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Justice Committee
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Dear Christine,

I am writing to provide an update to the Committee of the progress in relation to the prostitution research that has been undertaken on behalf of the Scottish Government.

During the passage of the Human Trafficking and Exploitation (Scotland) Act 2015, I gave a commitment to the Committee and to Parliament that the Scottish Government would commission research to investigate the reliability of the evidence available on the criminalisation of the purchase of sexual services, and how it applies to Scotland and for a workshop with key stakeholders to be held by the end February to consider the outcome.

It might be helpful to explain that in order to meet this commitment, the following research was commissioned by the Scottish Government:

- a Rapid Evidence Assessment (REA) of the impacts of the criminalisation of the purchase of sex,
- a desk based review of published research and evidence on prostitution in Scotland
- an investigation into the scale and nature of prostitution in Scotland based on exploration and collation of existing evidence provided by a range of professionals with knowledge and expertise in dealing with prostitution.

The first two components were conducted by the Scottish Centre for Crime and Justice Research, (SCCJR), while the third was conducted by the Scottish Government's own Justice Analytical Services, (JAS). All research and outputs have been overseen by an independent Research Advisory Group, (RAG), comprised of academics in this field, whose purpose is to quality assure and help shape the final outputs. Representatives of this group were carefully chosen to reflect the various ideological standpoints in the wider debate relating to prostitution.

I can advise that drafts of the research findings were completed in line with the proposed timescales and were submitted to the RAG for independent scrutiny with the aim of sharing



these findings with stakeholders at the proposed workshop. The response from the RAG regarding these findings indicated that further work is required to ensure that the output is of the highest quality. Given the complexities of the underlying issues relating to the evidence base on prostitution, I recognise that the RAG will want to be confident that relevant sources of evidence and data have been taken into account and that the research findings have been scrutinised thoroughly.

The current position is that SCCJR researchers are assessing and preparing their response to the comments of the RAG, and are considering additional evidence which was suggested to them by RAG members. The researchers require further time to review this evidence and revise their report so that completed findings can be presented at the proposed workshop. This means that the workshop can no longer be held according to the original planned timescale. I consider that it is appropriate to be guided by the advice of SCCJR to ensure their research findings are of the highest quality and that they are content for these findings to be presented at a workshop.

Following the process of review by the SCCJR, redrafted reports will be sent to RAG members. Redrafts will then be subject to further scrutiny by the RAG who will then meet to discuss the redrafted report and indicate their views. The same RAG process is also being followed in relation to the research undertaken by JAS.

I am sure the Committee will appreciate that if the workshop was to go ahead without the necessary research stages outlined above being completed, some may call into question the credibility of the research process, and the helpfulness of presenting findings which are known to be incomplete. My view remains, as set out to Parliament, that important decisions about the criminal law and prostitution should not be progressed until the analysis of international experiences is completed and its relevance for the position here in Scotland is understood.

I would like to assure the Committee that the Scottish Government is still committed to holding a research workshop with key stakeholders. Allowing time for the SCCJR and JAS to complete their revisions and for the RAG to review the revised reports, I have been informed that the reports will be ready to share with external stakeholders at a workshop shortly after the parliamentary elections.

I appreciate that delay in holding the workshop is unfortunate and I understand that stakeholders will be disappointed with such a delay. However, I am committed to having the highest quality evidence that we can in this highly contested and complex area and consider it is necessary and appropriate for the research findings to be scrutinised effectively by the RAG before they should be discussed at a workshop.

I am copying this letter to Rhoda Grant MSP and Jean Urquhart MSP who have shown a strong interest in these issues.

I hope you find this update helpful.

Best wishes



MICHAEL MATHESON