activities such as striptease, pole dancing, lap dancing, or other erotic performances are not included in the definition of a "sexual act". What are your views on this proposal?**

Glasgow City Council (GCC) has facilitated specialist services for women exploited through systems of prostitution since 1989. These services have evolved over the years, informing GCC's policy and services, alongside those of the Glasgow Violence Against Women Partnership (GVAWP), with both adopting a position supportive of a Nordic or Equality Model approach to tackling Commercial Sexual Exploitation. Simply put GCC, NRS VAW Services (see below) and the GVAWP support an approach that locates commercial sexual exploitation, in all its forms, as a form of male violence against women, and agrees with the essence of the proposed bill to criminalise the purchase of sex, decriminalise those selling sex and, fundamental to the approach, fully fund robust services to support women to leave prostitution and prevent others becoming involved. This has been the position of



GCC since 2000 and was last reaffirmed by full council in 2015.

GCC fully funds Routes Out to support women engaged in selling/exchanging sex within the city through case management, advocacy and harm reduction outreach support. When women wish to do so, support to move on and exit from prostitution is comprehensively provided for as long as required. There is no dedicated accommodation or financial support provided to women by this service as the remit of the skilled staff team is to ensure women are fully able to access their rights and entitlements to housing, welfare, addiction, education, health, employment and wide ranging legal support where required.

GCC contributes a post to the TARA Service which is otherwise fully funded by the Scottish Government and has been operational since 2005. TARA supports women, identified and residing in Scotland, who have been trafficked for commercial sexual exploitation. The majority of women supported are located within the Greater Glasgow area with a small number living elsewhere in the country. Support can include access to dedicated safe house accommodation, financial support, access to legal, health, psychological assessment and treatment alongside ongoing advocacy and emotional support. This is usually for around 12 to 18 months but can be provided for longer periods dependent on needs. The service responds to urgent referrals 24/7.

Whilst both Routes Out and the TARA Service have observed changes within the sex industry over the last 30 years or so, frontline staff observations on the harm caused to women, both on street, off street and whilst being exploited by traffickers has remained the same. The learned experiences of both services are that women are harmed physically, psychologically and financially by the men who purchase sex and those within the trade who profit from them.

As with prostitution, NRS VAW Services and the GVAWP view 'striptease, pole dancing, lap dancing, or other erotic performances' as part of the wider definition of commercial sexual exploitation and as such views such activities as an abuse of power, representative of wider gender inequalities and further exploitation of women's vulnerabilities. We are strongly of the view that they constitute a form of violence against women but have now been persuaded that the definition of a 'sexual act' as per the proposed legislation should not be extended at this time. We acknowledge the legal complexities given existing legislation around Sexual Entertainment Venues, therefore we are now in agreement that this proposed legal definition should not be extended to include wider adult services.

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**2. The Bill proposes to repeal section 46 of the Civic Government (Scotland) Act 1982. Under this section of the 1982 Act, a person who is found guilty of loitering, soliciting or importuning in a public place for the purposes of prostitution commits an offence. What are your views on this proposal?**

Our frontline services are extremely supportive of this proposal. Up until 2007, and within the institutional memory of many frontline staff, women were routinely criminalised, often based on 'street warnings' for selling sex with those paying to exploit them facing no legal consequences. Given the potential for a s46 offence to remain on a disclosable criminal record for up to 100 years, it can act as a significant psychological and practical barrier to women's ability to secure employment and an alternative to prostitution.

Prostitution is considered a form of Violence Against Women by the Scottish Government and is included within Delivering Equally Safe, alongside a stand alone Scottish Government Strategy to Tackle Men's Demand. As such it is an act of contradictory victim blaming and harm to continue to criminalise women for experiencing male violence and as such the offence must be repealed. Women engaging in selling sex on street have multiple vulnerabilities as noted in the Encompass Snapshots. Please see the link below for more information.  
<https://www.encompassnetwork.info/resources.html>

Women engaging with Routes Out's evening Outreach services are routinely surviving homelessness, sleeping rough, significant poly drug use, alcohol abuse, domestic abuse, familial abuse, serious mental and physical health issues, have had their children removed from their care and may not be in receipt of welfare benefits for a number of reasons. Their involvement in selling sex is sheer survival behaviour and their vulnerabilities are extremely obvious. Those who pay for sex with them are abusing this position of vulnerability and through this unequal power dynamic, are causing further significant harm, fear and trauma and are exacerbating women's pre existing injuries. That there remains, on statute, the ability to criminalise women for this position of survival and harm is extremely concerning.

Following the introduction of The Prostitution (Public Places) (Scotland) Act in 2007, funding was secured in 2011 to pay for two operational police officers to work in partnership with Routes Out to tackle the demand for street prostitution in Glasgow by enforcing section 1(3) of the Prostitution (Public Places) (Scotland) Act (2007).

The funding ended in 2014, between 2012 - 2014 the number of S1 charges by the officers are displayed below:

Apologies graph will not transfer

Glasgow City Council has continued to work closely with Police Scotland to try to deliver successful partnership approaches to tackle street based prostitution. The success of the more recent Operations, Outgoing (2018 to 2019) and Waterdale (2024 to 2025), evidences the ability of a localised Equality model approach, with dedicated Police Officers focussed on disrupting sex buyers alongside specialist services (Routes Out) delivering robust holistic support services to women, to make positive impacts for women and communities.

Operation Outgoing took place between April 2018 and April 2019. In a relatively short period of time and by providing a consistent, joined up approach the initial outcomes were encouraging. Proactive policing to target purchasers on the nights the Routes Out Service operated, reduced demand and therefore increased the number of presentations at the drop in, increasing engagements/sightings on outreach and crucially, the delivery of harm reduction interventions to women involved in street prostitution giving staff the opportunity to engage longer with women. Plans to continue this approach was disrupted by the pandemic. Similarly, when Operation Waterdale commenced between October 2024 and March 2025 Routes Out Outreach observed a similar reduction in the male demand. They compared their observations with the same time period the year before when there was no dedicated policing of kerbcrawlers, again evidencing a significant reduction in the number of potential sex buyers when male demand is actively policed:

October 2023 - March 2024 Total	October 2024 - March 2025 Total
Number of outreach sightings/engagements 141	Number of outreach 204
Number of individual women 39	Number of individual women 33
Number of purchasers observed 219	Number of purchasers observed 96

Operation Waterdale significantly reduced the number of men looking to pay for sex and therefore reduced the number of women actively engaging in prostitution with many engaging with Routes Out. There is no evidence available that this approach drove women underground or displaced them to other less visible areas of the city or to online spaces.

These Glasgow based partnership approaches have allowed Police Scotland to robustly implement s1 of the Prostitution Public Places (Scot) Act 2007 (kerb crawling) alongside Routes Out support being delivered at the point of need for women selling sex. Both operations resulted in the numbers detected paying for sex increasing, corresponding with a decrease in women being charged with s46 offences.

The inclusion of specialist services and funded support for those selling sex is a key tenet of the Nordic/Equality model and a vital pillar to enabling the approach to

meaningfully and successfully address male demand and mitigate against further harm to some of the most vulnerable women in Scottish Society.

**3. The Bill proposes to quash historic convictions under section 46 of the Civic Government (Scotland) Act 1982, which relates to the offence of loitering, soliciting or importuning in a public place for the purposes of prostitution. What are your views on this proposal?**

For all of the reasons outlined above we are fully supportive of this proposal. We do not have the legal knowledge to provide a view on how this is best achieved but we are strongly supportive of the principle. The abuse of women's many vulnerabilities and their subsequent experience of prostitution as a form of male violence has always been the reality for the majority of those caught up in systems of prostitution and we do not see how it is in the public interest to allow such abuse to continue for those who have survived the sex trade.

Many women in contact with Routes Out and TARA have also survived other forms of male violence which is often linked to their exploitation. Women have disclosed being directly coerced into selling sex by husbands, partners, family members and traffickers with many others telling us that past experiences of such abuse and their efforts to escape ongoing harm led them to becoming involved as an effort to escape poverty, debt and homelessness.

No woman should continue to be harmed by her past experiences of prostitution and a criminal record that potentially lasts until you turn 100 years old clearly continues to cause harm. As above, if the Scottish Parliament and Criminal Justice Committee agree with the Scottish Government that commercial sexual exploitation is a form of Violence Against Women, an activity undertaken for complex reasons of survival and, a clear cause and consequence of women's inequality, then it should do everything in its power to remove the harm to women.

An internet search via Google on the 06/08/2025 using the search term 'Civic Government Scotland act s 46 conviction - do I need to declare' did not provide reassuring results, especially with regards to an enhanced disclosure or PVG check.

The summary of the AI overview suggests:

- Disclosure Process:

When applying for a license, you will generally be asked if you have any convictions, and you should disclose the Section 46 conviction in the provided space.

In short, while spent convictions are generally not disclosed, Section 46 convictions for soliciting and importuning often require disclosure for many license applications in Scotland due to their inclusion in "excepted occupations".

Although not nuanced, and individual expert/legal advice should be sought, a woman at the start of her exiting journey who is researching job opportunities in say, social care, could feel overwhelmed at the above and having to declare her unspent or

spent convictions to a prospective employer. The ongoing impact historic convictions have on women seeking to move forward with their lives over many decades cannot be underestimated and act as a barrier to women moving forward needlessly risking re-traumatisation and making their recoveries much harder.

**4. The Bill proposes (at section 6) to place a duty on the Scottish Ministers to ensure that a person who is or has been in prostitution is provided with assistance and support. The Bill sets out a non-exhaustive list of the types of assistance and support that may be provided. What are your views on this proposal?**

In order for a Nordic/Equality Model to work, women's support and exiting needs must be at the centre of the approach. Helping women access their human rights and entitlements as a legal obligation, with clear remedies if they are not realised, will ensure that all stakeholders will work to meet these needs across Scotland. Assistance and support must be accessible to all at the point of need, be robustly funded and consistently offered to those who request help and consent to it being provided. No aspects of such support being available to women should be contingent on their agreeing to stop selling or exchanging sex or denied due to immigration status.

In the experience of our services women have many complex practical, emotional, health and trauma related needs which frequently intersect and compound their vulnerabilities creating barriers to their successful exit. Waiting lists, lack of resources or gaps in services are further challenges to women moving on and can impact women's confidence and motivation on their exiting journey. Therefore truly holistic specialist services that can flex to meet women's varied needs and will remain engaged with her for as long as is required are essential. Access to support must never be dependent on women's agreement to exit, her access to public funds or engagement with statutory services.

Public bodies, third sector and statutory services, must work alongside those with learned and lived experience in all work undertaken to develop policy and regulations for the development and delivery of support. This support must be able to meet the legal obligations of government across Scotland and to be available at the point of need. Frontline services delivering such support must be informed by a feminist understanding of systems of prostitution and demonstrably evidence their commitment to the Scottish Government's understanding of the sex trade as a form of Violence Against Women and Girls.

The Scottish Government's Violence Against Women and Girls - Independent Strategic Review of Funding and Commissioning of Services recommended Commercial Sexual Exploitation should be fully incorporated into wider strategic plans and funding streams to ensure improved access to specialist services/provision across Scotland. The review also noted the funding challenges within the wider VAWG sector and recommended that:

VAWG is put on a statutory footing. This will include: a right in law to our minimum core services; a public duty on service providers to ensure that the full range of minimum core services are provided, and a public duty on prevention identifying children and young people as co-victims in relation to domestic abuse; Violence Against Women Partnerships (VAWPs), Multi-Agency Risk Assessment Conferences (MARACs) and Multi Agency Tasking and Co-ordination (MATAC); and actioning the recommendation from the National Advisory Council for Women and Girls (NACWG) for a statutory underpinning for intersectional gender budget analysis.  
<https://www.gov.scot/publications/violence-against-women-girls-independent-strategic-review-funding-commissioning-services-report/>

Any approach should also reflect public health models and ensure clear systemic prevention actions to tackle wider gender inequalities that are a cause and consequence of all forms of Violence Against Women and Girls.

Without meaningful systemic changes women's vulnerabilities will persist and all of the issues that leave women at risk of CSE will remain ensuring a steady flow of new women will be 'recruited' to meet male demand and replace those who manage to escape or exit the sex trade.

**5. Do you have any other comments on the Bill which you have not already covered elsewhere?**

No, please see our response to the initial consultation for a fuller reflection on the proposal.

[https://www.glasgow.gov.uk/media/14798/240930-NRS-Proposed-Prostitution-Member-s-Bill/pdf/240930\\_NRS\\_Proposed\\_Prostitution\\_Offences\\_and\\_Support\\_Members\\_Bill\\_SP.pdf?m=1728405288570](https://www.glasgow.gov.uk/media/14798/240930-NRS-Proposed-Prostitution-Member-s-Bill/pdf/240930_NRS_Proposed_Prostitution_Offences_and_Support_Members_Bill_SP.pdf?m=1728405288570)

## National Ugly Mugs

Founded in 2012, National Ugly Mugs (NUM) exists to end all forms of violence against sex workers. We are a UK-wide charity with a strong presence in Scotland, embedding lived experience at every level of our services.

Our work includes:

- Supporting our 10,000 UK members, 85 per cent of whom are active sex workers.
- Reporting and alerting: Over 4.4 million safety alerts issued since inception, warning communities about dangerous individuals and unsafe conditions (more than 1 million in 2024 alone).
- Victim support casework: In 2024, NUM provided one-to-one support to 1,200 victim-survivors navigating safety, justice, and recovery.
- NUMbrella Lane (Glasgow): In 2024-25 we supported over 200 sex workers, providing more than 600 hours of in-person support and hosting regular drop-in sessions throughout the year.
- Therapeutic and financial support: In 2024-25, NUM delivered funded therapy packages, alongside emergency hardship grants and bursaries for those in crisis or transition.
- Vocational support: In 2024, hundreds of sex workers engaged with our programme, with bursaries provided to support training and skills development.
- Racial justice initiatives: Addressing the structural discrimination faced by racialised sex workers.

We now have over 600 Scottish sex worker members. In 2024-25, NUM released dozens of safety alerts in Scotland, including harm reports, with intelligence shared directly with Police Scotland.

**1. The Bill proposes to create a new offence of paying for the performance of a sexual act by a person. The Bill (at section 1) includes details of the circumstances in which an offence would be committed. The Bill (at section 9) includes a definition of “a sexual act”. The Bill states that activities such as striptease, pole dancing, lap dancing, or other erotic performances are not included in the definition of a “sexual act”. What are your views on this proposal?**

We oppose this proposal. As the Scottish Government’s recently published review of international evidence shows, there are “notable evidence gaps” behind claims that legislating to criminalise the purchase of sex serves to tackle demand for sexual services, while there is good evidence that doing so acts to increase harm to those selling sex.

Evidence that is particularly relevant to Scotland includes recent official reviews of similar legislation in Northern Ireland and the Republic of Ireland. In Northern Ireland, a review by the Department of Justice found that there was “no evidence that the offence of purchasing sexual services has produced a downward pressure on the demand for, or supply of, sexual services”. It also found that “the legislation has contributed to a climate whereby sex workers feel further marginalised and

stigmatised”.

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

There is therefore strong evidence from close comparator countries that the proposed legislation will not meet its declared aims, and in fact will achieve the opposite – acting to worsen the lives of those carrying out sex work. This would act in direct conflict with Scotland’s Equally Safe Strategy, which commits to tackling gender-based violence without further marginalising vulnerable women. It also undermines public health priorities on harm reduction and inclusion health.

As an organisation dedicated to supporting sex workers, interlinked with many similar projects across the world, we know that criminalising the purchase of sex increases harm to sex workers. The fact is that ensuring that the exchange of sexual services for money between two consenting adults is legal provides sex workers with a far greater ability to screen clients and negotiate prices than they would be able to achieve in a situation in which the purchaser is criminalised.

Attempting to reduce demand for sex work, by criminalising its purchase, does nothing to address the supply side of the equation – which is that there are men and women who will continue, either through choice or necessity, to offer sexual services.

Criminalising the purchase of sex only serves to create a situation in which customers refuse to provide details to be screened and look to conduct transactions in increasingly time-pressured and secretive surroundings, which increases situational violence. It would serve to reduce sex workers’ revenue streams, making them desperate and destitute.

NUM asked our sex worker members how they would respond to criminalise the purchase of sex in Scotland. In response, 74% said they would be less likely to report violence and 87% would feel less safe. This provides evidence that, should these proposals be adopted, support to those experiencing violence will decrease, along with the reporting of violence to operational and intelligence-gathering arms of law enforcement (as NUM and other sex work support services do now).

In addition to the above points, there is strong evidence that the Scottish public oppose the proposed measure to outlaw the purchase of sex. NUM commissioned opinion polling from YouGov, who polled 1,088 Scottish adults in May 2024. The results showed that 69% of Scots say the Scottish Government should focus on protecting the health and safety of sex workers, and providing support to people who want to leave the industry, compared to 14% who support the government passing new laws to prevent people exchanging sexual services for money. Only 1% of



Scottish adults thought that issues around sex work should be a priority for the legislation at the present time.

**2. The Bill proposes to repeal section 46 of the Civic Government (Scotland) Act 1982. Under this section of the 1982 Act, a person who is found guilty of loitering, soliciting or importuning in a public place for the purposes of prostitution commits an offence. What are your views on this proposal?**

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

**3. The Bill proposes to quash historic convictions under section 46 of the Civic Government (Scotland) Act 1982, which relates to the offence of loitering, soliciting or importuning in a public place for the purposes of prostitution. What are your views on this proposal?**

We support this proposal. Historic convictions act as lifelong barriers to housing, parenting rights, travel, and employment. Quashing them would align with Scotland's commitments under CEDAW and the ECHR to remove systemic barriers for women.

**4. The Bill proposes (at section 6) to place a duty on the Scottish Ministers to ensure that a person who is or has been in prostitution is provided with assistance and support. The Bill sets out a non-exhaustive list of the types of assistance and support that may be provided. What are your views on this proposal?**

The Bill's provisions are vague and unfunded. Offering a "right" to support is meaningless without guaranteed, ring-fenced investment in housing and homelessness prevention, healthcare and inclusion health services, mental health support, vocational training and financial assistance. Given the current fiscal position in the UK and Scotland, we do not anticipate that sufficient funding would be available to make good on the Bill's aims in this regard.

We have serious concerns about the nature of the services that we anticipate would attract funding under any right to access support. The Scottish Government currently excludes services such as NUM from participating in any state-backed programmes, on the basis that we refuse to sign up to their ideological statement that all sex work equals violence against women (a proposition that polling by YouGov shows that only 13 per cent of Scots support). This means that such services are typically delivered by religious and/or Nordic Model supporting organisations who see their role as to "save" those carrying out sex work. Unsurprisingly, sex workers find this approach patronising and off-putting, and so typically refuse to engage with these services. The paucity of public support for sex-worker-relevant and inclusive services therefore acts as a significant barrier to sex workers accessing support services, including to exit the industry if they choose to do so.

**5. Do you have any other comments on the Bill which you have not already covered elsewhere?**

NUM strongly opposes the Bill and its central proposal to criminalise the purchase of sex. Criminalising clients has consistently increased risk, stigma, and exploitation in jurisdictions such as Northern Ireland, Sweden, and Ireland.

It will disproportionately harm disabled, migrant, trans, and racialised sex workers — communities who already make up a significant proportion of NUM's Scottish membership (33% migrants, 38% disabled, majority LGBT+, many trans/non-binary).

It is contrary to international human rights standards and the Scottish Government's own commitments to equality and public health.

We urge the Committee to reject client criminalisation; repeal Section 46 of the Civic Government (Scotland) Act 1982; Quash historic convictions under Section 46; Invest in properly funded, non-judgemental, sex worker-led services, and; Pursue decriminalisation as the evidence-based, human-rights approach to legislating around sex work.

In addition to the above points, there is good evidence that the estimated costs of enacting the legislation have been significantly underestimated. The financial memorandum claims that the legislation could cost £2.6m to enforce in its first year, falling to £2.2m annually thereafter. However, the document contains a number of mathematical and factual errors that suggest that the true cost would be several orders of magnitude higher.

This includes the assertion that it could cost just 50p an hour to train officers to enforce the new law, with the financial memorandum claiming that 17,000 Police Scotland officers would need just two hours of training in the legislation, costing as little as £17,000. However, the document acknowledges elsewhere that Police Scotland accounts for its officers' time at £79.50 per hour, making the true time cost of the training around £2.7m – without accounting for the price of procuring or developing training materials.

In other costings, the document claims that the only costs involved in finding, pursuing and arresting a person purchasing sex would be six hours of a single police constable's time, with no involvement from any senior officers. In reality, police investigations involving indoor sex work are led by specially trained officers who review websites commonly used by sex workers to advertise. These officers work in coordination with specialist operational teams deployed on the ground, as well as dedicated victim support units. In all, the process takes many more than just six hours of a constable's time per arrest.

After a person is arrested, the financial memorandum claims that it would take just "an additional six hours of police work", costing £477, for each case that proceeds to charge. However, the independent Policing Productivity Review, carried out last year

for the UK Home Office, found that the average time officers spend building a case file is 63 hours.

## Scotland for Decrim

Scotland for Decrim is a sex worker-led, grassroots organisation fighting for the full decriminalisation of sex work in Scotland.

The campaign is led by current sex workers, alongside allies including former sex workers, feminists, academics, trade unionists, students; and organisations advocating for human rights, drug decriminalisation, LGBTQ liberation, housing justice, and more.

**1. The Bill proposes to create a new offence of paying for the performance of a sexual act by a person. The Bill (at section 1) includes details of the circumstances in which an offence would be committed. The Bill (at section 9) includes a definition of “a sexual act”. The Bill states that activities such as striptease, pole dancing, lap dancing, or other erotic performances are not included in the definition of a “sexual act”. What are your views on this proposal?**

Scotland for Decrim is a sex worker-led grassroots organisation dedicated to fighting for the full decriminalisation of sex work. We strongly oppose the criminalisation of paying for the performance of a sexual act, a legislative model which is often known as the Nordic Model. This model is also opposed by NUMbrella Lane, a sex worker support organisation based in Glasgow, and every sex worker-led organisation around the UK.

As a sex worker-led organisation, we speak for the people who will actually be affected by the implementation of this law. We strongly urge the Committee to recommend that this Bill does not become law. No one currently selling sex was involved in the development of this bill. It is unthinkable in our current day and age to exclude the people who will be most affected by legislation from the creation of it. This does not fit the Scottish Parliament's ethos as the people's parliament.

### **Criminalising clients puts sex workers in danger**

The criminalisation of clients would have an extremely negative impact on sex workers' ability to keep ourselves safe. We would be less able to screen potential clients by asking for their identification details in order to check them against a list of dangerous clients, or by asking for a deposit before confirming a booking to enable us to see a client's full name and have a record of the booking, as clients would be unwilling to give these personal details for fear of being criminalised. Apps which enable sex workers to screen clients against a bad client list may no longer be hosted by app stores or made available online, as they could be seen as 'facilitating prostitution'.

At the same time, this proposed bill does not seek to decriminalise 'brothel-keeping'. The legal definition of brothel-keeping includes any premises where two or more sex workers are working, even at different times. Not permitting sex workers to legally work together indoors has the effect of making sex workers more isolated, and more

vulnerable to potential violence. We are aware of cases where clients have been abusive, but the sex workers involved were unable to call the police for help, as the clients stated that they knew that if the police were called the sex workers would be at risk of arrest for brothel-keeping. Dangerous clients should not be emboldened by current laws, but this would continue under Regan's bill.

Brothel-keeping laws are used overwhelmingly to target migrant women: research from the Republic of Ireland found that 85% of those convicted in Ireland for 'brothel-keeping' in recent years [were migrant women](#). One of our members was charged with brothel-keeping, despite only seeking to create a safer environment for herself and her colleagues. Police arrived in large numbers with a battering ram, arrested her, and then proceeded to make stigmatising comments associated with her being a sex worker. This law clearly does not protect sex workers' safety.

Street-based sex workers would also be negatively impacted by this bill. Street-based sex workers often work in the same area together for reasons of safety. This means they can take note of clients who workers are leaving with, such as identifying features and license plate numbers, as a safety measure. We understand that current Scottish Government policy intends to move the focus of police enforcement away from sex workers and on to clients, as does this proposed bill. While soliciting in a public place is already a criminal offence, including for both clients and sex workers, we believe that this bill would likely increase police enforcement action against soliciting by clients, known as kerb-crawling. Increased police action in search of clients will drive street-based sex workers out of their usual work areas and into working alone, in order to avoid police attention or their clients being arrested. This will inevitably have negative consequences for sex workers' safety.

It is also important to note that this bill does nothing to tackle the fundamental reasons why many of us enter sex work – out of economic need. Poverty and the cost of [living](#) crisis are some of the main issues which lead people to enter sex work. A 2019 [report](#) from the House of Commons Work and Pensions Committee found that many women were engaging in survival sex work in order to support themselves after having their benefits sanctioned.

The inadequacy of the social security system (including benefits levels being too low or people having their benefits sanctioned) particularly impacts women and mothers, who are also overrepresented in sex work. In addition, vulnerable groups that are widely discriminated against in society (trans people, especially trans women, disabled people, and people of colour) also often enter sex work due to challenges in securing other employment. This bill seeks to criminalise a key survival strategy for all of these groups.

### **International evidence shows that the Nordic Model harms sex workers**

The implementation of the Nordic Model in other countries has led to increased levels of violence against sex workers, as well as failing on its own terms in its aim to reduce demand.

According to [Ugly Mugs Ireland](#), crimes against sex workers almost doubled in the two years following the introduction of the law in the Republic of Ireland in 2017, with experiences of crime up 90% and violent crime up 92%. A 2020 [study commissioned](#) by HIV Ireland found that sex workers who experienced violence at work were increasingly reluctant to report to the police under the Nordic Model, and that both their physical and mental health were impacted by the introduction of this legislation. Sex workers also reported that both stigma and violence against them had increased.

In a [2019 review](#) commissioned by the Northern Irish Ministry of Justice, the policy of criminalising the purchase of sexual services in Northern Ireland was shown to be an abject failure. Reported assaults against sex workers increased by 225% from 2016 to 2018. Evidence suggested that, while a small number of clients were deterred by the law, dangerous, violent and abusive clients remained unaffected by the legislation. Nearly all workers interviewed felt that the law had increased the stigmatisation of sex workers in ways that made them more anxious and which had a negative impact on their day to day life. When surveyed, 98% of sex workers in Northern Ireland [did not want](#) the Nordic Model.

One of the most important findings from the review is that this legislation had no impact on demand for sexual services. In a letter to the committee, the Minister for Victims and Community Safety also points to a review from the Department of Justice in the Republic of Ireland, which found that there was also no decrease in demand from [similar legislation](#).

In France, the Nordic Model has been in place since 2016. [A Medecins du Monde](#) report found that the law has led to 42% of workers being exposed to more violence, 38% finding it increasingly hard to demand condom use, 70% observing no improvement or a deterioration of their relations with the police, 78% losing income, and 63% experiencing a deterioration of living conditions.

A [2018 systematic review](#) of 28 years of global research found that any criminalisation of sex work (including criminalisation of the purchase of sex) triples the likelihood of sex workers experiencing violence, and doubles their likelihood of contracting HIV.

We have prepared a briefing paper setting out, in more detail, the international evidence that exists on the effects of criminalising the purchase of sex, which we will forward to the committee separately.

### **Scotland does not want the Nordic Model**

The Scottish public has already been consulted on the laws on sex work, through a 2024 [YouGov poll](#) which found that:

- In a rejection of SNP plans to outlaw the purchase of sex, 47% think it should be legal for a person to pay someone to have sex with them, versus 32% who think it should not be legal.

- **69% of Scots say the Scottish Government should focus on protecting the health and safety of sex workers**, and providing support to people who want to leave the industry, compared to 14% who support the government passing new laws to prevent people exchanging sexual services for money.

- **62% oppose the Scottish Government's declaration that sex work always equals violence against women**, with only 13% supporting this idea. The SNP refuses to allow groups who will not sign up to this extreme proposition – including National Ugly Mugs [SC3] – to join Government-backed working groups on sex work policy and exiting.

- Instead, **79% think the Scottish Government should consult sex workers and sex worker-led groups** when considering new laws to keep sex workers safe (7% opposed).

- Despite Nordic Model campaigners' calls to outlaw adult services websites, used by sex workers to advertise their services and access support from charities, 63% say they would prefer sex workers to look for business online, versus 2% who would prefer them to look for business on the street.

- **45% think that two sex workers should be allowed to work together in the same premises**, a practice often adopted for safety reasons, instead of the current legal position in which both can be charged for exploiting each other under brothel-keeping legislation – versus 24% who disagree.

- Only 1% of Scottish adults think issues around sex work should be a priority for the Scottish Government at the present time.

Rather than addressing sex work through the criminal justice system, we believe sex workers should be given the social, financial, and emotional support they require. While we understand that the Scottish Government is concerned about tackling potential exploitation or trafficking within the sex industry, more effective measures to tackle exploitation would include an overhaul of the immigration system, better access to disability benefits, rent controls and more truly affordable and social housing, and a universal basic income. Academics from [Dundee and Edinburgh University](#) have also stated that criminalisation of sex work, whether of sex workers or clients, drives people into more vulnerable positions and increases the risk of exploitation.

Finally, we have significant concerns about Regan's views of sex workers and how those views may influence her bill. In the bill consultation, Regan used the following quote approvingly: "In prostitution, no woman stays whole. It is impossible to use a human body in the way women's bodies are used in prostitution and to have a whole human being at the end of it, or in the middle of it, or close to the beginning of it. It's impossible. And no woman gets whole again later, [after](#)." This damaging, divisive, and stigmatising rhetoric further feeds the idea that sex workers are not human

beings capable of advocating on our own behalf. We are speaking up, and we completely reject the Nordic Model, as well as Regan's stigmatising rhetoric.

**2. The Bill proposes to repeal section 46 of the Civic Government (Scotland) Act 1982. Under this section of the 1982 Act, a person who is found guilty of loitering, soliciting or importuning in a public place for the purposes of prostitution commits an offence. What are your views on this proposal?**

We strongly support the proposal to repeal this section of the 1982 Act. This law targets the most vulnerable sex workers, those who are street-based workers, and is part of an outdated mode of thinking: out of sight, out of mind. Sex workers working on the street are likely to be those with the most urgent financial need or who are facing other difficult circumstances: these people need support, not criminalisation.

Current criminal offences for loitering and soliciting put sex workers in a vulnerable position with the police. Sex workers often report harassment and abuse from the police. A recent [report](#) confirms that misogyny is a problem in Police Scotland, noting that "some units and divisions actively stalled investigations of gendered crime or did not act in accordance to what was expected because of the pervasiveness of sexist and misogynist attitudes they collectively held." In East London, an article in the British Journal of Medicine found that 42% of street based sex workers had faced violence from police.

While Regan's bill proposes to decriminalise these offences, the police would still hold power over sex workers due to their ability to refer sex working mothers to social services, to refer migrant sex workers for potential immigration enforcement, and more generally the risk of sex workers being outed to their friends and family. Sex workers are also sometimes criminalised under offences which don't specifically relate to prostitution, such as anti-social behaviour offences.

We know from the experiences of members of our group that some police officers are also clients of sex workers. We need only mention the Emma Caldwell case to highlight the issues with giving Police Scotland more power over women, specifically sex workers. A senior officer who worked on the case was accused of offering to not charge a sex worker with an offence if she had sex with him. Regan's bill said only two hours of training would be needed for officers to be able to enforce this legislation – when in actuality, it is an overhaul of the entire system itself which is required.

When Emma's colleagues complained about Packer to the police, this was not taken seriously, and in fact many of the women themselves were arrested instead. Also, because of the criminality associated with sex work, Emma had to go to extreme lengths to not be found, and so worked in isolated areas with no one else around. This severely affected her ability to call for help when needed. She had no other workers around her who could have intervened or called for help. If sex workers did not have to work in isolation, driving us further underground, then she may still be with us today.



The criminalisation of clients soliciting also has a serious detrimental impact on sex workers' ability to protect their own health by limiting the time they have to negotiate condom usage and what acts will be performed, as they have to enter the client's car or go to a private place as quickly as possible in order to avoid police detection.

When discussions about condoms and what acts will be performed take place when the worker is already in a vulnerable position, this affects their ability to say no and increases the likelihood of violence from clients. Furthermore, we know that Police Scotland have used condoms as evidence of solicitation taking place, which creates a disincentive for sex workers to carry condoms on their person to protect themselves while working.

If this proposed legislation should become law, we believe it is likely that Police Scotland would put more of its resources into enforcement against clients, and may even have to meet certain targets for arresting clients. Therefore, police interaction would likely increase if this bill, which is in line with the Scottish Government's policies on so-called Commercial Sexual Exploitation, becomes law – in fact, we are seeing this increase already with Operation Begonia.

If some clients are discouraged from paying for sex by this law, then street workers would end up competing for a smaller group of clients and may find themselves having to charge less money or offer services they would usually prefer not to, such as oral without a condom, or penetrative sex without a condom. Often once the Nordic Model is introduced, the clients that continue to purchase sex are those who are less concerned about breaking the law, and thus potentially more likely to be violent.

The Médecins du Monde report on the impact in France includes quotes from sex workers, including street sex workers, who said that the criminalisation of clients while removing criminal penalties for sex workers has not improved their lives, and has in actuality, worsened it in some ways. The police still harass sex workers, and sex workers now work in even more isolated areas such as the woods in order to avoid detection.

It is also the case that sex workers are still stigmatised when one aspect of sex work is criminalised, even if clients are criminalised rather than sex workers. Stigma links directly to violence against sex workers, as well as sex workers feeling less able to access support or health services.

The issues associated with criminalisation are compounded for those who are members of other vulnerable groups; such as migrants, LGBT people, people of colour, disabled people, and people who are working class. These groups are over-represented in sex work due to discrimination from more traditional forms of employment, and/or because of severe underfunding for support services aimed at these groups. To criminalise these already severely marginalised groups is to further entrench their poverty and oppression.

We agree that sex workers should not be criminalised for working to support themselves to survive. It is instead the duty of the Scottish Government to ensure that people, mostly women, do not have to enter sex work in order to feed themselves and their families by ensuring the social security system is fit for purpose.

**3. The Bill proposes to quash historic convictions under section 46 of the Civic Government (Scotland) Act 1982, which relates to the offence of loitering, soliciting or importuning in a public place for the purposes of prostitution. What are your views on this proposal?**

We are strongly in favour of historic convictions being quashed.

One of the main points that all sides of this debate agree on, is that people should be able to leave sex work should they wish to do so. No one should feel that they have no other option than to sell sexual services to survive. However, having a criminal record with prostitution-related convictions and/or a police warning makes it much more difficult for people to leave sex work. Employers are likely to rescind offers of employment, or the worker can be barred from certain forms of employment if they have to undergo a Disclosure Scotland check. There is no reason why a sex worker who has been convicted of an offence for soliciting should be barred from any form of employment.

By keeping these convictions in place, sex workers are actually made more vulnerable to exploitation and abuse, as we will be unable to gain further and/or better employment. It keeps us trapped in a cycle of poverty, and a cycle of having to dip in and out of sex work in order to keep our heads above water.

If the Scottish Government's aim is to help people leave sex work and enter other forms of employment, they must quash historic convictions and repeal any section of this Act which criminalises sex workers.

**4. The Bill proposes (at section 6) to place a duty on the Scottish Ministers to ensure that a person who is or has been in prostitution is provided with assistance and support. The Bill sets out a non-exhaustive list of the types of assistance and support that may be provided. What are your views on this proposal?**

In theory, we support the proposal for a duty to ensure that current or former sex workers receive assistance and support. However, in reality, there is no money available to fund this support. Regan points to the Delivering Equally Safe fund as well as the Victim Centred Approach fund – these funds are already highly competitive, with the Scottish women's sector already struggling to maintain financial viability. The Minister for Victims and Community Safety has also agreed that these funds would be entirely insufficient to cover the range of support services that Regan discusses. These funds are, to quote a letter from the Minister to the committee "[fully committed](#)".

Nordic Model advocates lean on the provision of ‘exit services’ as justification for increasing criminalisation. But in reality, these exit services are incredibly underfunded. In Sweden and France, where similar Nordic Model legislation with support provisions was introduced, support services have not been fully realised. Instead, the money set aside for this has been spent on [policing](#). In Ireland, Nordic Model supporters acknowledge that “there is no evidence that these things are in place in [Ireland](#)”. There is also a risk that such services would align with common practice in support services for sex workers, i.e. requiring that sex workers must no longer engage in sex work in order to receive help. Anyone, whether they must continue engaging in sex work or not, deserves a right to support.

The Scottish Government’s [own research](#) highlights that current support services for sex workers are not adequate, and often these services rely on the worker leaving the industry in order to access support. This leaves people in an extremely vulnerable position, either leaving sex work with insufficient financial support to replace their earnings, or many sex workers continuing in sex work but not telling the support services about this, meaning they are not able to discuss issues concerning safety.

More widely, there is a severe lack of financial support available for mental health and addiction services in Scotland, as well as a lack of affordable and social housing, and restricted access to legal aid. If the Scottish Government wishes to reduce the number of people entering sex work, it must address these issues.

**5. Do you have any other comments on the Bill which you have not already covered elsewhere?**

Rather than seeking to place a vulnerable population in further danger by enforcing Nordic Model legislation which has been proven to be ineffective in its aims, as well as increasing violence against sex workers, this committee should listen to those who will be most affected by this legislation – sex workers. All sex worker-led organisations in Scotland and the rest of the UK oppose the Nordic Model.

Instead, the Scottish Government should seek to improve people’s access to affordable housing, and to build more social housing. It should ensure that the social security system works to prevent poverty. It should also be a priority to ensure that sex workers have equal access to healthcare and other important forms of support in which we will not have to encounter stigmatising attitudes that drive us away. A good place to begin would be implementing training for medical professionals and others who work in support services we frequent, provided by sex worker-led organisations.

The Scottish Government should take action to reduce stigma, discrimination and violence towards sex workers by creating a national campaign to achieve this, with current sex workers having a large input in how this campaign should be run.

Finally, we would highlight that there are no other groups in society that would typically be excluded in this way from the creation of policy and law on their own lives and work. Many groups have historically been excluded from this process, but

great efforts have been made to rectify this, particularly in the Scottish Parliament. It is depressing to see that sex workers are still not given the respect and consideration that others are, including the ability to be involved in creating policy which will better our lives. We echo the motto of the disability rights movement: nothing about us, without us.

**Scotland for Decrim has also provided the following document which can be found online:**

[\*International Evidence on the Effects of Criminalising the Purchase of Sex  
A response to claims made by Ash Regan MSP during Stage 1 consideration of the  
Prostitution \(Support and Offences\) \(Scotland\) Bill  
September 2025\*](#)

## English Collective of Prostitutes

The English Collective of Prostitutes is a self-help organisation of sex workers, working both on the street and in premises, with a national network throughout the UK. We campaign for the decriminalisation of prostitution, for sex workers' rights and safety, and for resources to enable people to get out of prostitution if they want to.

We fight against being treated like criminals. We've helped sex workers win against charges of soliciting, brothel-keeping & controlling – the last two most often used against women who are working together for safety.

Most sex workers are mothers trying to do the best for their children. We campaign against austerity cuts and for housing and other survival resources so that any of us can leave prostitution if and when we want.

In 1975 the ECP started as an autonomous organisation within the Wages for Housework campaign. At the time it was one of the few women's organisations that was ready to work with sex workers and help us defend our rights. Selma James was our first spokeswoman.

We have an international network including our sister organisations Empower (Thailand), Street Workers Collective (Ireland) and US PROStitutes Collective (USA).

**1. The Bill proposes to create a new offence of paying for the performance of a sexual act by a person. The Bill (at section 1) includes details of the circumstances in which an offence would be committed. The Bill (at section 9) includes a definition of "a sexual act". The Bill states that activities such as striptease, pole dancing, lap dancing, or other erotic performances are not included in the definition of a "sexual act". What are your views on this proposal?**

Prostitution is driven by women's need for money not men's desire for sex.

The English Collective of Prostitutes strongly opposes the introduction of a new offence criminalising the purchase of sex. Such laws, often referred to as the 'Nordic Model', have consistently been shown to endanger sex workers by pushing our work further underground, increasing isolation, and making violence more likely. This approach rests on the false assumption that prostitution exists because of "demand," and that criminalising buyers will reduce it. But this entirely misrepresents the reality of why people, especially women, enter sex work. Sex work is not driven by men's demand for sex, it is driven by women's need for an income.

Women, especially single mothers, migrant women, trans women, and women of colour, are being pushed into sex work by poverty, austerity, lack of housing, benefit sanctions, welfare cuts, debt, low-paid jobs, and inaccessible childcare. In Scotland, 19% of women are living in poverty. Sex work is one of the few survival strategies that provides the flexibility and income many of us need to support ourselves and

their families. As one woman in our network, Jenny, put it:

“Most of the other girls or women that I meet on the street are there for very similar reasons, purely to keep their families together; their children out of care. It gives them a little bit of control about when to have the heating on or not... They go out for an hour and can pay a bill.”

To claim that demand is the root cause of prostitution is not only untrue, but dangerously misleading. It shifts attention away from the urgent economic realities that push women into sex work, and instead promotes laws that make our lives more dangerous. Criminalising those who pay for sex does nothing to address poverty or inequality, it simply forces sex workers to operate in riskier conditions. It reduces our ability to screen clients properly and increases the likelihood that we will accept unsafe or violent clients just to be able to survive. It heightens isolation and vulnerability, particularly for those who face the most discrimination.

Another woman in our network described the impact of current kerb-crawling legislation which criminalises clients for soliciting women on the street for sex: To avoid the police, clients drive by and signal to follow them into a side street. As soon as I get to the car, I have to jump in. You get no chance to see who it is that is driving, I can't really see his face, or check if he is drunk. I have to just hurry up and get in before the police come.

Criminalisation not only makes street-based work more dangerous, it also destroys the safer spaces sex workers have created, in a system that has been built to work against us.

Louka, a member of the English Collective of Prostitutes, ran a private, multi-use studio that offered a secure place to work for sex workers without needing to reveal home addresses. It was a community space for safety, education, and mutual support. It was a place where we could share information about violent clients, access safety workshops, and work without fear of police harassment. But after a minor noise dispute with a single neighbour, which Louka was actively trying to resolve, she was reported to the local council. The council weaponised licensing laws against her, demanding she apply for a licence they admitted would never be granted. Forced into an unwinnable process, she had no choice but to close. A space that kept multiple sex workers safer every day was dismantled. Not because it posed any risk to the public, but because under criminalisation, sex workers' safety is treated as illegitimate. In Louka's words:

“Now, with the studio gone, many of us face increased risks and extremely limited alternatives... The space was safer than working from home or going to hotels. We had hygiene products, security measures, and support.”

This is what criminalisation does. Laws like the one proposed in this Bill will not protect sex workers. They will target us and those who help us, punishing safety, care, and survival strategies.

**2. The Bill proposes to repeal section 46 of the Civic Government (Scotland) Act 1982. Under this section of the 1982 Act, a person who is found guilty of loitering, soliciting or importuning in a public place for the purposes of prostitution commits an offence. What are your views on this proposal?**

The English Collective of Prostitutes supports the repeal of Section 46, which criminalises loitering, soliciting, and importuning. Removing this offence would give sex workers more power to end decades of punitive policing that has targeted women working on the street in particular who face the greatest need and the most dangerous working conditions in Scotland.

However, any safety gains from repeal would be undone if it is introduced alongside the criminalisation of clients under the Nordic Model, which forces sex workers to operate in greater isolation, rush negotiations and screenings, and take greater risks, ultimately recreating the same dangers the repeal is meant to remove. Repeal must be part of a broader move toward full decriminalisation, not paired with new offences that simply push sex work further underground.

Section 46 has never been about safety or public order. It has always functioned to harass, criminalise, and stigmatise street based sex workers.

Sex workers speak of daily humiliation, bullying and threats from the police. As one woman in our network explained, police enforcement under Section 46 is not about protection, but persecution:

“The police wait outside my house to catch me when I leave. It doesn’t matter how I’m dressed, who I’m with, where I’m going, they say I’m loitering. When they stop me, they jeer and make jokes at my expense. When they arrest me, I’m strip searched. They sometimes leave the door open so the male officers can see in. It’s humiliating.”

Another woman commented: “We face saturation policing but no protection” Most of the sex workers targeted are not “exploited victims” in the way the Bill implies, they are women responding to poverty, debt, homelessness, and cuts to welfare. Criminalisation only compounds that. Many are single mothers, women of colour, migrants, and survivors of violence, trying to survive under conditions of extreme hardship.

The constant surveillance sex workers face from the police pushes us into more isolated and dangerous situations, increasing our risk of violence. Street-based sex workers are already at heightened risk of violence, especially those who are undocumented or unable to access welfare. Repealing Section 46 is crucial to reducing harm against sex workers, but only if it is not undermined by other laws that continue to criminalise our livelihoods and endanger our lives.

**3. The Bill proposes to quash historic convictions under section 46 of the Civic Government (Scotland) Act 1982, which relates to the offence of loitering,**

**soliciting or importuning in a public place for the purposes of prostitution. What are your views on this proposal?**

The English Collective of Prostitutes fully supports the quashing of historic convictions under Section 46 of the Civic Government (Scotland) Act 1982. We have campaigned for decades for the removal of “prostitute cautions” and convictions across the UK, documenting in our 2023 report *Proceed Without Caution* how these records devastate women’s lives. They do nothing to improve safety or public order. Instead, they trap women in prostitution by blocking access to jobs, housing, benefits, and justice. They are disproportionately issued to street-based workers, migrant women, women of colour, and trans women, compounding other forms of discrimination and marginalisation.

A criminal record under section 46 carries devastating, lifelong consequences. It can prevent sex workers from finding other employment, renting housing, gaining or retaining custody of their children, or reporting violence. One woman in our network explained:

“At the age of 25, seven years into the industry, I tried to leave. I had three kids to feed and looked for a job in an office, but they did a DBS check and the cautions and convictions came up. So, I didn’t get the job. I had to carry on with prostitution.”

The Bill’s provision to clear records and update official documents is a vital, restorative measure that would remove one of the most harmful legal tools used to punish survival and reduce some of the barriers that keep women trapped in unsafe working conditions. But record clearing alone is not enough. It must be part of a broader commitment to the full decriminalisation of sex work. Only complete legal reform will dismantle the systems that force women into isolation, prevent safe working arrangements, and block access to real support or exit strategies.

**4. The Bill proposes (at section 6) to place a duty on the Scottish Ministers to ensure that a person who is or has been in prostitution is provided with assistance and support. The Bill sets out a non-exhaustive list of the types of assistance and support that may be provided. What are your views on this proposal?**

The English Collective of Prostitutes supports the provision of resources that help people leave sex work but only when those services are voluntary, non-coercive, non-judgemental, and grounded in respect for sex workers’ rights, autonomy and expertise.

We are deeply concerned that under this Bill, support is being offered within a framework of criminalisation. When support is tied to policies that discriminate against and punish sex workers, such as criminalising clients through the Nordic Model or associating sex work with exploitation by default, it cannot be truly supportive. Instead, it risks becoming a tool of surveillance, control, or forced exit.

Many women in our network have tried to access exit services, only to find that what



was on offer did not address the actual reasons they were in sex work to begin with. Most sex workers are working to survive. They are supporting children, escaping domestic violence, or managing debt, homelessness, or benefit cuts. What we need is not moral rescue, but financial security, safe housing, healthcare, childcare, and immigration protection. One woman in our network explains:

“I was in a women’s support service for exiting. They kept asking me why I didn’t want to stop working. I told them, ‘Because I still have to pay the rent.’ They couldn’t help with that. All they had was a course on CV writing.”

This is not meaningful support. Nor is it “support” when women are expected to give up income before any alternative has been made viable. Forced exit traps women in deeper poverty, not less.

We are also concerned that the statutory duty to provide support lacks clarity on funding, scope, and implementation. In other countries where support services were promised under the Nordic model, they were either never delivered or grossly underfunded. In Ireland, a 2022 Amnesty report found that exit schemes were inaccessible, stigmatising, and actively discouraged sex workers from accessing other public services.

Support services must be properly funded and the money should not be directed only to organisations which support/impose the ideological view that conflates all prostitution with violence, demanding that we feel ashamed of our work, and determine for women that we must exit in order to be entitled to help. This has happened in the past and has deprived sex workers of vital support as we do not want to turn to services that are judgmental and disparaging of our lives and choices.

BUT the most effective support is to put money directly into women’s hands. Benefits must be increased to a level that covers the real cost of living.

Since most sex workers are mothers, consideration should be given to providing a “guaranteed care income” that recognises the value of mothers’ work in raising children and addresses mothers’ and consequently children’s poverty.

One example that the Scottish government could follow is the Guaranteed Care Income Pilot in San Francisco, which supported ten single mothers (including undocumented mothers) over the course of 2023. The project was set up by our sister organisation US PROStitutes Collective, as part of its In Defense of Prostitute Women’s Safety Project.

The women, who were all “at risk of incarceration or having their children taken by child welfare”, received \$2,000 (about £1500) a month for a year. By the end of the year, the women reported better health and an improved ability to care for their children. Crucially, they also reported that they’d had no need to do anything illegal, including sex work.

Why can't a similar scheme be rolled out in Scotland?

We call for a support model based on:

1. Our choice: Services must never be contingent on someone leaving sex work, nor used to pressure people into exiting.
2. Our needs: Real support means access to welfare benefits, housing, debt relief, health care and the right to live and work without fear of deportation.
3. Our expertise: Sex worker-led organisations must be at the centre of designing and delivering support, not excluded or treated as illegitimate.
4. Full decriminalisation: We, as sex workers, are the experts in our own lives. We know what support would actually help us leave prostitution and we know that criminalisation is not it. Without the full decriminalisation of sex work, including the clearing of past convictions, support schemes risk being inaccessible, punitive, or even harmful. Only a rights-based framework grounded in full decriminalisation can make genuine, voluntary exit possible for those who want it, while also protecting the safety, dignity, and choices of those who remain.

**5. Do you have any other comments on the Bill which you have not already covered elsewhere?**

We are appalled that the focus of politicians is once again on increasing criminalisation and police powers which will be used first of all against sex workers instead of prioritising ending women's and therefore children's poverty.

The prostitution laws are implemented in a racist and discriminatory way. People of colour, migrant and trans sex workers are targeted for arrest. Over 90% of women arrested between 2016 and 2021 in London for loitering for the purposes of prostitution were migrant and/or women of colour. Evidence shows that the criminalisation of clients is a “smokescreen for punitive and racialised policing” which often leads to deportations and evictions.

Sex workers face a lot of violence, but criminalisation increases the risk of attack. UK sex workers have the highest murder rate compared to women in other occupations. It is much safer to work indoors with others but this is illegal. Sex workers are three times more likely to experience rape and other violence in countries where sex work is criminalised.

Violence from the police is a significant problem. Research in 2021 found that 42% of street-based sex workers had experienced violence from the police, and that women of colour and migrant sex workers are disproportionately targeted. The police are also one of the most “common perpetrators of violence” against trans sex workers internationally. 49% of online workers in the UK were unconfident that police would take reports of violence against them seriously.

Criminalisation undermines health - the stigma associated with prostitution prevents sex workers getting appropriate health care. Evidence from around the world has shown a clear link between criminalisation and sex workers' increased risk of HIV,

STIs, and poor emotional health. Fear of police, and increased police presence, were linked to avoidance of health care services. Police confiscating condoms and using them as evidence for arrest forces sex workers into unsafe sex.

Trafficking and "commercial sexual exploitation" is being used to justify this crackdown but evidence shows that few sex workers are trafficked. A study of migrant sex workers found less than 6% had been trafficked, many said they prefer working in the sex industry rather than the "unrewarding and sometimes exploitative conditions they meet in non-sexual jobs." Studies in Nordic countries (where trafficking has been used to justify the introduction of laws criminalising the purchase of sex) found only 6% of sex workers were trafficked or forced by someone to sell sex.

Criminalisation of people who buy sex (known as the "Nordic Model") puts sex workers at greater risk of violence and does not reduce the demand for prostitution or reduce trafficking.

Violent crime against sex workers in Ireland rose by 92% after clients were criminalised and research found that: "the criminalisation of buyers has exacerbated violence and stigma against sex workers." In Nordic countries which have laws to criminalise clients, sex workers are still the main targets of the police.

Research in France found that since the law criminalising clients was introduced: 63% of sex workers experienced a deterioration of their living conditions, more isolation and greater stress; 42% were more exposed to violence (sexual violence, theft, and armed robbery); 38% found it increasingly hard to demand use of condoms.

A Northern Irish Ministry of Justice review found "no evidence that the offence of purchasing sexual services has produced a downward pressure on the demand for, or supply of, sexual services".

Evidence compiled by the Global Alliance Against Traffic in Women showed that in countries where purchasing sexual services are criminalised, trafficking is not reduced.

## **DECRIMINALISATION WORKS**

Full decriminalisation of sex work has been implemented in New Zealand in 2003, Belgium in 2022, and a number of Australian states over the past decades, with verifiable success. In New Zealand over 90% of sex workers said they had additional employment, legal, health and safety rights. 64.8% found it easier to refuse clients and 70% said they were more likely to report incidents of violence to the police. In Belgium sex workers won labour rights, including pensions, maternity leave and the right to refuse clients -- strengthening workers' hands to fight workplace exploitation.

The majority of people support prostitution law reform and oppose the criminalisation of clients.

Decriminalisation is supported by prestigious organisations.

In the UK this includes the Royal College of Nursing, Women Against Rape, Freedom United and the Joint Council for the Welfare of Immigrants. Internationally support comes from Amnesty International, the World Health Organization, Human Rights Watch, UNAIDS, International Lesbian, Gay, Bisexual, Trans and Intersex Association and Global Alliance Against Traffic in Women. Trade Unions both in the UK and internationally also support decriminalisation such as BFAW, ASLEF, GMB, Equity, and IWW.