

Criminal Justice Committee  
Wednesday 19 November 2025  
31st 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.
  - **Siobhian Brown MSP**, Minister for Victims and Community Safety, Scottish Government
  - **Jeff Gibbons** – Head of the Violence Against Women and Girls Unit, Scottish Government
  - **Emily McLean** – Violence Against Women and Girls Team Leader, Scottish Government.
4. The following documents have been provided to the Committee, which are reproduced at the Annex—
  - Extract of a letter from Siobhian Brown MSP, Minister for Victims and Community Safety 23 June 2025 (pages 3 - 4);
  - Extract of a letter from Siobhian Brown MSP, Minister for Victims and Community Safety 29 July 2025 (pages 5 - 7); and
  - SPICe document summarising written responses to the Committee's Call for Views on the Bill from individuals with lived experience (pages 8 - 16).
5. The Committee has taken evidence on this Bill previously at its meetings on [5 November](#), [29 October](#), [8 October](#), and [25 June 2025](#).

## Financial Memorandum

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

## Further reading

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

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

## **ANNEX: SUBMISSIONS RECEIVED**

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

23 June 2025

Dear Convener,

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

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

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

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

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

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

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

There is also insufficient detail on how it is envisaged the proposals to support those involved in or exiting prostitution would work in practice, how long they would be

## **ANNEX: SUBMISSIONS RECEIVED**

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

In particular, and as I outlined during the member's business debate on combating commercial sexual exploitation on 3 June, I have significant and deep concerns about the quashing of previous convictions as set out in the Bill. The quashing of convictions is exceptional and has only been done in this Parliament for sub-postmasters through the Post Office (Horizon System) Offences (Scotland) Act 2024 to ensure they were eligible to access redress schemes.

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

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

I hope this is of use to the Committee.

Yours sincerely,

**SIOBHIAN BROWN**

## ANNEX: SUBMISSIONS RECEIVED

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

29 July 2025

Dear Convener,

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

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

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

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

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

In these ongoing discussions with Police Scotland, we will review the emerging data and evidence, which will help inform consideration of the tools the police need to effectively tackle Commercial Sexual Exploitation. On the costings for Police Scotland that were referenced in the evidence session, we have concerns that the operational costs for police may have been underestimated, particularly given the complexity around some cases. The recent [review](#) on Prostitution legislation IN Ireland highlighted the 'resource intensive' nature of police investigations relating to prostitution.

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

## ANNEX: SUBMISSIONS RECEIVED

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

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

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

Another area of consideration in relation to the funding of support for victims, is that whilst the member referenced that the costs could be met by the Delivering Equally Safe (DES) and Victim Centred Approach funds (VCAF), these funds alone would not fully cover the range of support needs that women may have and are competitive funds which are currently fully committed. In real terms, this means that DES currently provides £21.6m to support 115 Projects from over 107 organisations and through VCAF we will provide £32m to 23 Organisations between 2025-2027, including £12m for specialist advocacy support for survivors of gender-based violence. As part of the implementation of our Strategic Approach we will continue to consider a sustainable funding model, informed by the initial roll-out of the Begonia approach.

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

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

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

## **ANNEX: SUBMISSIONS RECEIVED**

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

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

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

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

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

I hope this additional information is helpful to the Committee.

Yours sincerely,

**SIOBHIAN BROWN**

**Criminal Justice Committee**  
**Wednesday 19 November 2025**  
**31st Meeting, 2025 (Session 6)**

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

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

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

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

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

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

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

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

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



The main arguments in favour of the proposed offence concerned:

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

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

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

One respondent told the Committee that:

“I agree with this proposal. For me, payment for sexual acts has led to a lifetime of misery and feelings of disempowerment. This should be criminalised. I should not have been the criminal in this situation - I was the victim. People who buy sex should be criminalised.”

Another commented that:

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

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

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

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

And,

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

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

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

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

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

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

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

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

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

Another respondent agreed with this view, stating:

“Strip clubs are frequently channels of indoctrination into prostitution. Pole dancing, lap dance, and strip tease are all absolutely sexual performances. I myself was trafficked and forcibly prostituted out of strip clubs at only 17 years old with a forged ID. Allowing exemptions to a bill aiming to protect women will only strengthen this strip club/prostitution connection.”

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

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

The main arguments against the proposed offence concerned:

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

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

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

“The criminalisation of clients will reduce willingness to comply with booking process I utilise for sessions with clients. I currently fully vet all of my clients

with legal ID and bank transfer deposits, the proposed bill will mean this will be unfeasible. I am safe as I know who I am encountering, but criminalising clients mean only those who are willing to break the law will seek out services, and therefore be less compliant with my current safety measures.”

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

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

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

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

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

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

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

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

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

And:

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

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

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

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

### **Preference for decriminalisation**

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

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

### **Impact on demand**

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

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

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

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

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

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

Comments included:

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

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

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

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

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

### **Additional repeals**

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

“I agree with this proposal. Decriminalising the sale of sex helps to reduce the stigma and harm that people who sell sexual services face. I would also like to see the brothel-keeping law repealed. Having two sex workers in the same premises (even if they are not ‘managed’ and are both working independently) constitute a brothel encourages people to work alone and makes it more dangerous.”

### **Views against the proposal**

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

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

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

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

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

And,

“I am in favour of prior convictions under this act being quashed. When workers are criminalised for such matters, stereotypes and stigmas are reinforced. This only makes us less likely to report violence, assault or theft, it makes it more difficult for us to seek other types of employment in the future, and it ostracises us in the community, further committing us to a life of sex work - whether we still choose it or not.”

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

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

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

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

Another respondent explained that:

“Yes, we should quash these convictions. I always dreamed of being a youth worker, but this form of employment is now out of my reach due to the PVG scheme. I am not a criminal, and I am not a bad person.”

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

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

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

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

Another expressed the view that:

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

## **Duty to provide assistance and support**

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

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

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

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

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

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

And,

“This is for me the most important part of the Bill. Exiting from and recovering from prostitution and/or trafficking is difficult and arduous. A multi-systemic approach is needed.”

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

“As a sex worker myself, I welcome the idea of support and assistance being available. But I want to be clear: any such provision must be led by sex workers, shaped by our lived experience, and not tied to coercion, exit-only frameworks, or conditions that increase stigma.”

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

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

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

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

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

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

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

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

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

Another person told the Committee that:

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

### **Experiences from other jurisdictions**

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

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

Another response focussed on their experience of living in Ireland:

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

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

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

### **Views against the proposal**

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

“It is genuinely offensive. I am not someone who requires charity and do not need to be saved. I take pleasure in my sex work and value my clients. We deserve rights, acceptance, and most importantly, the opportunity to continue in our sex work. Removing our clients and replacing them with government intervention or offers is not empowering; it is demeaning.”

Another explained that:

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

### **SPICe Research**

**Date: 04/11/2025**

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused
--



information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.  
The Scottish Parliament, Edinburgh, EH99 1SP [www.parliament.scot](http://www.parliament.scot)