

## 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**

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