

### **Key messages:**

- RCN members debated this issue at our annual Congress in 2019 and passed a motion calling for the RCN to lobby for the decriminalisation of both the sellers and buyers of sex; a position that does not align with the proposals in the Bill.
- Our members work in all areas of healthcare, and many who participated in the Congress debate gave examples of their direct care of those who have been involved in sex work. Members who spoke in favour of decriminalisation argued that it results in a safer environment for all involved.
- However, it's important to note that the vote was not unanimous, with those speaking against the motion arguing that criminalising the purchase of sex is more effective at ending demand for sex work and that buying sex and brothel running are human rights abuses.
- **We agree with the Bill's proposal to decriminalise prostitution.** During the RCN Congress debate, members argued that decriminalisation empowers sex workers to be safer and to access the health services and support they need.
- Other members highlighted that any model of criminalisation pushed sex workers underground, an opinion corroborated by a 2017 study by the Scottish Government, which found the only consensus in the evidence was the need to decriminalise sex workers.
- In relation to section placing a duty on Ministers to ensure the provision of assistance and support for those who are, or have been, in prostitution, RCN Scotland supports the intention behind this. However, there is little clarity about how the necessary resources will be provided.
- Because the proposal states that the healthcare services include counselling, and because it introduces a statutory right to healthcare for any reason (not just issues caused directly by involvement in prostitution), the Bill has the potential to create significant resource needs.
- **While we believe that those involved in prostitution should have access to appropriate healthcare and support, it is important to consider how this need will be met.**

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